



TOWNSHIP OF MELANCTHON - AGENDA

Thursday, October 6, 2016 - 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 - September 15, 2016**
6. **Business Arising from Minutes**
 1. Shelburne Library Funding - Letter from Gord Gallagher, Treasurer, SPL
7. **Point of Privilege or Personal Privilege**
8. **Public Question Period** (Please visit our website under Agendas and Minutes for information on Public Question Period)
9. **Road Business**
 1. Accounts
 2. Roads Sub-committee Recommendation regarding OCIF Funding - Application deadline October 21, 2016
 3. Horning's Mills Cemetery - Cremation Burials - request from Chair of the Horning's Mills Cemetery Board to have Road Department do these
 4. Memorandum to Mayor White and Members of Council dated October 6, 2016, Re - Recommendations from the Roads Sub-Committee
10. **Planning Matters**
11. **Police Services Board Matters**
 1. Copy of a resolution passed by the Police Services Board dated September 22, 2016, Re - Newspaper Article in the Orangeville Banner August 14, 2016
 2. Copy of a resolution passed by the Police Services Board dated September 22, 2016, Re - Response to the Memorandum of Concern
 3. Copy of a resolution passed by the Police Services Board dated September 22, 2016, Re - Adopt and Promote the Could You Stop initiative of the Police Services Board and the Dufferin Ontario Provincial Police

Unfinished Business

 1. Recommendation from the PSB regarding Placement of Traffic Counters

**** Joint PSB Meeting (Hosted by Melancthon PSB) - Friday, October 21, 2016 at 9:00 a.m. - Council Chambers***
12. **Committee Reports**
13. **Correspondence**

***Board & Committee Minutes**

 1. Township of Melancthon Police Services Board - Meeting March 16, 2016
 2. Township of Melancthon Police Services Board - Meeting June 8, 2016
 3. Township of Melancthon Police Services Board - Meeting August 23, 2016
 4. Township of Melancthon Roads Sub-Committee - Meeting August 30, 2016
 5. Township of Melancthon Roads Sub-Committee - Meeting July 19, 2016
 6. Shelburne Public Library - Meeting June 21, 2016
 7. Shelburne & District Fire Board - Meeting June 7, 2016
 8. Strategic Planning Sub-Committee - Meeting July 6, 2016

13. Correspondence

*** Items for Information Purposes**

1. Copy of a motion passed by the Municipality of Hastings Highlands dated September 7, 2016, Re - Bill 171, Highway Traffic Amendment Act (Waste Collection and Snow Plows) 2016
2. AMO Communications - AMO Policy Update - Speech from the Throne Emphasizes Action on Electricity Costs
3. Email from Michelle Dunn, Deputy Clerk, Dufferin County dated September 9, 2016, Re - All Council Joint Workshop
4. Copy of a resolution passed by the Town of Mono dated September 13, 2016, Re - Shelburne Library Resolution
5. Email from Les Halucha, Treasurer, Town of Mono dated September 19, 2016, Re - DMOA Update - Report on Treasurer's POA Meeting
6. Email from Accessibility Directorate of Ontario dated September 20, 2016, re - Guide to Accessible Festivals & Outdoor Events 2016 updates
7. Email from Michelle Harris, Executive Director, Headwaters dated September 22, 2016, Re - Headwaters Tourism Update to September 20, 2016
8. Email from Headwaters Communities in Action dated September 23, 2016, Re - HCIA - a fresh kind of AGM event
9. OPP Annual Billing Statement and General Information
10. Email from Tristin McCredie, Municipal Advisor dated September 23, 2016, Re - Ontario Seeking Feedback on OMB Reform
11. Letter from Stantec Consulting Ltd dated September 20, 2016, Re - Culvert Rehabilitation - Replacement, Request for Exemption from Noise By-law 31-2002
12. Email from Great Lakes and Water Policy Section dated September 26, 2016, Re - Conservation Authorities Act Review Facilitator's Report
13. NVCA Board Meeting Highlights, September 23, 2016

*** Items for Council Action**

1. Email from Jennifer Willoughby, Deputy Clerk, Town of Shelburne dated September 19, 2016, Re - Town of Shelburne Planning Application Circulation
2. Official Plan Settlement Report from G.W. Jorden, Planning Consultant dated September 29, 2016

14. General Business

1. Notice of Intent to Pass the following By-laws:
 1. By-law To Authorize The Execution Of An Agreement Between Her Majesty The Queen In Right Of Ontario As Represented By The Minister Of Agriculture, Food And Rural Affairs And The Corporation Of The Township Of Melancthon
 2. By-law to provide for maintenance and repair to the Coutts Drainage Works
 3. By-law to amend By-law Number 39-2015 in the Township of Melancthon in the County of Dufferin - Bauman Drainage Works Levying By-law
2. Accounts
3. Applications to Permit
4. New & Other Business/Additions
 1. Draft Agreement for Integrity Commissioner Services
 2. Request to close Municipal Office on Friday, October 28, 2016 due to Staff Shortage and Training
5. Unfinished Business

15. Delegations

16. Closed Session (if required)

17. Third Reading of By-laws

18. Notice of Motion

19. Confirmation By-law

20. Adjournment and Date of Next Meeting - Thursday, October 20, 2016 - 5:00 p.m.

21. On Sites

22. Correspondence on File at the Clerk's Office

Sept 26 2016

Melancthon township Att Denise Holmes

157101 Hwy 10

Melancthon ON L9V 2E6

Re. Shelburne Library Funding

Mulmur's decision to withdraw as a participating municipality and from the board should have minimal effect on the other funders of the library. The board's decision in June 2016, as a result of an all member municipality meeting in June 2016, to change to a user household based funding formula will mean that Mulmur would still pay its proportional share of the operating budget. However, they would no longer contribute to capital projects. For that reason, Mulmur residents will be charged the non-resident user fee of \$100 per household.

Based on the numbers of user households in each municipality, as per the discussion paper distributed to the board and the municipal partners meetings in June 2016, Mulmur's share of the budget would increase from about 8.4% to 11.4%, based on 537 Mulmur households using the library. We will be preparing our 2017 budget based on that allocation.

With the decision to pay on a non-resident user basis, Mulmur residents will be charged \$100 per household. That would translate to about \$53,700 from Mulmur. I would expect some attrition with a move to individual fees, whether paid directly by the patron or paid by the Township of Mulmur. However, the number of users would have to drop to below 337 before it would impact the budget for the remaining municipalities.

I trust this helps for now. More to come I am sure.

Regards

Gord Gallagher

Treasurer, Shelburne Public Library

Budget Allocation Worksheet													
		2014	act budget 2014	Using Fire Numbers			Using Fire Numbers			Actual Library Households 3 yr avg			
				2015		Based on old				2016 Actual		ACTUAL COST	CURRENT
Municipal Partner	2014	% allocation		Household	% allocation	funding	2016	Based on current fire		Library	% allocation	on new #	BUDGET
						formula	Households	numbers		Households			
Shelburne		54.00%	\$149,502.00	2423	58.6%	\$ 154,201.00	2656	60.60%	\$ 179,008.16	2679	57.05%	\$ 168,517.43	\$ 159,508.00
Amaranth		12.80%	\$35,438.00	502	12.1%	\$ 36,552.00	505	11.52%	\$ 34,029.27	376	8.01%	\$ 23,651.57	\$ 37,810.00
Melancthon		16.00%	\$44,299.00	590	14.3%	\$ 45,690.00	598	13.64%	\$ 40,291.61	768	16.35%	\$ 48,309.59	\$ 47,263.00
Mono		8.80%	\$24,366.00	326	7.9%	\$ 25,132.00	326	7.44%	\$ 21,977.24	336	7.16%	\$ 21,135.44	\$ 25,997.00
Mulmur		8.40%	\$23,258.00	295	7.1%	\$ 23,989.00	298	6.80%	\$ 20,086.72	537	11.44%	\$ 33,778.97	\$ 24,814.00
total		100.00%	\$276,863.00	4136	100.0%	\$ 285,566.00	4383	100.00%		4696	100.00%		
									\$ 295,393.00			\$ 295,393.00	\$ 295,392.00
Calculation by 2016 actual Library HHLDS													
		Current		Using actual user HHLD #						Actual Library Households 3 yr avg			
			based on actual	2015		Based on				2016 Actual			CURRENT
Municipal Partner	2014	% allocation	library	Household	% allocation	actual library	2016	Based on current fire		Library	% allocation	ACTUAL COST	BUDGET
			households			household	Households	numbers		Households			
Shelburne	2679	57.05%	\$ 157,946.33	2679	57.05%	\$ 162,911.27	2679	57.05%	\$ 168,517.43	2679	57.05%	\$ 168,517.43	\$ 159,508.00
Amaranth	376	8.01%	\$ 22,167.91	376	8.01%	\$ 22,864.74	376	8.01%	\$ 23,651.57	376	8.01%	\$ 23,651.57	\$ 37,810.00
Melancthon	768	16.35%	\$ 45,279.13	768	16.35%	\$ 46,702.45	768	16.35%	\$ 48,309.59	768	16.35%	\$ 48,309.59	\$ 47,263.00
Mono	336	7.16%	\$ 19,809.62	336	7.16%	\$ 20,432.32	336	7.16%	\$ 21,135.44	336	7.16%	\$ 21,135.44	\$ 25,997.00
Mulmur	537	11.44%	\$ 31,660.02	537	11.44%	\$ 32,655.23	537	11.44%	\$ 33,778.97	537	11.44%	\$ 33,778.97	\$ 24,814.00
total	4696	100.00%		4696	100.0%		4696	100.00%		4696	100.00%		
			276863			\$ 285,566.00			\$ 295,393.00			\$ 295,393.00	\$ 295,392.00



The Corporation of
THE TOWNSHIP OF MELANCTHON
157101 Highway 10,
Melancthon, Ontario, L9V 2E6

TO: MAYOR WHITE AND MEMBERS OF COUNCIL

FROM: JOYCE CLARKE, ROADS SUB-COMMITTEE SECRETARY

DATE: OCTOBER 6, 2016

SUBJECT: RECOMMENDATIONS FROM THE ROADS SUB-COMMITTEE

The Roads Sub-Committee Meeting on September 27th, 2016 resulted in the following recommendations.

1. The Road Sub-Committee recommends

Due to the fact lowering the speed limit on the 3rd Line OS might change the road classification, the Road Sub-committee recommends the speed limit on the 3rd Line OS remains at 80 km. per hour.

2. The Road Sub-Committee recommends the road counter be put on a regular rotation between the busiest roads in the Township.
The 4th Line NE, 2nd Line SW, 7th Line SW and the 3rd Line OS being the first roads for the rotation with other roads to be added as necessary.

3. The Road Sub-Committee recommends rescinding its recommendation from August 11th, 2016 reading

The Road Sub-committee recommends signs indicating all Melancthon Township roads have speed limits of 80 km/hr. unless otherwise posted, be erected on township roads with large volume traffic.

Report respectfully submitted.

Joyce Clarke
Road Sub-committee
Secretary

RDW -

OCT 06 2016



TOWNSHIP OF MELANCTHON

POLICE SERVICES BOARD

157101 Highway 10, Melancthon, Ontario, L9V 2E6

September 23, 2016

Corporation of the Township of Melancthon
157101 Highway 10
Melancthon, Ontario
L9V 2E6

Attention: Mayor White and Members of Council

Dear Sirs/Madame,

At the meeting of the Township of Melancthon Police Services Board held on September 22, 2016, the following motion was introduced and passed:

Moved by Malloy, Seconded by Besley

Be it resolved that: "in response to the newspaper article in the Orangeville Banner of August 14, 2016 referencing the Shelburne Police Services Board, the attached letter on behalf of the Melancthon Police Service Board be forwarded to Melancthon Council." **Carried.**

Yours truly,

Denise B. Holmes, AMCT
Interim Secretary

Encl.

PSB1

OCT 06 2016

Members of Council

Township of Melancthon

September 22, 2016

Re: Policing in Melancthon

This open letter is written in response to the recent article published in the Orangeville Banner on September 14, 2016 related to Mayor White's attendance and representations to the Shelburne Police Service Board.

The Melancthon Police Service Board does not share the position or comments attributed to Mayor White. In fact the PSB holds to the contrary.

The Melancthon Police Service Board recognizes that it is up to Council to make decisions respecting the service provider of police services for the Township, recognizing that it was only in July, 2015 that Council, under the Mayor's signature, signed a three contract for service with the Ontario Provincial Police, without any reservations expressed.

It is indeed of interest that the contract was signed shortly after the Melancthon Police Service Board and the Dufferin OPP took the initiative with Council to host a community meeting in Hornings Mills on June 1, 2015 and then took further steps to address some questions arising while Council considered the steps it might take to address the concerns that were within its jurisdiction. At the same time the community was reminded of its responsibility for individual actions of those within the community.

We would remind Council, again, that it was the Dufferin OPP and the Melancthon Police Service Board who took the initiative to host a further community meeting in Corbetton in October, 2015 to address policing and related issues. Once again steps were taken to respond to questions and for all responsible, including community, Council and the OPP, to respond as able.

Further the Police Service Board and the OPP took the initiative again in early 2016 to determine the viability of hosting a further community meeting in north Melancthon but with little interest shown otherwise to have such a meeting.

From October, 2015 through May, 2016 Council never shared any concerns with the PSB or with the Dufferin OPP, either verbally, in writing or by attendance before the Police Service Board. It was only in June, 2016, as addressed in previous correspondence that the Melancthon PSB and the Dufferin OPP were advised there were "concerns" but no specifics were provided until a "general memo" dated mid-August, 2016, which contained few if any specifics and which were otherwise time delayed.




Mayor White has chosen to not to attend any Police Service Board since at least pre-dating January, 2015 (a review of old Minutes may well reveal when he last attended) and yet he takes the steps to attend a Shelburne Police Board meeting, without even the courtesy of so advising the Melancthon Police Service Board.

Mayor White should be aware that over the past two years the calls for police service to the OPP for Melancthon have been declining and that, if such a trend continues, then the cost of policing might well go down in future contracts.

Mayor White and Council have the jurisdiction to consider who provides police service to those with Melancthon but it is irresponsible to blame or denigrate the Dufferin OPP.

The Melancthon Police Service Board in working with the Detachment Commander of the Dufferin OPP have made and continue to make ongoing efforts to address and respond to how to make policing more effective within Melancthon and to further a working relationship with Council so that all are working to the same end. The actions to date and representations reflected in the recent newspaper article reflect no such responsibility by the Mayor.

This letter could well go on with specifics and more suggestions but that is of course the choice of Council, not just the Mayor. The Melancthon Police Service Board members, all being citizens of Melancthon, could pose many questions to Council on how any contract for police service might work and be cost-effective and more-effective for Melancthon but that is perhaps for another time and forum.


DAVID T. SMITH
CHAIR

Amy

Alan Burt



TOWNSHIP OF MELANCTHON

POLICE SERVICES BOARD

157101 Highway 10, Melancthon, Ontario, L9V 2E6

September 23, 2016

Corporation of the Township of Melancthon
157101 Highway 10
Melancthon, Ontario
L9V 2E6

Attention: Mayor White and Members of Council

Dear Sirs/Madame,

At the meeting of the Township of Melancthon Police Services Board held on September 22, 2016, the following motion was introduced and passed:

Moved by Malloy, Seconded by Besley

Be it resolved that: "in response to the Memorandum of Concern from Council dated August 15, 2016, the attached letter of the Police Service Board be forwarded to Council." **Carried.**

Yours truly,

Denise B. Holmes, AMCT
Interim Secretary

Encl.

PSB 2

OCT 06 2016

To: Melancthon Council

September 22, 2016

From: Melancthon Police Service Board

The Melancthon Police Service Board has had the opportunity to consider the Memorandum dated August 15, 2016 of the "Concerns and Questions of Council" at its most recent meetings of August 23 and September, 22, 2016. The Board will not be responding in writing to each of the 22 "concerns/questions".

The Board is well aware of its duties and responsibilities. It has and will continue to address those responsibilities over its mandate. It anticipates the Melancthon Council will work cooperatively with the Board in the future rather than in second guessing or suggesting a loss of confidence.

The Board has met since January, 2015 more frequently than the legislative mandate, has participated in Joint Dufferin Police Service Board meetings and have otherwise engaged, with the OPP, in proactive (not reactive) policing. The Board recommended, endorsed, promoted and encouraged public meetings in Hornings Mills and Corbetton and has otherwise sought to engage the Melancthon community. The OPP have actively participated in public engagement, "teaching models", public forums and posted/released media releases to address the various issues that touch Dufferin and specifically Melancthon all in an effort to educate and inform. The Board will continue to endorse this model of policing.

The Board has and will address any issue/concern that is brought before it in a timely and proper manner. The Board will not engage however in having the Detachment Commander of the OPP respond to incident/occurrences that have not otherwise been addressed in a timely and proper manner respecting the protocols in place pursuant to the Police Service Act and the requirements of the OPP. There has been and continues to be posted on the OPP website and the Dufferin OPP website information to assist those who believe they have a complaint about services and or officer(s). The Detachment Commander also provides regular updates to the Board on the status of any complaints. The Board will be working with the Detachment Commander to ensure that any protocols necessary are posted to the OPP website, the Dufferin Joint Service Board website (not within our control but the topic, including updating of the webpage will be raised at the next Joint Police Service Board meeting) and also linked as part of the Melancthon Police Service Board webpage (part of the Melancthon Township website once it is otherwise revised/in place). In the meantime the Board suggest that Council members refrain from being part of 'complaints' that have not respected and honoured the process and protocols. If and when the Provincial government amends the Police Service Act, including any complaint process, the Board will adapt and amend any necessary policies and protocols.

The issue of "heavy trucks" has been discussed. The Township Bylaw governing this issue was passed in July, 2012. In September, 2012 Council, by its representative, advised the Melancthon Police Service Board of Council's intention to hire paid duty officers to enforce the bylaw. There has never been any discussion at Police Service Board, certainly since the term of the current Board, on this issue. The Board understands that the OPP will attempt to assist in future but Council is reminded that the Agreement with the OPP signed by Council in July, 2015 requires agreement and mutuality on matters of bylaw enforcement and that cost may be a function of that process.

As for the matter of community safety zones, traffic control and speed limits those matters are all within the jurisdiction of Council, not the OPP or Police Service Board. The Board has and will continue to encourage Council to consider:

- a) the regular use (and sharing of the information) of the traffic counters (Motion of Board passed on August 23, 2016);
- b) the rotation of the "warning traffic speed lights" throughout the Township, and outside Corbetton and Hornings Mills;
- c) the posting of speed limit signs, especially on paved roads within the Township;
- d) reducing the speed limit from 80 to 70 km/hour on Township roads.

The Board has during the course of its mandate since January, 2015 been pleased to receive consistently reports from the OPP that Melancthon does not have a "serious problem" with crime, in fact the data for 2015 and 2016 supports a decrease in the calls for service to Melancthon which if the data continues will ultimately lead to a decrease in police cost. At the same time the issue has been to reflect a community policing model that reflects the desire to reduce even the need for police presence for the ultimate responsibility for a safe and peaceful community falls to the residents of Melancthon, in the holding of each other to account on matters of traffic safety and compliance. The Board does not agree with the suggestion that the presence of police to enforce speed limits or other highway traffic requirements or bylaws will change behaviour except for perhaps the very short term and nor does the Board support any suggestion of a lack of confidence in the OPP. For Council, or any member, to suggest a lack of confidence is, with respect, counter-productive and irresponsible.

As for the issue of "information sharing" with the Fire Service Boards, this matter has been addressed again. The matter was addressed by email dated November 26, 2015 between the MTO and the Association of Fire Chiefs. The matter is between the MTO and Fire Services. It is not and will not be a subject for the OPP or of the Police Service Board.

The Board would suggest in future that Council, if it has a question/concern of the Board, should either express it through its Council representative or in a respectful manner to the Board. Once again the Police Service Board has and continues to seek a cooperative, not a combative, relationship with Melancthon Council and it trust that Council will adopt this same approach.



Atty
Alan Burt



TOWNSHIP OF MELANCTHON

POLICE SERVICES BOARD

157101 Highway 10, Melancthon, Ontario, L9V 2E6

September 23, 2016

To: Police Services Board for Amaranth, Grand Valley, Mono, Mulmur, Orangeville and Shelburne
Township of Amaranth, East Garafraxa, and Mulmur
Town of Grand Valley, Mono, Orangeville and Shelburne

Dear Sirs/Madames:

At the meeting of the Township of Melancthon Police Services Board held on September 22, 2016, the following motion was introduced and passed:

Moved by Besley, Seconded by Malloy

Be it resolved that: "the Board adopt and promote the ***Could You Stop*** initiative of the Police Service Board and the Dufferin Ontario Provincial Police directed at educating and reducing traffic speeders in Melancthon. Further the Board shall encourage other municipal Police Service Boards and the various municipal Councils to adopt and promote the initiative within the respective communities." **Carried.**

The Melancthon Township Police Services Board and the Dufferin OPP have undertaken this initiative and are working at finalizing a brochure (draft attached) before circulation.

It is also planned that further information will be shared on this initiative, focused on reducing speeding and encouraging traffic safety, at the Section 10 Joint Police Services Board Meeting, hosted by Melancthon PSB, on October 21, 2016.

Yours truly,

Denise B. Holmes, AMCT
Interim Secretary

- c. Township of Melancthon
Staff Sergeant Steven Sills, Dufferin OPP

COULD YOU STOP FOR A CHILD?

DO YOU KNOW WHAT IT TAKES TO
STOP A VEHICLE -

going 80 km/hr	230 feet
going 90 km/hr	265 feet
going 100 km/hr	over 325 feet
going 120 km/hr	over 430 feet

DO YOU KNOW THAT A VEHICLE
WEIGHS OVER 3000 POUNDS and
MOST CHILDREN WEIGH UNDER 100
POUNDS. GUESS WHO LOSES IN AN
ACCIDENT.

DID YOU KNOW -

SPEED IS A FACTOR IN OVER
25 PER CENT OF FATAL ACCIDENTS

IN ONTARIO IN 2013 OVER
60,000 PEOPLE WERE INJURED
OR KILLED IN TRAFFIC ACCIDENTS

A REDUCTION OF 1 % IN SPEED CAN
REDUCE THE LIKELIHOOD OF A
FATALITY BY 5 %

DEER CROSS MELANCTHON ROADS
WITHOUT REGARD TO YOUR SPEED.
THINK ABOUT IT.

SPEED COST -

DEMERIT POINTS

0-15 km/hr over 0

16-29 km/hr over 3

30-49 km/hr over 4

50 km/hr plus 6

plus license suspensions?

FINES

1-19 km over \$2.50/km

20-29 km over \$3.75/km

30-49 km over \$6.00/km

50 km over min \$609

could be up to \$10K

INSURANCE

Premiums will increase for
at least 3 years

LIVES PRICELESS

SPEEDING

HAVE YOU COUNTED THE
COST?

Fuel Efficiency

Dollars - Fines

Demerit Points

License Suspension

Insurance Premiums

Accidents - Property Damage

Accidents - Personal Injury

The Life of Another

Your Life

Your Child's Life

KIDS LIVES

MATTER

EACH LIFE

MATTERS

YOUR LIFE

MATTERS

THINK ABOUT IT

PLEASE SLOW DOWN

THANK YOU

FOR

CARING

FROM

PEOPLE

WHO CARE

TOWNSHIP OF MELANCTHON POLICE SERVICES BOARD

The Township of Melancthon Police Services Board held a meeting on Wednesday March 16, 2016 at 4:30 p.m. at the Melancthon Township Municipal Office Committee Room. Those present: Chair David Thwaites, Municipal Member Dave Besley, Provincial Member Bart Malloy, Staff Sgt. Steve Sills, Dufferin OPP, Lynn Van Alstine, Secretary

Call to Order

Chair Thwaites called the meeting to order at 4:30 p.m.

Declaration of Pecuniary Interest

Chair Thwaites advised those in attendance that they could declare their pecuniary interest now or at any time during the meeting.

Approval of the Agenda

Moved by Malloy, Seconded by Besley that the agenda be approved as circulated. Carried.

Approval of Minutes

Moved by Besley, Seconded by Malloy that the minutes of the December 16, 2015 Police Services Board minutes be approved as circulated. Carried.

Issues Arising from Minutes

None.

Presentations/Delegations

None

Correspondence

On File

1. Mulmur Police Services Board Meeting - Draft minutes from February 10, 2016 meeting

Financial

Revenue generators were previously noted in the Detachment Commanders report

Detachment Commander's Report

Staff Sgt. Sills reviewed the report for October - December 2015 and explained the statistics, clearance rates and highlights of the activities during this period.

Highlights included: Property Crime - seen a general increase in the overall trend.

Committee Reports

None.

New Business / Other Business - Discussions

1. Email from Kirsten Vroom, Mulmur Police Services Board Secretary - Joint Meetings
Lynn to follow-up with Mulmur
2. Review of Strategy for a Safer Ontario - February 2016
3. Review of AMO Release - Guide to Police Services Act Consultation - February 29, 2016
Steve commented on this report
4. Agenda items for Joint Board Meeting - April 2016
Submit agenda items to Jeff Bunn
5. Community Policing Meeting - north Melancthon,
Check with Wellington and Grey County: How do they share about horse and buggy road safety
6. Review of Detachment Commander Performance Monitoring / Feedback for 2016

Date of Next Meeting - Wednesday May 18, 2016

6:00 p.m. - Moved by Malloy, Seconded by Besley that we adjourn this Police Services Board meeting to meet again on Wednesday May 18, 2016 at 4:30 p.m or at the call of the Chair. Carried.

CHAIR

SECRETARY

June 8, 2016 Minutes

- 1) Meeting called to order
- 2) No conflicts or Pecuniary Interests
- 3) Secretary appointed, Bart Malloy accepted
- 4) Motion forwarded to acknowledge meeting as closed to the public. Moved by Malloy, 2nd by Besley
- 5) Issue Running Stop signs in Horning's Mills

Staff Sergeant Sills reported that:

March 24, 2016 a public complaint was received, an officer attended for 1 hr and noticed 6 vehicles approach the stop signs and all 6 had stopped. The officer deemed no issue was found and left the area.

April 28, 2016 a report of a dump truck speeding was reported, officers attended the area, but the dump truck could not be located.

- 6) Staff Sergeant Sills reported that officers are deployed for patrol to high risk areas where serious injury could occur. A review of reports revealed a low level of activity for calls for service.

- 7) PSB Role:

It was determined that the role of the PSB is to deal with issues as stated in council minutes. Councilors need to stop trying to deal with issues on their own and report any issues to the PSB, who will in turn discuss with the OPP.

Council needs to allow the PSB to their job as mandated in the Police services act and follow the necessary protocol.

Motions:

- 8) A motion was issued to exclude Staff Sergeant Sills report from the June 16, 2016 council meeting and that the PSB will discuss any issues that the council has brought forth at the June 16, 2016 meeting and report it to the OPP at the next meeting. Moved by Thwaites, 2nd by Malloy.

An Motion was passed to include the PSB Meeting dated June 8, 2016 with the agenda documents circulated to councilors for the June 16, 2016 council meeting. Moved by Malloy, 2nd by Besley.

- 9) Meeting adjourned
- 10) Next meeting September 22, 2016, or at the discretion of the chair if necessary.

TOWNSHIP OF MELANCTHON POLICE SERVICES BOARD

The Township of Melancthon Police Services Board held a meeting on Tuesday, August 23, 2016 at 4:30 p.m. at the Melancthon Township Municipal Office Committee Room. Those present: Chair and Public Member David Thwaites, Municipal Member Dave Besley, Provincial Member Bart Malloy, Staff Sgt. Steve Sills, Dufferin OPP and Denise Holmes, Melancthon CAO/Clerk.

Call to Order

Chair Thwaites called the meeting to order at 4:30 p.m.

Motion to accept resignation of PSB Secretary Lynn Van Alstine

Moved by Besley, Seconded by Malloy that the Melancthon Township Police Services Board accepts the resignation from Secretary Lynn Van Alstine, effective July 7, 2016. Carried.

Motion to Appoint Interim Secretary - Melancthon CAO/Clerk Denise Holmes

Moved by Malloy, Seconded by Besley that Melancthon Township CAO/Clerk Denise Holmes be appointed as the Interim Secretary of the Melancthon Township Police Services Board. Carried.

Oath of Office and Secrecy - Denise Holmes

Denise Holmes took the Oath of Office as Interim Secretary to the Board.

Declaration of Pecuniary Interest

Chair Thwaites advised those in attendance that they could declare their pecuniary interest now or at any time during the meeting.

Approval of the Agenda

Chair Thwaites indicated that he wanted a couple of items added later in the meeting.

Approval of Minutes

Discussion ensued regarding the draft minutes of the March 16, 2016 about the date of the next meeting in the motion to adjourn. The date indicated that the meeting was to be held on September 22nd, but the Chair recalled that the meeting was to be May 18, 2016. The Interim Secretary was directed to go back and check the written motion for the date and report back to the next meeting. Item deferred.

Moved by Besley, Seconded by Malloy that the minutes of the Special Police Services Board meeting held on June 8, 2016 be approved as circulated. Carried.

Issues Arising from Minutes

None.

Presentations/Delegations

None

Correspondence

1. Mulmur Police Services Board Meeting - Draft minutes from June 6, 2016.

It was noted that the Board would like to continue receiving the minutes from the Mulmur PSB.

Financial

Nothing for this meeting.

Detachment Commander's Report

Staff Sgt. Sills reviewed the report for the period of April to June 2016 which had been previously circulated and posted on the website. He explained the statistics, clearance rates, integrated court offence network and highlights of the activities during this period. He also reviewed the Calls for Service Billing Report with the Board.

Staff Sgt. Sills commented during this time that there has been substantial arrests made in the Break and Enter's. He spoke on the Staffing at the Detachment and there are a number of people coming to the Detachment later this year. They are looking to add a full time Property Crimes position later this year or early 2017. There have been no public complaints and he spoke on the complaint process.

In closing off his Report, Staff Sgt. Sills advised the Board that he will be retiring on October 31, 2016. His job has been posted to the Human Resources Site and there will be a competition for it. Staff Sergeants and Sergeants can compete for his position. One member from each of the Police Services Boards will be involved in the hiring process. The time frame is to be determined but targeting the end of October with the hope to have someone named by the end of October. If not, an Acting Staff Sergeant will be put into the position.

Committee Reports

None.

New Business/Other Business - Discussion & Additions

1. Joint Police Services Board Meeting Scheduled for October 21, 2016 (hosted by Melancthon) - Agenda Items

Denise Holmes advised that an email has been sent out to the Secretaries of the other PSB's and she had not heard back from any of them. It was decided that another email would be sent out with a deadline of September 21st for agenda items and if there were not enough, the meeting would be deferred to the Spring 2017. This item to be put on the next Agenda for decision.

2. Road Traffic Reports recently received from the Roads Sub-Committee

Staff Sgt. Sills advised that Zone Two Officers have been rotating through these areas (3rd Line OS and 4th Line OS). He ran the Statistics from 2010-2016 and the high areas are County Road 124, Highways 10 and 89, 4th Line, County Road 17, 2nd Line SW, County Road 9, 3rd Line and County Road 21. These are the main areas that the Officers focus on. Board discussion ensued about the need for a more structured program of locating the counter and it was advised that the information would be very useful to the OPP and would assist in focusing enforcement efforts. As a result of this discussion, the following motion was introduced and passed:

Moved by Besley, Seconded by Malloy that the Police Services Board recommends that Melancthon Council implement a coordinated plan to place traffic counters in such a fashion to identify key locations and times where more traffic enforcement should be targeted. Carried.

Enforcement of the No Heavy Trucks By-law

The Chair advised that when he looked back through previous minutes, it indicated that Council was going to hire a paid duty officer to enforce the By-law and he wondered if this was ever done? It was advised that no it wasn't. Staff Sgt. Sills commented that when you stop and charge the first one or two trucks, they soon get on the radio and warn other drivers. Staff Sgt. Sills advised if there is an issue, call the Detachment as the Regional Traffic Officers are more than happy to go out. They are all trained and can do enforcement in Commercial Motor Vehicles regarding equipment related offences. He also indicated that he would send Officers to the 4th Line OS between 10 and 89 to monitor the area.

3. Update and Discussion on the Break & Enters in Melancthon and throughout Dufferin County

Already dealt with under the Detachment Commander's Report.

4. Submission from the Council of the Township of Melancthon - Concerns and Questions

This item was moved to the end of the meeting.

5. Request for information from the OPP regarding charge backs for compensation - does Dufferin Detachment have a Policy Guideline to deal with this?

Staff Sergeant Sills advised that the Detachment does not have a policy. The Chair advised that he wrote to Dave Preston of the Ministry of Community Safety and Correctional Services about this and his inquiry was going to be referred to the Solicitor General's Office for an answer.

6. Unfinished Business - Joint Meetings with Mulmur

A suggestion was made about possibly getting together with Mulmur for a meeting in December 2016 meeting. The Secretary will follow up with the Mulmur Secretary.

7. Addition to Agenda - Dufferin PSB Website/Melancthon Website

The Chair inquired as to who maintains the Dufferin PSB Website? Staff Sgt. Sills advised that Kerstin from Mulmur Township had been looking after it. Mr. Thwaites suggested that if the website is not being updated or kept current, to get rid of it. Also, with regards to the Melancthon

Website, he raised concerns that the PSB section is at the bottom of the list of items on the left side of the home screen making it hard to find. The Secretary advised that Melancthon is in the process of developing a new website and that changes will be made to that Section. The Chair advised that he did not feel the minutes back to 2004 should remain on the website and he would like to see an introduction to the PSB on the site. Suggestions about what information they would like to see on the PSB section on the new website was discussed, such as news releases and alerts.

Other Business

The following items were submitted to the Secretary from the Chair for filing:

1. Letter regarding Confiscated Items dated July 11, 2016 (Melancthon Council has received this)
2. Communications (Email) between Chair Thwaites and Dave Preston, MCSCS regarding the issue of charge backs for compensation (date June 24, 2016) - re: Item # 5 of New Business
3. Communications (Email) between Chair Thwaites and Steve Sills, OPP regarding the fire calls issue (date: August 16, 2016)

The following correspondence was not included in the Agenda package but circulated to members of the PSB:

1. OAPSB - letter dated March 14, 2016 to the Honourable Yasir Naqvi, Minister of Community Safety and Correctional Services regarding Proposed Legislative Language - Police Services Responsibilities
2. OAPSB - News Release - Strategy for a Safer Ontario - Additional Input dated April 29, 2016

The Secretary advised that there was no new information from AMO regarding changes to the Police Services Act.

5:55 p.m. - the Board took a two minute break and then reconvened.

Submission from Council

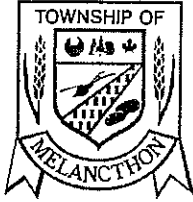
A lengthy discussion ensued into the various concerns/questions that were submitted from Council. Staff Sgt. Sills was asked for some input into questions that related to the Detachment during this time. As the Board did not get through all of the items, a suggestion was made that each member of the Board would review the Memo and provide feedback for the next meeting on September 22, 2016. It was advised that Council wants a written response to the submission – which they will receive. Item deferred to the next meeting.

Date of Next Meeting

6:35 p.m. - Moved by Malloy, Seconded by Besley that we adjourn this Police Services Board meeting to meet again on September 22, 2016 at 4:30 p.m or at the call of the Chair. Carried.

CHAIR

SECRETARY



The Corporation of
THE TOWNSHIP OF MELANCTHON
157101 Highway 10,
Melancthon, Ontario, L9V 2E6

**MINUTES OF THE ROAD SUB-COMMITTEE MEETING
AUGUST 30, 2016
300 SIDEROAD**

CALL TO ORDER

The meeting was called to order on Tuesday, August 30, 2016 at 9:37 A.M. with Chair Dave Besley, Councillor Wayne Hannon, Road Superintendent Craig Micks, Road Secretary Joyce Clarke, Tom Pridham from R.J. Burnside & Nathan Gardland from the Grand River Conservation Authority attending.

Do to needing a quorum, Joyce Clarke acted as chair.

Members of the public attending were Aaron Bauman, Manassa Bauman, Dan Frey, David Styles, Patricia Stark, and Jim Teggart attending.

Tom Pridham spoke regarding the drain crossing the road and questioned if anyone had concerns with the tile. Jim Teggart asked if there were future problems, how they would deal with the water. Tom told him that Jim would apply to the township for a drain clean out. David Styles and Patricia Stark did not have any concerns.

RECOMMENDATION TO COUNCIL

Aaron Bauman is allowed a crossing of 300 Sideroad with High Density Polyethylene Pipe.
The pipe must be the full width of road allowance.

Contractor to use A gravel for bedding and backfill.
Project compaction must meet satisfaction of Road Superintendent.
Top Soil and seeding for the ditches is required.

The tile is to go to the limit of the bush area on Lot 301, Concession 3SW.

The application fee of \$1000 and \$2000 deposit applies to this project.

Motion by Wayne Hannon, Seconded by Dave Besley.

ADJOURNMENT

Meeting adjourned at 10:15.

Moved by Dave Besley, Seconded by Wayne Hannon, that we adjourn the Road Subcommittee to meet again at the call of the Chair. Carried


CHAIR


SECRETARY

BC 4 OCT 06 2016



The Corporation of
THE TOWNSHIP OF MELANCTHON
157101 Highway 10,
Melancthon, Ontario, L9V 2E6

**MINUTES OF THE ROAD SUB-COMMITTEE MEETING
JULY 19, 2016**

ROAD TOUR

Chair Dave Besley, Mayor Darren White, Councillor Wayne Hannon and Road Superintendent Craig Micks went on a road tour to look at the 5th Line Culvert, 300 Sideroad and the 2nd Line SW near the Shelburne Well.

CALL TO ORDER

The meeting was called to order on July 19, 2016 at 4:30 p.m. with Chair Dave Besley, Councillor Wayne Hannon, Public Member Bart Malloy, Road Superintendent Craig Micks and Road Sub-committee Secretary Joyce Clarke attending.

ADDITIONS/DELETIONS/APPROVAL OF AGENDA

W. Hannon added Custom Work to the agenda.
C. Micks added Road Crossing to the agenda.
B. Malloy added Speed Signs to the agenda.
C. Micks added 4th Line OS from Rail Bed to Highway 89.
The agenda was adopted with the additions by W. Hannon, Seconded by B. Malloy.

APPOVAL OF DRAFT MINUTES FROM MAY 12, 2016

The minutes of the May 12, 2016 Road Sub-committee meeting were adopted by B. Malloy, seconded by W. Hannon.

BUSINESS ARISING FROM MINUTES

Craig informed the sub-committee that the radar signs seem to be working well.

ITEMS FOR INFORMATION

1. Counter Report for 3rd Line OS.

The committee directed Joyce to send a copy of the report to Police Services Board Chair David Thwaites.

ITEMS FOR DISCUSSION

- 1) 2010 Culvert Report

The report was accepted as written.

BCS

OCT 06 2016

2) Tractor Trailers on 2nd Line NE

There was a complaint about tractor trailers being on the road and sometimes being left at the side of the road. The truck belongs to the owner of the property who might leave the truck at the side of the road during the lunch hour. Craig said the trucks have never (to his knowledge) been left overnight. The Heavy Truck by-law allows the truck to be on the road as it is heading to the truck owner's property.

3) Shelburne Well Water Flowing into Road Ditch

The committee looked at the situation during the road tour and decided there wasn't enough water to worry about. The culvert is to be lowered.

4) Tile Crossing on 300 Sideroad

The committee looked at the situation during the road tour.

RECOMMENDATION TO COUNCIL

The sub-committee recommends that Aaron Bauman, at Concession 3SW Lot 299-300, applies for a drain instead of digging a dual wall plastic pipe across 300 Sideroad as the outlet would empty directly into wetlands.

5) 4th Line OS Report

The sub-committee looked at the number of trucks using the 4th Line OS. The truck numbers are down slightly from the previous count. Joyce was directed to send a copy of the report to Police Services Board Chair David Thwaites to see if the OPP can help enforce the No Heavy Truck by-law. Joyce was also directed to indicate time of the speeder on the road.

6) Culvert on 5th Line

The road tour looked at the culvert on the 5th Line because there was an oral request regarding possibility of a road crossing. Since nothing has been proposed in writing the sub-committee did not take any action.

7) Custom Work

There was a discussion regarding the road's department being asked to grade private laneways. Craig raised concerns regarding liability of work being done on private property. The Road Sub-committee directed the roads department not to do custom work.

8) Road Crossing

The committee discussed an invoice being sent regarding a road crossing of 4th Line OS. Joyce was directed to add an administrative fee to the invoice.

RECOMMENDATION TO COUNCIL

The Roads Sub-committee recommends that a permit is needed for Road Crossings. The fee for a gravel road crossing permit is \$1000 + \$2000 deposit. The fee for permits for crossing or boring on paved roads will be based on the amount of roadwork required.

All permits must be approved by council.

Motion by W. Hannon, seconded by B. Malloy

9) Speed Signs

B. Malloy made a motion to recommend to council that signs are posted that the speed limit on Melancthon Township Roads is 80km/hr. unless otherwise posted. The entrance to the 3rd Line OS would be an ideal location seconded by W. Hannon.

RECOMMENDATION TO COUNCIL

The road sub-committee recommends posting signs indicating all Melancthon Township Roads have speed limits of 80 km/hr. unless otherwise posted, be erected on township roads with large volume traffic.

10) 4th Line OS from Rail Bed to Highway 89

Craig asked Joyce to provide a maintenance expense report for the cost of the 4th Line OS. Shelburne portion of gravel is not being covered by the current agreement.

RECOMMENDATION TO COUNCIL

The Road Sub-committee recommends due to the increase cost of gravel maintenance, Melancthon Township sends a letter to the Town of Shelburne, to arrange a meeting regarding the re-negotiation of the contract for 4th Line OS from the Rail bed to Highway 89.

ADJOURNMENT

5:35 p.m.- B. Malloy , Seconded by W. Hannon that we adjourn the Road Subcommittee to meet again at the call of the Chair. Carried


CHAIR


SECRETARY

*Minutes for Shelburne Public Library Board Meeting
Tuesday, June 21, 2016*

Present: Geoff Dunlop Laurita Townsend Larry Haskell
 Sharon Martin Erika Ulch Dave Besley
 Gail Little

Regrets: Janet Horner

Also Present: Rose Dotten, Head Librarian /CEO

Chair Dunlop called the meeting to order at 8:00 P.M.

Motion 25 -16 G. Little, S. Martin

Be it resolved that we approve the agenda of the board meeting dated June 21, 2016, as amended.
Carried

Motion 26-16 L. Haskell, D. Besley

Be it resolved that we approve the minutes of the board meeting dated May 17, 2016.

Carried

Financial Reports:

Motion 27-16 S. Martin, G. Little

Be it resolved that we approve the Accounts Payable Register for May, 2016 with invoices and payments in the amount of \$37,420.79.

Carried

CEO/ Head Librarian's Report:

- **Statistics**

You will see from the statistics for May that circulation was about the same as last year. We expect the start of the summer programs to increase our circulation substantially.

New Business

- **TD Summer Reading program**

Many children have already signed up for the TD Summer Reading Program. The kick-off event with the theme "Wild" will be on Saturday, July 9, 2016, at 10:30 am. Jeanne Cruickshank and our student, Briana Lovato, have planned a really exciting program for the children.

- **Authors in the Hills of Mulmur.**

Rose is on the committee preparing for this event which will take place on Sunday, August 21, 2016, at the Dufferin County Museum.

- **Young Adult Programming**

Jade Noble and our summer student, Briana Lovato, have had a lot of fun planning the various events for the teen program this summer, which launches on Thursday, July 7, 2016. Some of the events are an Escape room (staff get to preview this!), Hunger Games Monopoly, Cup Cake decorating, movie nights, DIY Lip Balm, etc., and of course, Book Club.

- **Motion to received 2015 Financial Statements**

The final audited Financial Statements for the Shelburne Public Library Board were received this week from BDO. A copy was given to each of the board members.

Motion 28-16 L. Townsend, E. Ulch

Be it resolved that the 2015 Shelburne public library Financial Statements, as prepared and audited by BDO, be approved. **Carried**

- **Funding Formula**

Discussion was held relating to the meeting held on June 8, 2016, with the Mayors, Municipal Clerks and Council Representatives of the Town of Shelburne and the four contracting Municipalities of Amaranth, Melancthon, Mono and Mulmur, together with Geoff Dunlop, Board Chair, Rose Dotten, CEO/Head Librarian, and Gord Gallagher, Treasurer; A summary of the conclusions of the discussion and the actions to be taken to move forward was made by John Telfer, CAO, Town of Shelburne. No objections were raised by any Municipal representatives in attendance.

Board member, Gail Little (Amaranth) requested that her comments re the funding discussion be on record. Gail indicated that she was not sure if the conclusion that was reached i.e. that we use the active household cardholder numbers as the basis of the funding formula, is the appropriate one. However, since there was controversy and opposition by one municipality to the former "fire board allocation" numbers as a basis that perhaps we should go with this new formula. Gail also expressed her opinion that a formula that would take into consideration the fact that ALL members of the contracting municipalities could in fact use Shelburne Public Library, would be the ideal. The question is what would that formula be???

Motion 29-16 L. Townsend, D. Besley

WHEREAS on June 8, 2016, a meeting was held with the Mayors, Municipal Clerks and Council Representatives of the Town of Shelburne and the four contracting Municipalities of Amaranth, Melancthon, Mono and Mulmur, together with Geoff Dunlop, Board Chair, Rose Dotten, CEO/Head Librarian, and Gord Gallagher, Treasurer;

AND WHEREAS it was determined that the funding formula for the Shelburne Public Library should be revised to reflect the change in the number of households with patrons in all five municipalities;

Therefore, be it resolved that beginning in January, 2017, the levy required to balance the Shelburne Public Library operating budget will be allocated based on a 3-year average library of active household cardholders, determined by the Library operating system, as of September 30 in the year preceding the budget year, for each municipality;

Be it further resolved that in addition to the foregoing, any capital projects for the Library requiring additional municipal funding will be allocated based on the same formula;

Be it further resolved that the Municipal partners may use the MPAC assessment totals as of September 30 each year as a verification tool for any substantial shifts in household user numbers.

Carried

Larry Haskell abstained from the vote

- **Review of Non-Resident Household fee**

Motion 30-16 S. Martin, G. Little

WHEREAS the non-resident fee of \$65.00 per household has not been reviewed or changed since 1994;

AND WHEREAS a modest fee increase reflects a 2% increase for each budget year;

Be it resolved that the non-resident fee going forward as of October 1, 2016, be raised to \$100 per household, which represents a 2% per year increase since 1994.

Carried

In-Camera Session: Not required

Motion 31-16 L. Townsend, L. Haskell

That we now adjourn at 8:50 p.m., to meet again July 19, 2016, at 8 pm. or at call of the Chair.

Carried

SHELBURNE & DISTRICT FIRE BOARD

June 7th, 2016

The Shelburne & District Fire Department Board of Management meeting 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 the meeting to order at 7:06 pm.

2. **Additions or Deletions**

2.1 **Resolution # 1**

Moved by H. Hayes – Seconded by G. Little

BE IT RESOLVED THAT:

The following item(s) be added to the agenda:

9.4 Orangeville Police Service 2016-2017 Communications "Tone Out"
Agreement

Carried

3. **Approval of Agenda**

3.1 **Resolution # 2**

Moved by J. Elliott – Seconded by W. Hannon

BE IT RESOLVED THAT:

The Board of Management approves the agenda as presented.

Carried

4. **Approval of Minutes**

4.1 **Resolution # 3**

Moved by H. Foster – Seconded by J. Elliott

BE IT RESOLVED THAT:

The Board of Management adopt the minutes under the date of April 5, 2016 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 No delegations present.

8. **Unfinished Business**

8.1 **2016 Operating Budget**

Resolution # 4

Moved by J. Elliott – Seconded by H. Hayes

BE IT RESOLVED THAT:

The Shelburne and District Fire Board of Management amends the 2016 Operating Budget to reflect that \$25,000.00 of the 2015 Operating Surplus is to be used to offset the 2016 Operating Budget.

The 2016 Operating Budget will reflect the amount of \$387,939.00 which represents a 7.6% increase over 2015; and further that this request be circulated to the participating municipalities for approval.

Carried

8.2 Personnel Matters – In Camera

Resolution # 8

Moved by W. Hannon – Seconded by K. Bennington

BE IT RESOLVED THAT:

The Shelburne & District Fire Board do now go “in camera” to discuss the following at 8:02pm:

Personal matters about an identifiable individual, including municipal or local board employees.

Carried

Resolution # 9

Moved by K. Bennington – Seconded by H. Hayes

BE IT RESOLVED THAT:

We do now rise and report progress at 8:51 pm, and further directs staff to carry out the directions provided during the “in camera” session.

Carried

9. **New Business**

9.1 Enbridge Gas Grant

The Chief applied for and we are the recipients of a grant through Enbridge Gas. We will receive \$5,000.00 to be used to purchase firefighter training materials. The Chief would like to use the funds to update the training library.

9.2 Dufferin County Potential Dispatch Agreement

The Mulmur/Melancthon Fire Department has decided to go with Northern 911 dispatch. The board agrees that there needs to be more discussion and have asked the Chief to come prepared with more information to our next meeting in the fall.

9.4 Orangeville Police Service 2016-2017 Communications "Tone Out" Agreement

Resolution # 5

Moved by G. Little – Seconded by K. Bennington

BE IT RESOLVED THAT:

The Shelburne & District Fire Board of Management authorizes Chair Tom Egan and Fire Chief Brad Lemaich to sign the 2016/17 Communication Agreement with the Orangeville Police Services Board for the period of July 18th, 2016 to July 18th, 2017 as presented

Carried

There is a 0% increase from the 2051/16 agreement.

9.3 Financial Statement Review

The Board reviewed the provided financial statement.

10. **Chief's Report**

10.1 **Monthly Reports (April & May 2016)**

There were a total of 24 calls for the month of April, there were 3 Buildings inspected, 1 Fire Safety Plan reviewed plus one inspection order under F.P.P.A. was issued and two record searches performed.

There were a total of 25 calls for the month of May, there were 2 Buildings inspected plus one follow-up inspection and 1 Fire Safety Plan reviewed.

The Chief feels that we are on target for hitting 300 calls this year.

10.2 **Update from Fire Chief**

Hosted Essentials of Municipal Fire Protection Seminar for Municipal Officials with 27 people in attendance.

The Chief and Deputy Chief attended the Ontario Association of Fire Chiefs annual conference which included 5 days of seminars and a tradeshow.

The Fire Department has hosted approximately 80 children from Gelnbrook Elementary School at the station for a tour and education session

11. **Future Business:**

11.1 Nothing at this time.

12. **Accounts & Payroll – March & April 2016**

12.1 **Resolution # 6**

Moved by K. Bennington – Seconded by H. Hayes

BE IT RESOLVED THAT:

The bills and accounts in the amount of \$55,607.48 for the period of March 30, 2016 to May 31, 2016 as presented and attached be approved for payment.

Carried

12.2 **Resolution # 7**

Moved by K. Bennington – Seconded by W. Hannon

BE IT RESOLVED THAT:

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

April 2016 - \$22,858.04

May 2016 - \$26,901.71

Carried

13. **Confirming and Adjournment**

13.1 **Resolution # 10**

Moved by J. Elliott – 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 # 11

Moved by W. Hannon – Seconded by H. Foster

BE IT RESOLVED THAT:

The Board of Management do now adjourn at 8:54 pm to meet again at the call of the Chair.

Carried

Respectfully submitted by:

Approved:

Nicole Hill
Secretary-Treasurer

Tom Egan
Chairperson

SHELBURNE & DISTRICT FIRE BOARD MEMBERS

Meeting Attendance Record Under Date of June 7th, 2016

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		
Brad Lemaich – Fire Chief	X	
Ed Walsh – Deputy Fire Chief	X	
Nicole Hill – Sec/Treas.	X	

Minutes of Strategic Planning sub-committee

July 6/16-Hornings Mills Community Hall 4:30 p.m.

In attendance

Shirley Boxem

Darren White

Janice Elliott

James Webster

Meeting was called to order and Janice Elliott accepted the role of chair and recording secretary. The agenda was approved and discussion began on building the framework for the Strategic Plan. All members had brought some examples of plans for like municipalities and we reviewed these and discussed how they were achieved. The committee then moved on to discuss ways to involve the public and we agreed to ask the township for assistance in compiling an e-mail list. We also discussed informing the public with an insert in the next tax bill and Janice will ask Denise if this is also possible. The meeting adjourned at 5:15 to meet again on July 13th/16 at the hall at 4:30 p.m.

Approved/ amended

date

July 18.16

chair



Vivian Bloom
Mayor



Tel: 613-338-2811 or
Toll Free 877-338-2818
Extension 277
Fax: 613-338-3292

Pat Pilgrim
Chief Administrative
Officer

#33011 Hwy 62, P.O Box 130
Maynooth, Ontario, K0L 2S0

Email:
deputyclerk@hastingshighlands.ca

September 12, 2016

The Honourable Steven Del Duca
Minister of Transportation
77 Wellesley Street West
Ferguson Block, 3rd Floor
Toronto, ON M7A 1Z8
minister.mto@ontario.ca

Dear Minister Del Duca:

Please be advised that the Council of the Municipality of Hastings Highlands passed the following motion at the Regular Meeting of Council on September 7, 2016 regarding:

Bill 171, Highway Traffic Amendment Act (Waste Collection and Snow Plows) 2016

Resolution #466-2016

Motion Details
Moved by: Councillor Matheson
Seconded by: Councillor Robinson
CARRIED

THAT Council receives this report "Bill 171, Highway Traffic Amendment Act" provided by the Clerk/Manager of Corporate Services and;

THAT the Council of Hastings Highlands supports the Township of Carlow/Mayo in their request of support for Bill 171 Amendment and;

WHEREAS the Council of Hastings Highlands recognizes the importance of service vehicles as Waste Collection and Snowplows to be acknowledged the same as O.P.P, EMS and Fire vehicles when in operation for the health and safety of the operators of these vehicles in reducing injury or harm and;

Info1

OCT 06 2016

THEREFORE BE IT RESOLVED that the Municipality of Hastings Highlands supports the amendments to Bill 171 extending the restrictions on approaching stopped emergency vehicles or tow trucks to approaching a stopped road service vehicle, this including vehicles for an entity such as a municipality in the course of collecting garbage or material for disposal or recycling from the side of a highway and road service vehicles for the purpose of plowing, salting or de-icing a highway or to apply chemicals or abrasives to a highway for snow or ice control and;

FURTHERMORE THAT a copy of this resolution be forwarded to the Township of Carlow/Mayo, the Hon. Del Duca, Minister of Transportation, Premier of Ontario, and all Ontario Municipalities.

Thank you for receiving our correspondence and considering the request.

Sincerely,



Suzanne Huschilt,
Acting Deputy Clerk

cc: The Township of Carlow/Mayo clerk@carlowmayo.ca
cc: The Premier of Ontario premiere@ontario.ca
cc: All Ontario Municipalities —will be sent in a separate email

Denise Holmes

From: AMO Communications <communicate@amo.on.ca>
Sent: Monday, September 12, 2016 5:09 PM
To: dholmes@melancthontownship.ca
Subject: AMO Policy Update - Speech from the Throne Emphasizes Action on Electricity Costs

September 12, 2016

Speech from the Throne Emphasizes Action on Electricity Costs

The Ontario Legislative Assembly opened its Fall 2016 session today with Lieutenant Governor Elizabeth Dowdeswell delivering Premier Kathleen Wynne's government's second Throne Speech entitled "A Balanced Plan to Build Ontario Up for Everyone". This Speech from the Throne was focused on reducing electricity costs for Ontario residents and businesses. Municipal governments will find the following items of particular interest.

Energy

Electricity rates impact many, from bottom line operating costs to residents' standard of living and our overall economic competitiveness.

The speech noted that the move toward a cleaner and more reliable electricity system in Ontario had increased costs to residential and business energy consumers. While noting the government's previous moves to contain costs through some renegotiated green energy agreements, consumer programs and conservation incentives delivered through Local Distribution Companies, the speech announced their intent to move forward with additional support to reduce Ontarians' electricity costs.

- **HST Rebate:** The government will rebate the cost to consumers and small businesses of the eight per cent Harmonized Sales Tax (HST) on electricity bills to make them more affordable starting in January 2017.
- **Rural Electricity Costs:** In addition to the new HST rebate, the government will move to "significantly enhance" the existing rural support program so that rural electricity consumers can save up to 20 per cent on their existing costs for electricity.
- **Industrial Conservation Initiative:** For industrial users, the government will expand eligibility for the Industrial Conservation Initiative to help industrial electricity users shift their consumption to non-peak periods yielding savings of up to 34 per cent.

Further details will be forthcoming on these actions. In addition, we'll be investigating what opportunities might exist for municipal savings. While providing rate relief to some consumers, the structure of the hydro system remains unchanged.

Climate Change

The government's commitment to climate change and cap and trade policy was reaffirmed and that cap and trade revenues will be available next year for reinvestment in greenhouse gas (GHG) reduction projects and helping residents and businesses invest in technologies which reduce GHGs.

Infrastructure

The government's existing commitment to infrastructure in the Throne Speech was highlighted. The government will spend \$160 billion over 12 years in this area. It also reaffirmed that the government would work with the federal government to provide its Phase 2 infrastructure funding. We are awaiting the Phase 1 Clean Water, Wastewater, and Stormwater Funding (CWWF) in Ontario. The Province is committed to facilitating access to the Ring of Fire.

Roads and Bridges:

It was said that 5,000 km of roads would be built or repaved and more than 750 bridges will be built, repaired or rebuilt – with almost half of these roads and 200 of these bridges being in Northern Ontario.

Transit:

The government also restated its commitment to invest in regional and local light rapid transit, noting that GO regional rail expansion will significantly increase trips while light rail systems in Waterloo, Hamilton, Ottawa, Toronto, and Mississauga will be established.

Child Care

The provincial government will provide funding and work with school boards and municipalities to expand community hubs. It will also increase child care spaces by an additional 100,000 across the province in the next five years to support parents.

Fiscal

The Province recommitted that the 2017/18 provincial budget will be a balanced budget. It will be important to see how new commitments of today's Throne Speech are reflected in its financial plan. Stay tuned for the Fall Economic Statement expected later this year as it is often accompanied by an Omnibus Bill that can have items of significance for municipal governments.

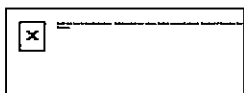
It is understood that all government bills on the order paper as of September 8th will be reintroduced. We will be monitoring what happens to a number of private members' bills of interest to the municipal sector and whether they are also reintroduced and debated. These include items on human trafficking, use of safety cameras, and land use planning.

AMO Contact: Craig Reid, Senior Advisor, creid@amo.on.ca, 416-971-9856 ext. 334.

PLEASE NOTE: AMO Breaking News will be broadcast to the member municipality's council, administrator, and clerk. Recipients of the AMO broadcasts are free to redistribute the AMO broadcasts to other municipal staff as required. We have decided to not add other staff to these broadcast lists in order to ensure accuracy and efficiency in the management of our various broadcast lists.

DISCLAIMER: Any documents attached are final versions. AMO assumes no responsibility for any discrepancies that may have been transmitted with this electronic version. The printed versions of the documents stand as the official record.

OPT-OUT: If you wish to opt-out of these email communications from AMO please click [here](#).



Total Control Panel

[Login](#)

To: dholmes@melancthontownship.ca [Remove](#) this sender from my allow list

From: communicate@amo.on.ca

You received this message because the sender is on your allow list.

Denise Holmes

From: Michelle Dunne <mdunne@dufferincounty.ca>
Sent: Friday, September 09, 2016 2:20 PM
To: dholmes@melanctontownship.ca; jtelfer@townofshelburne.on.ca; jwilson@eastluthergrandvalley.ca; Mark Early; suestone@amaranth-eastgary.ca; Susan Greatrix; thorner@mulmurtownship.ca; Jennifer Willoughby
Cc: Pam Hillock; Rebecca Whelan
Subject: All Council Joint Workshop

Good afternoon,

A summary of the All Councils Joint workshop that was held on Wednesday, September 7, 2016 at Monora Park is now available on our website.

http://www.dufferincounty.ca/files/uploads/2016-09-07_County_Council_minutes.pdf

If you have any questions, please don't hesitate to call.

Have a great weekend!

Michelle Dunne | Deputy Clerk | Corporate Services

County of Dufferin | Phone: 519-941-2816 Ext. 2504 | mdunne@dufferincounty.ca | 55 Zina Street, Orangeville, ON L9W 1E5

DISCLAIMER: This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to which they are addressed. If you have received this email in error please notify the sender. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the County of Dufferin. Finally, the recipient should check this email and any attachments for the presence of viruses. The County of Dufferin accepts no liability for any damage caused by any virus transmitted by this email. The Corporation of the County of Dufferin, 55 Zina Street, Orangeville, Ontario. www.dufferincounty.ca

Total Control Panel

[Login](#)

To: dholmes@melanctontownship.ca [Remove](#) this sender from my allow list

From: mdunne@dufferincounty.ca

You received this message because the sender is on your allow list.



ALL COUNCIL JOINT WORKSHOP
Wednesday, September 7, 2016, 6:00 p.m.
Monora Park Pavilion
500 Monora Park Road, Mono

Council Members Present:
Township of Amaranth

Mayor Don MacIver
Deputy Mayor Jane Aultman
Councillor Heather Foster
Councillor Chris Gerrits
Councillor Gail Little

Township of East Garafraxa

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

Town of Grand Valley

Mayor Steve Soloman

Township of Melancthon

Mayor Darren White
Deputy Mayor Janice Elliott
Councillor Dave Besley
Councillor Wayne Hannon

Town of Mono

Mayor Laura Ryan
Deputy Mayor Ken McGhee
Councillor Ralph Manktelow
Councillor Sharon Martin
Councillor Fred Nix

Township of Mulmur

Mayor Paul Mills
Deputy Mayor Earl Hawkins
Councillor Janet Horner
Councillor Keith Lowry

Town of Orangeville

Mayor Jeremy Williams
Councillor Sylvia Bradley
Councillor Nick Garisto
Councillor Don Kidd
Councillor Scott Wilson

Town of Shelburne

Mayor Ken Bennington
Deputy Mayor Geoff Dunlop
Councillor Walter Benotto
Councillor Randy Chambers
Councillor Wade Mills

Staff Present:

Sonya Pritchard, Chief Administrative Officer, Dufferin County
Pam Hillock, Director of Corporate Services/Clerk, Dufferin County
Mike Giles, Chief Building Official, Dufferin County
Keith Palmer, Director of Community Services, Dufferin County
Darrell Keenie, General Manager, Dufferin County
Michelle Dunne, Deputy Clerk, Dufferin County
Denise Holmes, Chief Administrative Officer, Melancthon
Terry Horner, Chief Administrative Officer, Mulmur
Mark Early, Chief Administrative Officer, Mono
Nancy Tuckett, Director of Planning, Orangeville
Dave Trotman, Director of Planning, Mono

Others:

Guy Giorno, Fasken Martineau
Andrea Bourrie, MMM Group, Planning Consultants
Chris Tyrell, MMM Group, Planning Consultants
Randall Roth, MMM Group, Planning Consultants

Members of the public and the media were also in attendance.

Warden Ryan welcomed everyone to the all Council Joint Workshop .

Presentation – Municipal Ethics Update

Mr. Guy Giorno, Integrity Commissioner for the County of Dufferin and several area municipalities, provided information regarding the role of the integrity commissioner.

Presentation – Provincial Coordinated Land Use Planning Review

MMM Group, Planning Consultants facilitated and presented a summary of recommended comments on the Provincial Coordinated Land Use Planning Review. Councillor Janet Horner from the Township of Mulmur and representative on the Niagara Escarpment Commission, did a presentation on Niagara Escarpment Plan Review 2016. Sonya Pritchard and Don MacIver did a presentation on the Conservation Authorities Act Review.

During the facilitated discussion, members discussed the following proposed comments:

Proposed Comments – Growth Plan for the Greater Golden Horeshoe
Intensification Targets:

- The County is not supportive of increasing the overall minimum intensification target to 60% of all residential development occurring annually within the built-up area.
- Applying the same intensification target to all municipalities is not reflective of the individual character and challenges.
- Consideration should be provided for lower intensification targets for municipalities in the outer-ring.

Greenfield Density Targets:

- The County is not supportive of increasing the overall minimum designated greenfield density target to 80 residents and jobs combined per hectare.
- Consideration should be given to establishing a lower overall greenfield area density target for municipalities within the outer ring, while maintaining their ability to seek alternative minimum greenfield area density targets.
- Require further clarification as to how the minimum density target is to be measured, evaluated, or “phased in” (consider updating the built boundary).
- Clarification is required on the application of the revised targets to planning initiatives and development applications in process.

Employment Areas:

- Clarification is required as to whether the County Official Plan would be required to designate prime employment areas and employment areas, or whether they only need to be designated in the local official plans (employment areas not currently designated in the DCOP).
- Clarification of the definition of prime employment areas is required, as the proposed definition may inadvertently limit office uses within these areas. More flexibility should be considered.
- Consideration should be given to excluding all employment areas from the minimum greenfield area density targets.
- Implementation of employment area policies requires further consideration in view of ongoing planning initiatives.

Settlement Area Bounday Expansion/Excess Lands:

- The County is not supportive of proposed changes that would require the prohibition of development on excess lands (should be optional).
- Concern that de-designation of “excess lands” in one local municipality will impact growth opportunities in another local municipalities.
- Concern over legal implications of prohibiting development on lands with existing development permissions or entitlements.
- Not appropriately applied on a County-wide basis but may be better implemented within each individual municipality at a local municipal level.

Supporting Agriculture:

- Further details regarding the province's identification and mapping of the agricultural system will be required to better understand what is trying to be achieved through this exercise as current mapping of the agricultural and rural areas is based on mapping already provided by the province.

- The County and local municipalities should have a proactive role in identifying the agricultural system and agricultural support network.

Natural Heritage:

- Further details regarding the province's identification and mapping of the natural heritage system will be required to better understand the extent of the province's natural heritage system.
- A provincial natural heritage system should be based on key features and areas of a provincial significance and defer to local municipalities, in consultation with conservation authorities to provide flexibility in mapping more detailed natural heritage systems at a County and local level.
- The delineation of any natural heritage system should be augmented by supporting policies which contemplate refinement and flexibility at the County and local level.
- The County and local municipalities should have a proactive role in identifying and mapping the natural heritage system.

Implementation:

- The County recommends that the Growth Plan should not come into force and effect until such time as the County's Official Plan conformity amendments are approved and in effect.
- Prior to the proposed Growth Plan and the County undertaking a MCR and conformity exercise, it is recommended that supporting work and methodology (i.e., growth forecast methodology, natural heritage system mapping, and agricultural system mapping) be completed by the province in consultation with municipalities to ensure a comprehensive planning framework is in place, prior to implementing the proposed Growth Plan.

Proposed Comments – Greenbelt Plan

Settlement Area Expansions:

- The County is supportive of proposed policy changes to allow upper and single tier municipalities to consider expansions to settlement area boundaries for settlements within the Greenbelt Plan, at the time of a MCR.
- Policies for expansion in Greenbelt are overly restrictive and greater flexibility should be provided (i.e., consider boundary adjustments for Hamlets and areas not serviced by municipal water and wastewater services).

Growing the Greenbelt:

- Recommend that the County and local municipalities potentially impacted by any proposed additions to the Greenbelt Plan be engaged directly by the Province for further consultation on any proposed expansions.

Proposed Comments- Niagara Escarpment Plan (NEP)

Land Use Designation Mapping Updates

- The restrictive nature of the Escarpment Natural Area and Escarpment Protection Area designation, may have a significant impact on future land uses within these designations.

- Local municipalities impacted by the revised land use designations are encouraged to review the implications on land uses within these areas and submit more detailed comments.
- County is not supportive of the proposed changes until further consultation has been undertaken, including more detailed mapping, to better understand the proposed changes.

Addition of Lands to NEP:

- County is not supportive of the proposed addition of lands until further consultation has been undertaken, including more detailed mapping, to better understand the proposed changes.
- Impacted municipalities are encouraged to submit more detailed comments to the Province regarding the implications on land uses and development.

All members of Councils were provided worksheets and asked to identify and confirm the key issues and impact that require comment from the County. A meeting of the local Planners to coordinate and finalize the comments has been scheduled for mid-September. The final comments will go to the October County Council meeting for endorsement and then will be submitted to the Ministry of Municipal Affairs by the deadline of October 31, 2016.

ADJOURNMENT

The meeting adjourned 8:30 p.m.

Denise Holmes

From: Jackie Pherrill <jackie.pherrill@townofmono.com>
Sent: Monday, September 19, 2016 3:15 PM
To: Rose Dotten; Geoffdunlop@rogers.com; Terry Horner (thorner@mulmurtownship.ca); Sue Stone; Denise Holmes; John Telfer
Subject: Shelburne Library Resolution

Town of Mono Council passed the following resolution during their September 13, 2016 meeting:

Resolution #3-13-2016

Moved by Martin - Seconded by Manktelow

THAT Town of Mono Council supports two motions passed at the Shelburne Public Library Board meeting June 21, 2016 regarding the funding formula beginning 2017 and non-resident fee effective October 1, 2016.

Regards,

For
Mark Early, CAO/Clerk

Jackie Pherrill
Administrative Assistant to CAO/Clerk
Town of Mono
519.941.3599, 221



This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify jackie.pherrill@townofmono.com.

Total Control Panel

[Login](#)

To: dholmes@melancthontownship.ca Message Score: 50
From: jackie.pherrill@townofmono.com My Spam Blocking Level: High

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

[Block](#) this sender
[Block](#) townofmono.com

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

Denise Holmes

From: Les Halucha <les.halucha@townofmono.com>
Sent: Monday, September 19, 2016 3:26 PM
To: Susan Stone; Denise Holmes; Mark Early; Terry Horner; Heather Boston; Jane Wilson; Jeff Bunn; John Telfer; Carol Sweeney; Carey Holmes; Jennifer Willoughby; Sonya Pritchard; A Selby; Pam Hillock; mdunne@dufferincounty.ca; Ed Brennan; Susan Greatrix; Karen Mills; Marc Villeneuve; Wendy Atkinson
Subject: RE: DMOA Update: Reort on Treasurer's POA Meeting

Hello all;

The DMOA agreed to accept the POA Treasurer's sub-committee report not to leave the Caledon/Dufferin POA as there are no significant cost savings in doing so.

It was reported at the DMOA meeting that the Dufferin Treasurer's had met with the Caledon Treasurer and her staff on June the 29th to review costing. A detailed revenue/expenditure statement was presented to us. A line by line explanation was given to every expense item and in some cases a detailed breakdown of an expense. After the discussions, we concluded that it does not appear that there would be significant enough cost savings if Dufferin County administered the POA for us instead of Caledon to justify any separation. What is needed is more open and honest discussions like we had at the June 29th meeting.

After the meeting with the Caledon Staff the Dufferin treasurers met afterwards in the Sutton Room to debrief.

We had come up with the following suggestions below:

The Budget approval for the Dufferin POA portion needs to be approved by Dufferin representatives at a POA Board meeting prior to it going to Caledon council for approval.

Any administrative changes needs to be approved by Dufferin reps as it relates to Dufferin POA.

The POA agreement with Caledon needs to be updated reflecting the new reality of actual cost allocation.

There is a POA constitution that either needs to be updated as well or incorporated to any updated agreement.

The DMOA requested County Clerk Pam Hillock to contact her counterpart at Caledon to start the process of a new agreement.

This information is to go to your respective Council's.

Thank you,

Les J. Halucha, CPA, CMA, BBA, AMCT
Treasurer
Town of Mono
519.941.3599, 229



This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify les.halucha@townofmono.com.

Total Control Panel

[Login](#)

To: dholmes@melanctontownship.ca [Remove this sender from my allow list](#)

From: les.halucha@townofmono.com

You received this message because the sender is on your allow list.

Denise Holmes

From: Accessibility Directorate of Ontario <accessibility@ontario.ca>
Sent: Tuesday, September 20, 2016 10:35 AM
To: dholmes@melancthontownship.ca
Subject: Guide to Accessible Festivals & Outdoor Events 2016 updates
Attachments: FEO Guide EN (2016-08-15).pdf; FEO Guide FR (2016-08-16).pdf

La version française suit le texte anglais. French text follows.

I am pleased to share with you the attached copy of the recently updated, "Guide to Accessible Festivals & Outdoor Events."

The Guide has been updated to reflect recent changes to the government's website.

It was initially developed to assist in considering accessibility when planning the many community festivals and events that celebrated the countdown to the 2015 Toronto Pan/Parapan Am Games.

The easy-to-follow tips have made this guide a valuable resource of lasting relevance for festival and event planners across Ontario preparing to celebrate Canada's 150th anniversary of Confederation.

We deeply appreciate the work of municipal and not-for-profit partners in advancing accessibility in Ontario and would welcome your help in circulating this updated guide widely to anyone who may benefit from the information. Please also help us by spreading the word through your organization's communication channels.

You can now order free copies in English or French from ServiceOntario Publications at www.publications.serviceontario.ca or call 1-800-668-9938.

To request the guide in an alternate format please email: accessibility@ontario.ca.

Thank you for your continued dedication and commitment to making Ontario accessible.

Alfred Spencer
Director, Outreach and Strategic Initiatives Branch
Accessibility Directorate of Ontario

Je suis heureux de vous présenter la toute dernière version (ci-jointe) du *Guide sur l'accessibilité des festivals et des événements extérieurs*.

Le Guide a été actualisé pour tenir compte des récents changements apportés au site Web du gouvernement.

À l'origine, il visait à aider les organisateurs à prendre en compte les questions d'accessibilité dans la planification des nombreux festivals et activités communautaires qui ont ponctué les préparatifs des Jeux panaméricains et parapanaméricains de 2015 à Toronto.

Grâce aux conseils faciles à suivre qu'il contient, ce guide s'avère aussi une ressource précieuse et durable pour l'organisation de festivals et d'événements en Ontario dans le cadre des célébrations entourant le 150^e anniversaire de la Confédération canadienne.

Nous sommes très sensibles à la contribution de nos partenaires municipaux et du secteur sans but lucratif dans la promotion de l'accessibilité en Ontario et nous aimerions solliciter votre aide pour la distribution de cette nouvelle version du Guide à quiconque pourrait en bénéficier. Nous vous prions aussi de nous aider à diffuser l'information en utilisant les canaux de communication de votre organisme.

Vous pouvez dès maintenant commander des exemplaires gratuits du Guide en français ou en anglais sur le site ServiceOntario Publications (www.publications.serviceontario.ca) ou en composant le 1 800 668-9938.

Écrivez à accessibility@ontario.ca si vous avez besoin d'un format de substitution.

Je vous remercie de votre dévouement et de votre engagement en vue de faire de l'Ontario une province *accessible*.

Alfred Spencer
Directeur de la liaison et des initiatives stratégiques
Direction générale de l'accessibilité pour l'Ontario

Total Control Panel

[Login](#)

To: dholmes@melancthontownship.ca
From: owner-nolist-mcsado-160920e-euidlxqe*dholmes**melancthontownship*-ca@trk.mmail.lst.fin.gov.on.ca

Message Score: 1
My Spam Blocking Level: High

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

[Block](#) this sender
[Block](#) trk.mmail.lst.fin.gov.on.ca

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

Guide to Accessible



Festivals & Outdoor Events



ontario.ca/accessibility

Contents

Accessibility in Ontario . . . . .	.3
What are my requirements? . . . . .	.4
Accessible Parking Spaces . . . . .	.5
Public Transportation . . . . .	.6
Paths of Travel . . . . .	.6
Stages and Seating . . . . .	.7
Food Services and Public Eating Areas . . . . .	.8
Washrooms and Temporary Toilets . . . . .	.9
Rest Areas/Quiet Spaces . . . . .	.9
Rain/Wind/Sun Shelters . . . . .	.9
Signs	10
Support Persons.	10
Service Animals	11
Training Staff and Volunteers	12
Communication Supports	13
Maps and Information	14
Other Accessibility Considerations.	15
Promote your Festival.	16
Ask for Feedback	17
Accessible Festival Planning Checklist	18
Questions? We're here to help:	20

Accessibility in Ontario

The Accessibility for Ontarians with Disabilities Act (AODA) makes it possible for people of all abilities to be a part of their communities every day. Its vision is to make Ontario accessible by 2025.

One in seven people currently has a disability. By 2036, as the population ages, 1 in 5 Ontarians will have a disability and people with disabilities will represent 40 per cent of the total income in Ontario.¹

It makes good business sense to plan your festival or outdoor event with people with disabilities in mind.

This guide will help you increase attendance and make your festival more enjoyable for everyone by improving the event's accessibility. It can help you with planning your festival, running the event, and gathering feedback and improving the festival after it ends.

Did you know?

A person with a disability can be someone who:

- has low or no hearing
- has low or no vision
- lives with a mental health issue
- uses a cane, wheelchair or other mobility device to get around

1. Martin Prosperity Institute, *Releasing Constraints: Projecting the Economic Impacts of Improved Accessibility in Ontario*, 2010. <http://www.martinprosperity.org/media/ReleasingConstraintsAccessible.html>

What are my requirements?

Does your festival organization have one or more employees? Remember to count seasonal or part-time employees.

If you have one or more employees your festival has legal requirements to meet on accessibility. **If your festival has 20 or more employees**, you must report to the government on how you are meeting these requirements.

To find out if your organization is required to comply with the AODA, visit the **ontario.ca/Accessibility**. It will help you find out what you have to do to comply with Ontario's accessibility law.

If your festival is organized and run entirely by volunteers, you are not required to comply with the AODA. Regardless of your organization's size, this guide is designed to help you improve the accessibility of your festival so that the people who come back year after year can do so regardless of their ability and you can attract new festival-goers with disabilities to your festival.



Accessible Parking Spaces

Many people will use a car or van to get to your event. **Picking a venue** with accessible parking or creating a sufficient number of accessible parking spaces will make it easier for people with disabilities attend your festival.

Tip:

Your festival location may have to comply with accessibility requirements of the Design of Public Spaces Standard (DOPS) under the AODA. Please visit **[ontario.ca/Accessibility](https://www.ontario.ca/Accessibility)** for more information.

Even if your venue doesn't need to comply with DOPS, you can use **the requirements** (<https://www.ontario.ca/laws/regulation/110191%23s80p36s1>) as a guideline to decide on the number or size of accessible parking spaces you should have.

When planning event parking, create accessible spaces as close as possible to:

- paths to the nearest accessible venue entries and exits
- any lifts and ramps for people using mobility devices
- pay stations (for example, a ticket booth or a parking-lot operator station)

Consider providing a designated passenger drop-off area that is clearly marked with signs and located close to the event entrance.

Tip:

It's helpful to use arrival, exit and directional signs that are clear and can be read in all light conditions. The signs should start outside the parking area, so festival goers can easily find accessible parking.

Public Transportation

Some of your festival participants may be arriving and leaving by public transportation. Consider **providing accessible public transportation information** for festival participants with disabilities wherever you post general transportation information. This information could include:

- schedules of accessible buses, trains and shuttles
- information on whether the buses on the route are accessible
- whether shelter is provided at the bus stop
- whether the train or subway station has an accessible elevator.

Consider using accessible vehicles for festival-specific transportation. For example, provide a shuttle service from a remote parking lot to the event area.



Paths of Travel

As you **plan your festival**, think about the routes people will take throughout the venue. Plan for accessible paths across the site that link all attractions and essential services.

You could buy or rent temporary outdoor flooring to help stabilize paths on uneven surfaces, like sand and grass.

Tip:

Electrical wires are a tripping hazard for everyone. Keep electrical wires out of paths of travel, or use cable protectors that are wheelchair accessible and are in bright/contrasting colours to alert people with low vision.

Stages and Seating

If your event uses a stage, consider buying or renting a ramp to provide stage-access for people who use mobility devices. Keep in mind that there are other requirements for stages, for example in the Ontario Building Code or other municipal regulations.

When planning your event, consider creating or reserving areas with enough room for mobility devices. These areas will need to have a view of the stage from a seated position. They will also need to have seats and extra space for friends, family, support persons and service animals.

Some seats should be positioned to allow service animals to accompany their owner and rest in front of or under the seat.

Food Services and Public Eating Areas

Event participants should be able to easily reach food services using an accessible path, and food service booths should allow a person in a wheelchair to reach them. Consider having large print copies of menus for people who have low-vision.

When buying or renting tables **before your festival**, it's a good idea to ensure at least 20 per cent of tables are accessible for someone with a mobility aid (or to provide at least one accessible table in each eating area). Manufacturers of accessible tables provide tables with a range of dimensions to accommodate differently sized mobility devices. By providing a mixture of different types of accessible tables that accommodate a variety of mobility devices, you can ensure that guests of all abilities will be able to use your seating areas. Ensuring flat, firm, and stable space around the table, under it, and on the path to reach it will help guests who use mobility devices get around your festival's eating areas.

Tip:

Although you may not need to comply with the **Design of Public Spaces Standard** (<http://www.ontario.ca/page/how-make-public-spaces-accessible>), you can use this information as a guideline for accessible eating areas.

Washrooms and Temporary Toilets

It's a good practice to **plan for accessible washrooms**. Accessible toilets can make or break festival enjoyment for a person with a disability. Accessible washrooms and temporary toilets should be at ground level and away from crowds and sound systems, but not so far that they're inconvenient to reach. Keep in mind that there are other requirements for washrooms, for example in the Ontario Building Code and your municipality's laws.

Rest Areas/Quiet Spaces

Before your festival, consider designating a quiet space for rest, especially if your event attracts large crowds and is longer than a couple of hours. This can be helpful for individuals with different types of disabilities or needs such as people with mental health issues, sensory issues, fatigue issues and nursing mothers.

Rain/Wind/Sun Shelters

Prolonged exposure to rain, wind and sometimes sun can be an unpleasant experience. Some people with disabilities are at particular risk from the elements.

When planning your festival, consider providing open- or closed-sided tents to provide weather protection. If your festival-goers run the risk of being overheated, consider renting cool mist canopies or fans to cool people (and service animals) in extreme temperatures.

Signs

Signs should be in a large, easy to read font with good colour contrast – for example, a sans serif black font on a white background.

Clear signs at drop-off zones and parking areas will help direct people to specific areas across the event site. Signs should indicate the accessibility features located along the path of travel and event areas. Signs at different heights can also help assist people moving through crowds, and help them see when they are at specific locations.

Did you know?

Sans-serif fonts include:

Arial Century Gothic Verdana Univers

Support Persons

Support persons may be helping some people with disabilities at your festival. A support person must be allowed to go wherever the person they support goes.

Post the admission price for support persons wherever you have information about entry fees (such as on your website and at entrance gates). Consider reducing or waiving the entry fee for support persons.

Did you know?

A support person can help with:

- mobility
- personal care
- medical needs — and more

Service Animals

Guide dogs are one type of **service animals** (<https://www.ontario.ca/laws/regulation/r07429%23BK3>), but other kinds of animals are trained to help people with disabilities.

At your festival, a person with a disability and their service animal can go to all areas that the public would normally be allowed to go.

When planning your festival, consider designating a suitable area as a relief area for service animals. Make sure to let volunteers know how to direct people to this area and post signs so people know where to go.

Tip:

Provide water for service animals.

The care of service animals belongs to their owner, but by making care of service animals easier, you'll create a welcoming festival for people who are assisted by service animals.



Training Staff and Volunteers

If your festival organization has at least one staff person, you must train your staff and volunteers on **Ontario's accessibility laws** (<https://www.ontario.ca/laws/regulation/110191>), which can be incorporated into your regular volunteer training. Visit our website for information about the **training requirements** (<https://www.ontario.ca/page/how-train-your-staff-accessibility>).

Free training modules and resources to train your staff and volunteers are offered at **AccessForward.ca**. and at <http://www.findmyspark.ca/resources-non-profits>

If you are entirely organized by volunteers, it's still a great idea to train your volunteers on:

- how to communicate with people with different types of disabilities
- your accessibility features
- your evacuation procedures for people with disabilities
- how to give feedback to festival organizers about the event's accessibility

Tip:

Use considerate language when talking about disabilities. For example, use person first language such as:

- "people with disabilities" instead of "disabled people" or "the disabled."
- Use the right words: 'Disability' versus 'handicap'
- Reference specific disabilities when appropriate, such as a person with epilepsy or a person who uses a wheelchair
- Avoid sympathetic statements: victim of, suffers with, or stricken with a particular illness or disability
- If you're not familiar with the disability, don't make assumptions.

One in seven Ontarians has a disability, so there's a good chance that at least one of your festival's staff or volunteers has a disability. By taking into account staff and volunteers with disabilities, you can show staff, volunteers, and festival-goers that accessibility for all participants is important for your event. If you are required to comply with the accessibility laws, you have requirements under the **Employment Standard** (<https://www.ontario.ca/page/accessible-workplaces>).

Communication Supports

There are many ways to make sure the music, performances, speakers or exhibits at your festival are accessible. **When planning your event**, consider:

- booking a person to provide captions for live events
- **booking an interpreter who is qualified in American Sign Language or in Langues des signes quebécois** (http://www.oasli.on.ca/index.php?option=com_content&view=article&id=3&Itemid=3)
- providing volunteers to describe performances to persons with low or no vision

Before your festival, be sure to post information about communications supports you provide on your website and in other places you provide general information about your festival. This can help people with disabilities make an informed decision about attending your festival.

Both before and at your festival, remind speakers, performers, masters of ceremonies and other presenters to:

- speak at a normal pace
- stay within the allotted time
- make sure there is a clear view of their face and mouth
- use the microphone at all times
- use language that is considerate of persons with disabilities

Maps and Information

You can help people make informed decisions about whether your event is accessible to them by providing detailed information about your festival's accessibility features **before your event**.

Brochures, websites, ads and maps can include a variety of topics such as whether there are accessible toilets, viewing areas, accessible performances such as American Sign Language and the location of accessible parking spaces.

Consider how you can make your festival information accessible to ensure everyone can find your information in a way that meets their needs. To learn more about how to make information accessible visit <https://www.ontario.ca/page/how-make-information-accessible>

Tip:

Give people with disabilities access to the emergency and safety information for the event, like maps, evacuation plans, brochures or signs. Before your festival, check whether there is anything that would make these items hard to read, see, hear or understand for someone with a disability.



Other Accessibility Considerations

When **planning your festival**, you should think about including:

- **Dedicated accessibility volunteers** — one of the best ways to make sure that accessibility is being considered is to make accessibility the responsibility of some of your event volunteers or to create an accessibility committee.
- **Accessible Equipment** — there are accessibility options for buying or renting accessible festival equipment, from picnic tables to admission gates. For information on how to buy or rent accessible equipment visit <https://www.ontario.ca/page/accessibility-rules-procurement>
- **Mobility device charging stations** — consider providing outlets for people with power wheelchairs, scooters and other electronic mobility devices and medical equipment.
- **Accessibility information areas** — consider providing dedicated spots where people with disabilities can get information on the festival's accessibility features. A dedicated information booth that offers accessibility information should be put near the entrance. In addition, relevant information about accessibility features should be placed on signs or available in pamphlets throughout the venue. Information booth areas should have level pathways, booths should be at a height that someone using a wheelchair could access, and brochures should be in large print and high-contrast formats for people with low vision.
- **Accessibility Advisory Committees** — your municipality may have an **Accessibility Advisory Committee** (<https://www.ontario.ca/page/how-serve-municipal-accessibility-advisory-committee-guide>). Consider consulting with them in the planning phase of your festival. Contact your municipality for more information.

Promote your Festival

Before the festival, tell people about your accessibility features. This will introduce returning festival goers to new features and will help new festival goers with disabilities make informed choices.

Websites are the most popular source for information about an event's accessibility features. Consider adding an accessibility information section to your website.

Tip:

Make accessibility information on your site easy to find, and ensure volunteers and organizers are prepared to answer accessibility-related questions.

Promoting your accessibility features in the same places where you promote your festival in general will let potential festival goers know their accessibility needs are being seriously considered. Think about including accessibility information:

- in print ads and features in local news
- through your social media
- on posters and flyers
- any other place you promote your festival

Ask for Feedback

Find out how successful your accessibility features are by asking for feedback. If you are required to comply with the Accessibility for Ontarians with Disabilities Act, you are required to have a way to receive feedback.

Before the festival: ask what accessibility features people would like during any pre-festival consulting you do.

At the festival: get feedback from festival goers. Make sure you have more than one way to collect feedback and let people know what you plan to do with the feedback you receive. If you already have a feedback form, add a question about accessibility. It can be as simple as asking “Were your accessibility needs met? If not, what can we do to improve your experience?”

Visit our website for information about **collecting feedback** (<https://www.ontario.ca/page/how-make-information-accessible>).

After the festival: consider the feedback you heard. Are there suggestions or concerns that can be addressed in the planning for next year?

Accessible Festival Planning Checklist

- ❑ **Accessible Parking Spaces** – accessible parking spaces should be placed close to venue entries and exits, accessible toilets, pay stations and lifts/ ramps.
- ❑ **Public Transportation** – post local accessible routes and schedules.
- ❑ **Paths of Travel** – provide wide, even, slip-resistant paths, without steps or barriers that lead to all the public areas of the event.
- ❑ **Stages and Seating** – provide a ramp for your stage, and ensure the stage is visible for someone watching from accessible seating or from a wheelchair.
- ❑ **Food Services and Public Eating Areas** – design food areas so that someone who needs mobility support can easily navigate them. Provide options for people using wheeled mobility devices.
- ❑ **Washrooms and Temporary Toilets** – provide accessible toilets or washrooms at ground level, away from crowds and sound systems.
- ❑ **Rest areas and rain/wind/sun shelters** – offer quiet areas and weather shelters.
- ❑ **Signs** – provide high-contrast signs in high and low positions, and make sure signs use sans serif fonts that are readable in all light conditions.
- ❑ **Support Persons** – a support person can go wherever the person they support goes. Post any admission fees for support persons in the same place general admission information is found.
- ❑ **Service Animals** – a person with a disability can be accompanied by their service animal to all areas available to the public.
- ❑ **Training Staff and Volunteers** – train staff and volunteers to welcome people with disabilities and on your festival's accessibility features.

- ❑ **Communication Supports** – consider offering captioners, sign language interpreters, or individuals who can describe performances.
- ❑ **Maps and Information** – provide information about your festival's accessibility features and consider people with disabilities in your emergency plans. Provide an accessibility information area.
- ❑ **Other Accessibility Considerations** – provide dedicated accessibility volunteers, rent/buy accessible equipment, provide accessibility information areas.
- ❑ **Promote your Festival** – tell people about your accessibility features in the same places you promote your festival.
- ❑ **Ask for Feedback** – collect feedback before, during, and after the festival.



Questions? We're here to help:

Learn more

To learn about how Ontario is becoming more accessible, visit **ontario.ca/Accessibility**

Contact us:

Telephone: 1-866-515-2025

International: 1-416-849-8276

TTY: 1-800-268-7095

Fax: 416-325-3407

Email: accessibility@ontario.ca



Follow us on Twitter

twitter.com/ONAccessibility



Like us on Facebook

facebook.com/AccessON



Watch our videos on YouTube

youtube.com/AccessOntario

This document was produced by
the Accessibility Directorate of Ontario

© Queen's Printer for Ontario, 2016

ISBN 978-1-4606-7982-1 (Print)

ISBN 978-1-4606-7983-8 (HTML)

ISBN 978-1-4606-7984-5 (PDF)

Ce document est également disponible en français.

Denise Holmes

From: Michele Harris <michele@headwaters.ca>
Sent: Thursday, September 22, 2016 4:25 PM
Subject: Headwaters Tourism update - to September 20th, 2016
Attachments: Headwaters Tourism to 20 September 2016.pdf

Good afternoon:

Please find attached the Headwaters Tourism update to September 20, 2016. Would you be good enough to include in your next Council package?

Thank you so much, and please don't hesitate to contact me directly if you have any questions.

Regards,

M

Michele Harris Executive Director
519.942.0314 x201 | 519.215.2771
headwaters.ca | headwatersb2b.ca



Total Control Panel

[Login](#)

To: denise@melancthontownship.ca
From: michele@headwaters.ca

Message Score: 50
My Spam Blocking Level: High

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

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

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

Headwaters Tourism - public profile & sector engagement

- Named a finalist in two categories for the 2016 Canadian Tourism Awards of Excellence from over 130 national entries.



The Fairmont Marketing Campaign of the Year Award

- “Crayons” Newfoundland and Labrador Tourism – St. John’s, NL
- “Where Am I?” Ontario Tourism Marketing Partnership Corporation – Toronto, ON
- **“Where Ontario Gets Real” Headwaters Tourism – Mono, ON**



The VISA Canada Innovator of the Year Award

- Assiniboine Park Conservancy - Winnipeg, MB
- **Headwaters Parade of Horses - Mono, ON**
- Société de développement du Parc de la Gorge de Coaticook - Coaticook, QC

- Awards will be presented on November 30, 2016 in Ottawa at the Canadian Tourism Congress.

Product development – Canada 150

- Public art project, “Real Ontario: Tradition & Transformation”; continuing to explore funding opportunities & partnerships to bring project to life.

Product development – Arts & Culture

- Attended and spoke at Headwaters Cultural Roundtable Breakfast (September 14th). Over 75 guests in attendance who expressed interest in working together to promote Headwaters as a “destination for the arts”. Group will put together a survey to determine how engaged arts groups, community groups, artisans and business leaders are interested in becoming. Planning for a full day arts & culture conference in April 2017.

Product development – Fresh & Local

- *Headwaters Taste of the Harvest – October 9th to November 8, 2016*

Headwaters Horse Country

- *Headwaters Horse Country Stable Tour – October 1st & 2nd, 2016* – 12 participating locations as well as 25 Headwaters Parade of Horses locations.
<http://headwatershorsecountry.ca/horse-country-happenings/headwaters-horse-country-stable-tour/>

Industry & municipal engagement:

- Participated in selection committee for Town of Shelburne’s economic development coordinator position.
- Meetings with Town of Caledon Parks & Recreation staff to explore opportunities for expansion of Caledon Day for increased tourism potential.
- Presentation to Zone 6 Rotary groups re tourism in Headwaters and opportunities for engagement.

Tourism training & development:

- Upcoming sessions (register online at headwatersb2b.ca)
 - October 24, 2016 – digital marketing tools for the tourism industry
 - January 30, 2017 – creating content that visitors will love



Website: www.headwaters.ca www.headwatersb2b.ca	August 2016
Sessions	9,694
Page views	23,617
Facebook	August 2016
Total reach	12,344
Page impressions	23,385
Twitter	August 2016
Followers	4,540
Reach	73,768

[illegible]

Executive Director Report 20 September 2016

Headwaters Shares 101.5 myM! photo

Key "cheese" or at least what you like and you could win a \$25 gift card from 101.5 myM!
Click link to comment for your chance to win! <http://bit.ly/2bMk1b1>



101.5 myM!
Awarded by 101.5 myM!
Contest is now closed!
Congratulations to Liane Rostky-Lund!
EASY COATES TR!
So many stories and now a chance to give home a try. Win a \$25 gift card from 101.5 myM!
See More

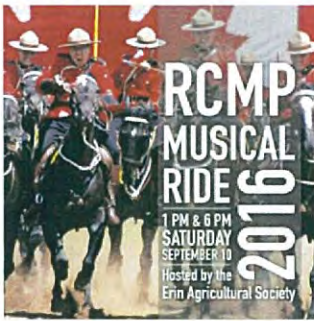
Headwaters

#MountHomes or #DetectableDinneringredients?
Discover and taste for yourself at Mountain Ash Farm during the Wild Mushroom Culinary Spa Weekend!
<http://bit.ly/2bKHC05>



Headwaters with Erin Agricultural Society

Ride like the wind and get your tickets now for the RCMP Musical Ride at the Erin Fair Grounds.
<http://bit.ly/2bZAJ56>



Headwaters

Consider it a badge of honour. Get out and explore the headwaters region by bike as a support of Headwaters Health Care Foundation. Win! Win! Win! <http://bit.ly/2bZAJ56>



Headwaters

Brimpton Flight Centre and the Great War Flying Museum are where great experiences take flight. Check it out for yourself at the Annual Open House & Fly-In.
<http://bit.ly/2c5jD56>



Headwaters

The Best Show in Town! comes to the Dufferin County Museum & Archives this weekend! <http://bit.ly/2bZAJ56>
Learn more about the man behind the voice! <http://bit.ly/2bZAJ56>



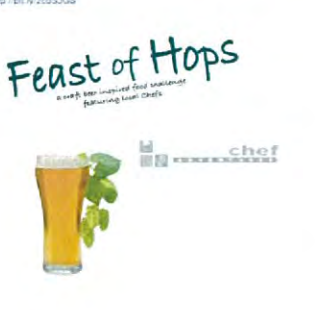
Headwaters

Rain or shine, cycling's always a good time at Mono on a Bike. Day of registrations will be accepted up to a half hour before start time, so you'd better get rolling! <http://bit.ly/2bZAJ56>



Headwaters

When a kitchen challenge meets headwaters and riders you're in for a feast! Feast of Hops features food and beverage from The Friendly Chef Adventures Inc., Trogan Tea Room & More, Hoots Valley Brewing Company, Spelt Tree Estate Cider and many more! Get your tickets now! <http://bit.ly/2c5jD56>



Headwaters

Enjoy the story of women flyers of the Air Transport Auxiliary in Spitfire Dance at Century Church Theatre.
<http://bit.ly/2c5jD56>

SPITFIRE DANCE at
CENTURY CHURCH THEATRE



Headwaters

Headwaters Arts Festival has new meaning at the 20th anniversary Opening Night! Get your tickets now! <http://bit.ly/2bZAJ56>



Headwaters

Keep Calm and Carry On! on this Sunday at Everdale! <http://bit.ly/2c5jD56>



Headwaters

How do you like them apples? Freshly picked ourselves in #RealHeadwaters thank you! <http://bit.ly/2c5jD56>





Executive Director Report 20 September 2016

Headwaters
Published by: Sandra Dotsman on September 19 at 12:30pm
Honoured to be in such great company with Newfoundland & Labrador Tourism and Ontario Travel as a finalist in the 2016 Canadian Tourism Awards. Thanks to the people and businesses in Headwaters for keeping it real. #RealThrivd #RealHeadwaters
<http://bit.ly/2crQXU8>



Headwaters
Published by: Sandra Dotsman on September 19 at 12:30pm
Book yourself a seat at Our Harvest Table, a supper event of live music and local food at Heatherlea Farm Market for a wonderful evening repale with ethereal food! #RealHeadwaters goodness
<http://bit.ly/2S2GJGJ>



Headwaters
Published by: Sandra Dotsman on September 19 at 12:30pm
Congrats to Headwaters Horse Country on being selected a finalist in the Tourism Industry Association of Canada's #CanadianTourismAward! #HeadwatersProud
<http://bit.ly/2crQXU8>



HEADWATERS
PARADE
HORSES

Headwaters
Published by: Sandra Dotsman on September 19 at 12:30pm
All paths lead to inspiration this weekend with the beginning of The Hills of Erin Quilt Tour. <http://bit.ly/2f28rYF>
<http://bit.ly/2f28rYF>

Hills
of Erin
Studio
Tour

HEADWATERS.CA

Headwaters
Published by: Dana Murebeck on September 19 at 1:42pm
Insider: #Bourbonistas, #SpilltheTea and more
Book your for now to get George Stroumbouloupoulos at the Durham County Museum & Archives in an intimate setting as he dishes on it all in Wine@Headwaters.
<http://bit.ly/2ZLw4Ht>



Headwaters
Published by: Dana Murebeck on September 19 at 1:42pm
Explore #FoodoftheWorld courtesy of Chef Pam Farley at The Friendly Chef Adventures Inc. + enjoy the cocktail stylings of Grand Spins Society's Jamie Sloan. NEXT STOP: Italy
Reserve your fix now! <http://bit.ly/2o2BtHr>



FOODS OF THE WORLD:
Italy



Headwaters
Published by: Dana Murebeck on September 19 at 1:42pm
Congrats to Tintagels Tea Room & More and all who competed in Feast of Hops! #GreatFoodandDrinkDay



Headwaters
Published by: Dana Murebeck on September 19 at 1:42pm
QUICK! Someone book this wee one for the next Heritage Music Festival!



Headwaters
Published by: Dana Murebeck on September 19 at 1:42pm
Plan your weekend around the 20th anniversary of the Reftountain Salamander Festival where you can enjoy food, entertainment, shopping, yoga, special guests from Crestline Quilt and of course, Salamanders!
<http://bit.ly/2o2DgDg>



246372 Hockley Road, Mono, Ontario L9W 6K4
519-942-0314 | 1-800-332-9744
www.headwaters.ca

Consumer marketing – editorial coverage:



The screenshot shows the 'Orangeville Today' website. At the top, there's a banner for '101.5 Orangeville' with 'Listen Live' and 'DAILY LOCAL NEWS HEADLINES'. Below the banner, there are several advertisements: 'WINMAR PROPERTY RESTORATION SPECIALISTS', 'GoTire', 'ANYTIME FITNESS', 'LMI LifeStyle Mortgage Insurance', 'Celtic Carpet', and 'Plumb PERFECT'. The main content area features a headline about 'HEADWATERS TOURISM RECOGNIZED NATIONALLY WITH NOMINATIONS' and a quote from Executive Director Michele Harris.

Upcoming events/municipal updates:

Town of Erin:

EVENT NAME	DESCRIPTION	DATES
Erin Fall Fair – Gateway to the Royal	Fabulous weekend of fun for the whole family.	October 7 – 10 at the Erin Fairgrounds

Town of Shelburne:

EVENT NAME	DESCRIPTION	DATES
Troupe Adore	Music, arts and culture performances Jack Downey Park	<p>Times for "Live Art in the Park"</p> <p>Friday November 5th 6-9pm</p> <p>Saturday November 6th 12-6pm (possibly until 9pm if we are allowed to extend the hours if needed)</p> <p>Sunday November 7th 12-5pm</p> <p>Times for the "Christmas Chorale in the Park"</p> <p>Saturday December 17th - 12-6pm (possibly until 9pm)</p>

Town of Caledon:

EVENT NAME	DESCRIPTION	DATES
Open House: Bolton Queen Street Corridor Study	Study to look at the potential to enhance land use design which may support tourism opportunities particularly downtown.	September 21, 2016 Ellwood Memorial Public School, 35 Ellwood Drive East from 6:30-8:30 pm
Buzzfest	Outdoor arts and gourmet food festival.	Terra Cotta Country Store 119 King St. Terra Cotta September 24 & 25 11:00 a.m.
Bolton BIA Special Event Saturday	Art, food, music in downtown Bolton	September 24 11:00 a.m.
Terry Fox Run	Supporting cancer research	Palgrave Rotary - Stationlands Park (Brawton Avenue and HWY 50) September 18 @8am. Bolton Kinsmen – Kinsmen Center (35 Chapel St Bolton) @ 9am.
Bolton Fall Fair		Sept. 23, 24, 25 – Bolton Fairgrounds 150 Queen Street S
Municipal Ag Economic Development Forum	Caledon partnering w/OMAFRA – Day 1 bus tour to agri-tourism sites; Day 2 – Speakers (including Michele Harris) regarding growing and supporting the ag sector. Info & registration: http://Caledon.ca/ecdevforum	Nov. 2 Millcroft Inn & Spa, Nov. 3 Caledon Equestrian Park
INITIATIVE	DESCRIPTION	
Fall Colours Interactive Map	Promotion of fall colour routes and destinations http://www.visitcaledon.ca/en/tourism/fall-colours.asp	
Discover Caledon brochure	Developed and distributed to accommodation providers in Caledon and through Headwaters brochure box program – winter version will be created	
Self-guided heritage walking tours	Developed for a number of villages – 9 tours so far, another 3 in the works. http://www.visitcaledon.ca/en/tourism/walking-tours.asp	

From: Headwaters Communities in Action <action@headwaterscommunities.ccsend.com> on behalf of Headwaters Communities in Action <action@headwaterscommunities.ca>
Sent: Friday, September 23, 2016 8:35 AM
To: dholmes@melancthontownship.ca
Subject: HCIA - a fresh kind of AGM event!

Having trouble viewing this email? [Click here](#)



Headwaters
Communities
in Action

Making Life Better Together

HCIA – a fresh kind of AGM event!

When

Friday October 28, 2016
from 12:30 PM to 4:00 PM
EDT

[Add to Calendar](#)

Where

Lord Dufferin Centre
32 First Street
Orangeville, ON L9W 2E1



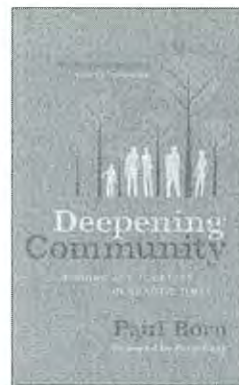
[Driving Directions](#)

Dear Denise B Holmes,

The HCIA 2016 AGM will have an exciting new format this year!

On Oct 28 we will welcome Paul Born, founder of the Tamarack Institute who will deliver a keynote highlighting the core ideas of his book, [Deepening Community: Finding Joy Together in Chaotic Times](#).

Having Paul join us will dovetail with our release of the Community Well-being Refresh.



Attendees will receive a copy of both Paul's book and our report. It's a one-two boost for community well-being.

Friday October 28th
1:00 - 4:00 (12:30 registration and refreshments)

The HCIA AGM will follow the presentations - detailed agenda coming soon.

The HCIA Community Well-being Report

Come and hear the results of our data collection and community feedback. Let's have a conversation about emerging priorities and what's on other people's radar.

Join us for local appetizers and refreshments.

We'll keep the business items short so we can focus on:

making life better together.

Please let us know if you can join us!

Register Now!

I can't make it

Thanks for your attention and letting us know so we can plan for our annual general meeting.

Sincerely,

Shirley Boxem
Headwaters Communities in Action
action@headwaterscommunities.ca
519-925-0347

Forward email

 SafeUnsubscribe



This email was sent to dholmes@melancthontownship.ca by action@headwaterscommunities.ca | [Update Profile/Email Address](#) | Rapid removal with [SafeUnsubscribe™](#) | [About our service provider](#).

Headwaters Communities in Action | Headwaters Communities | 246372 Hockley Road | Mono | Ontario | L9W 6K4 | Canada

Total Control Panel

[Login](#)

To: dholmes@melancthontownship.ca

Message Score: 2

High (60):

From:

Pass

anspthr7/rxwiall7fq1sgg=_1101319572094_xqoweejgecojensuuq0tw=@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.

O.P.P. Annual Billing Statement

Melancthon Tp

Estimated cost for the period January 1 to December 31, 2017

Please see the accompanying 2017 Municipal Policing Billing General Information summary for additional information

			Cost per Property \$	Total Cost \$
Base Service				
	<u>Property Counts</u>			
	Household	1,157		
	Commercial and Industrial	<u>178</u>		
	Total Properties	<u>1,335</u>	\$191.84	256,106
Calls for Service	(see summaries)			
	Total all municipalities	\$148,109,469		
	Municipal portion	0.0931%	103.27	137,865
Overtime	(see notes)		20.67	27,590
Contract Enhancements (pre-2015)	(see summary)		-	-
Court Security	(see summary)		-	-
Prisoner Transportation	(per property cost)		2.30	3,071
Accommodation/Cleaning Services	(per property cost)		4.86	6,488
Total Estimated Billing for 2017			<u>322.94</u>	<u>431,120</u>

Year over Year Estimated Variance (estimate for the year is not subject to a phase-in adjustment)

2016 Estimated Billing Cost per Property		331.08
2017 Estimated Billing Cost per Property		<u>322.94</u>
Cost per Property Variance	(Decrease)	<u>8.14</u>

2017 Monthly Billing Amount 35,927

Note:

The 2017 Municipal Policing Billing General Information document accompanying this billing provides additional information regarding municipal policing costs and the 2017 OPP municipal policing cost recovery. It includes details regarding the 2015 municipal policing cost reconciliation and the 2017 court security grant allocation. The document will be made available online at OPP.ca for future reference.

OPP TOTAL BASE SERVICES AND CALLS FOR SERVICE COST SUMMARY

For the Period January 01 to December 31, 2017

Salaries and Benefits

	Note 1	FTE	Base %	\$ / FTE	Total Base Services and Calls for Service		Calls for Service \$
						Base Services \$	
Uniform Members							
Inspector		24.67	100.0	151,777	3,744,339	3,744,339	-
Staff Sergeant-Detachment Commander		13.62	100.0	136,871	1,864,183	1,864,183	-
Staff Sergeant		28.71	100.0	127,184	3,651,453	3,651,453	-
Sergeant		224.84	57.9	115,055	25,868,966	14,977,860	10,891,106
Constables		1,867.96	57.9	97,350	181,845,906	105,288,893	76,557,014
Part Time Constables		6.01	57.9	77,449	465,468	269,523	195,946
Total Uniform Salaries		2,165.81		100,397	217,440,315	129,796,249	87,644,066
Contractual Payout (Vacation & Statutory Holidays)				4,290	9,265,542	5,485,752	3,779,790
Shift Premium				765	1,605,590	929,636	675,954
Benefits (Full-time 26.90%, Insp. 23.26%, Part-time 16.94%)					58,308,790	34,752,053	23,556,737
Total Uniform Salaries & Benefits				132,339	286,620,237	170,963,689	115,656,548
Detachment Civilian Members	Note 1						
Court Officer		14.93	57.9	64,876	968,599	560,529	408,070
Detachment Administrative Clerk		172.20	57.9	63,190	10,881,318	6,300,043	4,581,275
Detachment Clerk Typist		0.21	57.9	55,974	11,755	6,717	5,038
Detachment Operations Clerk		1.16	57.9	60,650	70,354	40,636	29,719
Crime Stopper		0.60	57.9	58,489	35,093	20,471	14,622
Total Detachment Civilian Salaries		189.10			11,967,119	6,928,395	5,038,723
Benefits (25.92% of Salaries)					3,101,877	1,795,840	1,306,037
Total Detachment Civilian Salaries & Benefits				79,688	15,068,996	8,724,235	6,344,761
Support Staff (Salaries and Benefits)	Note 2						
Communication Operators				6,020	13,038,176	7,718,904	5,319,272
Prisoner Guards				1,535	3,324,518	1,968,192	1,356,326
Office Automation Support				534	1,156,543	684,700	471,842
Telephone Support				120	259,897	153,865	106,032
Operational Support				4,254	9,213,356	5,454,521	3,758,834
Total Support Staff Salaries and Benefits Costs					26,992,490	15,980,183	11,012,307
Total Salaries & Benefits					328,681,723	195,668,108	133,013,615

Other Direct Operating Expenses Note 2

Communication Center	223	482,976	285,933	197,043
Operational Support	758	1,641,684	971,915	669,769
RHQ Municipal Support	2,290	4,959,705	2,936,261	2,023,444
Vehicle Usage	7,896	17,101,236	10,124,330	6,976,906
Telephone	1,228	2,659,615	1,574,554	1,085,061
Detachment Supplies	503	1,089,402	644,952	444,451
Uniform & Equipment	1,735	3,768,108	2,230,672	1,537,436
Mobile Radio Equipment Maintenance	845	1,835,188	1,086,408	748,780
Office Automation - Uniform	1,454	3,149,088	1,864,333	1,284,754
Office Automation - Civilian	1,485	280,814	162,578	118,236
Uniform & Equipment Court officer	741	11,063	6,402	4,661
Mobile Radio Equipment Maintenance Court Officer	845	12,616	7,301	5,315
Total Other Direct Operating Expenses		36,991,493	21,895,639	15,095,854

Total 2017 Municipal Base Services and Calls for Service Cost \$ **365,673,216** \$ **217,563,747** \$ **148,109,469**

Total OPP-Policed Municipal Properties **1,134,106**

BASE SERVICES COST PER PROPERTY **\$191.84**

OPP TOTAL BASE SERVICES AND CALLS FOR SERVICE COST SUMMARY
For the Period January 01 to December 31, 2017

Notes:

Total Base Services and Call for Service Costs are based on the cost of salary, benefit, support and other direct operating expenses for staff providing policing services to municipalities. Staff is measured in full-time equivalent (FTE) units and the costs per FTE are described in the notes below.

- 1) Full-time equivalents (FTEs) are based on average municipal detachment staffing levels for the years 2012 through 2015. Contract staff enhancements are excluded.

The equivalent of 88.74 FTEs with a cost of \$13,779,231 has been excluded from the Base Services and Calls for Service to reflect the average municipal detachment FTEs required for provincially-mandated responsibilities eligible for Provincial Service Usage credit.

Salary rates are based on weighted average rates for municipal detachment staffing by rank, level and classification. The 2017 salaries were estimated based on the 2014 rates set in the 2011 to 2014 Compensation Framework Agreement between the OPPA and the Ministry of Government and Consumer Services with an estimated overall general salary rate increase of 1.5% for 2015, 2.64% for 2016, and 2.54% for 2017 applied. Updated benefit rates for 2017 were unavailable at the time of calculating this statement therefore the 2016 benefit rates have been applied. The salary and benefit rates will be reconciled to actual.

FTEs have been apportioned between Base Services and Calls for Service costs based on the current ratio, 57.9% Base Services : 42.1% Calls for Service.

- 2) Support Staff Costs and Other Direct Operating Expenses for uniform FTEs are calculated on a per FTE basis as per rates set in the 2016 Municipal Policing Cost-Recovery Formula.

Calls for Service Billing Summary
For the Period January 1 to December 31, 2017

Melancthon Tp

Calls for Service Billing Workgroups	Calls for Service Count					2017 Average Time Standard	Total Weighted Time	% of Total Provincial Weighted Time	2017 Estimated Calls for Service Cost
	2012	2013	2014	2015	Four Year Average				
					A	B	C = A * B		
					(Note 1)			(Note 2)	(Note 3)
Drug Possession	2	2	2	1	2	6.2	11	0.0007%	\$ 998
Drugs	3	-	1	1	1	33.9	42	0.0026%	\$ 3,898
Operational	190	151	153	105	150	3.4	509	0.0316%	\$ 46,837
Operational 2	109	88	61	71	82	1.2	99	0.0061%	\$ 9,079
Other Criminal Code Violations	8	3	3	5	5	7.6	36	0.0022%	\$ 3,321
Property Crime Violations	59	48	25	31	41	6.7	273	0.0170%	\$ 25,116
Statutes & Acts	27	30	27	14	25	3.1	76	0.0047%	\$ 6,987
Traffic	79	65	106	87	84	3.4	286	0.0178%	\$ 26,350
Violent Criminal Code	10	15	13	6	11	15.1	166	0.0103%	\$ 15,280
Total	487	402	391	321	400		1,499	0.0931%	\$ 137,865
Provincial Totals	404,872	389,229	383,148	365,575	387,587		1,610,063	100.0000%	\$ 148,109,469

Note 1) Showing no decimal places, for billing purposes the exact calculated numbers have been used

Note 2) Showing 4 decimal places here, for calculations 9 decimal places have been used

Note 3) Costs rounded to 0 decimals

Calls For Service Details For the Calendar Years 2012 to 2015

Melancthon Tp

Calls for Service Billing Workgroups	Calls for Service Count				
	2012	2013	2014	2015	Four Year Average
Grand Total	487	402	391	321	400.25
Drug Possession	2	2	2	1	1.75
DRUG related occurrence	1	2	1		1.33
Possession - Cannabis	1		1	1	1.00
Drugs	3		1	1	1.67
DRUG Operation - Residential Grow [indoor]	1				1.00
DRUG Operation - Rural Grow	1				1.00
Production - Cannabis (Marihuana) (Cultivation)	1				1.00
Trafficking - Cannabis			1	1	1.00
Operational	190	151	153	105	149.75
Accident - non-MVC - Commercial	1				1.00
Accident - non-MVC - Industrial	2				2.00
Alarm - Others			1	1	1.00
Animal - Bear Complaint		1			1.00
Animal - Dog Owners Liability Act	4		1	2	2.33
Animal - Other	6	6	6		6.00
Animal Bite	1	1	3	3	2.00
Animal Injured	2	5	2	3	3.00
Animal Stray	20	10	5	2	9.25
Assist Fire Department			1	2	1.50
Assist Public	47	43	37	18	36.25
Compassionate Message			1	1	1.00
Distressed / Overdue Motorist		1	1		1.00
Dogs By-Law	1		1		1.00
Domestic Disturbance	1	13	11	15	10.00
False Fire Alarm - Other		1			1.00
Family Dispute	14	7	12	10	10.75
Fire - Building	1	3	5		3.00
Fire - Other	3				3.00
Fire - Vehicle				1	1.00
Found - Bicycles		2			2.00
Found - Household Property			1		1.00
Found - License Plate		1			1.00
Found - Others		1	1		1.00
Found - Personal Accessories			1		1.00
Found - Sporting Goods, Hobby Equip.	1				1.00
Found Property - Master Code		3	2	2	2.33

Calls For Service Details For the Calendar Years 2012 to 2015

Melancthon Tp

Calls for Service Billing Workgroups	Calls for Service Count				
	2012	2013	2014	2015	Four Year Average
Insecure Condition - Others				2	2.00
Lost - Accessible Parking Permit			1		1.00
Lost - License Plate	8	8	8		8.00
Lost - Others	5	1		1	2.33
Lost - Personal Accessories		2	1		1.50
Lost Property - Master Code	2	1		1	1.33
Missing Person - Master Code				1	1.00
Missing Person 12 & older	4				4.00
Missing Person Located 12 & older	4	1			2.50
Missing Person Located Under 12				1	1.00
Neighbour Dispute	11	5	9	3	7.00
Noise By-Law	2	1	1		1.33
Noise Complaint - Animal	4		1		2.50
Noise Complaint - Business			1		1.00
Noise Complaint - Others	1	2		1	1.33
Noise Complaint - Residence	7		3	3	4.33
Noise Complaint - Vehicle	1			1	1.00
Other Municipal By-Laws	2	2	4	6	3.50
Phone - Master Code				1	1.00
Phone - Nuisance - No Charges Laid	1	5	3	3	3.00
Phone - Other - No Charges Laid	3				3.00
Phone - Threatening - No Charges Laid		1	1		1.00
Protest / Demonstration	1		1		1.00
Sudden Death - Accidental				1	1.00
Sudden Death - Natural Causes	4	2	2	1	2.25
Sudden Death - Others	1				1.00
Sudden Death - Suicide			1		1.00
Suspicious Person	13	4	9	4	7.50
Suspicious vehicle	6	8	9	8	7.75
Trouble with Youth	3	3	2	3	2.75
Unwanted Persons	2	4	2	3	2.75
Vehicle Recovered - All Terrain Vehicles		2			2.00
Vehicle Recovered - Automobile	1	1	1	1	1.00
Vehicle Recovered - Other			1		1.00
Operational 2	109	88	61	71	82.25
911 call - Dropped Cell				2	2.00
911 call / 911 hang up	87	61	43	46	59.25

Calls For Service Details For the Calendar Years 2012 to 2015

Melancthon Tp

Calls for Service Billing Workgroups	Calls for Service Count				
	2012	2013	2014	2015	Four Year Average
911 hang up - Pocket Dial		1	1	2	1.33
False Alarm - Accidental Trip	2	3	2	5	3.00
False Alarm - Cancelled	5	5	4	4	4.50
False Alarm - Malfunction	5	5	1	2	3.25
False Alarm - Others	4	3		1	2.67
Keep the Peace	6	10	10	9	8.75
Other Criminal Code Violations	8	3	3	5	4.75
Animals - Kill or injure	1				1.00
Animals - Unnecessary suffering				1	1.00
Bail Violations - Fail To Comply	3				3.00
Bail Violations - Recognizance				1	1.00
Breach of Probation	1			1	1.00
Disturb the Peace		1			1.00
Libel - Defamatory			1		1.00
Offensive Weapons - Careless use of firearms	2				2.00
Offensive Weapons - In Vehicle			1		1.00
Offensive Weapons - Other Offensive Weapons		1			1.00
Offensive Weapons - Possession of Weapons			1		1.00
Offensive Weapons - Restricted				1	1.00
Public Mischief - mislead peace officer	1				1.00
Trespass at Night		1			1.00
Utter Threats to damage property				1	1.00
Property Crime Violations	59	48	25	31	40.75
Arson - Building				1	1.00
Break & Enter	26	13	5	8	13.00
Fraud - False Pretence Under \$5,000	1	1	1		1.00
Fraud - Money/property/security Under \$5,000	1	2	1		1.33
Fraud - Other	1	4	1	2	2.00
Fraud - Steal/Forge/Poss./Use Credit Card		1		2	1.50
Identity Fraud				1	1.00
Identity Theft		2			2.00
Mischief - Master Code	16	8	10	9	10.75
Property Damage	2	1		2	1.67
Theft from Motor Vehicles Under \$5,000	1			1	1.00
Theft of - All Terrain Vehicles		2			2.00
Theft of - Automobile		2		1	1.50
Theft of - Trucks	1				1.00

Calls For Service Details For the Calendar Years 2012 to 2015

Melancthon Tp

Calls for Service Billing Workgroups	Calls for Service Count				
	2012	2013	2014	2015	Four Year Average
Theft of Motor Vehicle	1	3			2.00
Theft Over - Master Code		1			1.00
Theft Over \$5,000 - Trailers	1	2			1.50
Theft Under \$5,000 - Bicycles	1				1.00
Theft Under \$5,000 - Boat (Vessel)			1		1.00
Theft Under \$5,000 - Farm Agricultural Livestock				1	1.00
Theft Under \$5,000 - Mail			1		1.00
Theft Under \$5,000 - Other Theft	6	5	5	2	4.50
Theft Under \$5,000 - Persons	1				1.00
Theft Under \$5,000 - Trailers				1	1.00
Theft Under \$5,000 Shoplifting		1			1.00
Statutes & Acts	27	30	27	14	24.50
Custody Dispute		2	2	1	1.67
Landlord / Tenant	5	5	10	2	5.50
Mental Health Act	11	5	3	1	5.00
Mental Health Act - Attempt Suicide	2	1	1	1	1.25
Mental Health Act - Threat of Suicide	1	4	6	3	3.50
Mental Health Act - Voluntary Transport			1		1.00
Trespass To Property Act	8	13	4	6	7.75
Traffic	79	65	106	87	84.25
MVC - Fatal (Motor Vehicle Collision)	1				1.00
MVC - Others (Motor Vehicle Collision)			1	1	1.00
MVC - Pers. Inj. Failed to Remain (Motor Vehicle Collision)				1	1.00
MVC - Personal Injury (Motor Vehicle Collision)	8	3	13	11	8.75
MVC - Prop. Dam. Failed to Remain (Motor Vehicle Collision)	1	1	5	2	2.25
MVC - Prop. Dam. Non Reportable	8	4	6	20	9.50
MVC - Prop. Dam. Reportable (Motor Vehicle Collision)	61	56	81	52	62.50
MVC (Motor Vehicle Collision) - Master Code		1			1.00
Violent Criminal Code	10	15	13	6	11.00
Assault - Level 1	5	3	4	3	3.75
Assault With Weapon or Causing Bodily Harm - Level 2	1	2	3		2.00
Criminal Harassment	1	3	1	2	1.75
Indecent / Harassing Communications		1	1		1.00
Pointing a Firearm	1		1		1.00
Sexual Assault		3	1		2.00
Sexual Interference		1			1.00
Utter Threats - Master Code		1			1.00

**Calls For Service Details
For the Calendar Years 2012 to 2015**

Melancthon Tp

Calls for Service Billing Workgroups	Calls for Service Count				
	2012	2013	2014	2015	Four Year Average
Utter Threats to Person	2	1	2	1	1.50
Grand Total	487	402	391	321	400.25

2017 OPP Municipal Policing Billing General Information

This summary provides general reference material for specific costs detailed in schedules included in the 2017 municipal billing packages as well as general information regarding the OPP 2017 municipal policing cost recovery.

Municipal Base Services and Calls for Service Costs

The Base Services and Calls for Service costs are the calculated costs of OPP members providing municipal policing services. The costs are determined based on the staffing in detachments and the municipal policing activities performed. Statistical analysis of activity in all applicable detachments is used to determine the municipal policing workload allocation of all detachment-based staff as well as the allocation of the municipal workload between base services and calls for service activity. For 2017 billing purposes the allocation of the municipal workload has been calculated to be 57.9% Base Services and 42.1% Calls for Service. The total 2017 Base Services and Calls for Service cost calculation is detailed on the *Base Services and Calls for Service Cost Summary* included in the municipal billing package.

Base Services

The Base Services costs represent municipal costs related to proactive policing services such as routine patrols, crime prevention, RIDE programs, training, administration, etc. The cost to each municipality is determined by the number of properties in the municipality and the standard province-wide average cost per property. The number of municipal properties is determined based on MPAC data. The property count definition is attached to this summary for your reference, see Appendix A. The calculation of the standard province-wide base cost per property is detailed on *Base Services and Calls for Service Cost Summary* included in the municipal billing package.

Calls for Service

The Calls for Service costs represent the municipal costs related to policing services that are typically reactive in nature and usually require a police officer's attendance. A municipality pays a proportionate share of the total cost of municipal calls for service costs calculated for the province. A municipality's proportionate share of the costs is based on weighted time standards applied to the historical calls for service. The municipality's total weighted time is calculated as a percentage of the total of all municipalities. Please refer to Appendix B for a summary of the Calls for Service Billing Workgroups descriptions.

Overtime

Municipalities are billed for overtime resulting from occurrences in their geographic area and a portion of overtime that is not linked specifically to a municipality, such as training. Municipalities are not charged for overtime identified as a provincial responsibility. The overtime activity for the calendar years 2012, 2013, 2014 and 2015 has been analyzed, applying the revised billing methodology, and averaged to forecast the 2017 costs. The costs incorporate the estimated 2017 salary rates and a discount to reflect overtime paid as time in lieu. The overtime costs incurred in servicing detachments for shift shortages have been allocated on a per property basis based on

straight time. Please be advised that these costs will be reconciled to actual 2017 hours and salary rates.

Court Security

Municipalities with court security responsibilities in local courthouses have been billed court security costs based on the cost of the staff in the servicing detachment required to provide designated court security activities. 2017 costs have been based on 2015 security activity and security requirements specified by detachment staff. Please be advised that these costs will be reconciled to actual 2017 hours and salary rates.

Prisoner Transportation

Prisoner Transport costs have been allocated to municipalities on a per property basis. The total estimated cost of municipal detachment staff providing prisoner transport services across the province has been calculated based on 2015 activities. The standard per property cost was calculated using the total of all OPP-policed municipal properties. Please be advised that these costs will be reconciled to actual 2017 hours and salary rates.

Accommodation/Cleaning Services

The municipal portion of the cost of provincially-owned detachment facilities has been allocated to municipalities on a per property basis. A standard province-wide rate has been set based on the total calculated municipal detachment costs and the property counts of municipalities requiring detachment facilities. The municipal detachment costs are based on the number of municipal officers and the per officer cost set in the 2016 Municipal Policing Cost-Recovery Formula.

Cleaning costs have been allocated to municipalities on a per property basis. The cost of the municipal portion of detachment caretakers, garage attendants and cleaning service contracts has been calculated and prorated based on the property counts of municipalities requiring these services.

Phase-in Adjustment

The municipal cost impacts of the revised municipal billing model are being phased in over a period of five years, 2015 to 2019. The 2017 phase-in adjustment is based on the comparison of the 2017 calculated cost per property to the 2016 adjusted cost per property plus a cost growth amount in accordance with O Reg. 267/14 of the *Police Services Act*.

The Cost Growth Amount is calculated based on the 2017 municipal FTEs and the cost difference between the 2016 and 2017 Salary and Benefit Rates, Support Costs and Other Direct Operating Expenses in accordance with O. Reg. 267/14. For 2017 the Cost Growth Amount is \$6.98 per property.

The table below details the municipal counts of 2017 phase-in adjustments:

2017 vs. 2016 Cost per Property	Phase-in cap applied	# of Municipalities
Increase greater than \$40 (plus cost growth amount)	Maximum \$40 increase (plus cost growth amount)	53
0 to \$40 Increase (plus cost growth factor)	n/a	177
Decrease up to \$89.87	n/a	81
Decrease greater than \$89.87	Maximum \$89.87 decrease	12

Year End Adjustments

Upon completion of 2017, municipal costs based on salaries and benefits components will be recalculated to account for variances between estimated and final rates applicable for the year as determined by collective bargaining agreements and the Ministry of Government and Consumer Services (MGCS) revised benefits calculations. The number of municipal detachment FTEs, "base/calls for service" ratio, property counts, municipal calls for service allocation rates, and PSU discounts included in the original calculations of the 2017 billing will remain unchanged. Overtime, Court Security, Contract Enhancements and Prisoner Transport costs will be recalculated based on actual 2017 data. The determination of the final 2017 costs may change the per property growth amount and phase-in caps applied in the issued billing. The capped per property rate may be decreased or increased depending on the final year end status of the costs. Any adjustments required as a result of the recalculation of 2017 costs will be included as a Prior Year Adjustment in the 2019 Annual Billing Statement issued in fall 2018.

The information provided with the 2015 municipal policing cost annual billing statements advised that the 2017 annual billing statement would include a final 2015 year end adjustment resulting from the recalculation of the costs as described in the preceding paragraph. The recalculation of costs is dependent on salary and benefit rates, as well as certain activity levels. The revision of collective bargaining agreements and benefits rates remained outstanding at the time the 2017 billing statements were prepared. The 2015 year end adjustment will be included in the 2018 annual billing statements.

Court Security and Prisoner Transportation Grant

The Ministry of Community Safety and Correctional Services (MCSCS) had not finalized the 2017 municipal grant allocations at the time the 2017 annual billing statements were prepared and therefore the grant allocation has not been included in the annual billing statements. Court Security and Prisoner Transport (CSPT) costs are partially offset by the grant allocation. Municipalities will be notified of their 2017 grant allocation in the fall of 2016 and the 2017 municipal CSPT grants will be credited to municipalities in 2017, 25% in February and the remainder by September. Please note that a review of 2016 reconciled costs will need to be compared to the actual grant allocated for 2016. If the grant amount is more than the reconciled costs, an adjustment will be made to your 2017 grant allocation.

Provincial Service Usage

The billing model recognizes all of the detachments that service municipalities (municipal detachments) as one entity supporting each other with investigations, workload pressures and staffing shortages. Provincial Service Usage (PSU) is generated when officers perform provincially-mandated responsibilities requiring them to work outside the municipal detachments or perform certain specialized duties within detachment areas; for example security for a major event such as the G8/G20 Conference or 2015 Pan Am Games. To acknowledge the deployment of detachment officers for PSU related activities, municipal costs have been discounted. A PSU discount rate is applied to the total municipal policing FTEs to reflect the reduction in service provided to all municipalities. The rate is based on a four-year average of the annual rates calculated for 2012 through 2015. The PSU discount rate applied in 2017 is 3.63%. In total \$13,779,231 (88.74 municipal policing FTEs), has been removed from the costs allocated to municipalities.

Detachment revenue

Revenue collected at detachments on behalf of municipalities has not been included in the billing statement costs. Any detachment revenue owing to municipalities upon completion of the year will be issued to the municipality through a credit. We anticipate the timing of this to be February or March of the following year.

Municipalities in Group Policing Service Contract Arrangements

Municipalities are allocated police services costs in accordance with their municipal structure and assumed responsibility for policing as dictated by the Police Service Act s.4; that is any lower tier, single tier or regional municipality is billed based on the costs allocated to them. The costs for municipalities who have formed a group OPP Policing Service contract will be the sum of the costs of the individual municipalities and the cost of contract enhancements (if applicable).

The group billed phased-in costs for 2017 is a sum of the individual municipalities in the group.

OPP Municipal Policing Cost-Recovery Summary

The total municipal cost-recoveries included in the 2015 to 2017 municipal cost annual billing statements are summarized below.

Cost (millions)	2017	2016	2015
Base Services	\$217.6	\$217.9	\$221.1
Calls for Service	\$148.1	\$143.8	\$137.9
Overtime	\$12.3	\$12.3	\$12.8
Court Security	\$4.1	\$3.7	\$3.5
Contract Enhancements	\$14.1	\$13.9	\$13.0
Prisoner Transportation	\$2.6	\$2.5	\$2.7
Accommodation/Cleaning	\$4.0	\$3.9	\$3.9
Total Municipal Cost-Recovery (excludes regulatory discounts)	\$402.8	\$398.0	\$394.8
Year over Year % Increase (Decrease) Variance	1.2%	0.8%	
Average Cost Per Property	\$354	\$352	\$357
Base Services Cost Per Property	\$191.84	\$193.07	\$200.51

APPENDIX A

2017 OPP Municipal Policing Billing: Property Count Definitions

The property counts included in the OPP municipal policing bills are comprised of household, commercial and industrial properties. The property counts data is based on the requirements defined in O. Reg. 267/14 of the Police Services Act (PSA) and will be updated annually based on Municipal Property Assessment Corporation (MPAC)¹ data. The counts included in the 2017 OPP municipal billing were based upon 2015 year end property counts for 2016 taxation.

Households

Household counts are the number of residential units (RU), farmlands on which a farm residence exists (FRU), and seasonal dwelling units (RDU).

Commercial and Industrial Properties

Commercial and Industrial property counts are the number of assessment roll numbers in the commercial and industrial realty tax classes (RTC) detailed in Table 1. The count includes the number of commercial and industrial classifications taxed at the fully occupied tax rates (refer to Realty Tax Qualifier (RTC) descriptions in Table 2).

Other Property Count Considerations

- Households, commercial and industrial properties on Canadian Forces Bases (CFB) have been excluded, as CFBs have their own police.
- Property counts have been adjusted for municipalities receiving hybrid (OPP and Municipal police) policing services.
- Timeshares are adjusted in household numbers to count the assessment roll numbers as identified by MPAC Property Codes 385 and 386.
- There is no distinction made between types of commercial and industrial properties. For example, a single property count would apply to each: a gas station, an office building, or a nightclub.
- Commercial properties with multiple units, such as shopping centres count as a single property, regardless of the number of commercial units. Similarly, a large industrial property with a small commercial unit attached would be counted as a single property.
- A commercial or industrial property with residence or apartment on site (e.g., golf courses with houses, apartments above retail), is included in both the household and commercial/industrial counts. The number of residential units is reflected in the household counts and the commercial/industrial portion counted as a commercial or industrial property.
- A residential property with a commercial or industrial business on site (e.g., residence with a hair salon), is included in both the household and commercial/industrial counts.
- Institutional properties are excluded, with the exception of those with a residential component (e.g. continuum of care seniors facility), which would be captured in the

¹ MPAC is responsible for determining assessed values and classifications for all properties in Ontario (<http://www.mpac.ca>).

household count and those with a fully taxable commercial/industrial component which would be counted once in the commercial/industrial count.

- Vacant lands, including vacant farmland, vacant commercial or industrial lands and managed forest, are not included in the property counts with the exception of those having a structure or unit which is taxed at full commercial/industrial rates or the property is occupied and has residential units.
- Trailers in campgrounds having an RDU unit class are included in the household counts. If the campground has a commercial/industrial portion, the property is also reflected in the commercial/industrial count.

Table 1

Realty Tax Class (RTC) Descriptions

Properties with the following RTC are **included** in the count:

RTC Commercial²	RTC Industrial
C - Commercial	I - Industrial
D - Office Buildings	J - New construction: industrial
G - Parking Lots	K - New construction: large industrial
Q - Professional Sports Facility	L - Large industrial
S - Shopping Centre	
X - New Construction: Commercial	
Y - New Construction: Office Building	
Z - New construction: Shopping Centre	

² Note - O - Condominium resort is excluded; these properties are captured in the household counts.

Table 2**Realty Tax Qualifier (RTQs) Descriptions**

Please note in the tables below the abbreviation P.I.L. represents Payment-in-Lieu of taxes.

INCLUDED - Properties with the following RTQ are taxed as fully occupied and are **included** in the count, provided that they fall within one of the RTC categories outlined in Table 1:

RTQ	DESCRIPTION
C	Lower-tier & Education Only
D	Taxable for School Taxes only.
F	Exempt from taxation, but eligible for P.I.L. at the full rate.
G	Exempt from taxation, but eligible for P.I.L. at the general rate only (No School Taxes).
H	Taxable, shared as if a P.I.L.
I	Water Intake System, Shared P.I.L.
L	Upper Tier & Education Only
M	Taxable at the General rate (No School rates).
N	Non-Generating Station, Shared P.I.L.
P	Taxable tenant of Provincially owned property, subject to P.I.L. at the full rate.
S	Generating Station, Shared P.I.L.
T	Taxable at the full rate.

EXCLUDED - Properties with the following RTQ are **excluded** from the count:

RTQ	DESCRIPTION
1	Taxable at the Farmland Awaiting Development- Phase 1 rate (Registered Plan Stage).
2	Exempt from taxation, but eligible for P.I.L. of taxes at the Farmland Awaiting Development- Phase 1 rate (Registered Plan Stage).
3	Exempt from taxation, but eligible for P.I.L. of taxes at the General Farmland Awaiting Development- Phase 1 rate (No School Rates) (Registered Plan Stage).
4	Taxable at the Farmland Awaiting Development- Phase II rate (Building Permit Stage).
5	Exempt from taxation, but eligible for P.I.L. at the Farmland Awaiting Development- Phase II rate (Building Permit Stage).
6	Exempt from taxation, but eligible for P.I.L. at the General Farmland Awaiting Development- Phase II rate (No School Rates) (Building Permit Stage).
A	Taxable at the General Vacant Land rate (No School taxes).
B	Taxable at the General Excess Land rate (No School rates).
E	Exempt

J	Taxable at Vacant Land rate, shared as if a P.I.L. (not a PIL but shared as if it was).
K	Taxable at Excess Land rate, shared as if a P.I.L.
Q	Taxable tenant of Provincially owned property at Excess Land rate, subject to P.I.L. at the full rate.
R	P.I.L.: Full Vacant Land, Taxable Tenant of Province
U	Taxable at the Excess Land rate.
V	Exempt from taxation, but eligible for P.I.L. at the Excess Land rate.
W	Exempt from taxation, but eligible for P.I.L. at the General Excess Land rate (no School rates).
X	Taxable at the Vacant Land rate.
Y	Exempt from taxation, but eligible for P.I.L. of taxes at the Vacant Land rate.
Z	Exempt from taxation, but eligible for P.I.L. at the General Vacant Land rate (no School rates).

APPENDIX B

Summary of OPP Municipal Policing Calls for Service Billing Workgroups Descriptions

Drugs

Includes trafficking, production, and importation of drugs including marihuana, cocaine, heroin, crystal meth or other controlled substances. It also includes occurrences related to indoor/outdoor grow labs.

Drug Possession

Includes all occurrences where the most serious violation is possession of marihuana, cocaine, heroin, crystal meth or other controlled substance. It also includes other minor drug related offences.

Operational

Operational calls for service are non-criminal events that police attend to. These include animal complaints, non-criminal domestic disturbances, missing persons, noise complaints, property – lost or found, sudden deaths, and assist public calls.

Operational 2

Includes false alarms, keep the peace and 911 calls/911 hang-ups. Due to the higher frequency of these calls, they have been separated out from the 'Operational' category and allocated a lower time standard. Traffic incidents are excluded.

Other Criminal Code Violations

The majority of offences counted in the Other Criminal Code Offences group are criminal offences that are not directed to people or related to property. It is similar to the group that Statistics Canada uses when reporting 'Other Criminal Code'. These include prostitution, offensive weapons, bail violations, counterfeiting, disturb the peace, indecent acts, breach of probation, and bribery.

Property Crime Violations

This category is similar to the group that Statistics Canada uses when reporting 'Property Crimes'. These include arson, break and enter, theft, possession of stolen goods, mischief, identity theft, and some frauds.

Statutes & Acts

Includes provincial statutes, primarily the Mental Health Act, Residential Tenancies Act and Trespass to property offences. It also includes custody dispute calls.

Traffic

Includes motor vehicle collisions of all severities (property damage, personal injury and fatalities) and road rage incidents reported to police.

Violent Criminal Code

The majority of offences counted in the Violent Criminal Code group are crimes against persons. This category is similar to the group that Statistics Canada uses when reporting 'Violent Crimes'. These include homicides, attempted murders, assaults, threats and robberies.

Denise Holmes

From: McCredie, Tristin (MAH) <Tristin.McCredie@ontario.ca>
Sent: Friday, September 23, 2016 10:18 AM
To: Undisclosed recipients:
Subject: Ontario Seeking Feedback on OMB Reform

Good morning,

I wanted to advise that the Province of Ontario is looking for feedback regarding potential changes to the Ontario Municipal Board. Ontario is undertaking a review of the scope and effectiveness of the Ontario Municipal Board (OMB), an important part of the province's land use planning system.

For more information on the review and how to provide your input, please visit our website here:
<http://www.mah.gov.on.ca/Page14965.aspx>.

Thank you,

Tristin McCredie

Municipal Advisor

Municipal Services Office – Central Region, Ministry of Municipal Affairs/Ministry of Housing

777 Bay Street, 13th Floor, Toronto, Ontario

T: 416-585-7356 or 1-800-668-0230

Email: tristin.mccredie@ontario.ca

Total Control Panel

[Login](#)

To: dholmes@melancthontownship.ca

Message Score: 1

High (60): Pass

From: tristin.mccredie@ontario.ca

My Spam Blocking Level: High

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.

You are here > [Home](#) > [Your Ministry](#) > [Land Use Planning](#) > Ontario Municipal Board Review

Ontario Municipal Board Review

[Email this page](#)

Ontario is undertaking a review of the scope and effectiveness of the Ontario Municipal Board (OMB), an important part of the province's land use planning system.

The [OMB](#) is an independent tribunal that makes decisions at arm's length from the government on appeals and applications under a number of statutes, with most of its current caseload coming from the Planning Act.

As set out under the Planning Act, the OMB is responsible for hearing appeals on decisions related to land use planning including official plans, zoning by-laws and plans of subdivision. The OMB's authority also includes hearing disputes on matters such as planning application fees and parkland dedication.

During extensive public and stakeholder consultations on the [Smart Growth for Our Communities Act](#) (Bill 73), the update to the [Long-term Affordable Housing Strategy](#) and the [Coordinated Land Use Planning Review](#), the province received input on improvements that could be made to the OMB, including its role in Ontario's land use planning system.

Ontario has already acted upon some of these suggested improvements.

For example, several changes were incorporated into the Smart Growth for Our Communities Act:

- When municipalities prepare new official plans, the plans can no longer be appealed in their entirety, and
- Once a new official plan is in place, that plan would not be subject to any new appeals of private applications for two years unless the municipality allows the applications to be made.

Recent changes in the Smart Growth for Our Communities Act will also give citizens a more meaningful voice in the land use planning process, build a more accountable and transparent decision making process, and focus on alternative dispute resolution to reduce the number of OMB hearings.

Ontario also proposed several additional changes to improve the land use planning and appeal system in our province through [proposed amendments to provincial land use plans](#). The Growth Plan for the Greater Golden Horseshoe would help to provide clearer direction for decision makers for assessing land needs to limit potential appeals.

Under the proposed [Promoting Affordable Housing Act, 2016](#), appeals of inclusionary zoning official plan policies and zoning by-laws to the OMB would not be permitted, except by the province.

Review Details

The Ministry of Municipal Affairs and the Ministry of the Attorney General are working to develop proposed recommendations to improve how the OMB works within the broader system of land use planning. A consultation paper will be released in the fall 2016 for further comment.

In the meantime, the province would like to hear your views on the following topics:

- **Jurisdiction and powers:** this could include what matters can be appealed and who may appeal them, the use of local appeal bodies and how much deference should be given to municipal decisions.
- **Meaningful citizen participation and local perspective:** this could include who has access to hearings, how to ensure the ability of the public to participate, how to ensure that the process is affordable, unrepresented parties and the role of the citizen liaison office.
- **Clear/predictable decision making:** this could include how to ensure fairness, adjudicator education and training and standardized decision format(s)
- **Hearing procedures and practices:** this could include the formality of hearings, how expert evidence is heard and what evidence should be allowed at hearings.
- **Alternative dispute resolution:** this could include the use of mediation or other alternatives to traditional hearings or adversarial procedures as part of the appeal system.
- **Timely processes and decision making:** this could include the timelines for scheduling hearings and the issuing of decisions.

If you would like to comment or share your insights on the topics above, please email us at: OMBReview@ontario.ca.

Comments and suggestions received during all stages of the review, as well as comments already received will be used to help inform the government of what changes may be needed.

There will be further opportunity for input when the consultation paper is released in the fall.

Notice Regarding Collection of Information

Any personal information collected is under the authority of the Ministry of Municipal Affairs and Housing Act for the purpose of obtaining input on the Ontario Municipal Board Review.

If you have questions about the collection, use, and disclosure of this information, please contact the Ministry of Municipal Affairs Senior Information and Privacy Advisor, 777 Bay Street, Toronto, Ontario, M5G 2E5, 416-585-7094.

Individuals

Personal contact information will be used only to contact you and will not be shared. Please be aware that any comments provided may be shared or disclosed once personal information is removed. Personal information includes your name, home address and personal e-mail address.

Organizations and Businesses

Comments or submissions made on behalf of an organization or business may be shared or disclosed. By submitting comments you are deemed to consent to the sharing of information contained in the comments and your business contact information. Business contact information is the name, title and contact information of anyone submitting comments in a business, professional or official capacity.

Learn More

- [Citizens' Guide to Land Use Planning: Ontario Municipal Board](#)
- [Environment & Land Tribunals Ontario: OMB Website](#)



Stantec Consulting Ltd.
200-835 Paramount Drive, Stoney Creek ON L8J 0B4



September 20, 2016
File: 165000943

Attention: Ms. Denise B. Holmes, CAO/Clerk
Township of Melancthon
157101 Highway 10
Melancthon ON L9V 2E6

Dear Ms. Holmes,

**Reference: Culvert Rehabilitation / Replacement, Contract 4 Improvements (G.W.P. 3042-11-00)
Request for Exemption from Noise By-law 31-2002**

The Ontario Ministry of Transportation (MTO) is undertaking a multi-year program to rehabilitate/replace approximately 142 structural culverts throughout Southwestern Ontario. Additional details including interactive site location maps are available on the project website at www.highwayculverts.ca.

As shown on the attached Key Plan, with reference to Contract 4, is one culvert within the Township of Melancthon that requires rehabilitation (Site 4-21/C).

The purpose of this letter is to request an exemption from the Township's Noise By-law, pertaining to prohibited hours for construction, during the rehabilitation of the Bradley Drain Culvert at Site 4-21/C. A map showing the location of the culvert is attached.

The culvert at Site 4-21/C carries two lanes of Highway 10 traffic over Bradley Drain and is located approximately 1.15 km southeast of Side Road 240. There are two private residential entrances, approximately 175 m and 185 m southeast of the culvert, on either side of Highway 10, and another private residential entrance, approximately 75 m northwest of the culvert on the north side of Highway 10.

The rehabilitation work will take approximately three to four weeks and include concrete repairs and waterproofing of the top slab to extend the life of the culvert. The waterproofing operation includes pavement removal/replacement on Highway 10 over the culvert. This will require single-lane construction staging with continuous flagging operations. In order to minimize the duration of construction and the potential for longer term traffic disruption during the waterproofing operation, we propose to set-up the contract to allow 24 hour continuous construction for a maximum of four nights.

We are requesting the exemption for the duration of Contract 4, which includes two construction seasons (i.e., April to November 2017 and April to November 2018), since the timing of construction within the Township of Melancthon is subject to the contractor's scheduling for the overall project.

The following information is provided in support of our application:



September 20, 2016
MCAO/Clerk
Page 2 of 2

Reference: Culvert Rehabilitation / Replacement, Contract 4 Improvements (G.W.P. 3042-11-00) Request for Exemption from Noise By-law 31-2002

Applicant: Ontario Ministry of Transportation, West Region
659 Exeter Road, 3rd Floor
London ON N6E 1L3

Attention: Ms. Sarah Jewell, Project Manager
Planning and Design Section
Tel: (519) 873-4812

Note: Private construction firms, working under Contract for the MTO, will undertake the work.

During night-time construction, the primary sources of noise will include generators to provide night-time lighting; compressors with jack hammers, chipping hammers, and Quickcut saws for concrete removal; and operation of dump trucks and diesel powered equipment for excavation, paving, etc. The Contractor will be required to minimize idling of construction vehicles and to maintain equipment in good working order (including muffling devices) to mitigate noise impacts.

The Contractor will be required to notify property owners within 200 m of the culvert in advance of construction. Residents in the vicinity of the culvert will be notified two weeks in advance of the night work. MTO/MOECC construction noise protocol requires the Contract Administrator to monitor and investigate any complaints regarding construction noise.

We would appreciate your consideration of this request so that MTO may proceed to tender the project in early 2017, subject to funding and receipt of all approvals.

If you require anything further, please do not hesitate to contact the undersigned.

Regards,

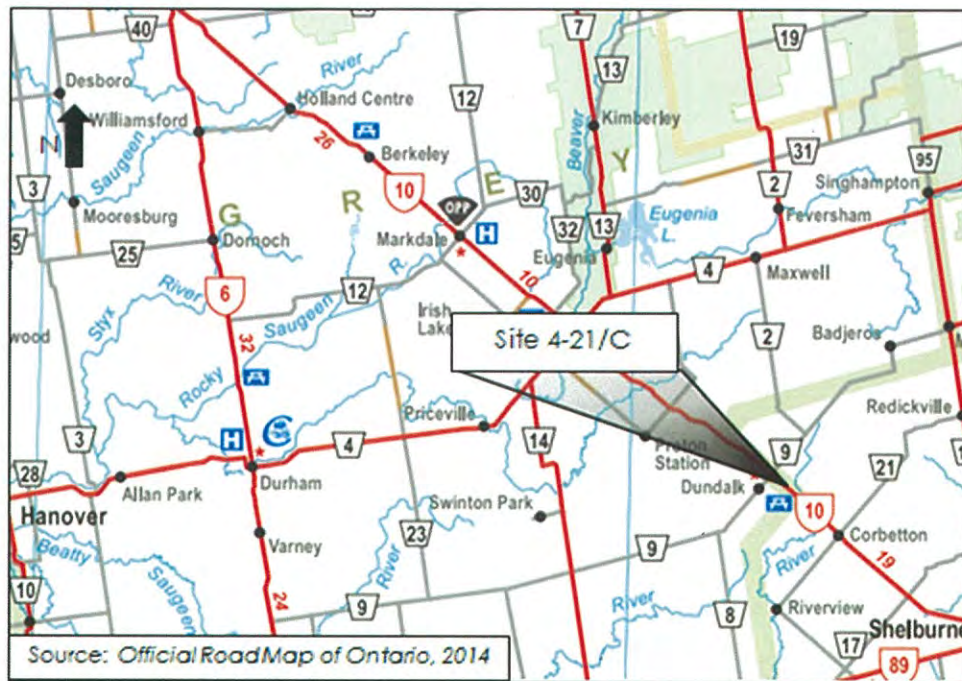
STANTEC CONSULTING LTD.

Matt Bruder, MCIP, RPP
Environmental Planner
Phone: 905-381-3218
Fax: 905-385-3534
matt.bruder@stantec.com










Attachment: Contract 4 Key Plan, Site Map

c. S. Jewell – Project Manager, MTO West Region
H. Mitchell – Environmental Planner, MTO West Region

Culvert Rehabilitation / Replacement, Contract 4 Improvements
(G.W.P. 3042-11-00) Request for Exemption from Noise By-law 31-2002
SITE MAP



Legend

-  Contract 4
 Replacement
 Major
 Rehabilitation
 Towns and Cities
 Major Roads
 Watercourse
 Conservation Authority Boundary
 Waterbody

1. Coordinate System: NAD 1983 UTM Zone 17N
2. Base features produced under license with the Ontario Ministry of Natural Resources © Queen's Printer for Ontario, 2015.

Title

**Highway Culverts:
Rehabilitation/Replacement
Project Contract 4**

From: [Denise Holmes](#)
To: lvanalstine@melancthontownship.ca
Subject: FW: Conservation Authorities Act Review Facilitator's Report
Date: September-27-16 8:30:13 AM
Attachments: [CA Act Review Phase 2 Engagement Sessions Summary Report \(FINAL with Appendix\).pdf](#)

PDF for agenda package

Regards,

Denise



Denise B. Holmes, AMCT | Chief Administrative Officer/Clerk | Township of Melancthon |
dholmes@melancthontownship.ca | PH: 519-925-5525 ext 101 | FX: 519-925-1110 |
www.melancthontownship.ca |



Please consider the environment before printing this e-mail This message (including attachments, if any) is intended to be confidential and solely for the addressee. If you received this e-mail in error, please delete it and advise me immediately. E-mail transmission cannot be guaranteed to be secure or error-free and the sender does not accept liability for errors or omissions.

From: Great Lakes and Water Policy Section (MNRF) [<mailto:mnrwaterpolicy@ontario.ca>]
Sent: Monday, September 26, 2016 3:42 PM
To: Great Lakes and Water Policy Section (MNRF)
Subject: Conservation Authorities Act Review Facilitator's Report

Hello,

Please find attached a copy of a report summarizing feedback provided to the Ministry of Natural Resources and Forestry on proposed priorities for updating the *Conservation Authorities Act*.

The feedback contained within this report was provided to the Ministry during five multi-stakeholder engagement sessions held in early summer of 2016.

If you would like to stop receiving information on the *Conservation Authorities Act* Review please respond to this email asking to be removed from our distribution list.

Thank you,

Water Resources Section
Natural Resources Conservation Policy Branch
Ministry of Natural Resources and Forestry
mnrwaterpolicy@ontario.ca



Stage II Engagement Sessions Summary Report

Prepared by Lura Consulting and Planning Solutions Inc. for:
The Ministry of Natural Resources and Forestry
August 2016



This report was prepared by Lura Consulting and Planning Solutions Inc., the independent facilitators and consultation specialists for the Conservation Authorities Act Review Stage II engagement sessions conducted in June 2016. If you have any questions or comments regarding this report, please contact:

Susan Hall

505 Consumers Road, Suite 1005

Toronto, Ontario M2J 4Z2

416-886-8205

shall@lura.ca

Table of Contents

1. Introduction 1

2. Methodology for Stage II Multi-Stakeholder Consultation Program..... 3

3. Summary of Participant Feedback 3

4. Action Ranking Exercise 16

Appendix A – Workshop Summary Reports

1. Introduction

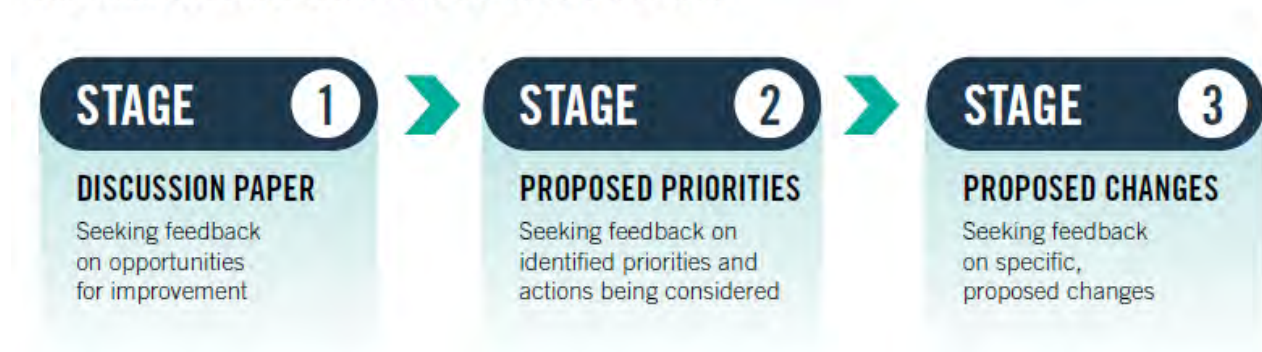
Background

The *Conservation Authorities Act*, enacted in 1946, allows municipalities in a common watershed to establish a conservation authority in conjunction with the province to deliver a local resource management program at the watershed scale for both provincial and municipal interests.

In November 2014, the Parliamentary Assistant to the Minister of Natural Resources and Forestry (MNRF) was given a mandate to engage with ministries, municipalities, Indigenous Peoples and stakeholders to initiate a review of the *Conservation Authorities Act*. The review was launched the following summer, with the objective to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities, including addressing roles and responsibilities, governance and funding of conservation authorities in resource management and environmental protection.

Overall Conservation Authorities Act Review Process

THE CONSERVATION AUTHORITIES ACT REVIEW PROCESS



There are several stages in the *Conservation Authorities (CA) Act* Review process, with opportunities for public input at each stage. The first stage began in July 2015 and sought feedback on opportunities to improve the *CA Act*. A discussion paper was posted on the Environmental Registry (EBR Registry Number 012-4509) for a 91-day public review and comment period. Stage2 began in May 2016 and focused on seeking feedback on proposed priorities identified from feedback during the first stage, as well as the development of specific actions for implementation over the short, medium and long term. A consultation document outlining proposed priorities for updating the Act was posted on the Environmental Registry (EBR Registry Number 012-7583) for a 120 day public review and comment period. During the third stage specific changes to the *CA Act* will be proposed and further consulted on.

Overview of Stage I

Stage I consultations included over 20 stakeholder and Indigenous engagement sessions in addition to targeted meetings across the province to obtain feedback on three areas:

- **Governance:** The processes, structures, and accountability frameworks within the Act which direct conservation authority decision-making and operations;
- **Funding mechanisms:** The mechanisms put in place by the Act to fund conservation authorities; and
- **Roles and responsibilities:** The roles and associated responsibilities that the Act enables conservation authorities to undertake.

The Stage I review process resulted in extensive feedback. Over 270 submissions were provided to the Ministry during the public commenting period from individuals and groups representing 10 different sectors. Analysis of this feedback helped to identify a number of priority areas for improvement.

Objectives for Stage II

In response to feedback obtained through the initial stage of the Ministry's review, the government established five priorities for updating the Act's legislative, regulatory and policy framework:

1. Strengthening oversight and accountability in decision-making.
2. Increasing clarity and consistency in roles and responsibilities, processes and requirements.
3. Improving collaboration and engagement among all parties involved in resource management.
4. Modernizing funding mechanisms to support conservation authority operations.
5. Enhancing flexibility for the province to update the *Conservation Authorities Act* framework in the future.

These priority areas as well as a series of potential actions were outlined in the discussion paper – *Conserving Our Future: Proposed Priorities for Renewal*. In May and June 2016, MNRF led a second round of public and stakeholder consultations through 5 regional multi-stakeholder engagement sessions. The sessions provided an opportunity for participants to learn about and provide input to the five priority areas. Lura Consulting and Planning Solutions Inc. were retained to facilitate the engagement sessions and report on the feedback provided by participants.

This report provides a summary of the consultation program and key consultation activities undertaken as part of the regional multi-stakeholder engagement sessions, as well as the feedback received through those sessions. It does not include feedback submitted to the Environmental Registry, or input from Indigenous engagement sessions which took place and will be reported on separately.

Feedback obtained through Stage II consultations will be used by MNRF staff to develop specific changes to the *Conservation Authorities Act* and associated policy and regulatory framework. Any specific

proposed changes will be subject to further public consultation as appropriate, for example through subsequent Environmental Registry postings.

2. Methodology for Stage II Multi-Stakeholder Consultation Program

Throughout June 2016, MNRF hosted full-day workshops in five locations across Ontario as part of the Stage II consultation program. The dates, locations and number of participants at each workshop are listed in the table below. The purpose of the workshops was to provide an overview of and receive feedback on the five priority areas for improving the *CA Act*. The workshops consisted of an overview plenary presentation with time for questions of clarification, followed by facilitated discussion. The facilitated discussions were designed to encourage dialogue and obtain feedback on the five priority areas for improving the *CA Act*. A discussion guide was provided to participants during the workshops as well as form to rank the proposed actions.

Date	Location	Number of Participants
June 3, 2016	Ottawa	23
June 7, 2016	Thunder Bay	7
June 9, 2016	London	57
June 13, 2016	Newmarket	59
June 15, 2016	Sudbury	12
Total		158

A summary of the comments and suggestions provided by participants during the workshops is presented in the next section.

3. Summary of Participant Feedback

This section presents the overarching key themes that emerged from the feedback obtained at the regional sessions, and is followed by a summary of participant feedback organized according to the five priority areas: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms, and (5) Enhancing Flexibility for the Province. Each section contains highlights and common themes that emerged throughout the sessions. Sector-specific perspectives are also noted. Individual workshop summary reports are provided in Appendix A.

Overarching Key Themes

The following points highlight the recurring comments, concerns and/or advice which emerged from the five sessions.

- Include integrated watershed management (IWM) in the Act as the overarching approach to conservation.
- Recognize that each CA is inherently unique. Local conditions and circumstances influence programs and services (particularly in Northern and rural communities); legislative changes must recognize the need for continued local autonomy (i.e., flexibility).
- Reinstate the provincial/municipal partnership as the collaborative model that was envisioned for CAs.
- Establish a multi-ministerial body to promote dialogue and collaborative decision-making regarding CA roles and responsibilities.
- Increase and diversify provincial funding to CAs to support the implementation of conservation programs and services.
- Ensure that any new or additional programs and services are delegated with adequate resources (particularly funding).
- Update provincial policies and technical guidelines to ensure they reflect the current suite of issues facing CAs.
- Ensure the interests of all stakeholders (e.g., OFAH members, agricultural sector, landowners, Indigenous Peoples) are considered during decision-making processes.
- Establish a provincial “one-window” to streamline planning processes and approvals, with clear expectations for provincial, municipal and CA roles and responsibilities.
- Concerns, as expressed by CAs, that the potential actions do not reflect the fundamental issues affecting CAs (e.g., reinstating the pre-1995 relationship between the province and CAs, provincial support in terms of funding, etc.).
- Concerns, as expressed by CAs, that the review focuses on CA Act processes and procedures instead of protecting and enhancing the natural environment through the CA Act.

Priority #1: Strengthening Oversight and Accountability

A. Updating the Act to reflect modern legislative structures and accountabilities

Participants consistently expressed support for including a purpose statement in the CA Act that includes integrated watershed management (IWM) as the overarching approach to conservation. There was also support from participants at the Newmarket session for including a vision, mission, and values for CAs that can be updated on a regular basis.

There was consistent feedback that the province needs to ensure there is flexibility within the legislation as priorities vary across different watersheds and will change over time (e.g., climate change considerations). Local autonomy is very important to CAs.

Feedback from participants at the Ottawa, Thunder Bay, and London sessions indicated support for defining the roles and responsibilities of various parties involved in providing oversight. It was noted that there is a misunderstanding among the public, municipalities, and other ministries about what CA responsibilities entail.

It was suggested by participants at the London session that the CA Act be modernized so that it is easier to update in the future (i.e., include certain aspects as regulation and policy rather than legislation so they can be updated more frequently). There was also support from participants at the Thunder Bay and Newmarket sessions to update provincial policies and technical guidelines to ensure they reflect the current suite of issues facing CAs.

Feedback from participants at the Ottawa, Thunder Bay, London, and Newmarket sessions suggested that updates to the CA Act should include an improved appeal process for planning and permitting.

B. Adopting and/or aligning with governance best management practices

Feedback from the Newmarket session indicated that the existing governance model is working well; it was also noted that many CAs comply with codes of conduct and/or currently provide board member orientation. On the other hand, participants from the Ottawa, Thunder Bay and London sessions indicated a need for more training and guidance to improve consistency in governance. It was also noted that there is a need to clarify how conflicts of interest among board members should be addressed.

It was suggested that the MNRF should provide some minimum guidance for governance best management practices which CAs can then adapt at the local level. Some participants (London) suggested that operational audits of CAs should be reinstated.

Feedback from participants at the Ottawa, Thunder Bay and London sessions suggested following the governance model used by Public Health Units as an example of best practices, particularly with respect to determining an avenue for appeals regarding codes of conduct or conflict of interest.

C. Enhancing provincial oversight

Participants from all the sessions raised the concern that if the province is going to delegate additional CA programs and services, or increase direction and oversight of programs, additional funding should be provided to CAs. Participants also cautioned that local flexibility for CAs should not be reduced through increased provincial oversight.

Feedback from the Newmarket session suggested establishing a third-party process or mechanism to address public concerns and ensure CAs are accountable to their legislated roles and responsibilities (e.g., Ontario Municipal Board, appeal mechanism, penalties); while there is currently a process for CA permit applicants to appeal permit decisions to the Mining and Lands Commissioner, there are no formal mechanisms to appeal other matters (e.g., disclosure of information).

Feedback from the Ottawa session suggested establishing meaningful key performance indicators to measure the impact of CA programs and services for larger, strategic and regional initiatives. Examples of key performance indicators suggested by participants focused on ecological services provided

through CA, regional and provincial initiatives, and climate change and carbon sequestration results associated with CA programs and initiatives. Participants from the Thunder Bay and Sudbury sessions highlighted the need to achieve a balance of provincial and municipal oversight to allow local flexibility based on watershed needs.

D. Enhancing municipal oversight

Participants from the Ottawa and Thunder Bay sessions expressed support to enhance municipal oversight, but indicated there is a need to clearly articulate what the enhancement entails. Participants from the Ottawa and Sudbury sessions noted that there is already accountability and oversight at the municipal level through the CA board.

Feedback from the Sudbury session indicated concern that enhancing municipal oversight may impact the ability of CAs to make critical decisions objectively (e.g., review permits, perform advisory function). It was suggested that the roles and responsibilities of municipalities in relation to CAs should be clarified, including fiduciary duties.

There was a suggestion from participants at the Newmarket session that mandatory review periods for municipality/CA Memoranda of Understanding (MOUs) and Service Level Agreements be considered (e.g., every five years); this would ensure that MOUs and service agreements remain current.

E. Developing or updating criteria for establishing, enlarging, amalgamating or dissolving a CA

Participants expressed support for developing criteria for establishing, enlarging, amalgamating or dissolving a CA. It was noted by participants from the Thunder Bay session that regional differences should be reflected in the criteria (e.g., if the CA were to be enlarged in Northern Ontario there is no mechanism to levy unorganized townships).

Participants from the London session suggested implementing a process to achieve minor CA boundary adjustments as some municipalities are located in two or more CAs.

Several participants raised concerns about municipalities within a watershed having the opportunity to opt out of a CA as there needs to be holistic management of natural resources on a watershed scale.

Priority #2: Increasing Clarity and Consistency

A. Clearly delineating between mandatory and optional programs and services

Participants generally expressed support for this potential action, specifically as a means to enhance the clarity and consistency of CA regulatory roles and responsibilities. Participant feedback from the Newmarket session cautioned that there are trade-offs to delineating between mandatory and optional programs and services, including the concern that doing so will reduce CA flexibility and autonomy.

Feedback from the Ottawa session also highlighted the need to consider different watershed needs across the province and the ability of different CAs to deliver mandated programs and services (i.e., different capabilities in terms of resources). There was some feedback from the London session which suggested that programs and services pertaining to flood and hazard management, in particular, should be mandatory, however IWM was iterated as the preferred approach to conservation at all the sessions (and as a means to provide flexibility).

It was also repeatedly noted that appropriate tools (e.g., sustainable funding from the province, provincial guidance/collaboration) are needed to ensure the delivery of CA programs and services.

B. Establishing a Provincial Policy Directive

Participant feedback consistently voiced support to establish a Provincial Policy Directive. The benefits associated with this potential action include:

- Clarifying CA roles and responsibilities;
- Developing an integrated policy framework (that aligns with other provincial legislation and identifies the hierarchy between them); and
- Establishing a policy framework that has a purpose and is tied to outcomes.

Participants from the Ottawa session iterated the concern that specifying CA roles and responsibilities will limit CA flexibility and autonomy, as the Act is currently written to allow CAs to adapt to the needs of their watershed. Feedback from the Newmarket and London sessions echoed the need to retain flexibility, but noted that enough direction should be provided to facilitate compliance. IWM was suggested by CAs as the basis of the policy directive as it recognizes the multiples roles and responsibilities CAs undertake.

C. Providing clarity and consistency in CA's regulatory roles and responsibilities

Participant feedback indicated broad support for this potential action and its intended outcomes. It was noted that consolidating and codifying regulatory requirements will help reduce the potential for misinterpretation, and associated legal disputes. Several key terms were also identified that are used inconsistently and need to be clarified: conservation land, wetland, watercourse, natural heritage, natural resources and integrated watershed management.

It was suggested at the Sudbury session that clarifying key terms can be addressed through the Act or supporting regulations, while most of the objectives of this potential action could be implemented through responsive policies or enabling provisions. Feedback from participants in Ottawa suggested the use of legislative mechanisms, such as the statute's preamble, to clarify CA roles and responsibilities.

Concerns were raised at the Newmarket session, particularly by landowners, regarding the inconsistent delivery of CA programs and services. It was noted by CA staff that this is a separate issue from clarifying CA roles and responsibilities, and is primarily due to resource constraints facing CAs (e.g., qualified staff, mapping tools, funding, etc.); the need for more funding, as well as coordinating and sharing resources between provincial, municipal and CA partners were suggested to help address this issue. A few participants also advised that promoting consistency in the delivery of CA programs and services is well defined in the Conservation Authority Liaison Committee (CALC) Report.

Participant feedback also highlighted the following considerations with regard to this potential action:

- Recognize the multiple roles and responsibilities CAs currently undertake in the Act (e.g., hazard management, watershed management, commenting on environmental assessments, service provider, regulator, and land owner).
- Update policy and procedure documents to clarify areas of jurisdiction, roles and responsibilities.
- Note that communication and public education are important “soft tools” that can help improve clarity, consistency and transparency (in terms of CA roles and responsibilities).

The need to ensure a balance between clarifying CA roles and responsibilities while retaining flexibility to respond to individual watershed needs, as well as using IWM as an overarching framework for CAs was also iterated in the feedback to this potential action.

D. Enhancing compliance and enforcement of regulatory requirements

Support for this potential action varied among participants. Feedback from the Ottawa, Newmarket, and London consultations expressed support to update regulatory compliance tools and mechanisms (e.g., stop work orders, increasing fines, etc.), while feedback from Thunder Bay participants expressed concerns about the cost of implementing this action, and suggested that it should be less of a priority. There was no feedback specific to this potential action from the Sudbury session.

Participant feedback from the Ottawa, Newmarket, London and Thunder Bay consultations all indicated that current regulatory compliance tools are insufficient, and that legal proceedings are costly and time consuming, negatively impacting limited CA resources. More provincial support for legal proceedings (e.g., funding, guidance, creating a mechanism to recover costs from appeals and fines) was suggested.

Feedback from landowners at the Newmarket session identified the need for a process to address conflicts of interests to ensure CAs (and their boards) are accountable and transparent. Feedback from both the Newmarket and London sessions suggested that education and collaboration should be promoted to improve CA’s relationships with landowners regarding the enforcement of regulations.

E. Streamlining planning and permitting requirements and processes

Feedback obtained from all the regional sessions consistently expressed support for this potential action. It was noted that it is important to make planning and permitting processes more user-friendly as this will result in more buy-in and positive relationships between CAs and their watershed communities.

Several suggestions to streamline planning and permitting requirements and processes were raised by participants, including but not limited to: pre-consultation meetings and/or checklists; establishing universal review timelines; updating guidance documents; using different classes of approvals (e.g., Class Environmental Assessment (EA) approach), establishing a “one-window” permit approval approach, updating administrative processes and procedures; and increasing collaboration and partnerships between the province, municipalities and CAs, with input from stakeholders and the public.

Priority #3: Improving Collaboration and Engagement

A. Establishing a provincial “one-window”

Participants generally expressed support for the establishment of a provincial “one-window” to act as a single point of contact for CAs at the Ministry level. This approach would be beneficial to enhance communication and exchange information between the province and CAs, and provide support/advice to CAs. It was noted by participants at the Thunder Bay session that this approach could also provide efficiencies for CAs with respect to gaining access to funding opportunities.

Participants at the Newmarket session suggested that MOUs should be required to ensure the “one-window” approach is clear to all parties involved and that a provincial “one-window” should also address challenges facing the development community regarding permitting issues.

B. Establishing a business relationship with Conservation Ontario

Regarding the role of Conservation Ontario (CO) and its relationship with CAs, participants from the Ottawa and London sessions suggested that MNRF should consider the model used by the Association of Municipalities of Ontario (AMO) as a best practice.

There was concern expressed by CAs at most of the sessions that CO should not take on a governing or oversight role. It was noted that CO’s current role is working well. With dedicated provincial funding, CO could provide strategic guidance and coordinate resources (e.g., training, best practices, templates) more consistently. There was also support for CO’s ongoing role in public education, communication and advocacy for CAs.

C. Enhancing Indigenous Peoples' participation

Participants consistently noted that enhancing Indigenous Peoples' participation in CA processes is important; however resources and guidance are needed as there are many challenges in conducting meaningful engagement. CAs would like to see the province provide templates and best practices for engaging with Indigenous Peoples.

It was also noted by participants at the London session that Indigenous Peoples' participation should be at a watershed and strategic planning level rather a project by project level; however there is a need for more support in achieving this. In some areas, First Nations advisory committees are working well.

It was suggested that the Federal government should also provide funding to CAs for facilitating Indigenous Peoples' participation.

D. Enhancing public and stakeholder participation

There was general support for enhancing public and stakeholder participation in CA processes to ensure a broad range of interests are considered (e.g. landowners, farmers) and increase transparency. From the perspective of some landowners, stakeholder engagement is not occurring consistently across CAs. A guidance document for CAs could help improve consistency.

It was noted that some CAs have more capacity and experience than others in engaging the public and stakeholders. Additional staff and financial resources are needed by smaller CAs to manage stakeholder engagement.

Feedback from the Ottawa, London and Sudbury sessions noted that advisory or ad hoc committees have worked well to enhance stakeholder participation.

Some participants feel that there is a lack of understanding amongst community members regarding the mandate and role of CAs. Enhancing education and awareness of the various roles of CAs, municipalities and the province would be beneficial. Similarly, it is important to employ a culture of collaboration with landowners. There needs to be more transparency, two-way communication and sharing of information between CAs and landowners.

E. Supporting CAs in sharing and coordinating resources

There was support for encouraging CAs to share data, science and information as well as achieve administrative efficiencies; however this should not be prescribed in the CA Act. It was noted that sharing and coordinating resources and best practices between CAs is already happening at the local level.

Concerns were expressed that it may be challenging to share information and resources in an equitable manner. The province should provide resources to CAs. Questions were raised regarding who would be financially responsible for coordinating resources.

Priority #4: Modernizing Funding Mechanisms

There was consensus across the regional sessions that long-term sustainable funding must be prioritized for CAs to be able to deliver programs and services effectively. A multi-ministry approach to funding was emphasized because CAs deliver locally on priorities for many ministries (e.g., MOECC).

A. Enhancing clarity, consistency and accountability around municipal levies

Participant feedback consistently indicated that there is a need to simplify and clarify the funding formula for municipal levies and clarify the intent of the levy.

There was concern raised by participants at the Ottawa, Thunder Bay, London and Newmarket sessions that smaller municipalities do not have the capacity (e.g., tax base) to support CAs. It was suggested that a funding formula should be considered to equalize funding between CAs (based on population, programming, species at risk, watershed characteristics, etc.) paid by the province.

Participants at the Newmarket and Sudbury sessions expressed concerns that the present funding model creates a conflict of interest between CAs and municipalities and limits CA autonomy from municipalities.

There was a suggestion from participants at the Newmarket and London sessions for municipal levies for CA programs and services to be included as a separate line item on municipal tax bills (e.g., comparable to water rates) to increase public awareness.

B. Promoting clarity, consistency and accountability around fees and generated revenue

Participants noted that clarity around fees and how they can be used by a CA would be beneficial. It was suggested that MNRF should provide clear guidance on acceptable revenue streams. Similarly, there was support from participants at the Ottawa session for establishing a framework to calculate fees to improve transparency as it is undertaken differently by all CAs.

Participants suggested that other mechanisms to generate revenue be included in the CA Act (e.g., development charges). There was support from participants at the Newmarket session for establishing a mechanism for CAs to capture funds from compliance and enforcement activities (e.g., penalties, legal processes). It was also suggested that the opportunity for CAs to release conservation land with marginal natural heritage benefits for other uses be considered; the resources spent to maintain these lands could be re-deployed elsewhere. Participants from the Thunder Bay session were also supportive

of innovative opportunities for municipal funding arrangements (e.g., new tax classification for CA owned hazard-related lands, tax rates reflective of the land use and benefit provided).

Participants at the Ottawa and London sessions noted that some CAs need support to justify user fees as the public does not understand how they are established. Participants at the Newmarket session also suggested encouraging regular communication and collaboration on fees (e.g., liaison committee, bi-annual meetings with stakeholders).

Participants from the Newmarket and Thunder Bay session stated that there is also a need to establish a mechanism to mediate disputes regarding fees (e.g., appeal to a third-party such as the OMB).

C. Improving fiscal oversight and transparency

Many participants expressed that municipal oversight and transparency is already strong.

Participants from the Ottawa and Sudbury sessions expressed the need to ensure board members understand the fiduciary responsibility of their role to the CA and watershed (e.g., provide training).

Feedback from the Ottawa, London, and Sudbury sessions indicated that there is a desire for standardized and consistent budgeting practices; however, participants from the Newmarket session expressed that standardizing budget templates may add complexity and an administrative burden. It was noted that some municipalities currently ask for compliance with their own budget formats.

D. Improving clarity in the use of provincial funding processes

Participants at all the session continually indicated that more provincial funding and resourcing is needed and that this should be a prioritized action. Diversifying the funding mechanisms available to CAs was broadly supported (e.g., development charges, utility fees, external funding).

There was concern raised by participants at the Newmarket session about the requirement to reapply for certain grants annually as it is an administrative burden for many CAs. Feedback from the Thunder Bay and London sessions indicated that CAs should be able to apply directly for Trillium funding to streamline the process.

Participants at the London session noted that the timing of the release of transfer payments creates challenges for CAs (i.e. fiscal years are not aligned). A multi-year funding model would create greater efficiencies in administering programs. It was also noted that the transfer payment should be indexed to the rate of inflation. Municipalities are currently making up the difference for inflation increases.

Priority #5: Enhancing Flexibility for the Province

A. Giving the Minister the authority to use the Act to develop additional natural resource conservation and management programs and services in the future

Participant feedback expressed general support regarding this potential action if the purpose is to enable the Minister to be more responsive to contemporary issues (e.g., climate change), and recognize the multiple roles and responsibilities CAs currently undertake. It was suggested by participants at the Newmarket session that more information about this potential action is needed to clarify its intent (and what types of programs and services could be delegated), as it could be misinterpreted as a movement toward a more “command and control” approach by the province.

There was some concern raised that specifying too many details in the Act will reduce flexibility for CAs and municipalities, and that other mechanisms or tools should be considered to delegate responsibilities (e.g., MOUs, Ministerial Mandates, Provincial Policy Statement, regulations).

Feedback from most of the regional sessions also stressed that if new or additional programs and services are delegated, they should be accompanied by appropriate tools and resources, particularly funding, to ensure they are implemented.

B. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to conservation authorities in the future

Participant feedback regarding this potential action was similar to that received for the preceding action; as such, participants from the Sudbury session suggested combining the first two potential actions under this priority area.

Feedback iterated the need to clarify the intent of the potential action and provide examples of what may be delegated to provide CAs with more certainty. Comments also emphasized that the province should provide appropriate tools and resources, especially funding, with any new delegated programs and services.

Participant feedback from the Newmarket session also suggested establishing a multi-ministerial body to delegate additional programs and services through a collaborative decision-making process, while feedback from the London session indicated that there is a general feeling that this kind of delegation already can and does take place.

C. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to other public bodies, not-for-profit organizations, municipalities and other Ministries

Participant feedback regarding this potential action varied. On one hand, feedback from the Newmarket and London sessions expressed support for this potential action, as it would potentially increase or free CA capacity for other programs and services. There was some support to delegate education and outreach activities to other bodies, but not regulatory CA functions.

On the other hand, feedback from the Ottawa session raised a broad range of concerns that this potential action: will lead to the privatization of programs and services, delegate responsibilities away from CAs; impact the ability of CAs to negotiate funding; and that CA programs and services will be duplicated by other organizations leading to inefficiency and increased confusion regarding CA roles. Participants at the London session also conveyed concerns that focused on the need to consider CAs before external partners, and ensuring appropriate oversight and accountability of external partners if programs and services are delegated to them.

Feedback also iterated the idea that it may be more appropriate for a multi-ministerial body to delegate programs and services to other organizations, and that the province should provide appropriate tools and resources, especially funding, with any new delegated programs and services.

D. Giving the Minister the authority to deliver additional natural resource conservation and management programs and services throughout the province

Participant response to this potential action varied by region. Participants at the Sudbury session expressed support for this potential action as it would enable the consistent delivery of CA programs and services outside CA boundaries by MNRF or another organization. They suggested delegating programs and services to other bodies through other legislation. Feedback from Thunder Bay participants highlighted the need to communicate and consult on any proposed changes to the regulations of the Act. Feedback from the remaining sessions is consistent with the comments reported for the preceding potential action.

Other Actions Being Considered

A. Reducing administrative burdens associated with appointing and replacing board members and obtaining approval of board per diems

Participant feedback indicated support for this potential action. Comments regarding per diems revealed a range of concerns that need to be addressed, including reducing the administrative burden associated with obtaining approval of board per diems, particularly if they are appealed to the Ontario Municipal Board (OMB). Participants from London and Ottawa suggested the need to explore existing best practices for approving per diems to avoid OMB approval, or letting the CA board decide. There is

also some concern that per diems are not equitable across CAs, and that some municipalities permit them while others do not.

Feedback also highlighted the need to clarify the process to appoint and remove CA board members. Concerns were expressed at the Newmarket session that some CA boards are not reflective of watershed stakeholders (e.g., farmers, landowners, etc.) and that there is a need to balance CA board composition to reduce political influence. Participants highlighted the need for more provincial guidance and collaboration with CAs, and suggested establishing an accreditation process to appoint members (e.g., university accreditation panels) or a code of conduct to address these concerns.

B. Aligning board terms with the municipal elections cycle

Participants at the London, Newmarket and Ottawa sessions generally support aligning board terms with the municipal elections cycle. They also highlighted: the need to maintain flexibility for CAs; consider term limits for board members (e.g., 8 years), and consider appointing members as outlined in the Municipal Act (i.e., eliminate the three-year maximum term). There were no comments specific to this potential action from participants at the Thunder Bay and Sudbury sessions.

C. Developing and orientation and training program for board members

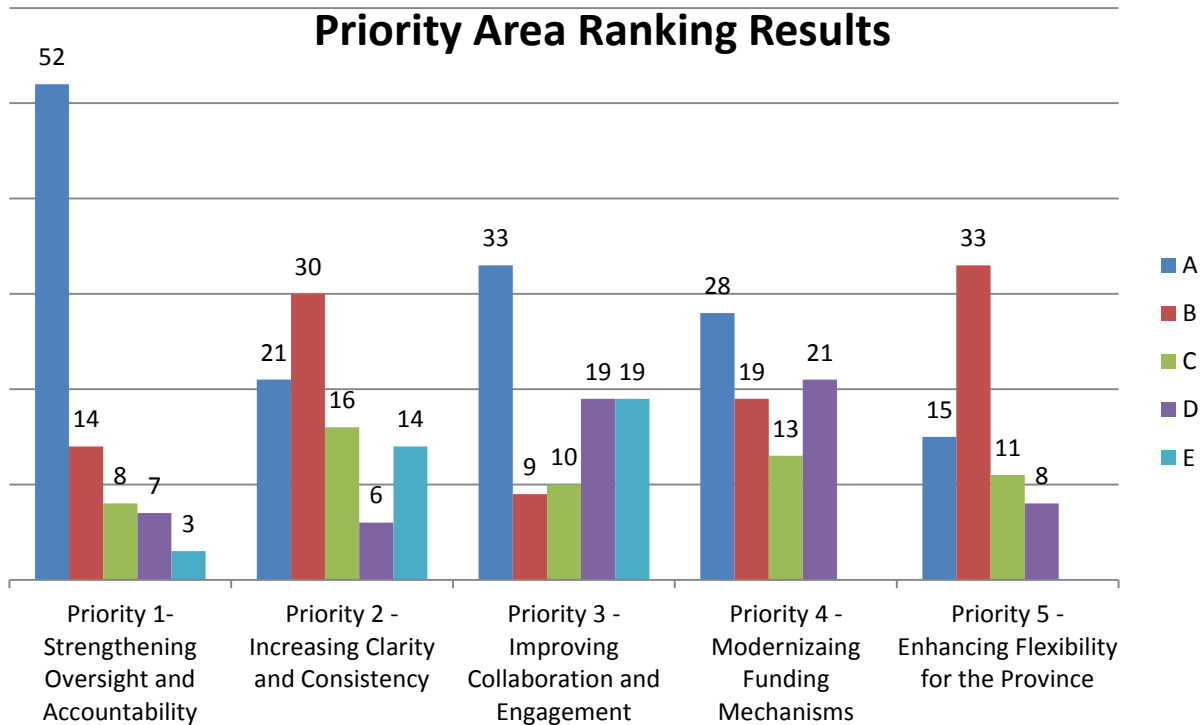
There was agreement among participants regarding the need to develop a provincially mandated orientation and training program for board members to ensure that they are informed of their role and function, particularly their fiduciary obligations. Feedback indicated that many CAs already provide training for board members; it was suggested that training tools and best practices should be shared via CO. Some participants also feel that the provision of board member training should be led by CO, with provincial support.

D. Developing a coordinated communications plan outlining any changes to conservation authority operations, programs and services resulting from the review in partnership with municipalities and conservation authorities

Feedback in response to this potential action varied. Participants in London expressed support for a coordinated communications plan, while participants in Newmarket suggested that the province should provide more guidance on communications related to specific issues (e.g., outreach, consultation and managing controversial matters). It was noted in Ottawa that some CAs already coordinate communications, however there is support to align them with CO communications. Participant feedback in Thunder Bay acknowledged the importance of consultation and communication between CAs and the MNRF regarding changes to the regulations of the CA Act, and iterated the need to maintain flexibility for CAs. Comments specific to this potential action were not conveyed in Sudbury.

4. Action Ranking Exercise

At the end of each of the engagement sessions, participants were asked to choose the most important potential action under each priority area. The combined results of this optional exercise are presented in the graph below. Note that some attendees did not participate in the ranking because they felt the potential actions do not reflect the fundamental issues affecting CAs. The results in the graph represent the number of attendees that chose to respond and do not represent a statistically significant sample. A total of 90 completed forms were received. The potential actions under each priority area are represented by the letters A to E in the graph below.



Appendix A – Workshop Summary Reports

This summary of participant feedback has been prepared by Lura Consulting and Planning Solutions Inc. to provide the Ministry of Natural Resources and Forestry with the recurring themes and priorities raised by participants during the Ottawa session of the Conservation Authorities Act Review, Phase II. The feedback from each individual session will be used to compile a final engagement session report.

Introduction

The Ministry of Natural Resources and Forestry (MNRF) is undertaking a phased review of the Conservation Authorities Act. The intent of the review is to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities (CAs). In Phase I of the review, completed in 2015, MNRF led an extensive consultation process to engage stakeholders in a discussion about opportunities to improve the Conservation Authorities Act, which resulted in extensive feedback.

Based on the input received in Phase I of the review, MNRF has released the document, *Conserving Our Future: Proposed Priorities for Renewal*, that outlines a series of actions that could be taken under five proposed priority areas for improvement: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms, and (5) Enhancing Flexibility for the Province. In June 2016, MNRF led a second round of consultations with a diversity of stakeholders to obtain input on the potential actions outlined within the five priority areas.

On June 3, 2016, the MNRF hosted a full-day workshop in Ottawa, at the Holiday Inn Express Hotel & Suites Ottawa West - Napean as part of the Phase II consultation program. The purpose of the workshop was to provide an overview of the five priority areas for improving the Conservation Authorities Act. The workshop consisted of an overview plenary presentation with time for questions of clarification, followed by three rounds of facilitated small group discussions. The facilitated discussions were designed to encourage dialogue and obtain feedback on the five (5) priority areas for improving the Conservation Authorities Act.

A total of 23 individuals participated in the workshop, including participants from the following organizations:

- Cataraqui Region CA
- City of Ottawa
- Greenspace Alliance of Canada's Capital
- Minto Communities
- Mississippi Valley CA
- Ontario Federation of Agriculture
- Ontario Federation of Anglers and Hunters
- Rideau Valley CA
- Robinson Consultants / DSAO
- South Nation River CA

- Township of Leeds and the Thousand Islands
- Township of Montague

This report presents a summary of the comments and suggestions provided by participants during the workshop.

Summary of Participant Feedback

The summary of participant feedback is organized according to the five priority areas: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms and (5) Enhancing Flexibility for the Province. Each priority area contains a synopsis of the overall key themes and issues as well as specific feedback received through plenary discussions (see Appendix A) and completed discussion guides relating to each discussion question.

The following points highlight the recurring comments, concerns and/or advice which emerged from the Ottawa session.

- Ensure additional programs and services are delegated with adequate resources (particularly funding).
- Ensure CAs have the resources (e.g., funding, skilled staff, etc.) and tools (e.g., updated mapping) to deliver the variety of mandated programs and services they are responsible for, including tools to enforce regulatory compliance (e.g., stop work orders).
- Consider legislative (e.g., an appeal mechanism) and non-legislative mechanisms (e.g., add a purpose statement to the act, update the policies and procedures manual, identify key performance indicators, develop a communications strategy, etc.) to update the act.
- Ensure the proposed changes maintain flexibility and local autonomy (for municipalities and CAs).
- Move forward with the establishment of a provincial “one-window” approach and ensure it is adequately resourced.
- Establish a multi-ministry body to coordinate CA programs and services.
- Prioritize efforts to enhance First Nations, public and stakeholder engagement; suggested mechanisms include (e.g., ad hoc committees, advisory committees, staffing policies).
- Establish a strategy to improve the sharing and coordination of resources among CAs (e.g., who, what, where, how, etc.).
- Diversify the funding mechanisms available to CAs (e.g., development charges, utility fees, external funding).
- Ensure fees are established in a transparent manner and correspond to the services provided by CAs.

- Ensure funding mechanisms are flexible to meet the diverse needs of CAs across the province (i.e., flexible fee structure).
- Provide board members with training to ensure they understand their fiduciary responsibilities to the authority and watershed (e.g., budgeting, reporting, etc.).
- Consider other mechanisms or tools to delegate programs and services to other bodies or organizations (e.g., MOUs, Ministerial Mandates, Provincial Policy Statement, regulations, other statutes, etc.)

Priority #1: Strengthening Oversight and Accountability

Overall key themes/issues:

- Consider legislative (e.g., add a purpose statement to the act, add an appeal mechanism) and non-legislative opportunities (e.g., update the policies and procedures manual, identify key performance indicators, develop a communications strategy, etc.) to strengthen oversight and accountability.
- Ensure delegated programs and services are accompanied by adequate resources (particularly funding).
- Clarify the intent of enhancing provincial and municipal oversight and how it will be applied in practice; there were comments both in support of and against increasing oversight.

A. Updating the Act to reflect modern legislative structures and accountabilities

Participant feedback expressed support to:

- Update the Act to reflect modern legislative structures and accountabilities (e.g., purpose statement).
- Clarify the roles of parties that provide oversight (e.g., municipalities, CA board).

Participant feedback highlighted the following considerations:

- Ensure there is an opportunity for stakeholders (e.g., the province, municipalities and CAs) to comment and agree on the purpose statement before it is added to the Act and regulations.
- Clarify the process to appoint CA board members.
- Consider appointing non-municipal representatives to CA boards to ensure broad representation of stakeholder perspectives (e.g. agricultural representatives).
- Update the policies and procedures manual (which has not been undertaken since 1985).

B. Adopting and/or aligning with governance best management practices

Participant feedback expressed support to:

- Update best management practices to enhance governance (and transparency); integrated watershed management was noted as the most important approach.

Participants highlighted the need to consider the model used by health units (as an example of a governance best practice).

C. Enhancing provincial oversight

Participants expressed support to enhance provincial oversight (as long as resources are sufficient to implement delegated programs and services).

Participant feedback raised the following concerns and/or issues:

- Concerns about enhancing provincial oversight – clarify how enhanced oversight will operate in practice;
- Concerns about introducing new acts or regulations that would “limit” decision-making by municipalities – ensure flexibility at the local level;
- Concern that there is no simple or streamlined alternative dispute resolution process for CA decisions (e.g., bottleneck of issues pending before the mining commissioner); and
- Clarify the role of CAs in terms of provincial oversight (i.e., what are CAs providing?).

Participant feedback highlighted the following considerations:

- Ensure new programs or services are delegated to CAs with appropriate resources and support (particularly funding);
- Establish meaningful key performance indicators to measure the impact of CA programs and services (for larger, strategic and regional initiatives);
- Consider an appeal mechanism/alternative dispute resolution process for CA decisions – look to other agencies for models or best practices of appeal mechanisms.
- Consider the need for a communications strategy that can be used by all CAs to increase awareness of the purpose of CAs; promote accountability and transparency, etc.

D. Enhancing municipal oversight

Participants expressed support to enhance municipal oversight, but indicated there is a need to clearly articulate what the enhancement would be.

The CA board (which is comprised of municipal representatives) already provides municipal oversight.

E. Developing or updating criteria for establishing, amalgamating or dissolving a CA

Participant feedback highlighted the following considerations:

- Consider opportunities for CAs to share administrative roles and responsibilities (e.g., two boards, one administration in Quinte).
- Consider the model used to provide additional resources for prescribed tasks to implement Source Water Protection (SWP) initiatives.
- Consider amalgamating some CAs to overcome issues related to limited resources.

Priority #2: Increasing Clarity and Consistency

Overall key themes/issues:

- Ensure delegated programs and services are accompanied by adequate resources (particularly funding).
- Ensure the potential actions maintain flexibility and local autonomy (for municipalities and conservation authorities).
- Move forward with the development of an integrated legislative and policy framework.
- Ensure conservation authorities have the tools needed to deliver the variety of programs and services delegated to them, including tools to enforce compliance with regulatory requirements.
- Consider a suite of mechanisms to increase clarity and consistency (e.g., a preamble, Provincial Policy Statement).

A. *Clearly delineating between mandatory and optional programs and services*

Participant feedback raised the following concerns and/or issues:

- Concern about changing processes abruptly; there needs to be a transition plan.
- Concern about reducing local autonomy (both municipal and CA).

Participant feedback highlighted the following considerations:

- Ensure mandated programs and services are accompanied by supporting tools (e.g., funding, provincial guidance/assistance).
- Clarify what will be *mandatory* and what will be *optional*, if the terms are retained.
- Consider the ability of different CAs to deliver mandated programs and services (i.e., different capabilities in terms of resources) and different watershed needs.

B. *Establishing a Provincial Policy Directive*

Participant feedback expressed support to:

- Address the overlap and/or misalignment between different statutes that delegate programs and services to CAs; this may require updating other legislation.
- Develop an integrated policy framework.
- Specify CA roles and responsibilities through a Provincial Policy Directive (e.g., Provincial Policy Statement)

Participants raised the concern that specifying CA roles and responsibilities will limit flexibility; the Act is currently written to allow CAs to adapt to the needs of their watershed.

C. Providing clarity and consistency in conservation authorities' regulatory roles and responsibilities

Participant feedback expressed support to:

- Consolidate CA roles and responsibilities outlined in other statutes.
- Define undefined terms.
- Align terminology used in different statutes (e.g., wetland).

Participants raised the concern that policies and regulations are not applied consistently by CAs.

Participant feedback highlighted the following considerations:

- Clarify the purpose of the act, its objectives and the tools available to implement them.
- Recognize the multiple roles and responsibilities CAs currently undertake in the Act (e.g., hazard management, watershed management, commenting on environmental assessments, service provider, regulator, and land owner).
- Consider the unintended consequences of clarifying CA roles and responsibilities (e.g., limiting the scope of CA activities).
- Consider legislative mechanisms to clarify roles and responsibilities (e.g., the statute's preamble).

D. Enhancing compliance and enforcement of regulatory requirements

Participants expressed support to update regulatory compliance tools and mechanisms. Some participants noted that the Ontario Building Code could be used as a model for implementing stop work orders.

Participant feedback raised the following concerns and/or issues:

- Concern that regulatory compliance tools are insufficient.
- Concern that legal proceedings are costly and time consuming, negatively impacting limited CA resources.

E. Streamlining planning and permitting requirements and processes

Participant feedback expressed support to:

- Streamline planning and permitting requirements and processes (e.g., simplify the process).
- Ensure the right tools are available to streamline planning and permitting processes.
- Adopt a risk-based approach to approvals; it was noted that more information is needed to articulate how this will be applied in practice.

Participants raised concerns about a one-window approach as the “big picture” impact of iterative decisions is not clear.

Participants highlighted the need to define the value of watersheds/natural resources in the act.

Priority #3: Improving Collaboration and Engagement

Overall key themes/issues:

- Move forward with the establishment of a provincial “one-window” approach and ensure it is adequately resourced.
- Establish a multi-ministry body to coordinate CA programs and services.
- Prioritize efforts to enhance First Nations, public and stakeholder engagement, suggested mechanisms include (e.g., ad hoc committees, advisory committees, staffing policies).
- Establish a strategy to improve the sharing and coordination of resources among CAs (e.g., who, what, where, how, etc.).

A. Establishing a provincial “one-window” approach

Participants were supportive of prioritizing the establishment of a provincial “one-window” approach; it was noted that this potential action is closely linked to sharing and coordinating resources among CAs.

Participant feedback highlighted the following considerations:

- Establish a “one-window” approach to streamline the approval process for site plan assessments; CAs could serve as the primary point of contact.
- Ensure the “one-window” approach is appropriately resourced.
- Establish a multi-ministry body (instead of promoting multi-ministry coordination) to coordinate CA programs and services.

B. Establishing a business relationship with Conservation Ontario

Participant feedback raised the following concerns and/or issues:

- Recognize that Conservation Ontario is already undertaking this potential action.
- Concern about Conservation Ontario being a governing body.

Participants suggested that MNRF consider the model used by the Association of Municipalities of Ontario (AMO) as a best practice.

C. Enhancing Indigenous People’s participation

Participant feedback expressed support to:

- Enhance the capacity of First Nations to participate in CA processes.
- Provide resources to enhance First Nation participation in CA processes.

D. Enhancing public and stakeholder participation

Participant feedback expressed support to:

- Enhance public and stakeholder participation to ensure a broad range of interests is considered; this should be prioritized. It was noted that some CAs have more capacity and experience engaging the public and stakeholders than others.

Participant feedback highlighted the following considerations:

- Consider the use of advisory committees or ad hoc committees to enhance stakeholder participation;
- Ensure a broad representation of stakeholder interests on CA boards (e.g., farmers);
- Consider the need for a communications strategy that can be used by all CAs to broaden awareness and engage stakeholders and the public; and
- Consider developing a CA staffing policy to employ more First Nations and/or newcomers.

E. Supporting conservation authorities in sharing and coordinating resources

Participant feedback expressed support to:

- Promote sharing and coordinating resources among CAs (e.g., GIS, data, etc.); it was noted that this is already happening between some CAs (e.g., program level staff sharing data, issuing joint publications; meetings involving CA board members).

Participant feedback raised the following concerns and/or issues:

- Concern that current efforts to share and coordinate resources are ineffective; it was suggested that the province should establish a strategy to improve data sharing.
- Clarify who will be financially responsible for coordinating resources.
- Consider other mechanisms to encourage collaboration between CAs (e.g., Source Water Protection model).

Participant feedback highlighted the following considerations:

- Consider cost-sharing or equalization payments across CAs.
- Consider the need for mechanisms to enable collaboration between CAs and CAs and their government partners.

Priority #4: Modernizing Funding Mechanisms

Overall key themes/issues:

- Prioritize the need for additional funding to implement the delivery of CA programs and services.
- Diversify the funding mechanisms available to conservation authorities (e.g., development charges, utility fees, external funding).
- Ensure fees are established in a transparent manner and correspond to the services provided by conservation authorities.
- Ensure funding mechanisms are flexible to meet the diverse needs of conservation authorities across the province (i.e., flexible fee structure).
- Provide board members with training to ensure they understand their fiduciary responsibilities to the board and watershed (e.g., budgeting, reporting, etc.).

A. Enhancing clarity, consistency and accountability around municipal levies

Participant feedback raised the following concerns and/or issues:

- Recognize that the apportionment process is fair, but too complicated.
- Concern about changing the process by which CAs work with participating municipalities; the current process works well.
- Concern that smaller municipalities do not have the capacity (e.g., tax base) to support CAs; some of the financial responsibility should be “uploaded” to the province.

Participant feedback highlighted the following considerations:

- Consider simplifying the funding process (instead of clarifying it).
- Clarify the process regarding municipal levies for the public.
- Consider a minimum value for levies (e.g., \$10,000 to \$15,000).
- Ensure proper representation and/or transparency in the process to determine levies; it should reflect the ability of municipalities to pay.
- Consider a charge on the water rate as a mechanism to generate revenue.
- Eliminate geo-referencing – maintaining the current system is not equitable.
- Ensure efforts to standardize processes are also flexible to recognize the needs/diversity of CAs.
- Advocate for more provincial funding; there is a need to diversify funding sources.

B. Promoting clarity, consistency and accountability around fees and generated revenue

Participants raised the concern that more transparency is needed in how fees are established; consistency is an issue across the province, but may not be practical/achievable.

Participant feedback highlighted the following considerations:

- Include the purpose of fees and what they include in the act.

- Consider a fee structure that recognizes the variation of CA needs and resources across the province.
- Establish a framework to calculate fees (that will improve transparency as it is undertaken differently by all CAs).
- Recognize that provincial direction should focus on cost recovery.
- Consider an appeal mechanism instead of a fee structure.
- Consider the model used in the Municipal Act.
- Consult stakeholders and the public about the fee structure, if one is proposed.
- Consider the need for fees to correlate to the service provided.
- Ensure fees are relevant for farmers (it could be too costly for some/not relevant).
- Include other mechanism to generate revenue in the Act (e.g., development charges).
- Clarify the status of CAs (e.g., non-profit vs. government agency) as this impedes access to funding.
- Need to invest in water protection and define mechanisms to fund water protection (not infrastructure) and plan for natural asset management, ecological goods and services).

C. Improving fiscal oversight and transparency

Participant feedback highlighted the following considerations:

- Look at governance in a collective way (e.g., working relationship between the board and municipalities should be governance-based).
- Ensure board members understand the fiduciary responsibility of their role to the authority and watershed (e.g., provide training).
- Provide guidance in terms of a standard budgeting process for operations (e.g., group budgeting items such as land management, water management, etc.).
- Consider requiring the Chair of CAs to report to councils.
- Consider the need for consistency in terms of reporting to municipalities how funding is spent.
- Make information regarding fees and revenue generated accessible to the public.
- Consider opportunities to strengthen reporting to Councils.

D. Improving clarity in the use of provincial funding processes

Participants raised the following concerns and/or issues:

- Recognize that some CAs are limited in their ability to raise funds.
- Recognize that CAs cannot apply for external funding (e.g., Ontario Trillium grants).

Participant feedback highlighted the following considerations:

- Consider the need for more provincial funding; this should be a prioritized action.
- Ensure the information required to meet eligibility criteria is useful to both the province and municipalities (i.e., avoid creating an administrative burden).
- Recognize that third-party audits already ensure accountability.
- Clarify the eligibility criteria for all groups, not just CAs.

Priority #5: Enhancing Flexibility for the Province

Overall key themes/issues:

- Ensure delegated programs and services receive the appropriate resources (particularly funding) to facilitate implementation.
- Clarify the intent of the potential actions to ensure they are interpreted consistently and correctly.
- Consider other mechanisms or tools to delegate programs and services to other bodies or organizations (e.g., MOUs, Ministerial Directives, Provincial Policy Statement, regulations, other statutes, etc.)

A. Giving the Minister the authority to use the Act to develop additional natural resource conservation and management programs and services in the future

Participants were supportive of this potential action in principle if the intent is to consolidate roles and responsibilities from different statutes, not “download” more responsibilities without resources (e.g., funding).

Participant feedback raised the following concerns and/or issues:

- Concerns that specifying too many details in the Act will reduce flexibility for CAs and municipalities.
- Concern that CAs will be required to undertake the delivery of more programs and services without the required funding.

Participant feedback highlighted the following considerations:

- Clarify the purpose of the Conservation Authorities Act (operations vs. programming).
- Consider other mechanisms or tools to delegate responsibilities (e.g., MOUs, Ministerial Mandates, Provincial Policy Statement, regulations).
- Ensure collaboration between CAs to encourage consistency in the delivery of programming and services.
- Recognize the unique capabilities and needs of each CA and the need for flexibility.

B. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to conservation authorities in the future

Participant feedback expressed support to:

- Support this potential action if the intent is to consolidate roles and responsibilities from different statutes, not “download” more responsibilities.

Participant feedback raised the following concerns and/or issues:

- Concern about the “heavy handed” approach and language of the potential actions; the concern is that the province is moving toward a “command and control” approach.
- Concern about the capacity of different CAs to implement additional programs and services (particularly without additional funding).
- Clarify what will be delegated to provide more certainty.
- Concern that municipalities will be financially responsible for the additional programs and services if funding is not provided.

Participant feedback highlighted the following considerations:

- Clarify the intent of the potential actions to ensure they are interpreted consistently and correctly.
- Clarify the types of programs and services that could be delegated.

C. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to other public bodies, not-for-profit organizations, municipalities and other Ministries

Participant feedback raised the following concerns and/or issues:

- Concern that delegating programs and services to other bodies will lead to the privatization of these programs and services (i.e., flexibility without accountability).
- Concern that this potential action will delegate responsibilities away from CAs.
- Concern about losing the ability to negotiate funding if programs and services are delegated to other bodies or organizations.
- Concern about the delivery of programs and services through other organizations or bodies given the retrenchment of MNRF resources.
- Concern that delegating programs and services to other bodies or organizations will duplicate the services and programs provided by CAs.

D. Giving the Minister the authority to deliver additional natural resource conservation and management programs and services throughout the province

Participant feedback highlighted the following considerations:

- Note that in some cases, there is already wording in the Act that addresses the intent of this potential action (e.g., where there is no CA).

Other Actions to Consider

Overall key themes/issues:

- Continue exploring opportunities to improve the role and function of board members (e.g., fiduciary duties, decision-making authority, compensation, terms, etc.).
- Build on existing communication efforts utilized by conservation authorities.

A. Reducing administrative burdens associated with appointing and replacing board members and obtaining approval of board per diems.

Participant feedback raised the following concerns and/or issues:

- Concern regarding the approval of per diems as they are appealed to the Ontario Municipal Board (OMB); it was suggested that the CA board should decide, not the OMB.
- Concern that compensation is not equitable across CAs.

Participant noted that appointing and replacing board members is not a problem for all CAs.

B. Aligning board terms with the municipal elections cycle.

Participants support the action to align board terms with the municipal elections cycle.

Participants suggested the need to consider term limits for board members (e.g., 8 years).

C. Developing and orientation and training program for board members.

Participants were supportive of developing a training program for board members; specifically fiduciary training (functional responsibility for reporting to municipalities and responsibility of municipality to select board members).

D. Developing a coordinated communications plan outlining any changes to conservation authority operations, programs and services resulting from the review in partnership with municipalities and conservation authorities

Participant feedback highlighted the following considerations:

- Note that some CAs already coordinate communications.
- Align CA communications with communications at Conservation Ontario.
- Foster effective exchange of programs needed to support collaboration.

Additional Comments

Additional comments provided by participants include:

- Ensure the interests of all stakeholders (e.g., OFAH members, agricultural sector) are considered during decision-making processes; this can be achieved in part through more outreach and education.
- Suggest that CAs fill the gap in forest management and protection in Southern Ontario; forests play an important role in the hydrological cycle. Conservation authorities may be better positioned to undertake on the ground initiatives that MNRF does not have capacity for.
- Consider monitoring landscape management at multiple scales (e.g., provincial, watershed, etc.).

Appendix A – Questions of Clarification

The following topics and themes were discussed after the overview presentation:

Presentation

- Ensure the presentation includes a balanced summary of the feedback received during the first phase of consultations (e.g., positive feedback, opportunities for improvement, feedback by sector, etc.).
- Highlight the range of comments received regarding the CAs' Mandate (presented as an area of general disagreement).
- Concern that a focus on a "core hazards role" will limit the scope of CA roles and responsibilities; there is a need to recognize the diversity of programs and services CAs provide.
- Clarify whether the amalgamation of CAs is being considered by the province.

Priority Areas

- Ensure the potential actions proposed to improve the coordination of CA services (e.g., one-window approach) are carefully considered and will be adequately resourced.
- Note that the potential actions do not reflect the fundamental issues affecting CAs (i.e., they miss the mark).
- Include integrated watershed management as an overarching approach in the Act.
- Recognize the multiple roles and responsibilities CAs currently undertake under the Act.
- Recognize that each CA is different; while consistency is an important objective it may lead to structural issues.
 - Each CA provides services that reflect the needs of its respective watershed.
 - Some CAs do not have the capacity (e.g., staff, financial resources, tools, etc.) to undertake integrated watershed management.
- Explain the rationale to include policies formally requiring CAs to undertake "other duties as assigned" given that they do not have the ability to say "no".
 - Concern was expressed that municipalities will be financially responsible for "other duties as assigned" if funding is not provided with the assigned duties.
 - Concern was expressed that this potential action is a "command and control" approach and that other mechanisms could be used to delineate roles and responsibilities (e.g., MOUs, Ministerial Mandates).
- Include the six primary roles and responsibilities CAs currently undertake in the Act (e.g., hazard management, watershed management, commenting on environmental assessments, service provider, regulator, and land owner).
 - Conservation authorities can coordinate processes requiring collaboration among multiple stakeholders (e.g., integrated watershed management).
 - Ensure watershed management is integrated (i.e., someone need to be the "stick").

- Consider the unintended consequences of clarifying CA roles and responsibilities (e.g., limiting the scope of CA activities).
- Consider clarifying certain issues (e.g., roles and responsibilities, climate change) in the statute's preamble.

Participation and Feedback during Consultations

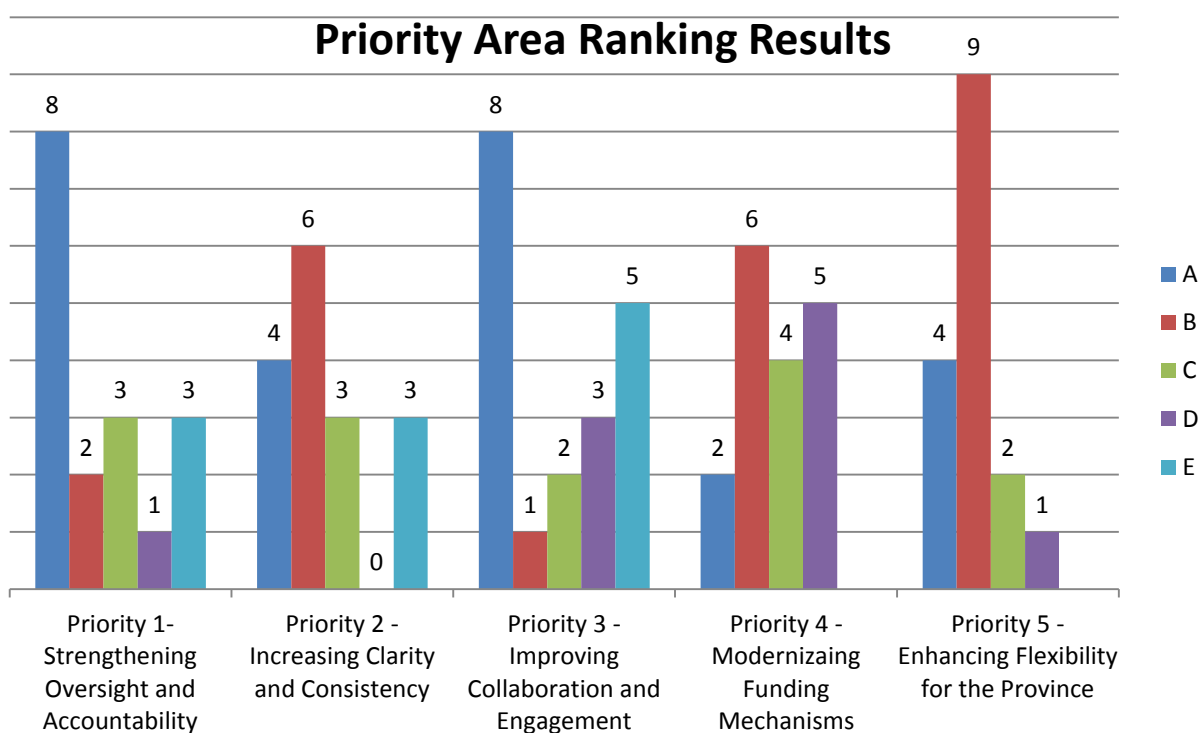
- Ensure stakeholders who participated in the first phase of consultations receive notification of consultation sessions going forward.

Other

- Recognize that there is no CA that oversees the Ottawa River.

Appendix B – Ranking Results

At the end of the session participants were asked to choose the most important potential action under each priority area. The results of this optional exercise are presented in the graph below. Note that some attendees did not participate in the ranking because they felt the potential actions do not reflect the fundamental issues affecting CAs. The results represent the number of attendees that chose to respond and do not represent a statistically significant sample. Eighteen (18) completed forms were received. The potential actions under each priority area are represented by the letters A to E in the graph below.



Additional comments

- Reduce red tape! Streamline permit application process.
- Clarify the intent of the potential actions under Priority #5.
- Develop opportunities to distribute funds across regions/province more effectively (e.g., cost sharing).
- Align the Conservation Authorities Act with other provincial legislation (e.g., Drainage Act, Ontario Water Resources Act).
- Make as many changes by updating the policies and procedures manual instead of revising the act.
- Include integrated watershed management in the purpose statement of the act.

- Concern about the need for the potential actions under Priority #5 in the act.
- Align board member appointments with the municipal election cycle.
- Concern about the need for Ontario Municipal Board (OMB) approval for board per diems.
- “Upload” funding of CAs to the province.

This summary of participant feedback has been prepared by Lura Consulting and Planning Solutions Inc. to provide the Ministry of Natural Resources and Forestry with the recurring themes and priorities raised by participants during the Thunder Bay session of the Conservation Authorities Act Review, Phase II. The feedback from each individual session will be used to compile a final engagement session report.

Introduction

The Ministry of Natural Resources and Forestry (MNRF) is undertaking a phased review of the Conservation Authorities Act. The intent of the review is to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities. In Phase I of the review, completed in 2015, MNRF led an extensive consultation process to engage stakeholders in a discussion about opportunities to improve the Conservation Authorities Act, which resulted in extensive feedback.

Based on the input received in Phase I of the review, MNRF has released the document, *Conserving Our Future: Proposed Priorities for Renewal*, that outlines a series of actions that could be taken under five proposed priority areas for improvement: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms, and (5) Enhancing Flexibility for the Province. In June 2015, MNRF led a second round of consultations with a diversity of stakeholders to obtain input on the potential actions outlined within the five priority areas.

On June 7, 2016, the MNRF hosted a full-day workshop in Thunder Bay at the West Thunder Community Centre as part of the Phase II consultation program. The purpose of the workshop was to provide an overview of the five priority areas for improving the Conservation Authorities Act. The workshop consisted of an overview plenary presentation with time for questions of clarification, followed by three rounds of facilitated small group discussions. The facilitated discussions were designed to encourage dialogue and obtain feedback on the five (5) priority areas for improving the Conservation Authorities Act.

A total of 7 individuals participated in the workshop, including participants from the following organizations:

- Lakehead Region Conservation Authority (LRCA)
- Ministry of Environment and Climate Change
- Township of Gillies

This report presents a summary of the comments and suggestions provided by participants during the workshop.

Summary of Participant Feedback

The summary of participant feedback is organized according to the five priority areas: (i) Overview Summary (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms and (5) Enhancing Flexibility for the Province. Each priority area contains a synopsis of the overall key themes and issues as well as specific feedback received through plenary discussions (see Appendix A) and completed discussion guides relating to each discussion question.

The following points highlight the recurring comments, concerns and/or advice which emerged from the Thunder Bay session.

- Northern Ontario in general and northwestern Ontario specifically exhibits a number of unique conditions, circumstances and challenges, not the least of which include unorganized territory, a large geography/spatial extent and frequently, an inaccessible land base.
- Local autonomy is critical; flexibility is essential to long term success.
- Education is imperative to improved understanding and awareness of the role and responsibilities of conservation authorities (CAs).
- Collaboration and cooperation are important fundamental principles. There are many examples where fees are set collaboratively and instances where CAs advance win/win solutions that promote mutually beneficial results. This latitude and flexibility is necessary and CAs must be given the opportunity to continue to develop workable solutions on a project-specific basis.
- Recognize that legislative changes need to be supported by long term sustainable funding. A long term financial commitment is essential.
- There are a number of legislative changes that should be considered as priorities by the province including:
 - Defining a clear purpose and meaning in the Act regarding the role and mandate of CAs;
 - Coordination and collection of scientific data and information – potential role for Conservation Ontario;
 - The need to enhancing the dialogue with First Nations but also with other stakeholders.
- There are a number of supporting actions that can realize significant change including training for CA Board Members, and province-wide initiatives led by Conservation Ontario to improve communication, education and awareness of the role of CAs.
- Need to ensure that municipalities are not handicapped by new statutory provisions.
- Recognize that these actions are not mutually exclusive and that some may be associated with increased funding requirements.
- Any ministerial changes to the regulation must be done in consultation with CAs.
- Legislative changes need to reflect the diversity that exists in conditions, circumstances and situations across the province (e.g. use of, access to and management strategies associated with conservation areas – very different in northern Ontario than in southern Ontario.)
- Keep it flexible. “Max flex” needs to be the operative principle moving forward regarding legislative change. Stay true to the role and mandate of CAs. Be realistic and be innovative.

Priority #1: Strengthening Oversight and Accountability

Overall key themes/issues:

- Maintaining local autonomy for CAs and flexibility in the CA Act is important for long term success.
- Enhancing communication and dialogue is important for improving understanding and awareness of a CAs role and mandate.
- The unique set of circumstances and challenges in northern Ontario should be considered in changes to the Act.

A. Updating the act to reflect modern legislative structures and accountabilities

Participant feedback expressed support to modernize the Act to define a clear statement of purpose and the roles and responsibilities of various parties in providing oversight. It was noted that there is a misunderstanding among the public, municipalities, and other ministries about what a CA is responsible for.

Participants highlighted that communication between CA board members and with participating municipalities across a CA is important to establish a clear understanding of which programs are managed by CAs and why.

B. Adopting and/or aligning with governance best management practices

Participant feedback highlighted the following considerations:

- CAs should already be following governance best management practices and this is less of a priority than other actions.
- The MNRF should provide some minimum guidance for best management practices which CAs can then adapt at the local level.
- The model followed by Health Units should be examined when determining an avenue for appeals regarding codes of conduct or conflict of interest.

C. Enhancing provincial oversight

Participants raised the concern that CAs may lose local flexibility through actions that increase provincial oversight.

D. Enhancing municipal oversight

Participant feedback expressed support to:

- Enhance municipal oversight regarding the scope and focus of CA programs and services.
- Achieve a balance of provincial and municipal oversight to allow local flexibility.

E. Developing or updating criteria for establishing, amalgamating or dissolving a CA

Participant feedback highlighted the following considerations:

- Regional differences should be reflected in the criteria for establishing, enlarging, amalgamating or dissolving a CA.
- Enlargement of CAs in northern Ontario to follow the scientific watershed would require additional provincial funding. There is no mechanism to levy unorganized townships and there would be a large financial burden on member municipalities of the LRCA.

Priority #2: Increasing Clarity and Consistency

Overall key themes/issues:

- There is support for providing clarity and consistency in a CAs regulatory roles and responsibilities. Consolidating and codifying regulations would reduce the potential for misinterpretation of the regulations.
- There are challenges in negotiating with landowners and enforcing regulatory requirements. Education and enhancement of the CAs relationship with landowners is important to address this.

A. Clearly delineating between mandatory and optional programs and services

Participant feedback expressed support to:

- Clearly delineate between mandatory and optional programs and services.
- Provide clarity and consistency in a CAs regulatory roles and responsibilities.

B. Establishing a Provincial Policy Directive

No specific feedback on this topic.

C. Providing clarity and consistency in conservation authorities' regulatory roles and responsibilities

Participants were supportive of providing clarity and consistency in a CAs regulatory roles and responsibilities. Participants noted that consolidating and codifying regulations would reduce the potential for misinterpretation of the regulations and the associated legal disputes. Defining undefined terms in the Act was also supported.

D. Enhancing compliance and enforcement of regulatory requirements

Participant feedback highlighted the following considerations:

- Enhancing compliance and enforcement of regulatory requirements was identified as an expensive action and therefore less important.

- There are challenges in negotiating with landowners and enforcing regulatory requirements. The appeal process is expensive for CAs.
- CAs want to be viewed as an approachable body that works with landowners rather than an enforcement authority. Education is important to enhance this relationship.
- Technical guidelines need to be updated (e.g., guidelines with respect to bedrock) to improve enforcement of regulations. It is easier for staff to administer regulations when they are provided with clear definitions.

E. Streamlining planning and permitting requirements and processes

Participant feedback highlighted the following considerations:

- CAs will get more buy in from the community when they have positive relationships through planning and permitting processes.
- It is important to make planning and permitting processes user-friendly to the public.

Priority #3: Improving Collaboration and Engagement

Overall key themes/issues:

- The establishment of a provincial “one-window” should be prioritized.
- There is support for Conservation Ontario to remain an advocate of CAs rather than provide specific direction on CA programs.
- Actions relating to enhancing Indigenous Peoples’, public, and stakeholder participation would require additional financial and staff resources for CAs to manage.
- Enhancing education and awareness in the community of the various roles of CAs, municipalities and the province would be beneficial.

A. Establishing a provincial “one-window” approach

Participants expressed support to prioritize the establishment of a provincial “one-window”. It was noted that this approach could also provide efficiencies with respect to gaining access to funding opportunities.

Participants expressed that coordinating the collection and sharing of science and information should be done by one body for cost and operational efficiencies as opposed to coordinated by both Conservation Ontario and a provincial “one-window”.

B. Establishing a business relationship with Conservation Ontario

Participants raised the following concerns and/or issues:

- There was a preference for Conservation Ontario to remain an advocate of CAs rather than a body that directs how programs should be run or what programs should be delivered.

- Providing education and raising awareness on the role of CAs was a suggested role for Conservation Ontario.

C. Enhancing Indigenous People's participation

Participants raised the following concerns and/or issues:

- There are challenges with engaging Indigenous Peoples'. It requires a more fulsome consultation process.
- It was suggested that the federal government should provide funding for Indigenous People's participation in CAs. Given the ability for the province to effect change in this area, it is less of a priority action.

D. Enhancing public and stakeholder participation

Participants raised the following concerns and/or issues:

- Actions relating to enhancing Indigenous Peoples', public, and stakeholder participation are important; however they would require additional financial and staff resources for CAs to manage.
- A lot of resources are required to engage the public with a small amount of feedback received in return. Education may be more effective in terms of use of CA resources.

Participants highlighted that there is a lack of understanding amongst the community regarding a CAs mandate and role. Enhancing education and awareness of the various roles of CAs, municipalities and the province would be beneficial.

E. Supporting conservation authorities in sharing and coordinating resources

Participants noted that supporting CAs in sharing and coordinating resources is less of a priority. Sharing of resources is already happening at the local level where it makes sense.

Priority #4: Modernizing Funding Mechanisms

Overall key themes/issues:

- Sustainable long term funding is required to deliver CA programs and services and support provincial direction. A multi-ministry approach to funding should be considered.
- Regional differences should be taken into account when determining funding levels (e.g., lower population base and greater distances in northern Ontario).
- Consider innovative opportunities for municipal funding arrangements, e.g., new tax classification for CA owned hazard-related lands, tax rates reflective of the land use and benefit provided.

A. Enhancing clarity, consistency and accountability around municipal levies

Participant feedback highlighted the following considerations:

- It is important to avoid downloading provincial costs to municipalities through CA levies.
- Regional differences should be taken into account when determining funding levels (e.g., lower population base, greater distances in northern Ontario). It was noted that population data being used is inaccurate; Stats Canada data is preferred.

B. Promoting clarity, consistency and accountability around fees and generated revenue

Participant feedback highlighted the following considerations:

- CAs in northern Ontario experience challenges in generating funds through the operation of conservation areas. Member municipalities must be levied for the maintenance of conservation lands.
- Delivering consistent permitting fees across northern Ontario is a challenge when travel distances vary greatly.

C. Improving fiscal oversight and transparency

Participant feedback highlighted the following considerations:

- Improving fiscal oversight and transparency was indicated as less important. There is a sense that municipal oversight and transparency is already strong.
- Standardizing budgeting requirements may not be suitable for all CAs. Adjusting existing processes will require additional resources.
- A clarification was made that municipalities have a role in CA budget approval as opposed to oversight.

D. Improving clarity in the use of provincial funding processes

Participants highlighted that if a CA could apply directly for Trillium funding the process would be more streamlined.

E. Other Feedback on Priority #4

Additional participant feedback on priority #4 included:

- Sustainable long term funding is required to deliver CA programs and services and support provincial direction.
- CAs provide a range of environmental and health benefits. A multi-ministry approach to funding should be explored, e.g., funding from the Ministry of Health.
- Consider innovative opportunities for municipal funding arrangements, e.g., new tax classification for CA owned hazard-related lands, tax rates reflective of the land use and benefit provided.

Priority #5: Enhancing Flexibility for the Province

Overall key themes/issues:

- It was emphasized that the CA Act should be written broadly to allow for flexibility and consideration of future emerging issues.
- There is a preference for consultation and communication between CAs and the MNRF regarding changes to the regulations of the CA Act.

- A. Giving the Minister the authority to use the act to develop additional natural resource conservation and management programs and services in the future*
- B. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to conservation authorities in the future*
- C. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to other public bodies, not-for-profit organizations, municipalities and other Ministries*
- D. Giving the Minister the authority to deliver additional natural resource conservation and management programs and services throughout the province*

Participant feedback highlighted the following considerations related to Priority #5:

- Consultation and communication between CAs and the MNRF is important regarding changes to the regulations of the CA Act.
- Ensuring flexibility is maintained in the CA Act is important to allow for consideration of future emerging issues such as climate change impacts.

Other Actions to Consider

Overall key themes/issues:

- All potential actions should be considered in conjunction with fiscal realities.
- A low cost form of alternative dispute resolution for permitting appeals should be made mandatory prior to matters being handled through the court system.
- There is concern that judges do not have the same knowledge as the Ontario Mining and Lands Commissioner. Education should be provided to the judiciary on conservation so that informed decisions can be made.
- The CA Act should be written broadly to allow for flexibility. Control is better applied through directives and regulations.
- Actions should reflect the diversity of conditions and circumstances of the CAs across the province.

A. Additional actions for the Ministry to take

Participant feedback highlighted the following actions for the Ministry to take:

- A regular review of the regulations and directives of the CA Act should be undertaken; however the legislation itself does not need to be reviewed as frequently.
- Regarding the enforcement of regulations, it was suggested that all appeals should go to the Ontario Mining and Lands Commissioner (OMLC) or another form of dispute resolution where the costs are lower before going through the court system.
 - There was concern that judges do not have the same knowledge as the OMLC. Education should be provided to the judiciary on the role of conservation and the CA Act to allow them to make informed decisions.

B. Considerations when developing any additional actions

Participants highlighted the following considerations when developing additional actions:

- It was emphasized that the CA Act should be written broadly to allow for flexibility. Control is better applied through directives and regulations.
- Northern Ontario faces unique challenges with an expansive geography and an absence of infrastructure and transportation modes. There should also be recognition that there is a large geographical area outside of CA jurisdiction in northern Ontario and what happens within the greater watershed affects other CA municipalities.

C. Feedback on additional potential actions proposed by the Ministry

Participants highlighted that reducing the administrative burden associated with appointing or replacing board members is less of a priority. With respect to aligning board terms with the municipal election cycle, there is a preference for ensuring some continuity and knowledge transfer of board members between terms.

Appendix A – Questions of Clarification

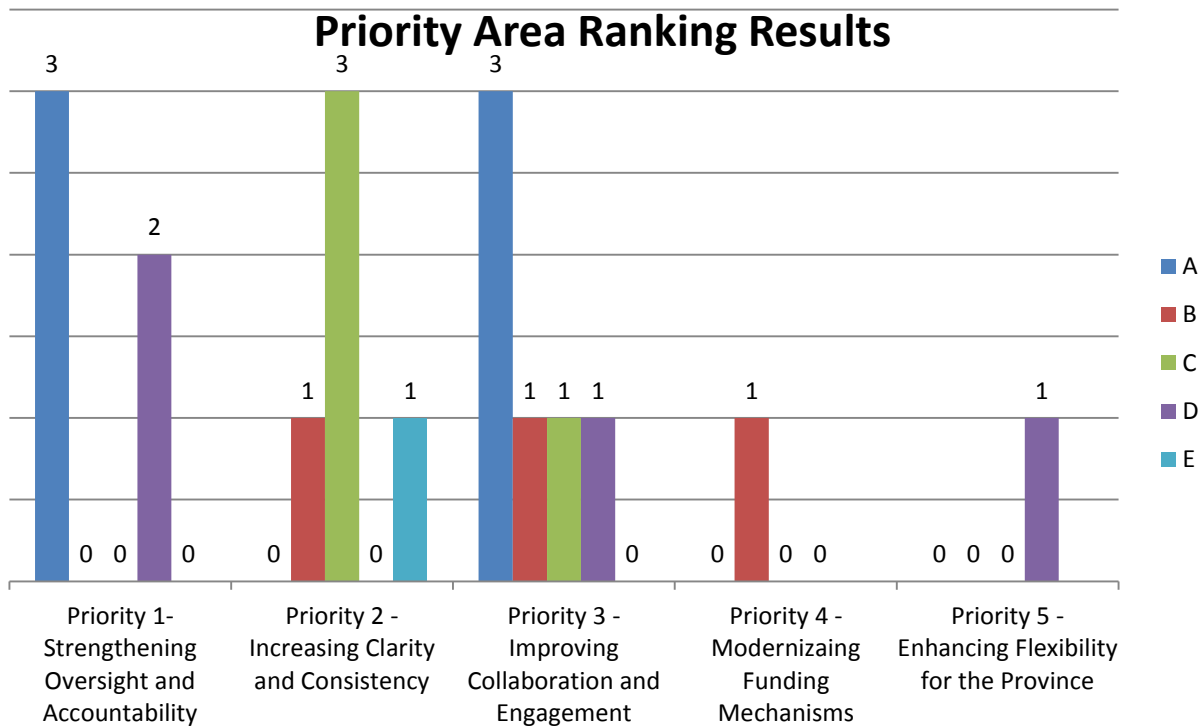
The following topics and themes were discussed after the overview presentation:

Q. Prior to 1995 there was a formal CA branch within MNR. Is there any consideration for reinstating that branch? LRCA is the only CA in northwestern Ontario and we are delivering the mandated programs. How does MNRF engage with those other municipalities about things like flood plain mapping? We also have unorganized townships adjacent to us where people are building without permits in the flood plain. Where could those municipalities go? The CA branch concept may still have some validity. Lots of northern Ontario is not covered by a CA.

A. We have heard from other stakeholders that the MNRF needs to be right-sized to reflect the CA program. With respect to your point about unorganized townships, outside of CA territory the natural hazard program is delivered by the MNRF.

Appendix B – Ranking Results

At the end of the session participants were asked to choose the most important potential action under each priority area. The results of this optional exercise are presented in the graph below. Note that some attendees did not participate in the ranking because they felt the potential actions do not reflect the fundamental issues affecting CAs. The results represent the number of attendees that chose to respond and do not represent a statistically significant sample. Five (5) completed forms were received. The potential actions under each priority area are represented by the letters A to E in the graph below. At the end of the session, participants were asked to choose the most important potential action under each priority area. The results of this exercise are presented below.



This summary of participant feedback has been prepared by Lura Consulting and Planning Solutions Inc. to provide the Ministry of Natural Resources and Forestry with the recurring themes and priorities raised by participants during the London session of the Conservation Authorities Act Review, Phase II. The feedback from each individual session will be used to compile a final engagement session report.

Introduction

The Ministry of Natural Resources and Forestry (MNRF) is undertaking a phased review of the Conservation Authorities Act. The intent of the review is to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities. In Phase I of the review, completed in 2015, MNRF led an extensive consultation process to engage stakeholders in a discussion about opportunities to improve the Conservation Authorities Act, which resulted in extensive feedback.

Based on the input received in Phase I of the review, MNRF has released the document, *Conserving Our Future: Proposed Priorities for Renewal*, that outlines a series of actions that could be taken under five proposed priority areas for improvement: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms, and (5) Enhancing Flexibility for the Province. In June 2016, MNRF led a second round of consultations with a diversity of stakeholders to obtain input on the potential actions outlined within the five priority areas.

On June 9, 2016, the MNRF hosted a full-day workshop in London at the Double Tree by Hilton as part of the Phase II consultation program. The purpose of the workshop was to provide an overview of the five priority areas for improving the Conservation Authorities Act. The workshop consisted of an overview plenary presentation with time for questions of clarification, followed by three rounds of facilitated small group discussions. The facilitated discussions were designed to encourage dialogue and obtain feedback on the five (5) priority areas for improving the Conservation Authorities Act.

A total of 57 individuals participated in the workshop, including participants from the following organizations:

- Ausable Bayfield Conservation Authority
- Bruce County Federation of Agriculture
- Canadian Environmental Law Association
- Catfish Creek Conservation Authority
- Chippewas of the Thames First Nation
- City of Cambridge
- City of Hamilton
- Conservation Ontario
- County of Oxford
- Ducks Unlimited
- EnPointe Development
- Essex Region Conservation Authority
- Grand River Conservation Authority
- Halton Region Conservation Authority

- Hamilton Region Conservation Authority
- Kettle Creek Conservation Authority
- Lake Erie North Shore Landowners Association
- London Development Institute
- Long Point Region Conservation Authority
- Lower Thames Valley Conservation Authority
- Maitland Valley Conservation Authority
- Municipality of Brockton
- Niagara Peninsula Conservation Authority
- Niagara Region
- Ontario Farm Environment Coalition
- Ontario Federation of Agriculture
- Saugeen Conservation Authority
- Six Nations Lands and Resources
- St. Clair Region Conservation Authority
- Stantec
- Town of Hanover
- Upper Thames River CA
- Watterworth Farms

This report presents a summary of the comments and suggestions provided by participants during the workshop.

Summary of Participant Feedback

The summary of participant feedback is organized according to the five priority areas: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms and (5) Enhancing Flexibility for the Province. Each priority area contains a synopsis of the overall key themes and issues as well as specific feedback received through plenary discussions (see Appendix A) and completed discussion guides relating to each discussion question.

The following points highlight the recurring comments, concerns and/or advice which emerged from the London session.

- There is support for updating the CA Act to reflect modern legislative structures, specifically by adding a clear purpose statement and principles/objectives that the legislation is trying to achieve.
- The core mandate of CAs can fluctuate so it must be flexible with a focus on Integrated Watershed Management (IWM).
- There needs to be more training across all CAs to improve consistency in governance.
- Establishing a provincial “one-window” approach is a top priority.
- CAs need more provincial assistance to undertake precise mapping; it is challenging to make good decisions with inaccurate and inconsistent data.
- Indigenous Peoples’ participation should be at a watershed and strategic planning level rather than a project by project level, however there is not a clear path to achieve this.

- It is important to foster a culture of CAs working together with landowners with regard to planning and permitting. There needs to be more transparency, communication and sharing of information between CAs and landowners to enhance this relationship and achieve solutions.
- Increasing access to funding should be a top priority; funding should be aligned with a CAs mandate. A multi-ministry approach to funding should be undertaken.
- There is support for clarifying municipal levies. Apportionment of levies and the funding formula need to be enhanced, better defined and made consistent.
- Clarity around fees and how they can be used by a CA would be beneficial. It was suggested that the Ministry should provide clear guidance on acceptable revenue streams.
- There is a desire for standardized and consistent budgeting practices; however, standardizing budget templates may add complexity and an administrative burden.
- There is support from some participants for the Minister to have authority and flexibility to expand natural resource conservation and management programs and services.
- Appropriate support and funding is required for any additional programs or services delegated to CAs.

Priority #1: Strengthening Oversight and Accountability

Overall key themes/issues:

- There is support for updating the CA Act to reflect modern legislative structures, specifically by adding a clear purpose statement and principles/objectives that the legislation is trying to achieve.
- When adding a purpose statement to the CA Act, it is important to find a balance and provide enough flexibility to accommodate the context-specific circumstances of each CA.
- There needs to be more training across all CAs to improve consistency in governance.
- If the province is going to direct additional CA programs and services, the necessary funding should be provided.
- Municipalities should not be able to remove themselves from a CA as this would have a large financial impact on a CA.
- Developing or updating criteria for establishing, amalgamating or dissolving a CA is necessary, however it might not have a place within the CA Act.

A. Updating the Act to reflect modern legislative structures and accountabilities

Participant feedback expressed support to:

- Update the CA Act to reflect modern legislative structures, specifically by adding a clear purpose statement and principles/objectives that the legislation is trying to achieve.
- Clearly define and communicate to the public the purpose of CAs.
- Define the roles and responsibilities of various parties.

Participant feedback highlighted the following considerations:

- It is important to find a balance and provide enough flexibility to accommodate the context-specific circumstances of each CA.
- Focus on articulating desired outcomes, rather than how to achieve them. This will provide guidance while also allowing some flexibility.
- Look to the model of Public Health Units for structuring the CA Act and regulations.
- Changes to the CA Act should be aligned with the Municipal Act.
- Modernize the CA Act so it is easier to update in the future (i.e., include certain aspects as regulation and policy rather than legislation so they can be adapted more frequently).
- Updates to the CA Act should include an improved appeal process for planning and permitting.

B. Adopting and/or aligning with governance best management practices

Participants expressed that there needs to be more training across all CAs to improve consistency in governance. It was noted that there needs to be clarity on how conflicts of interest among board members are addressed. Participants suggested that operational audits should be reinstated.

C. Enhancing provincial oversight

Participants expressed support to enhance provincial oversight if it results in more standardized operating practices for all CAs.

Participants raised the concern that if the province is going to direct additional CA programs and services, the necessary funding should be provided.

D. Enhancing municipal oversight

Participants emphasized that municipalities do not want to be the regulatory body for flooding and hazards; the CA model is best for this.

E. Developing or updating criteria for establishing, amalgamating or dissolving a CA

Participants expressed concern that municipalities should not be able to remove themselves from a CA as this would have a large financial impact on a CA and its ability to fulfill its roles. If a municipality were to be removed it would continue to receive benefits provided by a CA without having to provide funding.

Participant feedback highlighted the following considerations:

- Developing or updating criteria for establishing, amalgamating or dissolving a CA is less important. Having criteria is necessary, but this might not have a place within the CA Act.
- Consider a process to achieve minor CA boundary adjustments as some municipalities are located in two or more CAs.

Priority #2: Increasing Clarity and Consistency

Overall key themes/issues:

- There is support for clearly delineating between required programs and services (with appropriate funding sources) and those that are discretionary.
- Appropriate funding mechanisms are needed to support the required CA programs and services.
- The core mandate of CAs can fluctuate so it must be flexible with a focus on IWM.
- Clarify the hierarchy of various legislation, regulations, policies, and plans.
- It is important to update regulatory requirements and keep them current rather than create additional requirements.
- A solutions-based approach rather than a fine-based approach should be established to address compliance and enforcement issues.
- More collaborative decision-making should be implemented to improve the relationship with landowners regarding enforcement of regulations.
- There is support for establishing and encouraging streamlined and consistent planning and permitting processes among the different CAs.

A. Clearly delineating between mandatory and optional programs and services

Participants expressed support for clearly delineating between required programs and services (with appropriate funding sources) and those that are discretionary.

Participants raised the concern that appropriate funding mechanisms are needed to support the required programs and services.

Participant feedback highlighted the following considerations:

- Flood and hazard issues should be mandatory and everything else should be discretionary.
- Stronger collaboration needs to happen to support integrated watershed planning.

B. Establishing a Provincial Policy Directive

Participant feedback expressed support for providing some level of provincial policy direction.

Participant feedback raised the following concerns and/or issues:

- The position of the policy directive needs to be clear in terms of how it falls in the hierarchy of other provincial policy directives.

Participant feedback highlighted the following considerations:

- Consider developing agreements between CAs and the provincial government (similar to agreements with universities) to outline roles and responsibilities specific to each CA.

- The core mandate of CAs can fluctuate so it must be flexible with a focus on IWM.
- Policy directives should be outcome-based rather than prescriptive.

C. Providing clarity and consistency in conservation authorities' regulatory roles and responsibilities

Participant feedback expressed support to:

- Clarify the hierarchy of various legislation, regulations, policies, and plans.
- Clarify the roles and responsibilities of the various provincial ministries and stakeholders (e.g. municipalities, agencies, etc.).

Participant feedback raised the following concerns and/or issues:

- There is a need for watershed plans to have a formal status/authority and fit within the hierarchy of policy documents and link to municipal plans.
- Public perceptions of a CA's role are often unclear; CAs are seen as regulators more than conservation champions.

Participant feedback highlighted the following considerations:

- It is important to update regulatory requirements and keep them current rather than create additional requirements.
- Many CAs are not aware of the provincial resources and guidance tools available to them.
- Policy and procedure documents should be updated to clarify areas of jurisdiction, roles and responsibilities.
- There is support for creating consistency across CAs but if this cannot be achieved the rationale for inconsistency should be communicated.
- There is a need for greater clarity on who is responsible for the regulation of wetlands and natural heritage among municipalities, provincial agencies and CAs.

D. Enhancing compliance and enforcement of regulatory requirements

Participant feedback expressed support to:

- Modernize the regulatory compliance and enforcement approach.
- Increase clarity and transparency in compliance and enforcement processes.
- Provide CAs with the ability to issue stop work orders.

Participant feedback raised the following concerns and/or issues:

- CAs do not have the same abilities as municipalities to issue stop work orders.
- Fines are not high enough to deter some landowners from noncompliance with regulations.
- The cost of legal action against landowners is prohibitively expensive for CAs.
- Money collected from fines does not go directly back to CAs.

- There are sometimes perceived conflicts of interest between CA board members and landowners.
- There is a need to provide clarity on where the authority lies for planning and permitting.

Participant feedback highlighted the following considerations:

- Enforcement is currently complaint-based; there is a need for more proactive enforcement of regulations.
- A solution-based approach rather than a fine-based approach should be established to address compliance and enforcement issues.
- More collaborative decision-making should be implemented to improve the relationship with landowners regarding enforcement of regulations.
- Establish a mechanism for CAs to receive the money collected from fines.

E. Streamlining planning and permitting requirements and processes

Participant feedback expressed support to:

- Establish and encourage streamlined and consistent planning and permitting processes among the different CAs.
- Expedite the permitting process and reduce duplication in the review of applications.

Participant feedback highlighted the following considerations:

- Explore the use of different classes of approvals to expedite the permitting process (similar to the Class Environmental Assessment (EA) approach).
- Use collaborative multi-departmental/agency committees to review permits (similar to some drainage committees) rather than a linear process.
- Landowners see five levels of government regulation for their land (federal, provincial, regional, municipal and CA). There needs to be coordinated and streamlined “one-window” permit approval approach.
- The permitting process is currently set up for “getting to no”; it needs to be rethought as a process for “getting to yes”.
- Liaison committees should be considered as an effective tool for sharing knowledge with the public on completing permit applications.

Priority #3: Improving Collaboration and Engagement

Overall key themes/issues:

- Establishing a provincial “one-window” approach should be a top priority.
- CAs need more provincial assistance to undertake precise mapping; it is challenging to make good decisions with inaccurate and inconsistent data.
- Some CAs do not want Conservation Ontario to be an oversight body or have an oversight role. Conservation Ontario’s current role is working well.
- Indigenous Peoples’ participation should be at a watershed and strategic planning level rather than a project by project level, however there is not a clear path to achieve this.
- Develop a guidance document on public and stakeholder participation. Engagement should be considered as a guideline, rather than a regulation.
- It is important to employ a culture of collaboration with landowners. There needs to be more transparency, communication and sharing of information between CAs and landowners. In some areas landowners are not sure who to contact when they have questions/concerns.

A. Establishing a provincial “one-window” approach

Participant feedback expressed support to:

- Establish a provincial “one-window” approach as a top priority.
- Develop a single point of contact at the ministry level to exchange information and provide support/advice.
- Develop a “multi-ministry body” where inquiries are filtered through a group rather than one person. The committee should have representation from different ministries and CAs.

Participant feedback highlighted the following considerations:

- CAs need more provincial assistance to undertake precise mapping; it is challenging to make good decisions with inaccurate and inconsistent data.
- A “one-window” approach will facilitate more interaction between CAs and ministries.

B. Establishing a business relationship with Conservation Ontario

Participant feedback raised the following concerns and/or issues:

- Some CAs do not want Conservation Ontario to be an oversight body or have an oversight role. Conservation Ontario’s current role is working well.
- No regulation role for Conservation Ontario is required.

Participant feedback highlighted the following considerations:

- Define ‘business relationship’ and consult with CAs on this.
- Look at the Association of Municipalities of Ontario (AMO) model for ideas on enhancing the relationship between CAs and Conservation Ontario.

C. Enhancing Indigenous Peoples' participation

Participant feedback raised the following concerns and/or issues:

- Indigenous Peoples' participation should be at a watershed and strategic planning level rather than a project by project level, however there is not a clear path to achieve this.

Participant feedback highlighted the following considerations:

- Indigenous Peoples' participation requires more discussion and direction from the province.
- CAs would like to see the province provide templates/best practices for agreements for engaging with Indigenous Peoples.

D. Enhancing public and stakeholder participation

Participant feedback expressed support to:

- Develop a guidance document on public and stakeholder participation. Engagement should be considered as a guideline, rather than a regulation.

Participant feedback highlighted the following considerations:

- Some CAs are already incorporating multiple opportunities for public and stakeholder participation, however funding and resources are limited.
- It is important to employ a culture of collaboration with landowners. There needs to be more transparency, communication and sharing of information between CAs and landowners. In some areas landowners are not sure who to contact when they have questions/concerns.
- There needs to be a standardized process in place that CAs must follow when entering a landowners' property including providing adequate notification.
- Ad hoc and advisory committees for CAs have been successful for enhancing stakeholder engagement.
- The Planning Act outlines mandatory public consultation policies, but they do not foster authentic and genuine engagement opportunities. This should not be repeated in the CA Act. The aim should be on leading genuine engagement that is reflective of modern engagement and communication mechanisms.

E. Supporting conservation authorities in sharing and coordinating resources

Participant feedback expressed support to:

- Encourage CAs to share data, science, and information.
- Explore the opportunity for certain CAs to be 'centers of excellence' for specific topic areas to reduce duplication of resources.
- Encourage CAs to work together to achieve administrative efficiencies, but do not prescribe it.

Participant feedback raised the following concerns and/or issues:

- Supporting CAs in sharing and coordinating resources is important, but language and liability need to be considered (e.g., risk management on sharing information).
- Each CA has a different way of sharing information (e.g., they don't all have an open-data policy).
- It will be challenging to share information and resources in an equitable manner. Perhaps the provincial and federal government should be providing resources to CAs.

Participant feedback highlighted the following considerations:

- There is a need to draw provincial and federal governments back into Great Lakes shoreline protection. Everyone needs to be involved.
- Consider shared target setting for CA Key Performance Indicators (KPIs) across larger eco-zones rather than a single CA.

Priority #4: Modernizing Funding Mechanisms

Overall key themes/issues:

- Increasing access to funding should be a top priority. Funding should be aligned with CAs' mandate.
- There is support for clarifying municipal levies. Apportionment of levies and the funding formula need to be enhanced, better defined and made consistent.
- Clarity around fees and how they can be used by a CA would be beneficial. It was suggested that the Ministry should provide clear guidance on acceptable revenue streams.
- There is a desire for standardized and consistent budgeting practices; however, standardizing budget templates may add complexity and an administrative burden.
- The timing of the release of transfer payments creates challenges for CAs (i.e. fiscal years are misaligned). A multi-year funding model would create greater efficiencies in administering programs.
- Multi-ministerial funding opportunities should be explored as well as federal funding opportunities to address the sustainable funding needs of CAs.

A. Enhancing clarity, consistency and accountability around municipal levies

Participants expressed support for clarifying municipal levies. It was noted that apportionment of levies and the funding formula need to be enhanced, better defined and made consistent.

Participant feedback raised the following concerns and/or issues:

- There is some discrepancy between the CA Act and Ontario Regulation 139/96 (Municipal Levies). The language needs to be clarified. This would help avoid lengthy appeal processes.

- Some member municipalities feel they don't have enough influence on the CA budget and that there is an imbalance of representation of municipalities on CA boards.
- The intent of the municipal levy has to be made clear. There is confusion regarding whether the levy is a tax or a collection of charges for the CA. If it is not a tax, municipalities should have more of a say with respect to its uses.

Participants emphasized that there is a desire for fairness and impartiality among small and large CAs; one size does not fit all. Population density and different sizes of CAs mean that a standard formula is likely not effective. There needs to be an equalization mechanism for municipal levies.

B. Promoting clarity, consistency and accountability around fees and generated revenue

Participants expressed that clarity around fees and how they can be used by a CA would be beneficial. It was suggested that the Ministry should provide clear guidance on acceptable revenue streams.

Participant feedback highlighted the following considerations:

- Ensure changes to the CA Act do not limit a CAs ability to raise funds.
- Some CAs need support in justifying user fees as the public does not usually understand how they are derived.

C. Improving fiscal oversight and transparency

Participants expressed that there are no major issues with fiscal oversight and transparency.

Participant feedback highlighted the following considerations:

- There is a desire for standardized and consistent budgeting practices; however, standardizing budget templates may add complexity and an administrative burden. Some municipalities currently ask for compliance with their own budget formats.
- There is concern that municipalities may ask to have too much involvement in budgeting by increasing municipal oversight through changes to the CA Act.

D. Improving clarity in the use of provincial funding processes

Participants raised the following concerns and/or issues:

- The timing of the release of transfer payments creates challenges for CAs (i.e. fiscal years are misaligned). A multi-year funding model would create greater efficiencies in administering programs.
- The transfer payment should be indexed to the rate of inflation. Municipalities are currently making up the difference for inflation increases.
- CAs should be eligible for Trillium funds and development charges.

Participant feedback highlighted the following considerations:

- Increasing access to funding should be a top priority. Funding should be aligned with a CAs mandate.
- Multi-ministerial funding opportunities should be explored as well as federal funding opportunities to address the sustainable funding needs of CAs.
- Without secure and stable funding there is an inability to plan for the future.
- New legislation that impacts CAs (e.g., Accessibility for Ontarians with Disabilities Act, Health and Safety legislation) is increasing costs for CAs but budgets are not increasing to reflect this.

Priority #5: Enhancing Flexibility for the Province

Overall key themes/issues:

- There is support from some participants for the Minister to have authority and flexibility to expand resource conservation and management programs and services.
- Appropriate support and funding is required for any additional programs or services delegated to CAs.
- External partners need to have the right expertise and capacity to deliver natural resource conservation and management programs and services. Appropriate oversight and transparency is required for any external partner activities.

A. Giving the Minister the authority to use the Act to develop additional natural resource conservation and management programs and services in the future

Participant feedback expressed support for giving authority to the Minister to develop additional natural resource conservation and management programs and services. It was noted that duplication of efforts should be avoided.

B. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to conservation authorities in the future

Participants emphasized that additional programs and services delegated to CAs must be accompanied by appropriate funding. There was a general feeling that delegation is already happening but there is a need to better define the scope of what/when/how delegation can occur.

C. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to other public bodies, not-for-profit organizations, municipalities and other Ministries

Participants expressed support for enhancing natural resource conservation and management in areas not currently within the jurisdiction of a CA.

Participant feedback highlighted the following considerations:

- External partners need to have the right expertise and capacity to deliver natural resource conservation and management programs and services.
- Appropriate support and oversight of external partners is needed if they are delegated to deliver programs and services.
- Appropriate accountability and transparency measures must be in place.
- CAs should be considered before external partners in the delivery of additional programs and services since the framework is already in place.

D. Giving the Minister the authority to deliver additional natural resource conservation and management programs and services throughout the province

Participants noted the importance of avoiding any duplication of services or programs already in place.

Other Actions to Consider

Overall key themes/issues:

- It is important to reduce the administrative burden associated with obtaining approval of board per diems. Existing best practices should be applied as an alternative to requiring OMB approval for per diems.
- There is support for aligning board terms with the municipal elections cycle, while still maintaining flexibility for individual CAs.
- Orientation and training should be developed for board members with acknowledgement of local differences in each CA.
- CAs should be encouraged to share code of conduct documents and tools to support board member training.

A. Reducing administrative burdens associated with appointing and replacing board members and obtaining approval of board per diems.

Participants expressed that it is important to reduce the administrative burden associated with obtaining approval of board per diems. It was suggested that existing best practices be applied as an alternative to requiring OMB approval for per diems.

B. Aligning board terms with the municipal elections cycle.

Participants expressed support for aligning board terms with the municipal elections cycle, while still maintaining flexibility for individual CAs to determine term length.

C. Developing an orientation and training program for board members.

Participants expressed support for developing an orientation and training program for board members. Many CAs already undertake new board member training. It was suggested that CAs share code of conduct documents and tools to increase the level of board member competence. It was noted that training should also acknowledge the local differences in each CA.

D. Developing a coordinated communications plan outlining any changes to conservation authority operations, programs and services resulting from the review in partnership with municipalities and conservation authorities

Participants expressed support for a coordinated communications plan; however questions were raised regarding who would be responsible for this and whether it is a potential role for Conservation Ontario.

Additional Comments

Additional comments provided by participants include:

- A multi-stakeholder CA commission that reports to the Minister should be established. It could act as a review and guidance body and ongoing communication channel between CAs and the MNRF.
- Education and training should be provided to the courts/legal system to provide a stronger foundation of knowledge when addressing appeals to planning and permitting in the CA Act.
- Regarding composition of the CA board, it was suggested that it is unfair to grant additional seats to double-tier municipalities. There is a need for more consistency among all CAs. It was also noted that the ideal board composition is a mixture of individuals engaged in governance (e.g., municipal councillors) and those who are experts in the field (e.g., engineers, environmental groups, etc.).
- It was suggested that an agriculture expert be employed by the CA so landowners can reach out to discuss agriculture-related questions/concerns.
- Participants discussed the idea of listing CA levies separately on property tax bills to draw the connection that it is a levy on the homeowner.
- There was support for maintaining biophysical boundaries for CAs rather than municipal/political boundaries.

Appendix A – Questions of Clarification

The following topics and themes were discussed after the overview presentation:

Q. What is the timeline for amending the CA Act?

A. That is up to the government. Our plan is to report back on the feedback that we receive from these sessions and the Environmental Registry to the Minister and Cabinet in the fall 2016. Based on what they hear, they will make decisions about whether legislative changes will move forward and where it will fit on the legislative agenda.

Q. Should we try to involve our MPP in the proposed changes?

A. If you have concerns locally that you feel that your MPP should be made aware of, you can copy them on you correspondence with us. Your MPP would welcome talking to you about it.

Q. With the introduction of the provincial Climate Change Action Plan, will this slow down the process to update the CA Act? How does that plan fit in?

A. There are so many different pieces that are ongoing and that fit together. There is work being done on the four land use plans, the Aggregate Resources Act, and climate change. The government has a broad and aggressive agenda. Because of that, we are having a lot of inter-ministerial discussion about the various reviews that are ongoing and how we can coordinate.

Q. Once the legislative changes are proposed, do you anticipate it going to Committee?

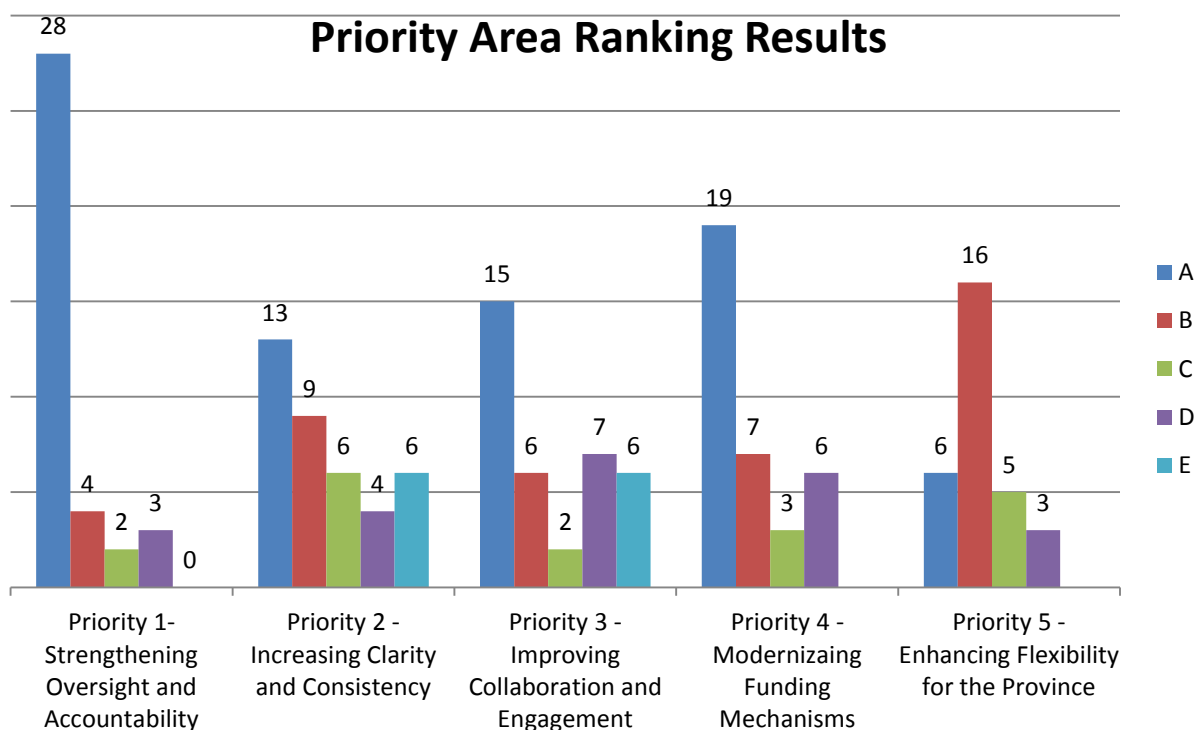
A. That is a decision that is made by the government and Cabinet.

Q. Every ministry or group has a Provincial Policy Statement on what the province wants them to do and a lot of them are conflicting. Which one has as higher priority? As a private landowner, how do we know what takes precedent? It is not clear.

A. That is common feedback we have heard. The Drummond Report released a few years ago highlighted this overlap and confusion between provincial/municipal/CA roles and responsibilities in permitting. We will talk about that today. We would like your thoughts on how to streamline it and where those issues exist. We also encourage you to submit your comments to the Environmental Registry so it can be received formally in writing.

Appendix B – Ranking Results

At the end of the session participants were asked to choose the most important potential action under each priority area. The results of this optional exercise are presented in the graph below. Note that some attendees did not participate in the ranking because they felt the potential actions do not reflect the fundamental issues affecting CAs. The results represent the number of attendees that chose to respond and do not represent a statistically significant sample. Thirty-seven (37) completed forms were received. The potential actions under each priority area are represented by the letters A to E in the graph below.



Additional comments

- Collaborate with other ministries to prevent overlap and accelerate the process to update the CA Act.
- Provide clear direction on IWM as the prime focus for CAs.
- Add a separate CA levy line on property tax bills.
- Developing an inter-ministerial committee should be a priority.
- Any of the actions to enhance flexibility for the province should come with financial support if mandated.

- Focus should be on clearly identifying roles and providing appropriate funding levels.
- Any delegation of new responsibility requires funding resources.
- Prioritize a “one-window” approach for direction on legislation/regulation at the CA level (e.g., Department of Fisheries and Oceans Agreements) to reduce duplication and maintain a strong local watershed perspective.
- Clarify the role of board members as representing the watershed, not the municipality.
- Promote/incent/encourage CA partnerships where capacity is needed.
- Reduce administrative burdens experienced by CAs in the delivery of programs and services.
- Move CA oversight to the Ministry of Environment and Climate Change.
- Remove planning and permitting from CA programs. Improve the appeal process if planning is to remain under CA jurisdiction and make it consistent with the Planning Act.

This summary of participant feedback has been prepared by Lura Consulting and Planning Solutions Inc. to provide the Ministry of Natural Resources and Forestry with the recurring themes and priorities raised by participants during the Newmarket session of the Conservation Authorities Act Review, Phase II. The feedback from each individual session will be used to compile a final engagement session report.

Introduction

The Ministry of Natural Resources and Forestry (MNRF) is undertaking a phased review of the Conservation Authorities Act. The intent of the review is to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities (CAs). In Phase I of the review, completed in 2015, MNRF led an extensive consultation process to engage stakeholders in a discussion about opportunities to improve the Conservation Authorities Act, which resulted in extensive feedback.

Based on the input received in Phase I of the review, MNRF has released the document, *Conserving Our Future: Proposed Priorities for Renewal*, that outlines a series of actions that could be taken under five proposed priority areas for improvement: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms, and (5) Enhancing Flexibility for the Province. In June 2015, MNRF led a second round of consultations with a diversity of stakeholders to obtain input on the potential actions outlined within the five priority areas.

On June 13, 2016, the MNRF hosted a full-day workshop in Newmarket, Holiday Inn Express & Suites Newmarket as part of the Phase II consultation program. The purpose of the workshop was to provide an overview of the five priority areas for improving the Conservation Authorities Act. The workshop consisted of an overview plenary presentation with time for questions of clarification, followed by three rounds of facilitated small group discussions. The facilitated discussions were designed to encourage dialogue and obtain feedback on the five (5) priority areas for improving the Conservation Authorities Act.

A total of 59 individuals participated in the workshop, including participants from the following organizations:

- AWARE Simcoe
- Blue Mountain Watershed Trust
- Building Industry and Land Development Association
- Central Lake Ontario CA
- Christian Farmers Federation of Ontario
- Conservation Ontario
- County of Simcoe
- Credit Valley CA
- Dillon Consulting Limited
- Ducks Unlimited Canada
- Friends of the Rouge Watershed

- Ganaraska Region CA
- Green Durham Association
- Halton Region CA
- Kawartha Region CA
- Lake Erie North Shore Landowners Association
- Lake Simcoe Region CA
- Mattamy Corporation
- Member of the Public
- Midhurst Ratepayers Association
- MMM Group Limited
- Niagara Peninsula CA
- Nottawasaga Valley CA
- Ontario Federation of Agriculture
- Ontario Federation of Anglers and Hunters
- Ontario Home Builders Association
- Ontario Stone, Sand and Gravel Association
- Peterborough County
- Region of Peel
- Regional Municipality of Durham
- Simcoe County Federation of Agriculture
- Toronto and Region CA
- Town of Bradford West Gwillimbury
- Town of Springwater
- Waterfront Toronto

This report presents a summary of the comments and suggestions provided by participants during the workshop, and received during the two-week comment period after the session.

Summary of Participant Feedback

The summary of participant feedback is organized according to the five priority areas: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms and (5) Enhancing Flexibility for the Province. Each priority area contains a synopsis of the overall key themes and issues as well as specific feedback received through plenary discussions (see Appendix A) and completed discussion guides relating to each discussion question.

The following points highlight the recurring comments, concerns and/or advice which emerged from the Newmarket session.

- Concern that the potential actions do not reflect the fundamental issues affecting CAs.
- Concern that the review focuses on processes and procedures instead of protecting and enhancing the natural environment.
- Increase and diversify provincial funding to CAs to support the implementation of conservation programs and services (e.g., access to funds generated through the provincial cap and trade system).
- Reinstate the provincial partnership; this is a critical component that is missing from the collaborative model that was envisioned for CAs.

- Establish a multi-ministerial body to promote dialogue and collaborative decision-making regarding CA roles and responsibilities.
- Consider an evolving provincial role that could see Provincial Resource Managers (under the leadership of MNRF) act as information coordinators and process conveners.
- Add a purpose statement to the Act that includes Integrated Watershed Management (IWM) as this is the tool and the basis for collaboration, partnership and engagement of all stakeholder and government interest.
- Consider legislative changes that focus on positive approaches (e.g., relationship building, collaboration, IWM) to improve conservation efforts instead of increasing oversight.
- Recognize that CAs are inherently unique. Local conditions and circumstances influence programs and services; legislative changes must recognize the need for continued local autonomy (i.e., flexibility).
- Establish a third-party process or mechanism to resolve disputes with CAs (e.g., Ontario Municipal Board, appeal mechanism, penalties).
- Update and expand the tools available to support compliance and enforcement of regulatory requirements (e.g., stop work orders).
- Provide provincial support to navigate legal proceedings (e.g., funding, guidance).
- Establish a mechanism for CAs to capture funds from compliance and enforcement activities (e.g., penalties, legal processes).
- Consider non-legislative approaches to streamline planning and permitting requirements and processes (e.g., pre-consultation meetings and/or checklists, collaborating with municipalities, updating guidance documents).
- Establish a provincial “one-window”, with clear expectations for provincial, municipal and CA roles and responsibilities.
- Increase funding to Conservation Ontario (CO) to enhance capacity, consistency and transparency through leadership.
- Consider the provision of orientation and training by CO, with assistances from CAs.
- Promote two-way dialogue with a broad spectrum of stakeholders, particularly landowners and farmers, through a variety of mechanisms (e.g., committees, online participation).
- Build on existing communication and public education strategies to increase clarity, consistency and transparency.
- Consider mandatory requirements for public meetings (comparable to provisions under the Planning Act).
- Consider a funding formula to equalize funding between CAs (based on population, programming, species at risk, watershed characteristics, etc.) paid by the province.
- Promote the establishment of fees through a collaborative process to ensure they are clear and predictable.
- Address gaps in the potential actions identified by participants (e.g., actions to enhance land securement).

- Learn from other reviews that have been completed in the past and have been carried out across other jurisdictions (e.g., Coordinated Review).

Priority #1: Strengthening Oversight and Accountability

Overall key themes/issues:

- Concern that the potential actions do not reflect the fundamental issues affecting CAs; the review should focus on collaboration and partnership and advancing a healthy watershed.
- Add a purpose statement to the Act that includes integrated watershed management as the overall approach to conservation.
- Establish a multi-ministerial body to promote dialogue and collaborative decision-making.
- Consider legislative changes that focus on positive approaches (e.g., relationship building, collaboration, integrated watershed management) to improve conservation efforts (instead of increasing oversight).
- Find a balance between prescriptive policies and maintaining flexibility for CAs.
- Establish a third-party process or mechanism to resolve disputes with CAs (e.g., Ontario Municipal Board, appeal mechanism, penalties).
- Reinstate MNRF representation on CA Boards.
- Consider mandatory review periods for municipality/CA MOUs and Service Level Agreements (e.g., every five years).

A. *Updating the Act to reflect modern legislative structures and accountabilities*

Participants expressed support to update the vision of the Act.

Participant feedback raised the following concerns and/or issues:

- Concern that consultations on potential policy changes are not being undertaken consistently by the Ministry of Natural Resources and Forestry (MNRF).
- Concern that there are no clear objectives or outcomes that the review is trying to address (e.g., a healthy watershed).

Participant feedback highlighted the following considerations:

- Define the purpose and mandate of the Act in the legislation (i.e., form follows function).
- Add a purpose statement to the Act that:
 - Includes integrated watershed management (IWM) as the overall approach to conservation;
 - Includes a vision, mission, and values for CAs that can be updated on a regular basis.
- Include a purpose statement in the legislation or in the Provincial Policy Statement (PPS); the PPS must indicate that it is mandatory for CAs to develop watershed and subwatershed plans.

- Focus legislative changes on positive approaches (e.g., relationship building) rather than oversight.
- Ensure flexibility within the legislation as priorities vary across the region and will change over time (e.g., climate change considerations).
- Ensure policies are prescriptive (to improve clarity) and flexible to address the diverse qualities and circumstances of CAs throughout the province.
- Find a balance between prescriptive policies and maintaining flexibility for CAs; avoid creating or exacerbating inconsistencies.
- Consider including best practices from other statutes (e.g., Not-For-Profit Corporations Act) in the legislation to increase transparency.
- Update provincial policies and technical guidelines to ensure they reflect the current suite of issues facing CAs.
- Update and revise legislative requirements for watershed and subwatershed planning, using the approach that was in place when CAs submitted watershed plans to the province for review and approval (and funding).
- Reinstate compulsory integrated watershed planning and subwatershed planning; the model worked and was highly effective.

B. Adopting and/or aligning with governance best management practices

Participant feedback highlighted the following considerations:

- Note that the existing governance model is working well; many CAs comply with codes of conduct or provide board member orientation.
- Establish an inter-ministerial body to promote dialogue and collaborative decision-making; funding should be tied to the provincial mandate; the Fish and Wildlife Commission was offered as a suggestion.
- Enhance CA collaboration and governance; there is a need to improve relationship building rather than changing the governance structure.
- Note that CA boards are following best management practices; this does not need to be included in the legislation.
- Consider formal agreements with sectoral groups (e.g., MOUs with agricultural community; MOUs with development community, etc.) to formalize the approach on a watershed basis and ensure that those working with CAs promote the collaborative partnership model. This should be an enabling provision and not a prescriptive provision to allow for local flexibility.

C. Enhancing provincial oversight

Participants expressed support to enhance provincial oversight; however it was noted that CA autonomy is also important.

Participant feedback raised the following concerns and/or issues:

- Concern that CAs are not accountable to any organization/the public.
- Concern that more programs and services will be delegated to CAs without funding through increased provincial oversight.
- Concern that CAs have lost a partner at the provincial level.

Participant feedback highlighted the following considerations:

- Note that there is already accountability and oversight at the provincial level.
- Broaden the provincial oversight model to a multi-ministerial approach with dedicated funding.
- Establish a third-party process or mechanism to address public concerns and ensure CAs are accountable to their legislated roles and responsibilities (e.g., Ontario Municipal Board, appeal mechanism, penalties); while there is currently an appeal process of a CA decision/lack of decision to the Mining and Lands Commissioner, there are no formal mechanisms to appeal any matter that is unrelated to a board decision (e.g., disclosure of information).
- Consider retaining a third-party consultant to review each CA to identify what is working well and where there is room for improvement.
- Consider an “accreditation” process to assess CA operations and provide advice on an annual basis, serving a peer-review, assistance-based function.
- Enhance provincial coordination of CA programs and services to enhance consistency (leadership rather than oversight).
- Reinstate MNRF representation on CA boards to improve consistency in governance.
- Focus on relationship building between CAs, municipal and provincial partners and watershed stakeholders.
- Move away from organizational silos.
- Strengthen the research efforts at MNRF to provide CAs with better policy direction.
- Consider a role for MNRF to serve as a resource manager at the province, playing a stronger liaison role with other ministries and agencies.
- Ensure CA partners (e.g., non-profit organizations) are given the opportunity to comment on any proposed changes related to this potential action that would affect their operations (e.g., CA approvals).

D. Enhancing municipal oversight

Participants expressed support to enhance local decision-making; accountability should be at the local level.

Participant feedback highlighted the following considerations:

- Note that there is already accountability and oversight at the municipal level.
- Consider mandatory review periods for municipality/CA MOUs and Service Level Agreements (e.g., every five years); this would ensure that MOUs and Service Level Agreements remain current.

E. Developing or updating criteria for establishing, enlarging, amalgamating or dissolving a CA

Participants raised concerns about municipalities within a watershed opting out of a CA; there needs to be holistic management of natural resources on a watershed scale.

Priority #2: Increasing Clarity and Consistency

Overall key themes/issues:

- Add IWM to the Act to help increase clarity and consistency.
- Clarify CA roles and responsibilities (including non-regulatory expectations).
- Ensure CAs have access to the tools and resources (e.g., funding, maps, and communication materials) required to implement the consistent delivery of programs and services.
- Clarify the roles of various ministries (e.g., Ministry of Natural Resources and Forestry, Ministry of Environment and Climate Change).
- Build on communication and public education strategies to increase clarity, consistency and transparency.
- Update and expand the tools available to support compliance and enforcement of regulatory requirements (e.g., stop work orders).
- Provide provincial support for legal proceedings (e.g., funding, guidance).
- Consider non-legislative approaches to streamline planning and permitting requirements and processes (e.g., pre-consultation meetings and/or checklists, collaborating with municipalities, updating guidance documents).

A. Clearly delineating between mandatory and optional programs and services

Participant feedback highlighted the following considerations:

- Provide sustainable funding for mandated programs and services.
- Provide provincial direction for funding (instead of delineating between mandatory and optional programs and services).

Participants noted that there are trade-offs to clearly delineating between mandatory and optional programs and services (e.g., increasing clarity/reducing flexibility).

B. Establishing a Provincial Policy Directive

Participant feedback expressed support to:

- Establish a provincial policy directive to identify and define CA roles and responsibilities that is current and up to date.
- Establish a provincial policy directive that has a purpose and is tied to outcomes.
- Establish a harmonized policy framework (that aligns with other provincial legislation).

Participant feedback highlighted the following considerations:

- Use integrated watershed management (IWM) as an approach to recognize the multiples roles and responsibilities CAs undertake.
- Develop a policy “roadmap” to delineate which policies CAs must adhere to (e.g., what’s in/what’s out).
- Retain flexibility, but provide enough direction in the provincial policy directive to facilitate compliance.

C. Providing clarity and consistency in CA’s regulatory roles and responsibilities

Participant feedback expressed support to:

- Enhance the clarity and consistency of CA roles and responsibilities (this is beneficial from a staffing/resourcing perspective).
- Provide clarification of key terms (e.g. conservation of land, wetland).
- Ensure nomenclature is aligned across different statutes (e.g. natural heritage, natural resources, etc.).

Participant feedback raised the following concerns and/or issues:

- Concern that some CAs do not have staff with the requisite skills (e.g., engineers) to review permit applications.
- Recognize that some CAs do not have the capacity (e.g., resources such as qualified staff, mapping tools, funding, etc.) to deliver programs and services consistently; more funding is needed to address this issue.
- Concern that CAs address landowner concerns inconsistently.
- Concern that CA Act regulations are implemented inconsistently by CA boards (e.g., s. 28 regulations pertaining to certain categories of wetlands).

Participant feedback highlighted the following considerations:

- Add IWM to the legislation to help increase clarity and consistency (and identify linkages to other legislation with corresponding policies).
- Emphasize that the core focus of CAs should be watershed planning.
- Note that clarity and consistency are two different issues:
 - There is a need to clarify CA roles and responsibilities (including non-regulatory expectations); and
 - There is a need to ensure the consistent delivery of programs and services across the CA landscape; this is well defined in the Conservation Authority Liaison Committee (CALC) Report.
- Ensure CAs staff have access to the tools and resources (e.g., funding, maps, and communication materials) required to implement policy objectives consistently; it was noted that municipal staff also need clarity and tools to support CAs.

- Establish rules/procedures to ensure programs and services are delivered consistently in areas where there is no CA (i.e., by MNRF or another body).
- Clarify the roles of various ministries (e.g., Ministry of Natural Resources and Forestry, Ministry of Environment and Climate Change) as they relate to supporting CAs regulatory roles and responsibilities.
- Suggest sharing and coordinating resources between MNRF and CAs to overcome resource limitations.
- Note that communication and public education are important “soft tools” that can help improve clarity, consistency and transparency (in terms of CA roles and responsibilities).
- Provide training for CA staff.
- Note that the programs and services delivered by CAs are based on the needs of their respective watersheds.
- Consider the need to increase transparency; freedom to access MOUs was suggested as an option.
- Recognize that CAs are the conduit to the province, municipality and landowners.
- Provide provincial leadership and funding.
- Learn from the original establishment of the Conservation Authorities Act developed for planning at the watershed level.

D. Enhancing compliance and enforcement

Participants expressed support to enhance compliance and enforcement.

Participant feedback raised the following concerns and/or issues:

- Concern that there is no process to address conflicts of interest (i.e., ensure CAs are accountable and transparent).
- Concern that legal proceedings are costly and time consuming, negatively impacting limited CA resources.
- Concern that too much flexibility makes compliance and enforcement a challenge.
- Concern about inconsistent CA board decisions.

Participant feedback highlighted the following considerations:

- Update and expand the tools available to support compliance and enforcement of regulatory requirements (e.g., stop work orders).
- Clarify which tools will be updated.
- Provide provincial support for legal proceedings (e.g., funding, guidance).
- Establish a mechanism to recover legal costs.
- Update fines to ensure they correspond to the environmental impact incurred.
- Ensure that municipalities comply with legislation designed to protect watersheds (e.g., Lake Simcoe Protection Act).

- Ensure individuals adjudicating legal proceedings understand the CA Act.
- Establish linkages between Acts that promote Integrated Watershed Management to enhance consistency and facilitate compliance.

E. Streamlining planning and permitting requirements and processes

Participant feedback expressed support to:

- Streamline planning and permitting requirements and processes to increase clarity and predictability for end-users (e.g., landowners, developers, non-profit partner organizations).
- Increase consistency on rules of engagement, performance standards and timelines (aligned with the Planning Act).

Participant feedback highlighted the following considerations:

- Consider pre-consultation meetings and/or checklists; these have worked well in municipal planning processes.
- Collaborate with municipalities to identify what constitutes a complete application.
- Establish universal timelines for permit reviews with municipalities.
- Update guidance documents to help streamline processes (e.g., flood line mapping).
- Update administrative processes and procedures to improve CA efficiencies.
- Promote the management of natural resources on a watershed basis; this requires collaboration and partnerships between the province, municipalities and CAs with input from the public and stakeholders.
- Consider a triage approach for fast tracking urgent applications (e.g., emergency works).

Priority #3: Improving Collaboration and Engagement

Overall key themes/issues:

- Concern that the potential actions in this priority area do not reflect the fundamental issues affecting CAs.
- Support to establish a “one-window”, with clear expectations for provincial, municipal and CA roles and responsibilities.
- Support Conservation Ontario’s efforts to provide more strategic and policy direction, with dedicated funding.
- Provide more guidance and resources (e.g., funding) to CAs to enhance First Nations engagement in CA processes.
- Include IWM in the Act to as an approach to promote partnerships and relationship building (i.e., consultation should be included in the development of integrated watershed plans).
- Promote two-way dialogue with a broad spectrum of stakeholders, particularly landowners and farmers, through a variety of mechanisms (e.g., committees, online participation).
- Provide funding to support collaboration and engagement.

A. Establishing a provincial “one-window”

Participants expressed support to enhance communication and coordination with the province and CAs.

Participant feedback raised the following concerns and/or issues:

- Concern about the effectiveness of a “one-window” approach; there is a need to clarify roles and responsibilities at each legislative/planning layer to ensure the approach streamlines the current planning and approvals process.
- Concern about “silos” at the provincial level and the need for multi-ministry alignment and integration.

Participant feedback highlighted the following considerations:

- Bring provincial ministries together to address challenges facing the development community regarding permitting issues.
- Require MOUs to ensure the “one-window” approach is clear to all parties involved.

B. Establishing a business relationship with Conservation Ontario

Participants expressed support for Conservation Ontario (CO), with dedicated provincial funding, to provide strategic direction and planning policy coordination. CO could provide a coordinated service on behalf of the province, tied to CA MOUs. CO could also provide more comprehensive training for conservation authorities.

Participants (some) raised concerns that there is no oversight of Conservation Ontario.

C. Enhancing Indigenous Peoples’ participation

Participant feedback raised the following concerns and/or issues:

- Concern that there is a lack of funding provided to CAs to conduct engagement with Indigenous Peoples.
- Concern that there are challenges in engaging Indigenous Peoples (no examples were provided), requiring a more thoughtful process.
- Do not legislate the duty to consult with Indigenous Peoples to municipalities or CAs. There is a unique process and timeframe required; First Nations groups have different needs and preferences for participation.

Participant feedback highlighted the following considerations:

- Create opportunities for Indigenous Peoples to serve on CA boards; this is welcomed by CAs.
- Note that First Nations advisory committees are working well in some areas.
- Provide guidance on how to engage Indigenous Peoples.

D. Enhancing public and stakeholder participation

Participant feedback expressed support to:

- Increase stakeholder representation in CA decision-making processes (specifically the agricultural sector).
- Establish agriculture advisory committees for CAs.

Participant feedback raised the following concerns and/or issues:

- Concern that meaningful engagement with landowners is not taking place consistently across the province.
- Concern that there is a lack of appreciation of agricultural goods and services provided by farmers.
- Note that farmers are experiencing engagement fatigue.
- Concern that there is no mention of IWM; it is a critically important approach and tool to promote partnerships and relationship building.
- Enhance two-way dialogue with stakeholders (e.g., instead of education).

Participant feedback highlighted the following considerations:

- Include engagement activities in process improvements and guidelines, not in the Act.
- Ensure a broad spectrum of stakeholders (e.g., landowners, farmers) is represented/consulted in CA decision-making processes.
- Consider a mechanism to address complaints regarding CAs.
- Inform CA board decisions through proactive discussions with multiple stakeholders; this will improve transparency.
- Note that the development of integrated watershed plans should include consultation as part of the process to identify priorities.
- Consider mandatory requirements for public meetings if there are changes that impact landowners.
- Improve relationship building through ancillary means (e.g., engagement and information sharing can be made more effective by using technology to live-stream meetings, etc.)
- It is important that landowners are informed of significant natural features (e.g., wetlands) located on their properties.
- Consider a Conservation Authority Liaison Committee to improve harmonization.

E. Supporting CAs in sharing and coordinating resources

Participant feedback highlighted the following considerations:

- Consider the need for additional funding to support collaboration and engagement (e.g., staff, financial resources).

- Note that many CAs already share best management practices and resources; there is no need to set prescriptive guidance.
- Promote partnerships and relationship building between CAs, municipalities and the province.
- Promote service level agreements between CAs and municipalities to coordinate the sharing of resources.
- Strengthen partnerships with non-profit organizations.

Priority #4: Modernizing Funding Mechanisms

Overall key themes/issues:

- Increase and diversify provincial funding to CAs to support the implementation of conservation programs and services (e.g., provincial cap and trade system).
- Concern that the present funding model creates a conflict of interest between CAs and municipalities.
- Consider a funding formula to equalize funding between CAs (based on population, programming, species at risk, watershed characteristics, etc.) paid by the province.
- Include levies for CA programs and services as a separate line item on municipal tax bills.
- Promote the establishment of fees through a collaborative process to ensure they are clear and predictable.
- Establish a mechanism to mediate disputes regarding fees (e.g., appeal to a third-party such as the OMB).
- Establish a mechanism for CAs to capture funds from compliance and enforcement activities (e.g., penalties, legal processes).
- Increase funding to CO to enhance capacity, consistency and transparency.

A. Enhancing clarity, consistency and accountability around municipal levies

Participant feedback raised the following concerns and/or issues:

- Concern that the present funding model creates a conflict of interest between CAs and municipalities (and limits opportunities for CAs to disagree with municipalities); the province should provide funding.
- Concern about the varying ability of different municipalities, particularly smaller or rural municipalities, to provide funding and the impact to CA programs and services.
- Concern that the varying levels of financial resources available to CAs throughout the province contributes to inconsistent program delivery and implementation of CA Act regulations.

Participant feedback highlighted the following considerations:

- Note that some CAs have good relationships with the municipalities in their watersheds; there is no need to include prescriptive language regarding this potential action.
- Provide direction to encourage CA and municipal collaboration (where it is needed).

- Consider a funding formula to equalize funding between CAs (based on population, programming, species at risk, watershed characteristics, etc.) paid by the province.
- Include levies for CA programs and services as a separate line item on municipal tax bills (e.g., comparable to water rates).
- Do not define eligibility criteria for municipal levies within the Act.
- Establish a working group with the Association of Municipalities of Ontario (AMO) regarding funding; the current budgeting process is not adequate.
- Consider the other models for funding to address the disparity of CA resources (e.g., Ontario Municipal Partnership Fund).

B. Promoting clarity, consistency and accountability around fees and generated revenue

Participants expressed support to enhance accountability around fees and generated revenue (e.g., report on how/where funds used).

Participants raised concerns about the exclusion of other revenue generating mechanisms in the proposed actions; existing mechanisms to generate revenue (e.g., the delivery of recreational programs and services) should be maintained, and new ones considered.

Participant feedback highlighted the following considerations:

- Undertake an evidence-based review of fees (e.g., similar to the study completed on development charges).
- Consider the need to standardize fees; CO could facilitate this, but would require financial support from the province.
- Promote collaborative fee setting but recognize that there are many CAs who already do this.
- Encourage regular communication and collaboration on fees (e.g., liaison committee, bi-annual meetings with stakeholders).
- Ensure the fee structure is clear and predictable.
- Educate stakeholders to convey that fees vary for multiple reasons (e.g., reflect internal capacity and capabilities, complexity, etc.).
- Establish a minimum standard of service delivery for CAs; some flexibility is needed to recognize the capabilities of different CAs.
- Establish a mechanism to mediate disputes regarding fees (e.g., appeal to a third-party such as the OMB).
- Ensure the language regarding fees in the Act is defensible.
- Establish a mechanism for CAs to capture funds from compliance and enforcement activities (e.g., penalties, legal processes).
- Consider the opportunity for CAs to release conservation land with marginal natural heritage benefits for other uses; the resources spent to maintain these lands could be re-deployed elsewhere.

C. Improving fiscal oversight and transparency

Participants are concerned that CA roles and responsibilities are expanding without a parallel increase in funding.

Participant feedback highlighted the following considerations:

- Ensure funding is tied to programs and services to enhance accountability.
- Provide funding through CO to enhance capacity, consistency and transparency.
- Provide support to publicly share financial statements.
- Note that CAs support the need to be fiscally accountable, however staff time should not be scrutinized.
- Consider increasing the percentage of funding allocated for administrative responsibilities (e.g., grant writing, financial reporting, etc.); a considerable amount of staff time is spent on these duties.

D. Improving clarity in the use of provincial funding processes

Participant feedback raised the following concerns and/or issues:

- Concern about the historical decrease of provincial funding.
- Concern about the requirement to reapply for certain grants annually; this is an administrative burden for many CAs.

Participant feedback highlighted the following considerations:

- Increase and diversify provincial funding to CAs to support the implementation of conservation programs and services (e.g., provincial cap and trade system).
- Increase provincial funding to support CO policy development and leadership.
- Facilitate access to federal funding for water management (e.g., Building Canada Fund).
- Link the natural heritage system to green infrastructure to access new funding streams.
- Establish eligibility criteria for Ontario Trillium grants.
- Restrict CA access to Ontario Trillium grants; they are a critical source of funding for non-profit organizations.
- Note that municipalities do not fund CAs, they levy on behalf of the province.
- Partner with post-secondary institutions to explore alternative funding mechanisms.
- Consider a mechanism for CAs to negotiate natural heritage benefits through new development (e.g., new access roads, riparian improvements, etc.).

Priority #5: Enhancing Flexibility for the Province

Overall key themes/issues:

- Supportive of developing or delegating additional programs and services to CAs as long they are appropriately funded.
- Include IWM as an approach to conservation in the Act to provide ongoing flexibility.
- Establish a multi-ministerial body to delegate programs and services to CAs or other bodies through a collaborative decision-making process.

A. Giving the Minister the authority to use the Act to develop additional natural resource conservation and management programs and services in the future throughout the province

Participants expressed support to give the Minister authority to use the Act to develop additional programs and services, recognizing that this enables the Minister to be more responsive to contemporary issues.

Participant feedback raised the following concerns and/or issues:

- Concern that this potential action will be misinterpreted as the province moves toward a “command and control” approach.

Participant feedback highlighted the following considerations:

- Clarify the intent of this potential action.
- Note that the Minister already has the flexibility to do this.

B. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to conservation authorities in the future

Participants support this potential action in principle as long as any additional programs and services are delegated with funding.

Participants suggested establishing a multi-ministerial body to delegate additional programs and services through a collaborative decision-making process.

C. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to other public bodies, not-for-profit organizations, municipalities and other Ministries

Participant feedback expressed support to delegate the delivery of programs and services to other bodies or organizations to eliminate duplication; this will increase capacity for other programs and services.

Participants raised concerns that regulated programs and services should not be delegated to other bodies; there was support to delegate education and outreach activities to other bodies.

Participant feedback highlighted the following considerations:

- Clarify the mandate of CAs; ensure stakeholders (e.g., landowners) have the opportunity to review the revised mandate.
- Note that it may be more appropriate for a multi-organizational body to delegate programs and services to other organizations.
- Provide funding to CAs to deliver programs and services.
- Delegate programs and services with funding to CAs first as there is a framework for delivery already in place.

D. Giving the Minister the authority to deliver additional natural resource conservation and management programs and services throughout the province

Actions C and D were discussed together; comments regarding this action were captured under the preceding Action C.

Other Actions to Consider

Overall key themes/issues:

- Consider the provision of orientation and training by CO, with assistances from CAs.
- Reinstate provincial presence on CA boards (to enhance the relationship between MNRF and CAs).

A. Reducing administrative burdens associated with appointing and replacing board members and obtaining approval of board per diems

Participants expressed support for the potential actions in this priority area.

Participant feedback highlighted the following considerations:

- There is a need to balance CA board composition to reduce political influence.
- Ensure representation on CA boards is reflective of watershed stakeholders (e.g., farmers).
- Consider an accreditation process to appoint members (e.g., university accreditation panels).
- Provide provincial guidance to help resolve issues and ensure adherence to policies.

B. Aligning board terms with the municipal elections cycle

Participants expressed support to align board terms with council terms.

Participants suggested that appointing CA board members should be undertaken in the same way members are appointed to other committees under the Municipal Act (i.e., eliminate the three-year term).

C. Developing an orientation and training program for board members

Participants expressed support to educate CA board members to enhance governance.

Participants expressed concerns that some CA boards function as a regulatory body.

Participant feedback highlighted the following considerations:

- Include natural heritage as a topic for orientation and training.
- Consider the provision of board member orientation and training by CO, with assistances from CAs; however this should not be mandatory.
- Share best practices through CO (e.g., orientation manuals).
- Reinstate provincial presence on CA boards (to enhance the relationship between MNRF and CAs).
- Consider an oath of office requirement for CA board members.

D. Developing a coordinated communications plan outlining any changes to conservation authority operations, programs and services from the review in partnership with municipalities and conservation authorities

Participants suggested providing CAs with guidance and/or training on outreach, consultation and managing controversial issues.

Additional Comments

- There is a strong need to align provincial policies (e.g., Drainage Act, Conservation Authorities Act), not just modify the Conservation Authorities Act, and address any inconsistencies in a holistic manner.

- Consider a land securement strategy for CAs.
- Recognize that government funding and support is aligned with the social service and health sector; there is a strong connection and alignment between environmental health and human health – this connection needs to be made as CA priorities are connected to environmental health and human health outcomes.
- Concern that the current view of the environment is too myopic – there is a tendency to focus on the environment from the lens of toxics and contaminants. There is a need to view the environment and the natural world as the foundation for healthy communities and healthy people. CAs already adopt this view. Organizationally particularly at the provincial level, the environment needs to be managed holistically.
- Recognize the need for planning based on the carrying capacity of a watershed.
- Concern that review of provincial legislation and supporting policies is being conducted on an ad hoc basis; there is a need for outcome specific directions and a general clean-up of provincial legislation overall.

Appendix A – Questions of Clarification

The following topics and themes were discussed after the overview presentation:

Conserving our Future (Document)

- Concern that the potential actions do not reflect the fundamental issues affecting CAs
- Concern that too much weight was placed on negative issues raised during the first round of consultations.

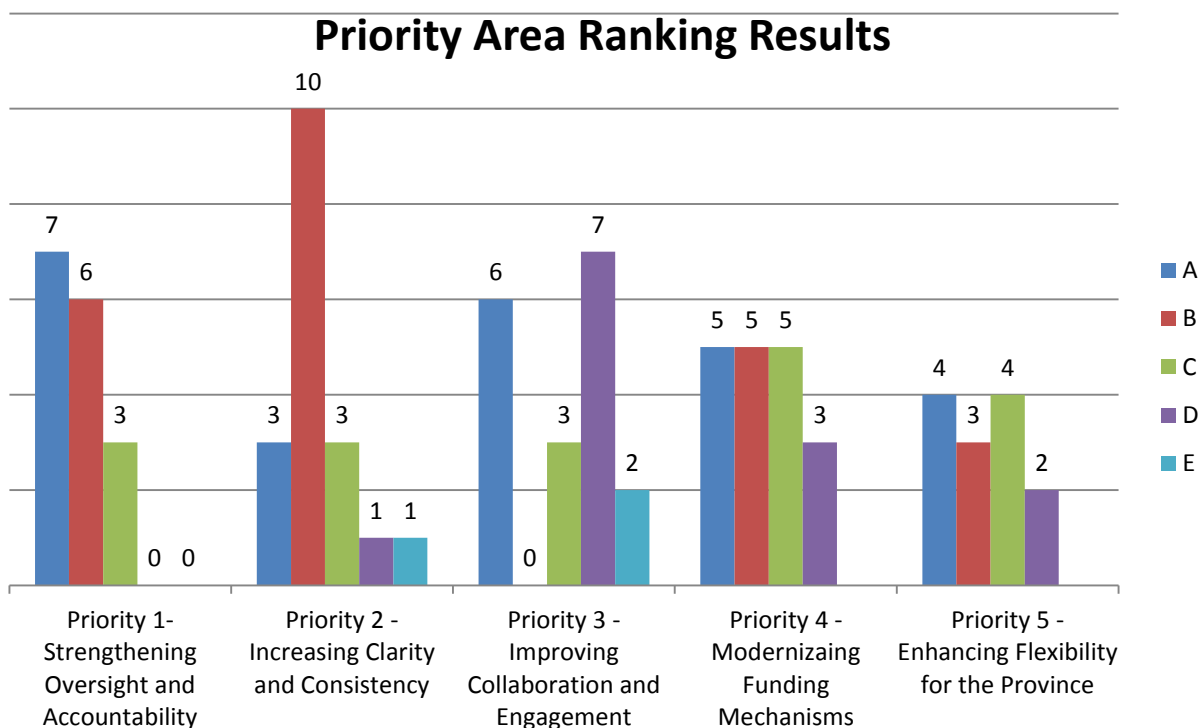
Priority Areas

- Clarify whether the potential actions include direction for a land securement strategy.
- Confirm the roles of elected board members.
- Establish a working group with the Association of Municipalities of Ontario (AMO) regarding funding; the current budgeting process is not adequate.
- Concern that feedback obtained during consultations will be influenced by the discussion questions; a bigger picture perspective is needed.
- Concern that the potential actions are a misguided attempt to reduce CA autonomy.
- Speak to the implications of the proposal to increase watershed planning presented during the current round of consultations on the Coordinated Review.
- Clarify who will lead the proposed one-window approach (e.g., province, CAs).
- Note that the Ministry of Natural Resources and Forestry and the Ministry of the Environment and Climate Change need to resume a leadership role (in terms of funding and resources).
- Review the opportunities and solutions that have emerged through academic research with respect to the role and function of CAs.
- Concern that the terms “natural heritage” and “natural resources” are defined and applied inconsistently.
- Consider a mechanism for municipalities to opt out of conservation programs.
- Consider the other provincial reviews that are currently underway (e.g., Coordinated Review, Aggregates Act Review); ensure that provincial legislation is aligned.
- Consider restoring the funding that was allocated to watershed and sub-watershed studies, which are being proposed in the Coordinated Review.
- Concern that the review focuses on processes and procedures instead of protecting and enhancing the natural environment; note that integrated watershed management (IWM) provides a comprehensive approach.
- Support the need for a clear purpose statement.
- Acknowledge that the ability of CAs to deliver programs and services varies based on available resources (e.g., funding, tools, staff, etc.), as demonstrated in the implementation of source water protection initiatives.
- Consider a mechanism for third party appeals.
- Consider a mechanism for landowners to ensure CAs are accountable.

- Support the priorities and potential actions proposed through this review.
- Ensure a broad spectrum of stakeholder interests (e.g., landowners) are considered in decision-making processes or the formation of a multi-body organization; there is a need for CAs to enhance current engagement and outreach efforts.
- Note that some CAs have a long history of working collaboratively with landowners; agree there is a need to resume the education and outreach that used to be done, and the funding to make it feasible.
- Ensure there is a clear delineation between Priorities 1 (Oversight and Accountability), 4 (Funding Mechanisms) and 5 (Flexibility); any delegated responsibilities must be funded.
- Consider how the potential actions work together to provide clarity and predictability for end-users (e.g., industry, landowners).
- Ensure the cost structure for permits is transparent (e.g., different prices for different applications).
- Concern about the priority areas and potential actions; the review should focus on how CAs can help realize provincial and municipal sustainability objectives.
- Note that the Conservation Authorities Act does provide direction for programming and is intended to be broad; do not introduce changes that would restrict the original vision of the act.
- Recognize that environmental outcomes are based in part on the attitudes and actions of landowners.
- Ensure CAs have the requisite tools and resources to translate policies into action.

Appendix B – Ranking Results

At the end of the session participants were asked to choose the most important potential action under each priority area. The results of this optional exercise are presented in the graph below. Note that some attendees did not participate in the ranking because they felt the potential actions do not reflect the fundamental issues affecting CAs. The results represent the number of attendees that chose to respond and do not represent a statistically significant sample. Twenty-Four (24) completed forms were received. The potential actions under each priority area are represented by the letters A to E in the graph below.



Additional comments

- Acknowledge integrated watershed management (IWM) as CA focus.
- Align provincial funding with CAs core mandate.
- Establish the purpose of the CAs in order to develop and implement an IWM program within their watersheds. The function and accountability, consistency, engagement and funding will follow.
- Establish a vision for CAs then set priorities from there. Implement IWM at the local level with strong provincial (i.e., inter-ministerial) policy and guidance.

- Disband Conservation Ontario (CO).
- Concern that the priorities and actions are not in line with the issues facing CAs (the ranking exercise is not valuable).
- Consult with municipalities and CAs regarding the potential actions in Priority #5.
- Amalgamate small CAs.
- Ensure CAs have qualified staff.
- Mandate stakeholder/landowner positions on each CA Board of Directors.
- Consider the need for creative discussion about a broad suite of funding approaches and mechanisms.
- Set the value of CAs (and IWM) within complete communities and a sustainable future; this is the first priority.
- Concern that the potential actions are too obscure to rank; the detailed proposals will be more important.
- Create a provincial based commission or committee that is multi-stakeholder.
- Increase provincial funding and accountability to eliminate conflict of interest.
- Note that all the priorities go hand in hand.
- Support training for CA board members.
- Consider the need for an ombudsman.
- Consider the mandate should focus on conservation or sustainability.

This summary of participant feedback has been prepared by Lura Consulting and Planning Solutions Inc. to provide the Ministry of Natural Resources and Forestry with the recurring themes and priorities raised by participants during the Sudbury session of the Conservation Authorities Act Review, Phase II. The feedback from each individual session will be used to compile a final engagement session report.

Introduction

The Ministry of Natural Resources and Forestry (MNRF) is undertaking a phased review of the Conservation Authorities Act. The intent of the review is to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities. In Phase I of the review, completed in 2015, MNRF led an extensive consultation process to engage stakeholders in a discussion about opportunities to improve the Conservation Authorities Act, which resulted in extensive feedback.

Based on the input received in Phase I of the review, MNRF has released the document, *Conserving Our Future: Proposed Priorities for Renewal*, that outlines a series of actions that could be taken under five proposed priority areas for improvement: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms, and (5) Enhancing Flexibility for the Province. In June 2015, MNRF led a second round of consultations with a diversity of stakeholders to obtain input on the potential actions outlined within the five priority areas.

On June 15, 2016, the MNRF hosted a full-day workshop in Sudbury, 117 Elm Street as part of the Phase II consultation program. The purpose of the workshop was to provide an overview of the five priority areas for improving the Conservation Authorities Act. The workshop consisted of an overview plenary presentation with time for questions of clarification, followed by three rounds of facilitated small group discussions. The facilitated discussions were designed to encourage dialogue and obtain feedback on the five (5) priority areas for improving the Conservation Authorities Act.

A total of 12 individuals participated in the workshop, including participants from the following organizations:

- Nickel District CA
- Sault Ste. Marie Region CA
- North Bay-Mattawa CA
- Conservation Ontario
- Ontario Rivers Alliance
- Junction Creek Stewardship Committee Inc.
- Mattagami Region CA
- Ontario Federation of Agriculture

This report presents a summary of the comments and suggestions provided by participants during the workshop.

Summary of Participant Feedback

The summary of participant feedback is organized according to the five priority areas: (1) Strengthening Oversight and Accountability, (2) Increasing Clarity and Consistency, (3) Improving Collaboration and Engagement, (4) Modernizing Funding Mechanisms, and (5) Enhancing Flexibility for the Province. Each priority area contains a synopsis of the overall key themes and issues as well as specific feedback received through plenary discussions (see Appendix A) and completed discussion guides relating to each discussion question.

The following points highlight the recurring comments, concerns and/or advice which emerged from the Sudbury session.

- Include integrated watershed management (IWM) in the Act as the overarching approach to conservation.
- Recognize that the interface between CAs and municipalities is multifaceted.
- Recognize that CA roles and responsibilities have expanded beyond hazard management.
- Establish a multi-ministerial body to promote dialogue and collaborative decision-making regarding CA roles and responsibilities (i.e., enhance provincial partnership).
- Consider opportunities to effect positive change from a non-statutory lens (e.g., resource sharing).
- Find a balance between clarifying roles and responsibilities and ensuring CAs have the flexibility (and autonomy) to respond to the needs of their respective watersheds.
- Build on existing CA communication and education initiatives.
- Ensure a broad spectrum of stakeholder interests are represented and considered in CA processes.
- Increase and diversify funding sources to enable the delivery of CA programs and services.
- Ensure that new or additional programs and services are delegated with funding.
- Clarify the process to appoint (and remove) CA board members.
- Emphasize collaboration and partnership.

Priority #1: Strengthening Oversight and Accountability

Overall key themes/issues:

- Include integrated watershed management (IWM) in the Act as the overarching approach to conservation.
- Recognize that CA roles and responsibilities have expanded beyond hazard management.
- Concern that there is a conflict of interest between municipalities and CAs due to the current funding structure; the province should fund CAs.
- Clarify the role and responsibilities of municipalities in relation to CAs.
- Establish a multi-ministerial body to promote dialogue and collaborative decision-making regarding CA roles and responsibilities.

A. Updating the Act to reflect modern legislative structures and accountabilities

Participants expressed support to add a purpose statement to the Act.

Participant feedback highlighted the following considerations:

- Include integrated watershed management (IWM) in the Act as the approach to conservation.
- Recognize the range of CA roles and responsibilities (i.e., the core focus has expanded beyond hazard management). There are multiple provincial acts and policies that rely on CAs to implement them.
- Support outreach and education initiatives to increase awareness and accountability of CA roles and responsibilities.

B. Adopting and/or aligning with governance best management practices

Participants raised the need to establish a multi-ministerial body to oversee the multiple roles and responsibilities of CAs.

C. Enhancing provincial oversight

Participant feedback highlighted the following considerations:

- Provide CAs with assistance to ensure programs and services are delivered consistently (e.g., best practices, resources, etc.).

D. Enhancing municipal oversight

Participant feedback raised the following concerns and/or issues:

- Concern that enhancing municipal oversight will impact the ability of CAs to make critical decisions objectively (e.g., review permits, perform advisory function).

- Note that while many CAs carry out services per the Planning Act, they do not have planning agreements with municipalities.
- Remove this potential action; there should be no municipal oversight or direction of CAs.
- Concern that there is a conflict of interest between municipalities and CAs due to the current funding structure; the province should fund CAs.

Participant feedback highlighted the following considerations:

- Clarify the role and responsibilities of municipalities in relation to CAs, including fiduciary duties. Different municipal departments (e.g., planning, engineering, politicians) have different expectations of CAs which can be difficult to navigate.
- Note that CAs need to maintain a strong collaborative relationship with municipalities.
- Note that municipal oversight is important; CAs have to be accountable to municipalities as they provide funding through levies.
- Ensure municipal oversight allows flexibility of CA roles based on watershed needs.

E. Developing or adopting criteria for establishing, enlarging, amalgamating or dissolving a CA

Participant feedback highlighted the following considerations:

- Ensure the Ministry of Natural Resources and Forestry (MNRF) is properly resourced to follow through with any proposed actions to strengthen oversight and accountability.
- Concern that there is a disconnect between CAs (particularly smaller CAs) and MNRF (i.e., in terms of guidance and support).

Priority #2: Increasing Clarity and Consistency

Overall key themes/issues:

- Concern that CA roles and responsibilities are being expanded without the appropriate funding.
- Define IWM to establish an overarching framework for CAs.
- Find a balance between clarifying roles and responsibilities and ensuring CAs have the flexibility to respond to the needs of their respective watersheds.

A. Clearly delineate between mandatory and optional programs and services

Participants expressed support to delineate between mandatory and optional programs and services (to enhance consistency and certainty in their delivery).

B. Establishing a Provincial Policy Directive

Participants expressed the need to update provincial policies and guidelines to reflect contemporary issues facing CAs.

C. Providing clarity and consistency in CA's regulatory roles and responsibilities

Participants are concerned that CA roles and responsibilities are being expanded without the appropriate funding.

Participant feedback highlighted the following considerations:

- Note that clarifying definitions and terminology can be addressed through the Act or supporting regulations, while most of the other potential actions can be implemented through responsive policies or enabling provisions.
- Clarify the following terms and definitions: watercourse, conservation land, wetlands.
- Note that all the potential actions under this priority are important.
- Support the provision of ongoing training (i.e., non-regulatory actions) to enhance consistency.
- Define IWM to establish an overarching framework for CAs.
- Find a balance between clarifying roles and responsibilities and ensuring CAs have the flexibility to respond to the needs of their respective watersheds.

D. Enhancing compliance and enforcement of regulatory requirements

No comments specific to this potential action were received.

E. Streamlining planning and permitting requirements and processes

Participants expressed support to establish a streamlined approach for planning and permitting requirements, as long it recognizes the need for flexibility (i.e., one size fits all is not appropriate).

Participant feedback raised the following concerns and/or issues:

- Concern that streamlining will eliminate safeguards that are currently in place. A risk-based approach should be based on a comprehensive approach to conservation.

Participant feedback highlighted the following considerations:

- Establish a risk-based approach that is common to all CAs, particularly staff who make decisions.
- Provide enabling tools to guide and define CA decision-making (e.g., communication tools, MNRF permit by regulation).
- Identify where known wetlands are to better communicate regulated areas during land transfer processes.
- Ensure information is readily accessible to the public and on the internet (i.e., a different business model based on openness and transparency that is resourced).

Priority #3: Improving Collaboration and Engagement

Overall key themes/issues:

- Note that the five priority areas are not mutually exclusive.
- Establish a business relationship with Conservation Ontario.
- Provide funding to coordinate resource sharing (e.g., databases).
- Ensure a broad spectrum of stakeholder interests are represented and considered in CA processes.

A. Establishing a provincial “one-window”

Participants are concerned that changes in provincial or municipal support (i.e., staffing, funding, etc.) will impact the “one-window” approach.

B. Establishing a business relationship with Conservation Ontario

Participants expressed support to establish a business relationship with Conservation Ontario (CO), particularly to coordinate resources among CAs (e.g., training, best practices, templates). It was noted that this already takes place but is not applied consistently in practice as more funding is needed for implementation.

Participant feedback highlighted the following considerations:

- Strengthen collaboration between MNRF, CO and CAs.
- Provide funding to establish a central repository of CA resources.

C. Enhancing Indigenous Peoples participation

Participants expressed support to enhance indigenous participation.

D. Enhancing public and stakeholder participation

Participants are concerned that different stakeholder perspectives are not voiced often; different perspectives can enlighten the discussion and should not be confused with being non-compliant.

Participant feedback highlighted the following considerations:

- Ensure CA board members represent a diversity of interests.
- Provide funding for the educational programming that CAs provide; it is an essential component of collaboration and engagement.
- Note that some CAs are very good at engaging stakeholders and the public (e.g., committees, advisory groups, etc.).

E. Supporting CAs in sharing and coordinating resources

Participant feedback highlighted the following considerations:

- Note that partnerships can increase capacity and flexibility for CAs, particularly from a community perspective (e.g., collect data, etc. with minimal funding).
- Provide funding to establish a resource database of studies, data, etc. that is available to the public.

Priority #4: Modernizing Funding Mechanisms

Overall key themes/issues:

- Provide CAs with the leverage to ask municipalities for more funding.
- Concern about the conflict of interest between municipalities and CAs due to the current funding structure; the province should fund CAs.

A. Enhancing clarity, consistency and accountability around municipal levies

Participants expressed support for the need to define costs in municipal levies.

Participants noted that it is not clear whether reviewing apportionment is valuable as it will be difficult to do so.

Participant feedback highlighted the following considerations:

- Note that there is already significant consultation between some CAs and municipalities before the CA budget is voted on.
- Provide CAs with the leverage to ask municipalities for more funding.
- Enhance communication and education to realize the potential actions listed here.

B. Promoting clarity, consistency and accountability around fees and generated revenue

Participants noted that fees vary by watershed to reflect local needs. Reconvening the CALC table should be considered as a non-regulatory change.

C. Improving fiscal oversight and transparency

Participants expressed support to clarify the role of municipalities in overseeing CA budget processes if the intent is to educate (as opposed to a change in the budget process).

Some participants are concerned about the conflict of interest between municipalities and CAs due to the current funding structure; the province should fund CAs. It was noted that CAs exist at the request

of their municipalities, and while it is essential to ensure CAs can make decisions objectively there is an underlying relationship between municipalities and CAs that cannot be severed.

Participant feedback highlighted the following considerations:

- Consider the need to provide funding based on the value (for money) of CA programs and services.
- Build on existing communication and education efforts to broaden awareness of the benefits of CA programs and services.
- Create a reporting template for financial reporting.

D. Improving clarity in the use of provincial funding processes

One participant explained that municipal representatives sit on CA boards that can provide clarity regarding eligibility criteria. Increase awareness to ensure this is universally known.

Priority #5: Enhancing Flexibility for the Province

Overall key themes/issues:

- Ensure that new or additional programs and services are delegated with funding.

A. Giving the Minister the authority to use the Act to develop additional natural resource conservation and management programs and services in the future throughout the province

B. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to conservation authorities in the future

Participants suggested combining the first two potential actions under this priority area. They noted that new or additional programs and services should be delegated with funding.

Participants raised the need to ensure delegated programs and services are implemented (i.e., accountability mechanisms for reporting outcomes and auditing, MOUs).

C. Giving the Minister the authority to formally delegate the delivery of current and additional natural resource conservation and management programs and services to other public bodies, not-for-profit organizations, municipalities and other Ministries

D. Giving the Minister the authority to deliver additional natural resource conservation and management programs and services throughout the province

Participants expressed support for this potential action as it would enable the consistent delivery of CA programs and services outside CA boundaries by MNRF or another organization.

Participants suggested delegating programs and services to other bodies through other legislation.

Other Actions to Consider

Overall key themes/issues:

- Clarify the process to appoint (and remove) CA board members.

A. Reducing administrative burdens associated with appointing and replacing board members and obtaining approval of board per diems

Participant feedback highlighted the following considerations:

- Clarify the process to appoint (and remove) CA board members; this could be included in a regulation.
- Consider a mechanism (at the municipal level) to remove CA board members.
- Clarify who is responsible for approving CA board per diems. Some municipalities permit them while others do not.
- Consider a code of conduct for CA board members (including non-politicians).

B. Aligning board terms with the municipal elections cycle

No comments specific to this potential action were received.

C. Developing an orientation and training program for board members

Participants noted that that board members need to be educated and informed (i.e., provide training where needed).

D. Developing a coordinated communications plan outlining any changes to conservation authority operations, programs and services resulting from the review in partnership with municipalities and conservation authorities

No comments specific to this potential action were received.

Additional Comments

- Concern that the CA Act review is not focusing on what CAs are doing well. There are also other CA roles and responsibilities that need to be captured (e.g., low impact development, Great Lakes Initiative, etc.). The legislation should empower CAs help the province meet its objectives (i.e. enabling change).

Appendix A – Questions of Clarification

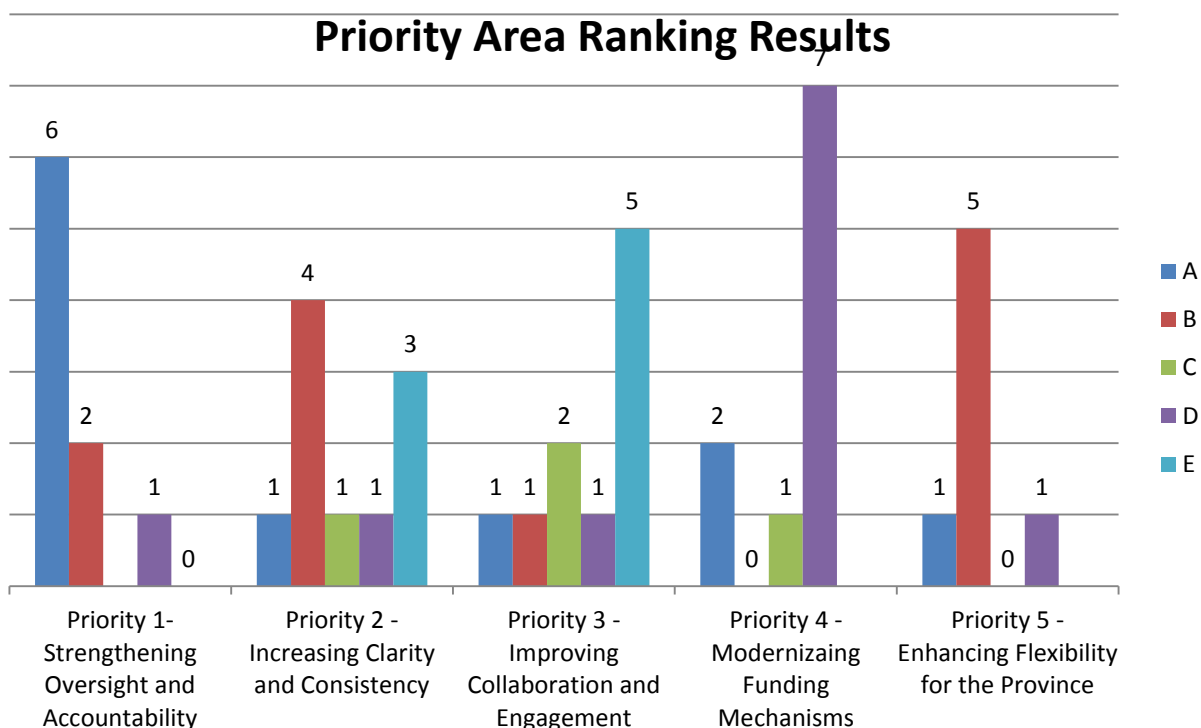
The following topics and themes were discussed after the overview presentation:

Priority Areas

- Clarify the intent of the potential actions under Priority #5.
- Concern that the potential actions under Priority #5 could be used to reduce or expand CA roles and responsibilities unilaterally.
- Note that CAs can only legally operate within their watershed boundaries; some CAs have had to decline programs and services outside their watershed boundaries for this reason. This is an important opportunity to address this gap as it is more likely to occur in Northern Ontario.
- Concern that there is a conflict of interest between municipalities and CAs due to the current funding structure (i.e., CAs carrying out municipal interests, CAs treated as municipal department).
- Note that CAs require flexibility and autonomy (from municipalities) to deliver programs and services based on their watershed needs.
- Ensure CA Act legislation recognizes the different capabilities across CAs. There may be opportunities for some CAs to share resources, but the full spectrum of implications should be considered (i.e., CAs with large watersheds and small staff, instances where best practices are not transferrable as in Northern Ontario).
- Note that there are trade-offs in terms of CA autonomy and independence when it comes to sharing resources (e.g., office space) with municipalities.
- Consider the opportunities and gaps not captured in the priority areas and potential actions.
- Concern that an increase in CA autonomy will lead to the inconsistent application of provincial policies and regulations, particularly in Northern Ontario. CAs and municipalities should operate collaboratively (this would be beneficial from an agricultural perspective).

Appendix B – Ranking Results

At the end of the session participants were asked to choose the most important potential action under each priority area. The results of this optional exercise are presented in the graph below. Note that some attendees did not participate in the ranking because they felt the potential actions do not reflect the fundamental issues affecting CAs. The results represent the number of attendees that chose to respond and do not represent a statistically significant sample. Ten (10) completed forms were received. The potential actions under each priority area are represented by the letters A to E in the graph below.



Additional comments

- Increase provincial funding to meet the mandate requirements of the provincial government.
- Empower CAs with a motherhood statement as a precursor to the Act – as the leaders of integrated watershed management (IWM) and all the provincial goals that can be achieved (e.g., climate change, wetland policy, etc.).
- Prioritize funding to CAs.
- Address core issues before contemplating flexibility.
- Resource everything.
- Note that municipalities should not have more oversight or be allowed to provide more direction.

- Strengthen CA capacity to enforce compliance.
- Enhance data sharing and collaboration with relevant community partners.
- Recognize that funding for large CAs with a small tax base (e.g., Conservation Sudbury) is inadequate to support a broad/comprehensive range of programs.



NVCA Board Meeting Highlights, September 23, 2016

Next Board Meeting: October 28, 2016, at Barrie City Hall

For the full meeting agenda including documents and reports, visit nvca.on.ca/about/boardofdirectors

Members support NVCA board reduction

Following a nine-month pilot project that saw the number of NVCA board members reduced from 27 to 18, the board of directors supported making the reduction permanent. The board directed Chair Loughheed to circulate a request for municipal resolutions of support for the reduction to all 18 watershed councils. A final report will be presented to the board in December 2016.

NVCA's 2017 draft budget and capital levy to be circulated for municipal review

The board received NVCA's 2017 Draft Budget, which sets total revenues/expenses at \$4.77 million (compared to \$4.99 million in 2016). The budget contains a 2.26% increase to the overall municipal levy. This amounts to an increase of \$48,600 to be shared by all 18 member municipalities.

At their August meeting, the board received NVCA's Asset Management Plan which details capital needs for the next ten years. To support this plan, the board received a 2017 Draft Capital Levy request in the amount of \$129,926.

The draft budget and capital levy will now be circulated to member municipalities for a 30-day review period. It is also available on the NVCA [website](http://nvca.on.ca).

Board member tour watershed project sites

Following their meeting, board members and guests toured the northern part of the watershed to see firsthand NVCA projects and programs including:

- Black Ash Creek Restoration and invasive *Phragmites* mapping and removal in Collingwood,

- On-farm stream restoration and forestry projects in Clearview, and
- Nearshore Monitoring and Georgian Bay Shoreline mapping projects in Wasaga Beach.

This tour was part of the board's ongoing education initiative.

In brief

During the meeting the board also:

- Received a report regarding matching funds in support of a Wasaga Beach floodplain mapping project under the 2017 National Disaster Mitigation Program.
- Received an update on risk management services provided by NVCA to watershed municipalities in support of the *Clean Water Act*.
- Approved an increase to fees for NVCA's Environmental Education program in 2017.
- Received an overview of the proposed changes to the Niagara Escarpment Plan and the respective mandates of the Niagara Escarpment Commission and NVCA.
- Learned of a \$3,000 grant from Tourism Simcoe to be used support of a Fort Willow Hike Interpretive Trail.

Future Meetings & Events

Fort Willow – National Historic Site Designation Ceremony

Friday, September 30, 10:00 a.m. – 12:00 p.m.

*By invitation only. Contact events@nvca.on.ca for details.

Festival at Fort Willow

Saturday, October 1, 10:00 a.m. – 4:00 p.m.
Fort Willow Conservation Area, Minesing

TD Tree Days Community Tree Plant, Hockley Valley (Baker's Pond)

Sunday, October 2, 9:00 a.m. to 12:00 p.m.
246372 Hockley Rd., Orangeville

Livestake Cutting Work Days

Thursday, October 20 & Friday October 21, 9:00 a.m. to 12:00 p.m.
Various locations across watershed

Denise Holmes

From: Jennifer Willoughby <jwilloughby@shelburne.ca>
Sent: Monday, September 19, 2016 8:46 AM
To: Jennifer Willoughby
Subject: Town of Shelburne Planning Application Circulation
Attachments: Z16 03 - Circulation Letter.pdf; Z16 03 Circulation Response Form.pdf; Z16 03 - Public Meeting Notice.pdf; Z16 03 - Application.pdf; Z16 03 - Zoning Sketch.pdf

Good Morning

The Town of Shelburne has received an application for the approval of a Zoning By-law Amendment to rezone the properties municipally known as 16 and 18 School Road from residential type one exception zone (R1-1) to residential type three zone (R3).

A copy of the public meeting notice, the application and survey are attached for your review. We would appreciate receiving comments, concerns or conditions by Friday October 7, 2016.

Thank You

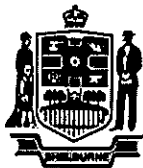
Jennifer Willoughby
Deputy Clerk
Town of Shelburne
203 Main St. E
Shelburne ON L9V 3K7
jwilloughby@shelburne.ca
Phone (519) 925 – 2600 Ext. 223

Total Control Panel

[Login](#)

To: dholmes@melancthontownship.ca [Remove](#) this sender from my allow list
From: jwilloughby@shelburne.ca

You received this message because the sender is on your allow list.



TOWN OF SHELburne

Planning & Development Department

September 15, 2016

CIRCULATED TO:

- County of Dufferin**
- NVCA**
- Township of Melancthon**
- Township of Amaranth**
- OPG
- Hydro One
- Enbridge**
- School Boards**
- Shelburne EDC**
- Heritage Committee**
- Engineering**
- Legal**
- Fire Dept**
- Police**
- Council*
- Public Works**

*Hard copy circulation
**Email circulation only

APPLICATION FOR ZONING BY-LAW AMENDMENT

FILE NO: Z16/03

PROJECT: Proposed Single Detached Homes – 16 and 18 School Road (Jeff Hamilton)

Please take notice that an application has been submitted to the Town of Shelburne for the approval of a Zoning By-law Amendment to rezone the properties municipally known as 16 and 18 School Road, in the Town of Shelburne, from Residential Type One Exception (R1-1) Zone to Residential Type Three (R3) Zone. The purpose of the rezoning is to facilitate the final approval development of three residential lots that are subject to consent applications B15/03 and B15/04 provisionally granted by the Committee of Adjustment in November of 2015. A copy of the Notice of Public Meeting, the Application, and the survey submitted by the applicant are attached. Please contact me should you require additional information to complete your review.

I would appreciate any comments, concerns or conditions you may have by:

Friday, October 7, 2016.

Please provide comments in an electronic format via email to planning@townofshelburne.on.ca. Alternatively, if you have no comment or objection, please complete the attached response sheet and fax it to the Town of Shelburne Planning Department at (519) 925-6134. Should you have any questions or require any additional information, please contact me.

Steve Wever, MCIP, RPP
Town Planner

Attachment(s): Notice of Public Meeting
Application for Zoning By-law Amendment Z16/03
Survey



TOWN OF SHELBURNE PLANNING & DEVELOPMENT

Zoning By-law Amendment Application #Z16/03 Circulation Response Form

File: Proposed Single Detached Homes – 16 & 18 School Road (Jeff Hamilton)
Project: Zoning By-law Amendment Application

If you have no comments or objection to the approval of the above noted application please complete this form and fax it to the Town of Shelburne by **Friday, October 7, 2016**.

Fax Number: 519-925-6134

(No cover page is necessary)

By signing this document I acknowledge that as a representative of the noted organization / body / or person, I have reviewed this application and as a result have no comments or concerns related to this matter.

Agency Name
(Please Print)

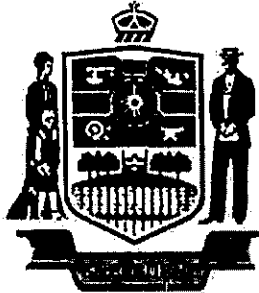
Representative Name
(Please Print)

Representative Title
(Please Print)

Signature

Date

203 Main Street East
Box 69
Shelburne, Ontario
L0N 1S0
Tel: (519) 925-2600
Fax: (519) 925-6134
www.townofshelburne.on.ca



For Office Use Only

File #: Z16/03
Date Received: 09/01/2016
Date Accepted: 09/13/2016
Application Fees:
\$3,300 pd. chq. #036

**TOWN OF SHELBURNE
APPLICATION FORM FOR AN ZONING BY-LAW AMENDMENT**

Date Received: Sept. 1, 2016

1. APPLICATION INFORMATION

Name of Applicant: JEFF HAMILTON

Mailing Address: _____

Telephone Number (Home): _____ Fax Number: _____

Telephone Number (Business): _____ Email Address: _____

2. OWNER

If the Applicant is not the Owner of the subject lands, than authorization from the Owner is required, as well as the following information:

Name: Same

Mailing Address: _____

Telephone Number: _____ Fax Number: _____

3. MORTGAGES, CHARGES OR OTHER ENCUMBRANCES

Name: NONE

Mailing Address: _____

Name: _____

Mailing Address: _____

4. SUBJECT LANDS
16 SCHOOL ROAD - CON 2 E PT LOT 32 RP 7R360 - PART 8
Lot: 18 SCHOOL ROAD - CON 2 E PT LOT 32 RP 7R360 - PART 9
Concession: _____

Reference Plan: _____ Part/Block/Lot: _____

Street Name and Number: 16 & 18 SCHOOL ROAD
(if corner lot please include both street names)

Area of subject lands: 54 ACRES Frontage: _____

Depth: _____

What is the current use of the subject land? VACANT LAND

What is the proposed use of the subject lands? RESIDENTIAL

When were the subject lands acquired by the current owner? _____

How long have the existing uses continued on the subject lands? _____

5. ZONING AND OFFICIAL PLAN INFORMATION

What is the present Official Plan designation of the subject lands? RESIDENTIAL

What is the present zoning? R1-1

What is the purpose of the proposed Zoning By-law Amendment? TO CHANGE ZONING

FROM R1-1 TO R3 TO PERMIT A MINIMUM LOT
FRONTAGE AND AREA PER LOT AS PER CONDITIONALLY
PERMITTED BY CONSENTS B15/03 & B15/04

6. PROPOSED DEVELOPMENT

Please describe any proposed development on the subject lands (include buildings, floor area, height, parking spaces, etc. and attached plans with site and development statistics):

RESIDENTIAL HOMES

7. ACCESS

Is the subject land accessible by:

- ☐ Provincial highway
☒ Municipal road (maintained year round)
☐ Right of way
☐ Other, describe _____

8. SERVICING

	<u>Municipal</u>	<u>Private</u>	<u>Other</u>
Water Supply	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sewage Disposal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frontage on Road	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Is storm drainage provided by:

<input type="checkbox"/> Storm Sewer	<input type="checkbox"/> Ditch	<input type="checkbox"/> Swale
<input type="checkbox"/> Other, describe _____		

9. STATUS OF OTHER APPLICATION

Are the subject lands the subject of any other applications under the Planning Act?

☒ Yes ☐ No ☐ Unknown

If yes, describe the application(s)? CONSENT APPLICATIONS B15/06 & B15/04

10. DRAWINGS

Drawings shall be provided as required in the Official Plan Amendment Process sheet.

11. PAYMENT OF FEES

As of the date of this application, I hereby agree to pay for and bear the entire cost and expense for any engineering, legal, landscape architectural and/or external planning consulting expenses incurred by the Town of Shelburne during the processing of this application, in addition to any application fee set by the Town of Shelburne.

September 1, 2016
Date


Signature of Owner/Applicant

Note: All invoices for payment shall be sent to the person indicated in section 2 of this application, unless otherwise requested.

04/04/2013

12. AUTHORIZATION

I/We JEFF HAMILTON (am) are the owner(s) of the subject lands for which this application is to apply. I/We do hereby grant authorization to _____ to act on my/our behalf in regard to this application.

Date

Signature of Registered Owner(s)

13. AFFIDAVIT

I, JEFF HAMILTON of the TOWN OF SHELBURNE in the COUNTY OF DUFFERIN solemnly declare that all of the above statements contained herein and in all exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under other, and by virtue of "The Canada Evidence Act".

DECLARED BEFORE ME AT TOWN OF SHELBURNE
in the COUNTY of the DUFFERIN
this 1ST day of SEPTEMBER, 2016

[Signature]
Witness

[Redacted Signature]
Signature of Registered Owner (s) or Agent

14. PERMISSION TO ENTER

I hereby authorize the members of staff and/or elected members of Council of the Town of Shelburne to enter upon the subject lands and premises for the limited purpose of evaluating the merits of this application. This is their authority for doing so.

Sept. 1, 2016
Date

[Redacted Signature]
Signature of Registered Owner (s) or Agent

Personal information contained on this form is collected under the authority of *The Municipal Freedom of Information and Protection of Privacy Act*. This sheet and any additional information provided will be placed on the Council agenda. The agenda is a public document and forms part of the permanent public record. Questions about this collection should be directed to the Clerk at 519-925-2600.

(GEOGRAPHIC TOWNSHIP OF AMARANTH)
TOWN OF SHELBURNE
COUNTY OF DUFFERIN

D	DOCKETS SURVEY MONUMENT SET
P	DOCKETS SURVEY MONUMENT FOUND
S	DOCKETS 23.4 mm x 1219.1 mm LONG ROUN BAR
538	DOCKETS 23.4 mm x 605.8 mm LONG ROUN BAR
538	DOCKETS 23.4 mm x 605.8 mm LONG ROUN BAR
406	DOCKETS ROUNED ROUN BAR
N	DOCKETS NOT TO SCALE
761	DOCKETS MEASURED
WIT	DOCKETS WITNESS MONUMENT
157	DOCKETS L. THOMSON, O.L.S.
MTO	DOCKETS P. HANSEN, O.L.S.
P1	DOCKETS MINISTRY OF TRANSPORTATION ONTARIO
P2	DOCKETS INTO PLAN P-3545-1, WEST, #22645
P3	DOCKETS DEPOSITED PLAN 7R-356
P4	DOCKETS DEPOSITED PLAN 7R-356
P2	DOCKETS DEPOSITED PLAN 7R-4985
NO	DOCKETS DEPOSITED PLAN 7R-5323
1211	DOCKETS FENCE
1211	DOCKETS P.J. WILLIAMS, O.L.S.

NOTE:

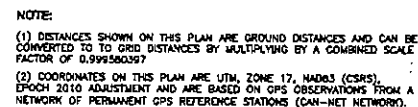
(1) BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF SCHOOL ROAD AS SHOWN ON DEPOSITED PLANS 7R-339 AND 7R-380 AS N 74°28'30" E.

(2) ALL MEASUREMENTS ARE IN METRES AND MAY BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

P.J. WILLIAMS,
ONTARIO LAND SURVEYOR

LAND REGISTRAR FOR THE LAND
TITLES DIVISION OF DUFFERIN # 7

CONFESSION



THESE COORDINATE VALUES COMPLY WITH SECTION 14(2), O.R.O. 218/10. THESE COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SCALE 1:400 P.J. WILLIAMS, O.I.S.



0 8 24

A B C

(ROAD OPENED BY INSTRUMENTS MF26670 & MF27352)
(BY-LAW No. 1060, INST. MF77364)

PRELIMINARY
P.J. WILLIAMS, D.L.S.

SEPTEMBER 5, 2016
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 01/25/2016 BY 60322 UCBAW

ACAD:797 E:\P496\p-496 QSK 2014

OFFICE ADDRESS: 413 FIRST AVENUE EAST, SHELBOURNE, ONTARIO, L9V 2T8
PHONE: (519)941-8231. (519)925-0057 FAX: (519)941-8231
E-MAIL: pjw121@aol.com

PROJECT: 0408
APPLICATIONS: B1503 & B1504

CLIENT: JEFF HAMILTON



**THE CORPORATION OF THE TOWN OF SHELburne
NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING
UNDER SECTION 34 OF THE PLANNING ACT**

Take notice that the Council of the Corporation of the Town of Shelburne has received a complete application for a Zoning By-law Amendment (File No. Z16/03) and will hold a public meeting on:

MONDAY, OCTOBER 17, 2016

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 an 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 received.

The subject properties are municipally known as 16 and 18 School Road. The properties are located south of Main Street East (Hwy 89) along the north side of School Road and have a total combined land area of approximately 1070 m² (0.22 ha). The properties are designated as 'Residential' in the Official Plan and zoned 'Residential Type One Exception (R1-1)' in the Zoning By-law. The accompanying map illustrates the location of the land subject to the proposed zoning amendment. In November 2015, provisional consent was granted by the Committee of Adjustment to sever the two properties into a total of three residential lots (Application File No. B15/03 and B15/04).

The purpose and effect of the Amendment is to rezone the subject properties from 'Residential Type One Exception (R1-1) Zone' to 'Residential Type Three (R3) Zone' to zone the properties according to the minimum lot frontages and areas and with appropriate development standards for the three residential lots provisionally granted by consent. The R3 Zone requires a minimum frontage of 12.2 metres and a minimum lot area of 400 m², which is consistent with the conditions of consent approval for the three lots. The re-zoning is required as a condition of final approval of the lots.

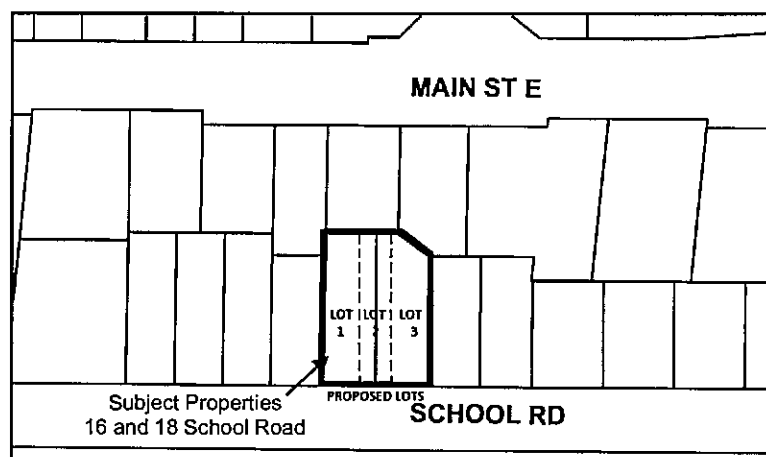
At the meeting you will be given an opportunity to ask questions and indicate whether you support or oppose the Zoning By-law Amendment. Written submissions will be accepted by the Clerk up to the time of the Public Meeting and will be given consideration by the Council prior to a decision being made.

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 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.

Additional information relating to the proposed Zoning By-law Amendment will be 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.townofshelburne.on.ca. If you wish to be notified of the passing of the proposed Zoning By-law Amendment, you must make a written request to the Town at the address below.

Dated at the Town of Shelburne on the 15th day of September, 2016.

John Telfer, CAO/Clerk
Town of Shelburne
203 Main Street East
Shelburne, Ontario L9V 3K7
Phone: 519-925-2600
Fax: 519-925-6134



Denise Holmes

From: Jerry Jorden <jjorden@rogers.com>
Sent: Thursday, September 29, 2016 2:10 PM
To: Denise Holmes
Subject: Official Plan Settlement Report
Attachments: Untitled attachment 00367.pdf

Denise:

In accordance with your instructions, attached is a status report on the settlement of the Official Plan appeal. It simply provides information reviewing the background and current status while noting that it would now be appropriate to formally agree with the settlement proposal.

Let me know if there are any questions or concerns or if you need anything further at this point.

Jerry Jorden
G. W. JORDEN PLANNING CONSULTANTS LIMITED
153 Burnside Drive
London, Ontario N5V 1B4
Phone: 519.601.2077
Email: jjorden@rogers.com

Total Control Panel

[Login](#)

To: dholmes@melanctontownship.ca [Remove](#) this sender from my allow list
From: jjorden@rogers.com

You received this message because the sender is on your allow list.

**THE CORPORATION OF
THE TOWNSHIP OF MELANCTHON**

REPORT TO COUNCIL

TO: MAYOR WHITE AND MEMBERS OF COUNCIL

FROM: JERRY JORDEN, CONSULTANT

DATE: SEPTEMBER 29, 2016

SUBJECT: STATUS UPDATE ON SETTLEMENT OF OFFICIAL PLAN APPEAL

RECOMMENDATION

Since this is an update report, it is recommended that it be received by Council as information.

PURPOSE

This report provides background information and reviews recent events and the current status of matters relating to the possible resolution of the Township's appeal of aspects of the approval of the Official Plan by the Ministry of Municipal Affairs and Housing.

BACKGROUND

On March 9, 2015, the Ministry of Municipal Affairs and Housing approved the Township's new Official Plan with a number of modifications. After careful review and consideration, Council appealed four of the modifications included in the Ministry's decision. Three of those modifications related to policies prohibiting the excavation of mineral aggregates below the water table and one related to Schedule G, Aquifer Vulnerability and Wellhead Protection Areas.

The appeal letter stated Council's clear preference to work with the Ministry to resolve the issues rather than proceeding to a full Ontario Municipal Board hearing. In the period since that appeal, there have been discussions with Ministry representatives on the issues and their possible resolution.

An Ontario Municipal Board hearing on the Township's appeal was set for August 19, 2015. As a result of ongoing discussions with Ministry representatives and a verbal report to Council by the undersigned, the parties jointly requested the OMB to adjourn that hearing. The basis for the request was the parties' agreement to seek deferral of the policies on the prohibition of mineral aggregate extraction below the water table until the next five year review of the Official Plan and deferral of Schedule G, Aquifer Vulnerability and Wellhead Protection Areas, until updated Assessment Report Aquifer Vulnerability mapping is approved. The requested adjournment was granted.

EVENTS SINCE THE OMB HEARING ADJOURNMENT AND CURRENT STATUS

For several months after the adjournment of the hearing there were limited discussions between the parties while the Ministry of the Environment and Climate Change completed a detailed review of the mapping prepared by Harden Environmental Services and worked toward finalizing the approval of the Assessment Report mapping. Then early this year a Ministry representative suggested developing a "hybrid" mapping of areas of high vulnerability aquifers as a means of resolving the issues with Schedule G. This would involve the creation of a High Vulnerability Aquifer designation that included all such areas as mapped by both Harden and the Assessment Reports associated with the applicable Source Protection Plans.

The Ministry representative discussed the proposal with staff at the Ministry of the Environment and Climate Change. Eventually the Ministries reached agreement on this approach and, as the Township's representative, the undersigned agreed to examine the draft mapping that the Ministries would produce. That draft mapping was provided on August 5th. It also included revised Wellhead Protection Areas associated with some of the wells for the Town of Shelburne. In addition, a second required schedule was produced showing Significant Groundwater Recharge Areas.

Both draft schedules were reviewed in detail. During this process of map preparation and review the Ministry representatives also confirmed that they would have no concern if the remaining Medium and Low Aquifer Vulnerability areas were retained on the revised Schedule G.

The undersigned advised the Ministry representatives that the proposal had merit and would be presented to Council for their review and possible endorsement. An August 23rd letter to Council described the proposal and provided comments and related analysis. The undersigned attended the September 1st Council meeting to discuss the proposal and Council's options.

At that meeting Council verbally agreed to accept the proposal to settle the mapping issues through the use of the proposed revision to Schedule G and the addition of a new schedule showing the Significant Groundwater Recharge Areas. However, before finalizing these matters Council wanted Shelburne to have an opportunity to review the revised Wellhead Protection Areas. That review process is now complete and there are no issues with that aspect of the proposed map schedule.

SUMMARY AND CONCLUSION

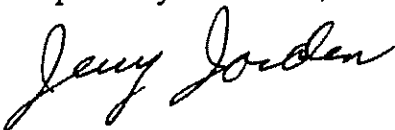
As a result of discussions with Ministry representatives combined with other recent events the details related to resolving the Schedule G aspects of the Township's appeal appear to be in place. The proposed approach would be a reasonable compromise that would retain the Township's mapping of areas of high aquifer vulnerability with revisions adding any new areas from the maps in the Source Protection Plans' Assessment Reports. The remainder of the current Schedule would be retained. In addition and as previously agreed, the appealed mineral aggregate extraction policies would be deferred until the five year review, an approach that retains the potential for approval of those policies in the future.

To complete the settlement of the appeal, it would now be appropriate for Council to formally state its agreement with the settlement proposal and inform the Ministry. The two parties could then proceed to implement the proposal by seeking a decision from the Ontario Municipal Board.

FINANCIAL

Since this is an information report there are no recommendations that would have financial implications for the Township.

Respectfully submitted,

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

G. W. Jorden, M.Sc.

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

BY-LAW NUMBER _____ - 2016

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS AND THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

WHEREAS it is deemed expedient that the Corporation of the Township of Melancthon and Her Majesty the Queen and OMAFRA enter into an agreement for funding through the Ontario Community Infrastructure Fund;

**NOW THEREFORE THE CORPORATION OF THE TOWNSHIP OF MELANCTHON BY
THE MUNICIPAL COUNCIL THEREOF ENACTS AS FOLLOWS:**

1. THAT the Head of Council and Clerk are hereby authorized to execute the agreement, in the same form or substantially the same form, as attached hereto as Schedule "A" to this by-law.

BY-LAW READ A FIRST AND SECOND TIME THIS 6th DAY OF OCTOBER, 2016.

BY-LAW READ A THIRD TIME AND PASSED THIS 6th DAY OF OCTOBER, 2016.

CLERK

HEAD OF COUNCIL

ONTARIO COMMUNITY INFRASTRUCTURE FUND FORMULA-BASED COMPONENT AGREEMENT

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO
as represented by the Minister of Agriculture, Food and Rural Affairs

(the "Province")

– and –

The Corporation of the Township of Melancthon

(the "Recipient")

BACKGROUND

The Province created the Ontario Community Infrastructure Fund to: (1) provide stable funding to help small communities address critical core infrastructure needs in relation to roads, bridges, water and wastewater; (2) further strengthen municipal asset management practices within small communities; and (3) help small communities use a broad range of financial tools to address critical infrastructure challenges and provide long-term financial support for the rehabilitation and repair of core infrastructure for those in most need.

The Ontario Community Infrastructure Fund is composed of two components: (1) the Application-Based Component; and (2) the Formula-Based Component. The Formula-Based Component of the Ontario Community Infrastructure Fund is based on a municipality's local fiscal circumstances and its total core infrastructure assets with a minimum grant of fifty thousand dollars (\$50,000.00).

The Recipient is eligible to receive funding under the Formula-Based Component of the Ontario Community Infrastructure Fund.

CONSIDERATION

In consideration of the mutual covenants and agreements contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which is expressly acknowledged, the Parties agree as follows:

1.0 ENTIRE AGREEMENT

1.1 This Agreement, including:

Schedule "A" – General Terms And Conditions,
Schedule "B" – Additional Terms And Conditions,
Schedule "C" – Operational Requirements Under The Agreement,
Schedule "D" – Eligible Project Categories,
Schedule "E" – Eligible And Ineligible Costs,

Schedule "F" – Financial Information,
Schedule "G" – Aboriginal Consultation Requirements,
Schedule "H" – Communications Protocol, and
Schedule "I" – Reports,

constitutes the entire agreement between the Parties with respect to the subject matter contained in this Agreement and supersedes all prior oral or written representations and agreements.

2.0 COUNTERPARTS

- 2.1 This Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

3.0 AMENDING AGREEMENT

- 3.1 This Agreement may only be amended by a written agreement duly executed by the Parties.

4.0 ACKNOWLEDGEMENT

- 4.1 The Recipient acknowledges and agrees that:

- (a) By receiving Funds it may become subject to legislation applicable to organizations that receive funding from the Government of Ontario, including the *BPSAA*, the *PSSDA* and the *AGA*;
- (b) Her Majesty the Queen in Right of Ontario has issued expenses, perquisites and procurement directives and guidelines pursuant to the *BPSAA* that may be applicable to the Recipient;
- (c) The Funds are
 - (i) To assist the Recipient to carry out the Project and not to provide goods or services to the Ontario Community Infrastructure Fund – Formula-Based Component, and
 - (ii) Funding for the purposes of the *PSSDA*; and
- (d) The Province is not responsible for, nor does the Province have a managerial role in, the undertaking, implementation, completion, operation and/or maintenance of any Project to which Funds are directed. The Recipient will not seek to hold the Province responsible for the undertaking, implementation, completion, operation and/or maintenance of any Projects to which Funds are directed through recourse to a third party, arbitrator, tribunal or court.

5.0 IMPACT OF RECEIVING FUNDING UNDER THIS AGREEMENT ON ANY EXISTING ONTARIO COMMUNITY INFRASTRUCTURE FUND FUNDING COMPONENT AGREEMENT

- 5.1 The Recipient acknowledges and agrees that if the Recipient receives Funds under this Agreement, the Recipient will be ineligible to receive any additional funds under any existing Ontario Community Infrastructure Fund Formula-Based Component agreement that it may

have with the Province. By way of example only, if the Recipient has an existing Ontario Community Infrastructure Fund Formula-Based Component agreement with the Province and was eligible to receive Funds for 2017 under that existing Ontario Community Infrastructure Fund Formula-Based Component agreement and receives Funds for 2017 under this Agreement, the Recipient is not eligible to receive any Funds for 2017 under its existing Ontario Community Infrastructure Fund Formula-Based Component agreement.

[REST OF PAGE INTENTIONALLY LEFT BLANK – SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF the Parties have executed this Agreement on the dates set out below.

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO,
as represented by the Minister of Agriculture, Food and Rural Affairs

Name: Randy Jackiw Date _____
Title: Assistant Deputy Minister

I have the authority to bind the Crown pursuant to delegated authority.

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

Name: *Insert Name* Date _____
Title: *Insert Position*

AFFIX CORPORATE
SEAL

Name: *Insert Name* Date _____
Title: *Insert Position*

I/We have the authority to bind the Recipient.

[REST OF PAGE INTENTIONALLY LEFT BLANK – SCHEDULE “A” FOLLOWS]

SCHEDULE "A"

GENERAL TERMS AND CONDITIONS

ARTICLE A1

INTERPRETATION AND DEFINITIONS

A1.1 Interpretation. For the purposes of interpreting this Agreement:

- (a) Words in the singular include the plural and vice versa;
- (b) Words in one gender include all genders;
- (c) The headings do not form part of this Agreement; they are for reference purposes only and will not affect the interpretation of the Agreement;
- (d) Any reference to dollars or currency will be in Canadian dollars and currency;
- (e) Any reference to a statute means a statute of the Province of Ontario, unless otherwise indicated;
- (f) Any reference to a statute is to that statute and to the regulations made pursuant to that statute as they may be amended from time to time and to any statute or regulations that may be passed that have the effect of supplanting or superseding that statute or regulation unless a provision of this Agreement provides otherwise;
- (g) All accounting terms will be interpreted in accordance with the Generally Accepted Accounting Principles and all calculations will be made and all financial data to be submitted will be prepared in accordance with the Generally Accepted Accounting Principles; and
- (h) The words "include", "includes" and "including" denote that the subsequent list is not exhaustive.

A1.2 Definitions. In this Agreement, the following terms will have the following meanings:

"Aboriginal Group" includes the Indian, Inuit and Métis peoples of Canada or any other group holding Aboriginal or treaty rights under section 35 of the *Constitution Act, 1982*.

"Additional Terms and Conditions" means the terms and conditions referred to in section A9.1 of Schedule "A" to this Agreement and specified in Schedule "B" of this Agreement.

"AGA" means the *Auditor General Act*.

"Agreement" means this agreement entered into between the Province and the Recipient and includes all of the Schedules listed in section 1.1 of this Agreement and any amending agreement entered into pursuant to section 3.1 of this Agreement.

"Allocation Notice" means the notice that the Recipient received from the Province setting out the amount of Funds the Recipient is eligible to receive from the Province for the Funding Year in which the notice was issued. The "Allocation Notice" also includes the proposed allocation of Funds that the Recipient is eligible to receive for the following two Funding Years (although these proposed allocations are subject to change).

"Annual Financial Report" means the report that the Province will provide, either in paper or electronically, to the Recipient pursuant to this Agreement.

“Arm’s Length” has the same meaning as set out in the *Income Tax Act* (Canada), as it read on the Effective Date of this Agreement, and as treated or defined under Generally Accepted Accounting Principles.

“Auditor General” means the Auditor General of Ontario.

“BPSAA” means the *Broader Public Sector Accountability Act, 2010*.

“Business Day” means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year’s Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day; and any other day on which the Province is closed for business.

“Communications Protocol” means the protocol set out under Schedule “H” of this Agreement.

“Consultant” means any person the Recipient retains to do work related to this Agreement.

“Conflict Of Interest” includes any circumstances where:

- (a) The Recipient; or
- (b) Any person who has the capacity to influence the Recipient’s decisions, has outside commitments, relationships or financial interests that could, or could be seen to, interfere with the Recipient’s objective, unbiased and impartial judgment relating to the Project, the use of the Funds or both.

“Contract” means an agreement between the Recipient and a third-party whereby the third-party provides a good or service for the Project in return for financial consideration that may be submitted by the Recipient for the Province’s consideration as an Eligible Cost.

“Effective Date” means the date on which this Agreement is effective, as set out under section C1.1 of Schedule “C” of this Agreement.

“Eligible Costs” means those costs set out under section E1.1 of Schedule “E” of this Agreement.

“Event of Default” has the meaning ascribed to it in section 15.1 of Schedule “A” this Agreement.

“Expiry Date” means the date on which this Agreement will expire, as set out under section C1.2 of Schedule “C” of this Agreement unless amended or terminated prior to this date in accordance with the terms and conditions of this Agreement.

“FAA” means the *Financial Administration Act*.

“Failure” means a failure to comply with any term, condition, obligation under any other agreement that the Recipient has with Her Majesty the Queen in Right of Ontario or one of Her agencies.

“FIPPA” means the *Freedom of Information and Protection of Privacy Act, 1990*.

“First Nation” means a band, as defined under section 2(1) of the *Indian Act* (Canada).

"Funding Year" means the period commencing January 1st of one calendar year and ending December 31st of the same calendar year.

"Funds" means the money the Province provides to the Recipient pursuant to this Agreement, as set out in an Allocation Notice or Revised Allocation Notice issued under this Agreement each Funding Year.

"Indemnified Parties" means Her Majesty the Queen in Right of Ontario, Her Ministers, agents, appointees and employees.

"Ineligible Costs" means those costs set out under section E2.1 of Schedule "E" of this Agreement.

"Interest Earned" means the amount of money earned by the Recipient from placing the Funds in an interest bearing account as set out under section A3.4 of Schedule "A" of this Agreement.

"Local Services Board" means a board established under the *Northern Services Boards Act*.

"MA" means the *Municipal Act, 2001*.

"Notice" means any communication given or required to be given pursuant to this Agreement.

"Notice Period" means the period of time within which the Recipient is required to remedy an Event of Default, and includes any such period or periods of time by which the Province considers it reasonable to extend that time.

"Parties" means the Province and the Recipient collectively.

"Party" means either the Province or the Recipient.

"Project" means the undertaking:

- (a) Described in the Project Information Form the Province provides to the Recipient pursuant to this Agreement; and
- (b) Approved by the Province.

"Project Information Form" means the form that the Province will provide, either in paper or electronically, to the Recipient pursuant to this Agreement.

"PSSDA" means the *Public Sector Salary Disclosure Act, 1996*.

"Reports" means the reports set out under Schedule "I" of this Agreement.

"Requirements of Law" means all applicable statutes, regulations, by-laws, ordinances, codes, official plans, rules, approvals, permits, licenses, authorizations, orders, decrees, injunctions, directions and agreements with all authorities that now or at any time hereafter may relate to the Recipient, the Project, the Funds and this Agreement. Without limiting the generality of the foregoing, if the Recipient is subject to the *BPSAA*, the *PSSDA* or any other type of broader public sector accountability legislative provisions, the *BPSAA*, the *PSSDA*

and those broader public sector accountability legislative provisions are deemed to be a Requirement of Law.

“Revised Allocation Notice” means an Allocation Notice that the Province issues that alters an Allocation Notice that the Province previously issued.

“Term” means the period of time beginning on the Effective Date of this Agreement and ending on the Expiry Date unless terminated earlier pursuant to Articles A13, A14 or A15 of this Agreement.

- A1.3 Conflict.** Subject to section A9.1 of Schedule “A” of this Agreement, in the event of a conflict between the terms and conditions set out in this Schedule “A” of the Agreement and the terms or conditions set out in any other Schedule of this Agreement, the terms and conditions set out under this Schedule “A” of the Agreement will prevail.

ARTICLE A2

REPRESENTATIONS, WARRANTIES AND COVENANTS

- A2.1 General.** The Recipient represents, warrants and covenants that:

- (a) It is, and will continue to be for the Term of this Agreement, a validly existing legal entity with full power to fulfill its obligations under this Agreement;
- (b) It has, and will continue to have for the Term of this Agreement, the experience and expertise necessary to carry out the Project;
- (c) It has the financial resources necessary to carry out any Projects to which it directs any of the Funds being provided under this Agreement and is not indebted to any person to the extent that that indebtedness would undermine the Recipient’s ability to complete the Projects to which it directs the Funds;
- (d) It is in compliance with all Requirements of Law and will remain in compliance with all Requirements of Law related to any aspect of the Project, the Funds or both for the Term of this Agreement; and
- (e) Unless otherwise provided for in this Agreement, any information the Recipient provided to the Province in support of its request for Funds, including any information relating to any eligibility requirements, was true and complete at the time the Recipient provided it.

- A2.2 Execution Of Agreement.** The Recipient represents and warrants that it has:

- (a) The full power and authority to enter into this Agreement; and
- (b) Taken all necessary actions to authorize the execution of this Agreement.

- A2.3 Governance.** The Recipient represents, warrants and covenants that it has, and will maintain, in writing for the Term of this Agreement:

- (a) A code of conduct and ethical responsibilities for all persons at all levels of the Recipient’s organization;
- (b) Procedures to ensure the ongoing effective functioning of the Recipient;
- (c) Decision-making mechanisms for the Recipient;
- (d) Procedures to enable the Recipient to manage the Funds prudently and effectively;
- (e) Procedures to enable the Recipient to successfully complete the Project;
- (f) Procedures to enable the Recipient to, in a timely manner, identify risks to the completion of the Project and develop strategies to address those risks;

- (g) Procedures to enable the preparation and delivery of all Reports required under this Agreement; and
- (h) Procedures to enable the Recipient to deal with such other matters as the Recipient considers necessary to ensure that the Recipient carries out its obligations under this Agreement.

A2.4 Approvals, Licenses And Permits. The Recipient represents, warrants and covenants that it has or will apply for any approval, license, permit or similar authorization necessary to carry out the Project before carrying out the Project. For greater clarity, the Recipient acknowledges and agrees that the entering into this Agreement does not in any way obligate any regulatory authority established under an Act of the Ontario Legislature to issue any type of approval, license, permit or similar authorization that the Recipient may need or want in relation to undertaking any Project to which Funds are directed or to meet any other term or condition under this Agreement.

A2.5 Supporting Documentation. Upon request, and within the time period indicated in the Notice, the Recipient will provide the Province with proof of the matters referred to in this Article A2 of this Agreement.

A2.6 Additional Covenants. The Recipient undertakes to advise the Province within five (5) Business Days of:

- (a) Any changes that affect its representations, warranties and covenants under sections A2.1, A2.2, A2.3 or A2.4 of Schedule "A" of this Agreement during the Term of the Agreement; and
- (b) Any actions, suits or other proceedings which could or would reasonably prevent the Recipient from complying with the terms and conditions of this Agreement.

ARTICLE A3 FUNDS AND CARRYING OUT THE PROJECT

A3.1 Funds Provided. The Province will:

- (a) Provide the Recipient up to the amount of Funds set out in the Allocation Notice for each Funding Year during the Term of this Agreement for the sole purpose of carrying out one or more Projects;
- (b) Provide the Funds to the Recipient in accordance with Schedule "F" of this Agreement;
- (c) Deposit the Funds into an account designated by the Recipient, provided that account:
 - (i) Resides at a Canadian financial institution, and
 - (ii) Is in the name of the Recipient.

A3.2 Limitation On Payment Of Funds. Despite section A3.1 of Schedule "A" of this Agreement:

- (a) The Province is not obligated to provide any Funds set out in an Allocation Notice or Revised Allocation Notice to the Recipient in any Funding Year until:
 - (i) The Recipient provides the insurance certificate or other proof as the Province may request pursuant to section A12.2 of Schedule "A" of this Agreement,
 - (ii) The Recipient has submitted to the Ministry of Municipal Affairs any outstanding financial information returns by December 31st of each calendar year,

- (iii) The Recipient has submitted to the Ministry of Agriculture, Food and Rural Affairs all outstanding reporting under any other Ontario Community Infrastructure Fund contribution agreement, and
 - (iv) The Recipient has submitted to the Ministry of Agriculture, Food and Rural Affairs a copy of their asset management plan and any subsequent updates by December 31st of each calendar year if not previously submitted;
- (b) The Province is not obligated to provide any instalments of Funds set out in an Allocation Notice to the Recipient in any Funding Year until the Province is satisfied with the progress of the Project;
- (c) The Province may, acting reasonably:
 - (i) Adjust the amount of Funds set out in the Recipient's Allocation Notice or Revised Allocation Notice, and/or
 - (ii) Adjust the amount of Funds the Province actually provides to the Recipient in any Funding Year, and/or
 - (iii) Hold all or a portion of the Funds set out in the Recipient's Allocation Notice or Revised Allocation Notice
 based upon the Province's assessment of the information provided by the Recipient pursuant to Article A7 of Schedule "A" of this Agreement; and
- (d) If, pursuant to the FAA, the Province does not receive the necessary appropriation from the Ontario Legislature for any payment under this Agreement, the Province is not obligated to make any such payment, and, as a consequence, the Province may:
 - (i) Reduce the amount of Funds and, in consultation with the Recipient, change the Project without liability, penalty or costs; or
 - (ii) Terminate the Agreement pursuant to section A14.1 of Schedule "A" of this Agreement.

A3.3 Use Of Funds And Project. The Recipient will:

- (a) Only use the Funds being provided under this Agreement toward Projects that fall within the category of projects set out under section D1.1 of Schedule "D" of this Agreement;
- (b) Carry out and complete any Projects in accordance with the terms and conditions of this Agreement;
- (c) Use the Funds only for Eligible Costs that are necessary to carry out the Project; and
- (d) Not use the Funds for Ineligible Costs.

A3.4 Interest Bearing Account. If the Province provides Funds to the Recipient before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest-bearing account in the name of the Recipient at a Canadian financial institution. The Recipient will hold the Funds plus the Interest Earned in trust for the Province until the Recipient needs the Funds for the Projects.

A3.5 No Provincial Payment Of Interest. The Province is not required to pay interest on any Funds under this Agreement. For greater clarity, this includes interest on any Funds that the Province has withheld paying to the Recipient pursuant to a term or condition set out in this Agreement.

A3.6 Funds For Funding Year Limited To Amount Set Out In Allocation Notice Or Revised Allocation Notice. The Recipient acknowledges and agrees that the Funds available to it for a Funding Year will not exceed the amount set out in the Recipient's Allocation or Revised Allocation Notice for that Funding Year.

- A3.7 Recipient May Save Funds From One Funding Year To Use In Later Funding Years.** The Recipient may save any Funds that it receives in one Funding Year, including any interest earned thereon, for use in later Funding Years. Where the Recipient saves Funds from one Funding Year to use in later Funding Years, the Recipient will be deemed to have spent any Interest Earned first, followed by the principal.
- A3.8 Saved Funds From One Funding Year Must Be Spent Within Five Funding Years Of The Year The Funds Were Allocated.** Despite anything else in this Agreement, the Recipient will spend any Funds, including any interest earned thereon, that it received and has saved within five (5) Funding Years in which those Funds were received. By way of example only, if a Recipient received Funds from the Province in 2017 and decided to save those Funds, the Recipient must spend those Funds, including any interest earned thereon, by December 31, 2021. In the event that the Recipient does not spend those saved Funds in accordance with the requirements set out in this section A3.8 of the Agreement, those saved Funds, including any Interest Earned thereon, will be returned to the Province.
- A3.9 Transfer Of Funds.** The Recipient may transfer Funds provided under this Agreement to another entity provided the following is met:
- (a) The transfer of Funds is for a Project that is set out under section D1.1 of Schedule "D" of this Agreement;
 - (b) The Project is in both the Recipient and the other entity's asset management plan; and
 - (c) The entity receiving the Recipient's Funds must be eligible to receive those Funds.
- A3.10 Funds May Be Used For Projects Under Other Federal Or Provincial Funding Programs.** The Recipient may use the Funds being provided under this Agreement for projects covered under other provincial or federal funding programs provided the following is met:
- (a) The project is also a Project that is set out under section D1.1 of Schedule "D" of this Agreement; and
 - (b) The other provincial or federal funding program allows for Funds being provided under the Ontario Community Infrastructure Fund to be used toward a project under that other provincial or federal funding program.
- A3.11 Rebates, Credits and Refunds.** The Recipient acknowledges and agrees that the amount of Funds available to it pursuant to this Agreement is based on the actual costs to the Recipient, less any costs, for which the Recipient has received, will receive or is eligible to receive, a rebate, credit or refund.

ARTICLE A4 ABORIGINAL CONSULTATION

- A4.1 Provision Of Funds Dependent Upon The Province Meeting Its Duty To Consult Obligations.** The Recipient acknowledges and agrees that the provision of any Funds under this Agreement is strictly conditional upon the Province satisfying any obligations it may have to consult with and, if appropriate, accommodate any Aboriginal Group with an interest in any Project in which Funds are directed in order for the Project to proceed.
- A4.2 Recipient Is The Province's Delegate For Purposes Of Consultation With Aboriginal Groups.** By entering into this Agreement, the Province delegates the procedural aspects of

any consultation obligations the Province may have with any Aboriginal Group in relation to any Project in which Funds are directed to the Recipient as set out in Schedule "G" of this Agreement. The Recipient, by signing this Agreement acknowledges that the Province has delegated the procedural aspects of any consultation obligations that the Province may have with any Aboriginal Group in relation to any Project in which Funds are directed and accepts said delegation and agrees to act diligently as the Province's delegate so as to preserve the Honour of the Crown in relation to any consultation obligations that the Province may have in relation to any Project in which Funds are directed.

A4.3 *Recipients Obligations In Relation To Consultations.* The Recipient will:

- (a) Be responsible for consulting with any Aboriginal Group that has an interest in any Project in which Funds are directed on behalf of the Province in accordance with Schedule "G" of this Agreement;
- (b) Take directions from the Province in relation to consulting with any Aboriginal Group with an interest in any Project in which Funds are directed as well as any other directions that the Province may issue in relation to consultations, including suspending or terminating any Project in which Funds are directed; and
- (c) Provide a detailed description of any actions it took in relation to consultation with any Aboriginal Group with an interest in any Project in which Funds are directed in its Reports.

A4.4 *Recipient Will Not Start Construction On Any Project Until Recipient Provides Evidence To The Province That Notice Of Project Has Been Given To Identified Aboriginal Groups.* Despite anything else in this Agreement, the Recipient will not commence or allow a third party to commence construction on any aspect of any Project in which Funds are directed for forty-five (45) Business Days, or such other longer or shorter time as the Province may direct, after it has provided the Province with written evidence that the Recipient has sent notice about any Project in which Funds are directed to the Aboriginal Groups the Province has identified in accordance with Schedule "G" of this Agreement.

ARTICLE A5

RECIPIENT'S ACQUISITION OF GOODS AND SERVICES AND DISPOSAL OF ASSETS

A5.1 *Acquisition Of Goods And Services In Competitive Procurement Process.* The Recipient will acquire any goods and services for the Project through a transparent, competitive process that ensures the best value for any Funds expended and at no greater value than fair market value, after deducting trade discounts and/or other discounts available to the Recipient. Without limiting the generality of the foregoing, where the Recipient is a municipal entity to which the MA applies, the Recipient will follow its procurement policies required under the MA. Where the Recipient is a Local Services Board, the Recipient will obtain a minimum of three (3) written quotes for any goods or services which exceed twenty-five thousand dollars (\$25,000.00), unless the Province provides its prior written approval to obtain such goods or services in another manner. The Province may waive the requirements of this section A5.1 of the Agreement if:

- (a) The goods or services the Recipient is purchasing are not readily available; or
- (b) The Recipient has researched the market for a similar purchase within the last two (2) years and knows prevailing market costs for those good or services being purchased.

- A5.2 BPSAA.** For greater clarity, if the Recipient is subject to the *BPSAA* and there is a conflict between the *BPSAA* and a requirement under this Article A5 of the Agreement, the *BPSAA* will apply and prevail to the extent of that conflict.
- A5.3 Contracts.** The Recipient will ensure that all Contracts:
- (a) Are consistent with this Agreement;
 - (b) Do not conflict with this Agreement;
 - (c) Incorporate the relevant provisions of this Agreement to the fullest extent possible;
 - (d) Require that any parties to those Contracts comply with all Requirements of Law; and
 - (e) Authorize the Province to perform audits of the parties to those Contracts in relation to the Project or any Funds provided to those parties.
- A5.4 Use Of Consultants.** The Province recognizes and acknowledges that the Recipient may engage one or more Consultants for the purposes of carrying out any Projects in which Funds are directed. The Recipient will have sole responsibility for hiring and terminating the employment of said Consultants. The Recipient further acknowledges and agrees that the Recipient will be responsible for all acts and actions of the Recipient's Consultants and that all such acts and actions will be treated as acts and actions of the Recipient for the purposes of this Agreement.
- A5.5 Asset Retention.** The Recipient will comply with section C1.3 of Schedule "C" of this Agreement as it relates to the retention of any assets purchased, built or rehabilitated with Funds being provided under this Agreement.
- A5.6 Trade Agreements.** If the Recipient is subject to any provincial or federal trade agreements to which the Province is a party, the Recipient will comply with the applicable requirements of such trade agreements. In particular, and without limitation, if the Recipient is subject to Annex 502.4 of the *Agreement on Internal Trade*, the Recipient will comply with all applicable requirements of Annex 502.4. In the event of any conflict between any requirement under Annex 502.4 and a requirement under this Article A5 of the Agreement, Annex 502.4 will apply and prevail to the extent of that conflict.

ARTICLE A6 CONFLICT OF INTEREST

- A6.1 No Conflict Of Interest.** The Recipient will carry out the Project and use the Funds without an actual, potential or perceived Conflict of Interest.
- A6.2 Disclosure To The Province:** The Recipient will:
- (a) Disclose to the Province, without delay, any situation that a reasonable person would interpret as an actual, potential or perceived Conflict Of Interest; and
 - (b) Comply with any terms and conditions that the Province may impose as a result of the disclosure.

ARTICLE A7 REPORTS, RECORDS, INSPECTION, AUDITS AND THE PROVISION OF INFORMATION

- A7.1 Preparation And Submission.** The Recipient will:

- (a) Submit to the Province at the address referred to in section C1.4 of Schedule "C" of this Agreement all Reports in accordance with the timelines and content requirements set out in Schedule "I" of this Agreement, or in a form as specified by the Province from time to time;
- (b) Ensure that all Reports are completed to the satisfaction of the Province; and
- (c) Ensure that all Reports are signed on behalf of the Recipient by an authorized signing officer and that the accompanying attestation has been completed.

A7.2 Records Maintenance. The Recipient will keep and maintain:

- (a) All financial records, including invoices, relating to the Funds or otherwise to the Project in a manner consistent with generally acceptable accounting principles; and
- (b) All non-financial documents and records relating to the Funds or otherwise to the Project in a manner consistent with all Requirements of Law.

A7.3 Inspection. The Province, its authorized representatives or an independent auditor identified by the Province may, at its own expense, upon twenty-four (24) hours' Notice to the Recipient during normal business hours, enter the Recipient's premises to review the progress of the Project and the Recipient's allocation and expenditure of the Funds and, for these purposes, the Province, its authorized representatives or an independent auditor identified by the Province may take one or more of the following actions:

- (a) Inspect and copy the records and documents referred to in this section A7.2 of Schedule "A" of this Agreement;
- (b) Remove any copies made pursuant to section A7.3(a) of Schedule "A" of this Agreement from the Recipient's premises; and
- (c) Conduct an audit or investigation of the Recipient in respect of the expenditure of the Funds, the Project or both.

A7.4 Disclosure. To assist in respect of the rights set out under section A7.3 of Schedule "A" of this Agreement, the Recipient will disclose any information requested by the Province, its authorized representatives or an independent auditor identified by the Province and will do so in the form requested by the Province, its authorized representatives or an independent auditor identified by the Province, as the case may be.

A7.5 No Control Of Records. No provision of this Agreement will be construed so as to give the Province any control whatsoever over the Recipient's records.

A7.6 Auditor General. For greater certainty, the Province's rights under this Article of the Agreement are in addition to any rights provided to the Auditor General pursuant to section 9.1 of the AGA.

A7.7 Provision Of Information. The Recipient will provide to the Province, within the time period set out in the Notice, such information in respect of this Agreement or any Project in which Funds are directed as the Province requests.

ARTICLE A8 COMMUNICATIONS

A8.1 Recipient To Follow Communications Protocol. The Recipient will follow the Communications Protocol set out under Schedule "H" of this Agreement.

A11.5 Settlement Authority. The Recipient will not enter into a settlement of any proceeding against any Indemnified Parties unless the Recipient has obtained the prior written approval of the Province. If the Recipient is requested by the Province to participate in or conduct the defence of any proceeding, the Province will co-operate with and assist the Recipient to the fullest extent possible in the proceeding and any related settlement negotiations.

A11.6 Recipient's Co-operation. If the Province conducts the defence of any proceedings, the Recipient will co-operate with and assist the Province to the fullest extent possible in the proceedings and any related settlement negotiations.

ARTICLE A12

INSURANCE

A12.1 Recipient's Insurance. The Recipient represents and warrants that it has, and will maintain for each Project being funded under this Agreement for a period of ninety (90) days after the Recipient has submitted a Project Information Form attesting that the Project is complete, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury and property damage, to an inclusive limit of not less than the amount set out under section C1.5 of Schedule "C" of this Agreement per occurrence. The policy will include the following:

- (a) The Indemnified Parties as additional insureds with respect to liability arising in the course or performance of the Recipient's obligations under, or otherwise in connection with, the Project or under this Agreement;
- (b) A cross-liability clause;
- (c) Contractual liability coverage;
- (d) Products and completed operations liability coverage;
- (e) Employer's liability coverage;
- (f) Tenant's legal liability coverage (for premises/building leases only);
- (g) Non-owned automobile coverage with blanket contractual and physical damage coverage for hired automobiles; and
- (h) A thirty (30) day written notice of cancellation provision.

A12.2 Proof Of Insurance. The Recipient will provide the Province with certificates of insurance, or other proof as the Province may request within the time limit set out in that request, that confirms the insurance coverage as required under section A12.1 of Schedule "A" of this Agreement.

A12.3 Right Of "First Call" On Insurance Proceeds. The Recipient will provide the Indemnified Parties with a right of "first call" or priority over any other person, including the Recipient, to use or enjoy the benefits of the proceeds from the insurance policy required under section A12.1 of Schedule "A" of this Agreement to pay any suits, judgments, claims, demands, expenses, actions, causes of action and losses (including without limitation, reasonable legal expenses and any claim for a lien made pursuant to the *Construction Lien Act* and for any and all liability, damages to property and injury to persons (including death)) that may be brought against the Indemnified Parties as a result of this Agreement.

A8.2 Publication By The Province. The Recipient agrees the Province may, in addition to any obligations the Province may have under *FIPPA*, publicly release information under this Agreement, including the Agreement itself, in hard copy or in electronic form, on the internet or otherwise.

ARTICLE A9 ADDITIONAL TERMS AND CONDITIONS

A9.1 Additional Terms and Conditions. The Recipient will comply with any Additional Terms and Conditions set out under Schedule "B" of this Agreement. In the event of a conflict or inconsistency between any of the requirements of the Additional Terms and Conditions and any requirements of this Schedule "A" of this Agreement, the Additional Terms and Conditions will prevail.

ARTICLE A10 DISCLOSURE OF INFORMATION PROVIDED TO THE PROVINCE

A10.1 FIPPA. The Recipient acknowledges that the Province is bound by the *FIPPA*.

A10.2 Disclosure Of Information. Any information provided to the Province in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with *FIPPA* and any other Requirements of Law.

ARTICLE A11 INDEMNITY, LIMITATION OF LIABILITY AND DUTY TO DEFEND

A11.1 Indemnification. The Recipient hereby agrees to indemnify and hold harmless the Indemnified Parties from and against any and all direct or indirect liability, loss, costs, damages and expenses (including legal, expert and consultant fees), causes of action, actions, claims, demands, lawsuits or other proceedings, by whomever made, sustained, incurred, brought or prosecuted, in any way arising out of or in connection with the Project or otherwise in connection with this Agreement, unless solely caused by the gross negligence or wilful misconduct of the Province.

A11.2 Exclusion Of Liability. The Recipient acknowledges and agrees that in no event will the Province be liable for any general, compensatory, incidental, special or consequential damages, or any loss of use, revenue or profit by the Recipient or the Recipient's officers, servants, employees and agents arising out of or in any way related to this Agreement.

A11.3 Recipient's Participation. The Recipient will, at its expense, to the extent requested by the Province, participate in or conduct the defence of any proceeding against any Indemnified Parties and any negotiations for their settlement.

A11.4 Province's Election. The Province may elect to participate in or conduct the defence of any proceeding by providing Notice to the Recipient of such election without prejudice to any other rights or remedies of the Province under this Agreement, at law or in equity. Each Party participating in the defence will do so by actively participating with the other's counsel.

ARTICLE A13 TERMINATION ON NOTICE

A13.1 Termination On Notice. The Province may terminate this Agreement at any time without liability, penalty or costs upon giving at least thirty (30) days' Notice to the Recipient.

A13.2 Consequences Of Termination On Notice By The Province. If the Province terminates this Agreement pursuant to section A13.1 of Schedule "A" of this Agreement, the Province may take one or more of the following actions:

- (a) Direct that the Recipient does not incur any costs for the Project that are Eligible Costs under this Agreement without the Province's prior written consent;
- (b) Cancel any further installments of the Funds;
- (c) Demand the repayment of any Funds remaining in the possession or under the control of the Recipient; and
- (d) Determine the reasonable costs for the Recipient to wind down the Project, and do either or both of the following:
 - (i) Permit the Recipient to offset such costs against the amount owing pursuant to section A12.3(c) of Schedule "A" of this Agreement; and
 - (ii) Subject to section A3.9 of Schedule "A" of this Agreement, provide Funds to the Recipient to cover such costs.

ARTICLE A14 TERMINATION WHERE NO APPROPRIATION

A14.1 Termination Where No Appropriation. If, as provided for in section A3.2(d) of Schedule "A" of this Agreement, the Province does not receive the necessary appropriation from the Ontario Legislature for any payment the Province is to make pursuant to this Agreement, the Province may terminate the Agreement immediately without liability, penalty or costs by giving Notice to the Recipient.

A14.2 Consequences Of Termination Where No Appropriation. If the Province terminates this Agreement pursuant to section A14.1 of Schedule "A" of this Agreement, the Province may take one or more of the following actions:

- (a) Cancel any further installments of the Funds;
- (b) Demand the repayment of any Funds plus any Interest Earned on the unspent Funds remaining in the possession or under the control of the Recipient; and
- (c) Determine the reasonable costs for the Recipient to wind down the Project and permit the Recipient to offset such costs against the amount owing pursuant to section A14.2(b) of Schedule "A" of this Agreement.

A14.3 No Additional Funds. For greater clarity, if the costs determined pursuant to section A14.2(c) of Schedule "A" of this Agreement exceed the Funds remaining in the possession or under the control of the Recipient, the Province will not provide additional Funds to the Recipient.

ARTICLE A15

EVENT OF DEFAULT, CORRECTIVE ACTION AND TERMINATION FOR DEFAULT

A15.1 Events Of Default. Each of the following events will constitute an Event of Default:

- (a) In the opinion of the Province, the Recipient breaches any representation, warranty, covenant or other term of the Agreement, including failing to do any of the following in accordance with the terms and conditions of this Agreement:
 - (i) Carry out the Project,
 - (ii) Use or spend the Funds,
 - (iii) Provide any Reports required under this Agreement, or
 - (iv) The Recipient fails to follow any directions that the Province provides under this Agreement;
- (b) The Recipient has provided false or misleading information to the Province;
- (c) The Recipient is unable to continue any Project in which Funds are directed or the Recipient is likely to discontinue any Project in which Funds are directed;
- (d) The Recipient's operations, or its organizational structure, changes such that it no longer meets one or more of the eligibility requirements of the program under which the Province provides the Funds;
- (e) The Recipient makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or a creditor makes an application or an order adjudging the Recipient bankrupt, or applies for the appointment of a receiver; or
- (f) The Recipient ceases to operate.

A15.2 Consequences Of Events Of Default And Corrective Action. If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

- (a) Initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of the Project;
- (b) Provide the Recipient with an opportunity to remedy the Event of Default;
- (c) Suspend the payment of Funds for such a period as the Province determines appropriate;
- (d) Reduce the amount of Funds;
- (e) Cancel any further installments of the Funds;
- (f) Demand the repayment of any Funds remaining in the possession or under the control of the Recipient;
- (g) Demand the repayment of an amount equal to any Funds the Recipient used, but did not use in accordance with the terms and conditions of this Agreement;
- (h) Demand the repayment of an amount equal to any Funds the Province provided to the Recipient, even though the Project is partially completed; and
- (i) Terminate this Agreement at any time, including immediately, without liability, penalty or costs to the Province upon giving Notice to the Recipient.

A15.3 Opportunity To Remedy. If, in accordance with section A15.2(b) of Schedule "A" of this Agreement, the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will provide Notice to the Recipient of:

- (a) The particulars of the Event of Default; and
- (b) The Notice Period.

A15.4 Recipient Not Remediating. If the Province has provided the Recipient with an opportunity to remedy the Event of Default pursuant to section A15.2(b) of Schedule "A" of this Agreement, and;

- (a) The Recipient does not remedy the Event of Default within the Notice Period;

- (b) It becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or
 - (c) The Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,
- the Province may extend the Notice Period, or initiate any one or more of the actions provided for in sections A15.2(b), (c), (d), (e), (f), (g), (h) and (i) of Schedule "A" of this Agreement.

A15.5 *When Termination Effective.* Termination under this Article A15 of Schedule "A" of this Agreement will take effect as set out in the Notice.

ARTICLE A16 LOBBYISTS AND AGENT FEES

A16.1 *Lobbyists And Agent Fees.* The Recipient represents and warrants:

- (a) Any person hired by the Recipient to speak or correspond with any employee or other person representing the Province concerning any matter relating to any Funds under this Agreement or any benefit hereunder is registered, if required to register, pursuant to the *Lobbyists Registration Act, 1998*;
- (b) It has not and will not make a payment or other compensation to any other legal entity that is contingent upon or is calculated upon the provision of any Funds hereunder or negotiating the whole or any part of the terms or conditions of this Agreement; and
- (c) No money from the Province was used or will be used to lobby or otherwise secure the provision of any Funds in relation to this Agreement.

ARTICLE A17 FUNDS UPON EXPIRY

A17.1 *Funds Upon Expiry.* The Recipient will, upon the expiry of the Agreement, return to the Province any unspent Funds remaining in its possession or under its control plus any Interest Earned on the unspent Funds.

ARTICLE A18 REPAYMENT

A18.1 *Repayment Of Overpayment Or Unspent Saved Funds.* If at any time during the Term of this Agreement the Province provides Funds in excess of the amount to which the Recipient is eligible to receive under this Agreement or the Recipient does not spend any Funds that it has saved in accordance with section A3.8 of this Agreement, the Province may:

- (a) Deduct an amount equal to the excess or saved Funds plus Interest Earned from any further installments of the Funds; or
- (b) Demand that the Recipient pay an amount equal to the excess or saved Funds plus Interest Earned to the Province.

A18.2 *Debt Due.* If, pursuant to this Agreement:

- (a) The Province demands the payment of any Funds or an amount equal to any Funds from the Recipient; or
- (b) The Recipient owes any Funds or an amount equal to any Funds to the Province, whether or not their return or repayment has been demanded by the Province,

such Funds or other amount will be deemed to be a debt due and owing to the Province by the Recipient and the Recipient will pay or return the amount to the Province immediately, unless the Province directs otherwise. For greater clarity, in the event that the Recipient makes an assignment, proposal, compromise or arrangement for the benefit of creditors or a creditor makes an application for an order adjudging the Recipient bankrupt or applies for the appointment of a receiver, this section A18.2 of Schedule "A" of this Agreement will not affect any Funds that the Recipient is holding in trust for the Province under section A3.4 of Schedule "A" of this Agreement.

A18.3 Interest Rate. The Province may charge the Recipient interest on any money owing by the Recipient at the then current interest rate charged by the Province of Ontario on accounts receivable.

A18.4 Payment Of Money To Province. If the Province requires the Recipient to repay any Funds or Interest Earned to the Province, the Recipient will pay any money owing to the Province by cheque payable to the "Ontario Minister of Finance" and delivered to the Province at the address referred to in section A19.1 of Schedule "A" of this Agreement.

A18.5 Repayment. Without limiting the application of section 43 of the *FAA*, if the Recipient does not repay any amount owing under this Agreement, Her Majesty the Queen in Right of Ontario may set off any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in Right of Ontario.

A18.6 Funds Are Part Of A Social Or Economic Program. The Recipient acknowledges and agrees that any Funds provided under this Agreement are for the administration of social or economic programs or the provision of direct or indirect support to members of the public in connection with social or economic policy.

ARTICLE A19 NOTICE

A19.1 Notice In Writing And Addressed. Notice will be in writing and will be delivered by email, postage-paid mail, personal delivery or fax and will be addressed to the Province and the Recipient respectively as set out in section C1.6 of Schedule "C" of this Agreement or as either Party later designates to the other by written Notice.

A19.2 Notice Given. Notice will be deemed to have been given:

- (a) In the case of postage-paid mail, five (5) Business Days after the Notice is mailed; or
- (b) In the case of email, personal delivery or fax, one (1) Business Day after the Notice is delivered.

A19.3 Postal Disruption. Despite section A19.2(a) of Schedule "A" of this Agreement, in the event of a postal disruption,

- (a) Notice by postage-paid mail will not be deemed to be received; and
- (b) The Party giving Notice will provide Notice by email, personal delivery or fax.

ARTICLE A20 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT

A20.1 Consent. When the Province provides its consent pursuant to this Agreement, that consent will not be considered valid unless that consent is in writing and the person providing the consent indicates in the consent that that person has the specific authority to provide that consent. The Province may also impose any terms and conditions on the consent and the Recipient will comply with such terms and conditions.

ARTICLE A21 SEVERABILITY OF PROVISIONS

A21.1 Invalidity Or Unenforceability Of Any Provision. The invalidity or unenforceability of any provision in this Agreement will not affect the validity or enforceability of any other provision of this Agreement. Any invalid or unenforceable provision will be deemed to be severed.

ARTICLE A22 WAIVER

A22.1 Waivers In Writing. If a Party fails to comply with any term or condition of this Agreement that Party may only rely on a waiver of the other Party if the other Party has provided a written waiver in accordance with the Notice provisions in Article A19 of Schedule "A" of this Agreement. Any waiver must refer to a specific failure to comply and will not have the effect of waiving any subsequent failures to comply. For greater clarity, where the Province chooses to waive a term or condition of this Agreement, such waiver will only be binding if provided by a person who indicates in writing that he or she has the specific authority to provide the waiver.

ARTICLE A23 INDEPENDENT PARTIES

A23.1 Parties Independent. The Recipient acknowledges and agrees that it is not an agent, joint venturer, partner or employee of the Province and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is or take any actions that could establish or imply such a relationship.

ARTICLE A24 ASSIGNMENT OF AGREEMENT OR FUNDS

A24.1 No Assignment. The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under this Agreement.

A24.2 Agreement Binding. All rights and obligations contained in this Agreement will extend to and be binding on the Parties' respective heirs, executors, administrators, successors and permitted assigns.

ARTICLE A25 GOVERNING LAW

A25.1 Governing Law. This Agreement and the rights, obligations and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with this Agreement will be conducted in the Courts of Ontario, which will have exclusive jurisdiction over such proceedings.

ARTICLE A26 FURTHER ASSURANCES

A26.1 Agreement Into Effect. The Recipient will provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains and will otherwise do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of this Agreement to their full extent.

ARTICLE A27 JOINT AND SEVERAL LIABILITY

A27.1 Joint And Several Liability. Where the Recipient is comprised of more than one entity, all such entities will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under this Agreement.

ARTICLE A28 RIGHTS AND REMEDIES CUMULATIVE

A28.1 Rights And Remedies Cumulative. The rights and remedies of the Province under this Agreement are cumulative and are in addition to, and not in substitution of, any of its rights and remedies provided by law or in equity.

ARTICLE A29 JOINT AUTHORSHIP

A29.1 Joint Authorship Of Agreement. The Parties will be considered joint authors of this Agreement and no provision herein will be interpreted against one Party by the other Party because of authorship. No Party will seek to avoid a provision herein because of its authorship through recourse to a third party, court, tribunal or arbitrator.

ARTICLE A30 FAILURE TO COMPLY WITH OTHER AGREEMENT

A30.1 Other Agreements. If the Recipient:

- (a) Has committed a Failure;
- (b) Has been provided with notice of such Failure in accordance with the requirements of such other agreement;
- (c) Has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
- (d) Such Failure is continuing,

the Province may suspend the payment of Funds under this Agreement without liability, penalty or costs for such period as the Province determines appropriate.

ARTICLE A31

SURVIVAL

A31.1 *Survival.* The provisions of this Agreement that by their nature survive the expiration or early termination of this Agreement will so survive for a period of seven (7) years from the Expiry Date expiry or date of termination. Without limiting the generality of the foregoing, the following Articles and sections, and all applicable cross-referenced sections and schedules will continue in full force and effect for a period of seven (7) years from the Expiry Date or the date of termination: Article A1 and any other applicable definitions, sections A3.2(d), A3.5, section 4.2, section A7.1 (to the extent that the Recipient has not provided the Reports to the satisfaction of the Province), section A6.2 , Article A7, Article A11, section A13.2, sections A14.2 and A14.3, sections A15.1, A15.2(d), (e), (f), (g) and (h), Article A17, Article A18, Article A19, Article A21, section A24.2, Article A25, Article A27, Article A28, Article A29, Article A30 and this Article A31.

A31.2 *Survival After Creation.* Despite section A31.1 of this Agreement, section A7.2 of this Agreement, including all cross-referenced provisions and Schedules, will continue in full force and effect for a period of seven (7) years from the date in which that document or record referred to in section A7.2 of this Agreement was created.

[REST OF PAGE INTENTIONALLY LEFT BLANK – SCHEDULE “B” FOLLOWS]

**SCHEDULE “B”
ADDITIONAL TERMS AND CONDITIONS**

B1.1 *No Additional Terms And Conditions: There are no additional terms or conditions for this Agreement.*

[REST OF PAGE INTENTIONALLY LEFT BLANK – SCHEDULE “C” FOLLOWS]

SCHEDULE "C"

OPERATIONAL REQUIREMENTS UNDER THE AGREEMENT

- C1.1 *Effective Date.*** The Effective Date of this Agreement is as of the date that the Province signs it.
- C1.2 *Expiry Date.*** The Expiry Date of this Agreement is March 31, 2027.
- C1.3 *Disposal Of Assets.*** The Recipient will retain any assets purchased, rehabilitated or built with the Funds under this Agreement for a period of five (5) years from the date that the Project is completed. Within this five (5) year period, the Recipient may ask for the Province's consent to dispose of any assets purchased, rehabilitated or built with the Funds under this Agreement. The Province may impose any reasonable conditions, including requesting the return of Funds from the Recipient, in return for its consent.
- C1.4 *Submission Of Reports.*** All Reports under this Agreement will be submitted to the Province using the address supplied under section C1.6 of this Schedule "C" of the Agreement or any other person identified by the Province in writing.
- C1.5 *Insurance Amount.*** The amount of insurance the Recipient will have for the purposes of section A12.1 of Schedule "A" of this Agreement is no less than two million dollars (\$2,000,000.00) in general commercial liability insurance per occurrence.
- C1.6 *Providing Notice.*** All Notices under this Agreement will be provided to:

TO THE PROVINCE	TO THE RECIPIENT
Ministry of Agriculture, Food and Rural Affairs Rural Programs Branch 1 Stone Road West, 4NW Guelph, Ontario N1G 4Y2 Attention: Manager, Infrastructure Renewal Programs Fax: 519-826-3398 Email: OCIF@ontario.ca	The Corporation of the Township of Melancthon 157101 Highway 10, RR 6 Melancton, Ontario L9V 2E6 Attention: Denise Holmes Fax: Email: dholmes@melancthontownship.ca

or any other person identified by the Parties in writing.

[REST OF PAGE INTENTIONALLY LEFT BLANK – SCHEDULE "D" FOLLOWS]

SCHEDULE “D” ELIGIBLE PROJECT CATEGORIES

D1.1 Eligible Project. Eligible Projects include:

- (a) The development and implementation of asset management plans (e.g. software, training, inspections) and the implementation of Composite Correction Program recommendations.
- (b) Capital projects and capital maintenance for the renewal, rehabilitation and replacement of core infrastructure assets or capital construction of new core infrastructure that addresses an existing health or safety issue, including:
 - (i) Water:
 - a. Water treatment, and
 - b. Water distribution/transmission.
 - (ii) Wastewater:
 - a. Wastewater treatment and disposal,
 - b. Sanitary sewer systems, and
 - c. Storm sewer systems (urban and rural).
 - (iii) Roads:
 - a. Paved roads,
 - b. Unpaved roads,
 - c. Bus-only lanes,
 - d. Street lighting may be included as an eligible item when part of a road project, and
 - e. Sidewalks and/or cycling lanes located along an existing road.
 - (iv) Bridges and Culverts:
 - a. Sidewalks and/or cycling lanes located along an existing road.

Without limiting the foregoing, the Project must be part of the Recipient’s asset management plan in order to be eligible.

A Recipient may transfer its yearly allocation to another recipient in the furtherance of a joint project, provided:

- (a) The joint project is listed as a priority in the asset management plans for the Recipient and other recipients;
- (b) The Recipient and other recipients inform the Province in writing that they are undertaking a joint project prior to implementation; and
- (c) The Recipient and other recipients have an agreement in place governing the joint project, including how the joint project is being funded.

D2.1 Ineligible Projects. Ineligible projects are any project not part of the Recipient’s Asset Management Plan, and also include:

- (a) Projects that are routine upgrades or improvements to storm water infrastructure and drainage (Note: an eligible project must eliminate or significantly reduce the potential for serious damages to adjacent critical infrastructure (e.g. roads, bridges, etc.));
- (b) Growth-related expansion projects (e.g. new subdivision infrastructure);
- (c) Infrastructure expansion projects to accommodate future employment or residential development on greenfield sites; and
- (d) Recreational trail projects.

SCHEDULE "E"

ELIGIBLE AND INELIGIBLE COSTS

E1.1 Eligible Costs. Subject to the terms and conditions of this Agreement and section E.2 of this Schedule "E" of the Agreement, Eligible Costs shall only include all direct and incremental costs that are attributable to the development and implementation of the Project and are in the Province's sole and absolute discretion, properly and reasonably incurred as well as necessary for the Project. Eligible Costs must also be actual, verifiable cash outlays that are documented through invoices, receipts or other records that is acceptable to the Province.

Without limiting the generality of the foregoing, Eligible Costs shall only include the following:

- (a) The capital costs of constructing, rehabilitating, replacing or improving, in whole or in part, a tangible core infrastructure asset;
- (b) Development and implementation of asset management plans (e.g. software, training third-party condition assessments), including Consultant costs;
- (c) Activities that improve the performance or increase the capacity of existing water and wastewater infrastructure under the Composite Correction Program including third-party comprehensive performance evaluations and third-party comprehensive technical assistance;
- (d) Up to 40% of the annual Funds allocation to a maximum of eighty thousand dollars (\$80,000.00) per year for Recipient staff members whose responsibilities include asset management and/or Composite Correction Program implementation while receiving third-party comprehensive technical assistance;
- (e) All capital planning and assessment costs, such as the costs of environmental planning, surveying, engineering, architectural supervision, testing and management consulting services;
- (f) The costs for permits, approvals, licences and other authorizing documents, as well as inspections and other fees directly attributable to obtaining a permit, approval, licence or other authorizing document, provided those costs are directly attributable to the construction and implementation of Project;
- (g) Loan payments and interest charges on eligible core infrastructure activities started after January 1, 2017 that the Recipient has obtained financing to complete;
- (h) The costs for consulting with an Aboriginal Group, including the Recipient's legal fees, provided they are reasonable, on matters pertaining to the Project, including the translation of documents into languages spoken by the affected Aboriginal Group, but does not include any capacity-building funding unless specifically approved by the Province in writing prior to being incurred;
- (i) The costs of Project-related signage, lighting, Project markings and utility adjustments;
- (j) The costs of joint communication activities, such as press releases, press conferences, translation and road signage recognition, as described in Schedule "H" of this Agreement; and
- (k) Other costs that are, in the Province's sole and absolute discretion, direct, incremental and necessary for the successful implementation of the Project, provided those costs have been approved by the Province in writing prior to being incurred.

E2.1 Ineligible Costs. The following costs are Ineligible Costs and are therefore ineligible to be paid from the Funds being provided under this Agreement:

- (a) Costs incurred which are not in accordance with section A5.1 of Schedule "A" of this Agreement;

- (b) Any costs related to any ineligible projects set out under section D2.1 of Schedule "D" of this Agreement;
- (c) Costs associated with the acquisition or leasing of:
 - (i) Land,
 - (ii) Buildings,
 - (iii) Equipment,
 - (iv) Other facilities, and
 - (v) Obtaining easements, including costs or expenses for surveys, and includes real estate fees and other related costs;
- (d) Costs associated with moveable / transitory assets (e.g. portable generators, etc.) or rolling stock (e.g. trucks, graders, etc.);
- (e) Costs related to recreational trails;
- (f) Legal fees, other than those associated with consultation with Aboriginal Groups (provided such legal fees are reasonable), as well as loan and interest payments that do not comply with section E1.1(g) of Schedule "E" of this Agreement;
- (g) Taxes, regardless of any rebate eligibility;
- (h) The value of any goods and services which are received through donations or in kind;
- (i) Employee wages and benefits, overhead costs as well as other direct or indirect operating, maintenance and administrative costs incurred by the Recipient for the Project, and more specifically, but without limiting the generality of the foregoing, costs relating to services delivered directly by permanent employees of the Recipient;
- (j) Meal, hospitality or incidental costs or expenses of Consultants;
- (k) Costs associated with completing Expressions of Interest and/or applications for the Ontario Community Infrastructure Fund or the Building Canada Fund – Small Communities Fund;
- (l) Costs of accommodation for any Aboriginal Group; and
- (m) Costs incurred contrary to section A16.1 of Schedule "A" of this Agreement.

E2.2 Costs Of Non-Arm's Length Parties. The costs or expenses of goods or services acquired from parties that are not Arm's Length from the Recipient must be valued at the cost of the supplying entity and shall not include any mark up for profit, return on investment or overhead costs and shall not exceed fair market value. The Province may not consider the eligibility of any of these costs unless access is provided to the relevant records of the supplying entity.

[REST OF PAGE INTENTIONALLY LEFT BLANK – SCHEDULE "F" FOLLOWS]

SCHEDULE "F"

FINANCIAL INFORMATION

- F1.1 Allocation Notices Form Part Of Schedule "F" Upon Being Issued.** The Parties agree that when the Province issues an Allocation Notice to the Recipient for a Funding Year, that Allocation Notice will become part of this Schedule "F" of the Agreement upon being issued by the Province and is enforceable under this Agreement.
- F1.2 Revised Allocation Notices Form Part Of Schedule "F" Upon Being Issued.** The Parties agree that in the event that the Province issues a Revised Allocation Notice for whatever reason, that Revised Allocation Notice will revoke and replace the Allocation Notice for which the Revised Allocation Notice was issued and that Revised Allocation Notice will become part of this Schedule "F" of the Agreement upon being issued by the Province and will be enforceable under this Agreement.
- F1.3 No Amending Agreement Needed To Have Allocation Notice Or Revised Allocation Notice Become Part Of Schedule "F" Of Agreement.** For greater clarity, and despite section 3.1 of the Agreement, the Parties agree that this Schedule "F" may be altered by the issuance of an Allocation Notice or a Revised Allocation Notice without having to amend this Agreement.
- F2.1 Payment Of Funds.** Subject to the terms and conditions of this Agreement, the Province will provide any Funds pursuant to this Agreement in accordance with the following:
- (a) Where the Funds are less than one hundred fifty thousand dollars (\$150,000.00), the Province will make one (1) payment to the Recipient by March 31 of the allocation year;
 - (b) Where the Funds are more than one hundred fifty thousand dollars (\$150,000.00), but less than one million dollars (\$1,000,000.00), the Province will make six (6) payments to the Recipient over the calendar year; and
 - (c) Where the Funds are more than one million dollars (\$1,000,000.00), the Province will make twelve (12) payments to the Recipient over the calendar year.

[REST OF PAGE INTENTIONALLY LEFT BLANK – SCHEDULE "G" FOLLOWS]

SCHEDULE "G"

ABORIGINAL CONSULTATION REQUIREMENTS

G1.1 Purpose. This Schedule sets out the responsibilities of the Province and the Recipient in relation to consultation with Aboriginal Groups on the Project, and to delegate procedural aspects of consultation from the Province to the Recipient.

G1.2 Definitions. For the purposes of this Schedule:

"Section 35 Duty" means any duty the Province may have to consult and, if required, accommodate Aboriginal Groups in relation to the Project flowing from section 35 of the *Constitution Act, 1982*.

G2.1 The Province's Responsibilities. The Province is responsible for:

- (a) Determining the Aboriginal Groups to be consulted in relation to the Project, if any, and advising the Recipient of same;
- (b) The preliminary and ongoing assessment of the depth of consultation required with the Aboriginal Groups;
- (c) Delegating, at its discretion, procedural aspects of consultation to the Recipient pursuant to this Schedule;
- (d) Directing the Recipient to take such actions, including without limitation suspension as well as termination of the Project, as the Province may require;
- (e) Satisfying itself, where it is necessary to do so, that the consultation process in relation to the Project has been adequate and the Recipient is in compliance with this Schedule; and
- (f) Satisfying itself, where any Aboriginal or treaty rights and asserted rights of Aboriginal Groups require accommodation, that Aboriginal Groups are appropriately accommodated in relation to the Project.

G3.1 Recipient's Responsibilities. The Recipient is responsible for:

- (a) Giving notice to the Aboriginal Groups regarding the Project as directed by the Province, if such notice has not already been given by the Recipient or the Province;
- (b) Immediately notifying the Province of contact by any Aboriginal Groups regarding the Project and advising of the details of the same;
- (c) Informing the Aboriginal Groups about the Project and providing to the Aboriginal Groups a full description of the Project unless such description has been previously provided to them;
- (d) Following up with the Aboriginal Groups in an appropriate manner to ensure that Aboriginal Groups are aware of the opportunity to express comments and concerns about the Project, including any concerns regarding adverse impacts on hunting, trapping, fishing, plant harvesting or on burial grounds or archaeological sites of cultural significance to the Aboriginal Groups, and immediately advising the Province of the details of the same;
- (e) Informing the Aboriginal Groups of the regulatory and approval processes that apply to the Project of which the Recipient is aware after reasonable inquiry;
- (f) Maintaining the Aboriginal Groups on the Recipient's mailing lists of interested parties for environmental assessment and other purposes and providing to the Aboriginal Groups all notices and communications that the Recipient provides to interested parties and any notice of completion;

- (g) Making all reasonable efforts to build a positive relationship with the Aboriginal Groups in relation to the Project;
- (h) Providing the Aboriginal Groups with reasonable opportunities to meet with appropriate representatives of the Recipient and meeting with the Aboriginal Groups to discuss the Project, if requested;
- (i) If appropriate, providing reasonable financial assistance to Aboriginal Groups to permit effective participation in consultation processes for the Project, but only after consulting with the Province;
- (j) Considering comments provided by the Aboriginal Groups regarding the potential impacts of the Project on Aboriginal or treaty rights or asserted rights, including adverse impacts on hunting, trapping, fishing, plant harvesting or on burial grounds or archaeological sites of cultural significance to an Aboriginal Group, or on other interests, or any other concerns or issues regarding the Project;
- (k) Answering any reasonable questions to the extent of the Recipient's ability and receiving comments from the Aboriginal Groups, notifying the Province of the nature of the questions or comments received and maintaining a chart showing the issues raised by the Aboriginal Groups and any responses the Recipient has provided;
- (l) Where an Aboriginal Group asks questions regarding the Project directly of the Province, providing the Province with the information reasonably necessary to answer the inquiry, upon the Province's request;
- (m) Subject to section G3.1(o) of this Schedule "G" of the Agreement, where appropriate, discussing with the Aboriginal Groups potential accommodation, including mitigation of potential impacts on Aboriginal or treaty rights, asserted rights or associated interests regarding the Project and reporting to the Province any comments or questions from the Aboriginal Groups that relate to potential accommodation or mitigation of potential impacts;
- (n) Consulting regularly with the Province during all discussions with Aboriginal Groups regarding accommodation measures, if applicable, and presenting to the Province the results of such discussions prior to implementing any applicable accommodation measures;
- (o) Complying with the Province's direction to take any actions, including without limitation, suspension or termination of the Project, as the Province may require; and
- (p) Providing in any contracts with Third Parties for the Recipient's right and ability to respond to direction from the Province as the Province may provide.

G3.2 Acknowledgement By Recipient. The Recipient hereby acknowledges that, notwithstanding section A4.2 of Schedule "A" of this Agreement, the Province, any provincial ministry having an approval role in relation to the Project, or any responsible regulatory body, official, or provincial decision-maker, may participate in the matters and processes enumerated therein as they deem necessary.

G3.3 Recipient Shall Keep Records And Share Information. The Recipient shall carry out the following functions in relation to record keeping, information sharing and reporting to the Province:

- (a) Provide to the Province, upon request, complete and accurate copies of all documents provided to the Aboriginal Groups in relation to the Project;
- (b) Keep reasonable business records of all its activities in relation to consultation and provide the Province with complete and accurate copies of such records upon request;
- (c) Provide the Province with timely notice of any Recipient mailings to, or Recipient meetings with, the representatives of any Aboriginal Group in relation to the Project;

- (d) Immediately notify the Province of any contact by any Aboriginal Groups regarding the Project and provide copies to the Province of any documentation received from Aboriginal Groups;
- (e) Advise the Province in a timely manner of any potential adverse impact of the Project on Aboriginal or treaty rights or asserted rights of which it becomes aware;
- (f) Immediately notify the Province if any Aboriginal archaeological resources are discovered in the course of the Project;
- (g) Provide the Province with summary reports or briefings on all of its activities in relation to consultation with Aboriginal Groups, as may be requested by the Province; and
- (h) If applicable, advise the Province if the Recipient and an Aboriginal Group propose to enter into an agreement directed at mitigating or compensating for any impacts of the Project on Aboriginal or treaty rights or asserted rights.

G3.4 Recipient Shall Assist The Province. The Recipient shall, upon request lend assistance to the Province by filing records and other appropriate evidence of the activities undertaken both by the Province and by the Recipient in consulting with Aboriginal Groups in relation to the Project, attending any regulatory or other hearings, and making both written and oral submissions, as appropriate, regarding the fulfillment of Aboriginal consultation responsibilities by the Province and by the Recipient, to the relevant regulatory or judicial decision-makers.

G4.1 No Acknowledgment Of Duty To Consult Obligations. Nothing in this Schedule shall be construed as an admission, acknowledgment, agreement or concession by the Province or the Recipient, that a Section 35 Duty applies in relation to the Project, nor that any responsibility set out herein is, under the Constitution of Canada, necessarily a mandatory aspect or requirement of any Section 35 Duty, nor that a particular aspect of consultation referred to in subsection G2.1 hereof is an aspect of the Section 35 Duty that could not have lawfully been delegated to the Recipient had the Parties so agreed.

G5.1 No Substitution. This Schedule shall be construed consistently with but does not substitute for any requirements or procedures in relation to Aboriginal consultation or the Section 35 Duty that may be imposed by a ministry, board, agency or other regulatory decision-maker acting pursuant to laws and regulations. Such decision-makers may have additional obligations or requirements. Nonetheless, the intent of the Province is to promote coordination among provincial ministries, boards and agencies with roles in consulting with Aboriginal Groups so that the responsibilities outlined in this Agreement may be fulfilled efficiently and in a manner that avoids, to the extent possible, duplication of effort by Aboriginal Groups, the Recipient, the Province, and provincial ministries, boards, agencies and other regulatory decision-makers.

G6.1 Notices In Relation To Schedule. All notices to the Province pertaining to this Schedule shall be in writing and shall be given sent to the person identified under section C1.6 of Schedule "C" of this Agreement.

[REST OF PAGE INTENTIONALLY LEFT BLANK – SCHEDULE "H" FOLLOWS]

SCHEDULE “H” COMMUNICATIONS PROTOCOL

H1.1 Application Of Protocol. This Protocol applies to all communications activities related to any funding the Recipient receives under this Agreement. Communications activities may include, but are not limited to:

- (a) Project signage;
- (b) Media events and announcements, including news conferences, public announcements, official events or ceremonies, news releases;
- (c) Printed materials;
- (d) Websites;
- (e) Photo compilations;
- (f) Award programs; or
- (g) Awareness campaigns.

H2.1 Project Signage. The Province may require that a sign be installed at the site of the Project. If the Recipient installs a sign at the site of a Project, the Recipient shall, at the Province's request, provide acknowledgement of the provincial contribution to the Project. Sign design, content and installation guidelines will be provided by the Province.

Where the Recipient decides to install a permanent plaque or other suitable marker with respect to a Project, it must recognize the provincial contribution to the Project and be approved by the Province prior to installation.

The Recipient is responsible for the production and installation of Project signage, unless otherwise agreed upon in writing prior to the installation of the signage.

H3.1 Media Events. The Province or the Recipient may request a media event, announcement or recognition of key milestones related to Project.

In requesting a media event or an announcement, the Party requesting the event will provide at least twenty-one (21) Business Days' notice to the other Party of its intention to undertake such an event. The event will take place at a date and location that is mutually agreed to by the Parties. The Parties will have the opportunity to participate in such events through a designated representative. Each participant will choose its designated representative.

All joint communications material related to media events and announcements must be approved by the Province and recognize the funding provided by the Province.

Media events and announcements include but are not limited to:

- (a) News conferences;
- (b) Public announcements;
- (c) Official events or ceremonies; or
- (d) News releases.

H4.1 Awareness Of Project. The Recipient may include messaging in its own communications products and activities with regards to the Project. When undertaking such activities, the Recipient will provide the opportunity for the Province to participate and will recognize the funding provided by the Province.

H5.1 Issues Management. The Recipient will share information promptly with the Province should significant emerging media, Project or stakeholder issues relating to a Project arise. The Province will advise the Recipient, when appropriate, about media inquiries concerning the Project.

H6.1 Communicating Success Stories. The Recipient agrees to communicate with the Province for the purposes of collaborating on communications activities and products including but not limited to success stories and features relating to the Project.

The Recipient acknowledges and agrees that the Province may publicize information about the Project. The Province agrees it will use reasonable efforts to consult with the Recipient about the Province's publication about the Project prior to making it.

H7.1 Disclaimer. If the Recipient publishes any material of any kind relating to the Project or the Ontario Community Infrastructure Fund, the Recipient will indicate in the material that the views expressed in the material are the views of the Recipient and do not necessarily reflect the Province's views.

[REST OF PAGE INTENTIONALLY LEFT BLANK – SCHEDULE "I" FOLLOWS]

SCHEDULE "I" REPORTS

11.1 Reports. The Recipient will submit the following Reports in accordance with the reasonable directions provided by the Province by the date indicated in the chart immediately below. The Province will provide the contents of the Report at a later date.

NAME OF REPORT	DUE DATE
Annual Financial Report	See section 12.1 of this Schedule.
Project Information Report	See section 12.1 of this Schedule.
Other Reports	Within the time period set out in the written request from the Province.

12.1 Timing Of Reports. The Recipient will provide to the Province the following Reports at the times noted below:

- (a) By January 15th of each year:
 - (i) Project Information Report
 - Project Status and Financial Update for all Projects
 - For Asset Management Planning or Composite Correction Program, Implementation Staff Time Attestations (as appropriate)
 - Completed Project Being Debt Financed – Yearly Update (as appropriate)
 - (ii) Annual Financial Report from the previous year (Interest Earned must be reported for the previous calendar year)
- (b) By April 15th of each year:
 - (i) Project Information Report – Proposed Project Information for any new or revised Project (reminder – a Duty to Consult assessment must be completed by the Province for each Project forty-five (45) Business Days prior to the start of construction of that Project)
- (c) Within forty-five (45) Business Days of Project or construction completion or no later than January 15th of the year following completion of the Project
 - (i) Project Information Report – Completed Project information



**Ontario Community Infrastructure Fund (OCIF)
Formula-based Component**

Allocation Notice

**Ministry of Infrastructure
Ministry of Agriculture, Food and Rural Affairs**

Township of Melancthon

July 2016

Disponible en français

Ontario Community Infrastructure Fund (OCIF) Formula-based Component: Allocation Notice

Township of Melancthon

Table of Contents

Page 3	Overview
Page 4	Calculation of Adjusted Core Infrastructure
Page 5	Calculation of Indicator 1 (ratio of core infrastructure to weighted property assessment)
Page 6	Calculation of Indicator 2 (ratio of core infrastructure per household to median household income)
Page 7	Calculation of Grant

Please Note: Due to rounding, some calculations may vary from the results shown.

Terms and Conditions

Receipt of the formula allocations noted on page 3 are conditional upon:

- Entering into a funding agreement with the Province on terms and conditions that are satisfactory to the Province.
- Compliance with all of the terms and conditions of your existing OCIF formula-based funding agreement.

The Province reserves the right to adjust or terminate without notice or consent, for any reason, any allocation or proposed allocation contained in this notice, including the proposed allocations in future years, to account for any changes in your situation, the Ontario Community Infrastructure Fund program guidelines or other parameters or administrative procedures.

Ontario Community Infrastructure Fund (OCIF)

Formula-based Component: Allocation Notice

Township of Melancthon

Overview

Formula-based funding

Your community's formula-based allocation of funding (allocation) under the Ontario Community Infrastructure Fund for the next three years is as follows:

2017 formula allocation	\$50,000
2018 proposed formula allocation	\$50,000
2019 proposed formula allocation	\$50,000
Infrastructure Index	-0.450
Percentage points away from median	-42.9

Starting in January 2017, the Province proposes to make payments in accordance with the following schedule

- Allocations of \$150,000 or less will be provided in one payment;
- Allocations greater than \$150,000 but less than \$1 million will be provided through 6 payments; and
- Allocations greater than \$1 million will be provided through 12 payments.

Top-up funding

The new top-up component will allow municipalities with critical infrastructure projects to submit proposals to bring their total OCIF funding up to \$2 million over two years. Eligibility for the 2016 intake is targeted to communities whose formula grants in 2017 and 2018 add up to less than \$2 million and who did not receive funding under the last application-based intake.

If your community is eligible, you may apply for up to 90% of a project's eligible costs or the top-up funding cap noted in the table below (whichever is less). The top-up funding cap is based on the amount your community is receiving under the formula-based component.

Eligibility for 2016 top-up intake	Eligible
Top-up funding cap*	\$1,900,000

* Calculated by subtracting your community's combined 2017 and 2018 formula allocations from \$2-million.

Next allocation notice

You will receive an updated allocation notice in 2017. It will advise you of your 2020 proposed formula-based allocation, as well as eligibility and maximum funding available, if any, to your community under the 2017 intake of the top-up component.

Ontario Community Infrastructure Fund (OCIF)

Township of Melancthon

Adjusted Core Infrastructure

Table 1 - Calculation of Adjusted Core Infrastructure

A	Adjusted Core Infrastructure: $A1 + (A2 \times A3)$	\$19,843,016
1.	Municipality's core infrastructure	\$14,384,398
2.	Core infrastructure of upper tier	\$107,875,856
3.	Weighted assessment ratio (% of upper tier)	5.0601%

Data Sources

- **Core infrastructure:** assets valued at cost as reported in Schedule 51 of the Financial Information Return (FIR).
The best of 2014 or 2015 FIR data is used - whichever yields a higher total core infrastructure value for the municipality.
FIR Categories included are:

<u>Line</u>	<u>Item</u>
611	Roads - Paved
612	Roads - Unpaved
613	Roads - Bridges and Culverts
614	Roadways - Traffic Operations & Roadside Maintenance
621	Winter Control - except Sidewalks, Parking Lots
622	Winter Control - Sidewalks, Parking Lots only
650	Street Lighting
811	Wastewater Collection/Conveyance
812	Wastewater Treatment and Disposal
821	Urban Storm Sewer System
822	Rural Storm Sewer System
831	Water Treatment
832	Water Distribution/Transmission

- **Weighted property assessment:** Measures the size of the municipality's tax base. Refers to the total assessment for a municipality weighted by the tax ratio for each class of property (including payments in lieu of property taxes (PILs) retained by the municipality). Data sources: 2015 returned roll and 2016 starting tax ratios (Municipal Property Assessment Corporation (MPAC) and municipal tax rate bylaws) and Municipal FIRs (2014 or 2013 for PILs).

Ontario Community Infrastructure Fund (OCIF)

Township of Melancthon

Calculation of Indicators

Table 2a - Indicator 1 (ratio of adjusted core infrastructure to weighted assessment)

Indicator 1 Value for Municipality

A	Indicator 1 Value: (A1 ÷ A2)	0.046
1.	Municipality's adjusted core infrastructure	\$19,843,016
2.	Municipality's weighted property assessment	\$432,853,883

Indicator 1 of Eligible Municipalities: Median, Lowest, Highest Value

B	Lowest Value	0.002
C	Median Value	0.083
D	Highest Value	0.302

Calculation of Re-weighted Indicator 1

E	Difference between Indicator Value and Median (A - C)	-0.037
F	Difference between the Median and the Minimum Value (C - B)	0.080
G	Re-weighted Indicator 1 (E ÷ F)	-0.457

Note

Line F: Since the indicator is below the median, the difference between the median and the lowest value is calculated (C - B)

Line G: The re-weighted indicator is on a scale of -1 to +1.

Ontario Community Infrastructure Fund (OCIF)

Township of Melancthon

Calculation of Indicators

Table 2b - Indicator 2 (ratio of core infrastructure per household to median household income)

Indicator 2 Value for Municipality

A Indicator 2 Value: $((A1 + A2) \div A3)$ 0.205

1. Municipality's adjusted core infrastructure	\$19,843,016
2. Municipality's number of households	1,159
3. Municipality's median household income	\$83,464

Indicator 2 of Eligible Municipalities: Median, Lowest, Highest Value

B Lowest Value	0.014
C Median Value	0.357
D Highest Value	1.141

Calculation of Re-weighted Indicator 2

E Difference between Indicator Value and Median (A - C)	-0.152
F Difference between the Median and Minimum Value (C - B)	0.343

G Re-weighted Indicator 2 (E ÷ F) -0.444

Note

Line F: Since the indicator is below the median, the difference between the median and the lowest value is calculated (C - B)

Line G: The re-weighted indicator is on a scale of -1 to +1.

Data Sources

Median household income: Statistics Canada's measure of median income for all private households (2011).

Ontario Community Infrastructure Fund (OCIF)

Township of Melancthon

Table 3 - Total Grant

Infrastructure Index

A	Infrastructure Index: $((A1 + A2) \div 2)$	-0.450
	1. Re-weighted Indicator 1	-0.457
	2. Re-weighted Indicator 2	-0.444

Calculation of Funding per \$100,000 of Core Infrastructure

B	2017 Funding per \$100,000 Core Infrastructure: $(\\$179 + \\$13 \times (A - B1) \div 10\%)$	\$134.00
C	2018 Funding per \$100,000 Core Infrastructure: $(\\$254 + \\$18 \times (A - C1) \div 10\%)$	\$191.00
D	2019 Funding per \$100,000 Core Infrastructure: $(\\$394 + \\$24 \times (A - D1) \div 10\%)$	\$296.00
	1. Median of Infrastructure Indices of all Eligible Municipalities	-0.021

Calculation of Grant

E	2017 Total Grant: Maximum of $(B \times E1 \div \\$100,000)$ or \$50,000 (i.e. whichever is greater)	\$50,000
F	2018 Total Grant: Maximum of $(C \times F1 \div \\$100,000)$ or \$50,000 (i.e. whichever is greater)	\$50,000
G	2019 Total Grant: Maximum of $(D \times G1 \div \\$100,000)$ or \$50,000 (i.e. whichever is greater)	\$50,000
	1. Municipality's total core infrastructure	\$14,384,398

Note

Lines B, C and D: Since the index is above the median, the funding per \$100,000 of core infrastructure is greater than \$179 in 2017, \$254 in 2018 and \$394 in 2019.
Please refer to the program guidelines for details on the minimum and maximum funding provided per \$100,000 of core infrastructure.

CORPORATION OF
THE TOWNSHIP OF MELANCTHON

BY-LAW

Number _____

COUTTS DRAINAGE WORKS, MAINTENANCE LEVYING BY-LAW.

A by-law to provide for maintenance and repair
to the Coutts Drainage Works
and for the borrowing on the credit of
the municipality the amount required for such work

WHEREAS a number of owners, under Section 79 of the Drainage Act, R.S.O. 1990, c. D.17, have notified the Clerk of the Township of Melancthon of the deteriorating conditions of the said drainage works.

AND WHEREAS under the Drainage Act, R.S.O. 1990, c. D. 17 it is the duty of the Township of Melancthon to maintain and repair that part of the drainage works lying within its limits.

AND WHEREAS the Coutts Drainage Works has been constructed under By-law No.19 - 2000.

AND WHEREAS the Council of the Township of Melancthon, pursuant to the recommendations made by the Township Drainage Superintendent, has ordered certain maintenance and repair work to be performed, under the supervision and to the satisfaction of the Township Drainage Superintendent.

AND WHEREAS the work has now been completed

AND WHEREAS the construction cost of the work is \$ 539.33

AND WHEREAS the granted expected is 169.36

AND WHEREAS the amount to be raised is 369.97

NOW THEREFORE the Council of the Township of Melancthon enacts as follows:

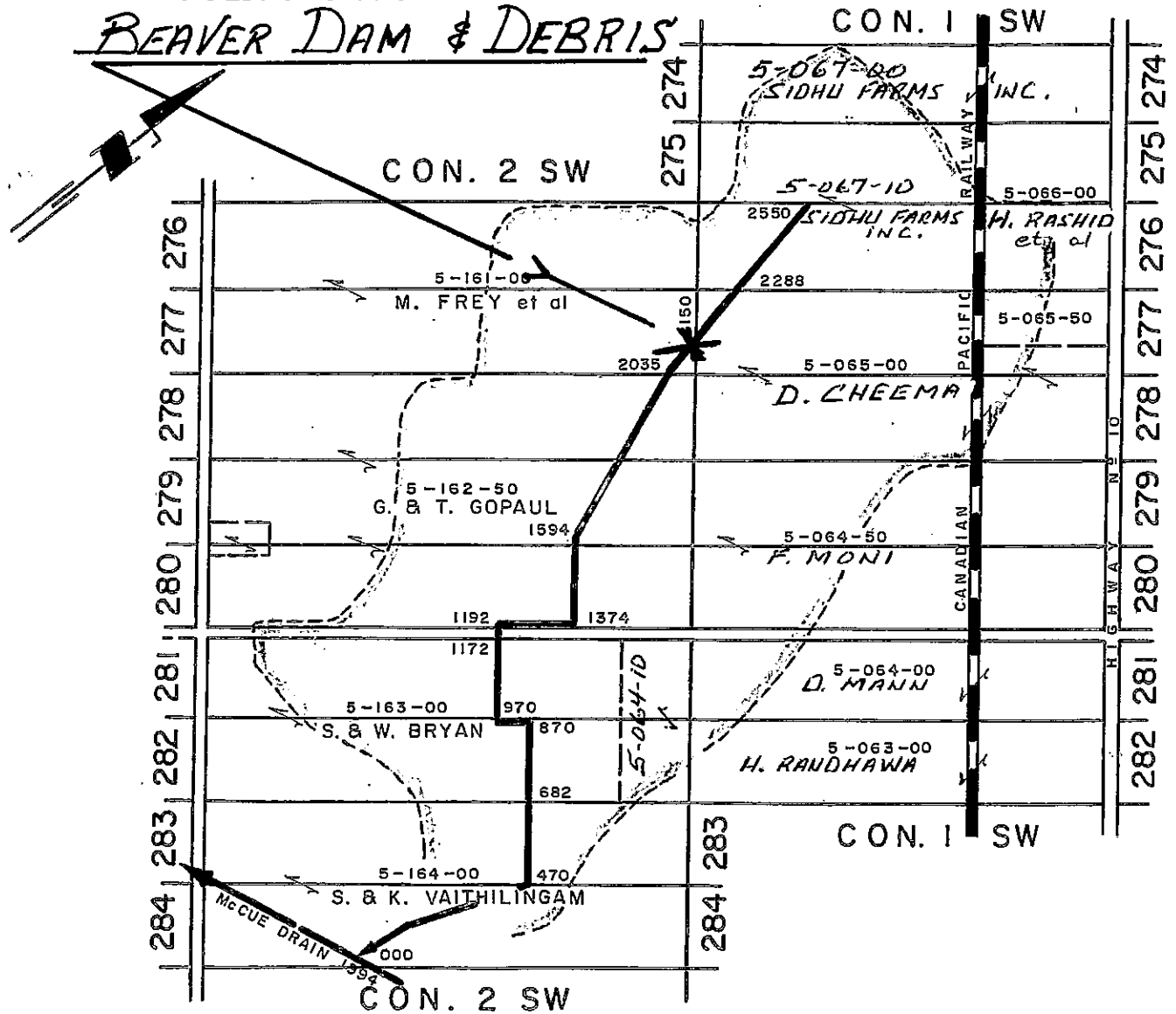
1. The assessment shall be imposed in accordance to Section 74 of the Drainage Act, R.S.O. 1990 c. D.17 and in proportion to the governing By-law No. 19 - 2000.
2. The amount of \$ 369.97 necessary to be raised for such work shall be made a cash assessment upon the upstream lands and roads affected, with interest at the rate set for collecting taxes in arrears being added after the date payment is called on the same.
3. This By-law shall be cited as the Coutts Drainage Works Maintenance Levying By-law.
4. That this By-law shall come into force and take effect upon passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS _____ DAY OF _____, 2016.

MAYOR

CLERK

REMOVAL OF BEAVER DAM & DEBRIS



COUTTS DRAINAGE WORKS

Maintenance and Repair 2016

DATED: SUMMER 2016

R. J. BURNSIDE & ASSOC. LTD.
Drainage Superintendent

BY-LAW No. ____-2016

TOWNSHIP OF MELANCTHON

**A By-law to amend By-Law Number 39-2015 in
the Township of Melancthon in the County of
Dufferin.**

**BAUMAN DRAINAGE WORKS
LEVYING BY-LAW**

WHEREAS the Bauman Drainage Works has been constructed under the authority of By-Law No. 39-2015;

AND WHEREAS the actual cost of the drainage works was \$17,819.32;

AND WHEREAS the grant received from the Ministry of Agriculture and Food was \$5,939.77;

AND WHEREAS the sum necessary to be raised by assessment is \$11,879.55;

AND WHEREAS the Council of the Township of Melancthon deems it expedient to amend By-Law No. 39-2015 which provided for an amount less than that required to cover the cost of the said drainage works;

AND THEREFORE the Council of the Township of Melancthon, pursuant to the Drainage Act, R.S.O. 1990, amendments thereto, does hereby enact as follows:

1. THAT By-Law No. 39-2015 is hereby amended to conform to the attached Schedule "A" which forms part of this By-Law.
2. THAT the amount of \$17,879.55 necessary to be raised for such drainage works shall be made a cash assessment upon lands and roads as affected by the drainage works, with interest at the rate of 1 ¼% per month added after the date payment is due.
3. THAT By-Law No. 39-2015 be amended to provide that all assessments shall be due on _____, 2016 and that any assessments not paid in full on or before that due date shall be collected in the same manner as taxes.
4. THAT where any allowance or compensation has been determined for an owner pursuant to the provisions of the Drainage Act, and where that amount so determined is less than the total amount owing from the owner, the municipality shall deduct from the total amount so determined, and the owner shall be responsible for paying the balance in the manner prescribed in this By-Law.
5. THAT where any allowance or compensation mentioned in Paragraph 4 exceeds the total amount owing by the owner, the municipality shall pay the balance to him.
6. THAT this By-Law shall come into force on the passing thereof and may be cited as the "Bauman Drainage Works Levying By-Law".

READ a first and second time this ____ day of _____, 2016.

Mayor Darren White

CAO/Clerk Denise Holmes

READ a third time and enacted this ____ day of _____, 2016.

Mayor Darren White

CAO/Clerk Denise Holmes



The Corporation of

THE TOWNSHIP OF MELANCTHON

157101 Hwy. 10, Melancthon, Ontario, L9V 2E6

Telephone - (519) 925-5525

Fax No. - (519) 925-1110

Website: www.melancthontownship.ca

Email: info@melancthontownship.ca

CORPORATION OF THE TOWNSHIP OF MELANCTHON

MEMORANDUM

TO: MAYOR WHITE AND MEMBERS OF COUNCIL

FROM: DENISE HOLMES, CAO/CLERK

SUBJECT: DRAFT AGREEMENT FOR INTEGRITY COMMISSIONER SERVICES

DATE: SEPTEMBER 30, 2016

Attached is a Draft Agreement for Integrity Commissioner Services.

This Agreement was provided to the Township from the County of Dufferin, as they entered into this Agreement on July 1, 2016. The changes made to the Agreement were the Municipality's name and retainer amount.

AGREEMENT

THIS AGREEMENT effective the 6th day of October, 2016.

BETWEEN:

CORPORATION OF THE TOWNSHIP OF MELANCTHON

Of the First Part

Hereinafter called the "Municipality"

-and-

FASKEN MARTINEAU DUMOULIN LLP.

Of the Second Part

Hereinafter called the "Consultant"

WHEREAS Section 223.2 of the *Municipal Act, 2001*, as amended (the "Act"), authorizes the municipality to establish a Code of Conduct for Members of the Council of the Municipality and of Local Boards of the Municipality;

AND WHEREAS Section 223.3 of the Act authorizes the Municipality to appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the functions assigned by the Municipality with respect to,

- a) the application of the Code of Conduct for Members of Council and the Code of Conduct for Members of Local Boards or of either of them;
- b) the application of any procedures, rules and policies of the Municipality and Local Boards governing the ethical behaviour of Members of Council and of Local Boards or of either of them; or
- c) both of clauses (a) and (b);

AND WHEREAS, after conducting a competitive Request for Proposal process, the Municipality is satisfied that the Consultant has the skills and ability to meet the foregoing criteria and deems it desirable to appoint Guy Giorno ("Giorno"), a partner in the Consultant, as the Integrity Commissioner to provide the services of "Integrity Commissioner for the Corporation of the Township of Melancthon", in accordance with Section 223.3 of the *Municipal Act*, and to investigate requests received by the Municipality pursuant to the Act respecting an alleged contravention of the Municipality's Code of Conduct for Members of Council;

NOW THEREFORE the Consultant and Municipality agree as follows:

1. The Municipality shall:
 - (a) Pay to the Consultant the rates for services provided in accordance

with the RFP and RFP response.

If the Municipality fails to make payments to the Consultant as they become due under the terms of this contract, or in an award by arbitration or court, interest of 1 per cent (1%) above the prime rate per annum as of the date of payment became due on such unpaid amounts shall also become due and payable until payment. Such interest shall be calculated and added to any unpaid amounts monthly.

Prime rate, for the purposes of this Agreement, means the lowest rate of interest quoted by The Royal Bank of Canada from time to time to the most credit-worthy borrowers for prime business loans.

- b) Instruct the Consultant fully in writing as to the Municipality's total requirements in connection with the Projects included in this Agreement, including the Municipality's budget and time constraints. Provide new annual requirements subject to budget approval in successive years of the contract.
- c) Give prompt consideration to all specifications, proposals, and other documents relating to the Project prepared by the Consultant, and whenever prompt action is necessary, inform the Consultant of his/her decisions in such reasonable time so as not to delay the services of the Consultant, or to prevent him forwarding instructions to the Consultant or to Sub-Consultants in accordance with the contract schedule.
- d) Arrange and make provision for the Consultant's entry and ready access to the Project site, as necessary to enable the performance of the services required.
- e) Designate in writing an individual to act as his/her representative, such person to have complete and exclusive authority to transmit instructions to and receive information from the Consultant.
- f) Give prompt written notice to the Consultant whenever the Municipality or his/her representative become aware of any defects or deficiencies in the work or in the services provided. For the purposes of this agreement "defects and deficiencies" shall be defined as "any failure of the Consultant to meet and/or deliver any agreed upon deliverable/service and/or meet an applicable deadline as set out in this Agreement.
- g) Instruct the Consultant fully in writing of any additional work required outside the scope of this Agreement.
- h) Indemnify and save harmless the Consultant from any claims, demands or actions brought against the Consultant in relation to

the provision of services by employees, officers or Council members of the Municipality who are not acting under instructions from the Consultant.

2. The Consultant shall:

- a) Provide all services as stated on the RFP. response attached as Schedule "A" hereto. The parties acknowledge that Council has appointed Giorno as Integrity Commissioner and that, unless Council by resolution approves, Consultant has no right to replace him.
- b) Giorno's work schedule for processing complaints under the Code of Conduct is appended as Schedule "B". The Consultant agrees to provide a work schedule for any other assigned project and to complete all work in accordance with the schedule.
- c) Provide all necessary labour, materials, equipment and sub-consultants necessary to complete the work.
- d) Keep the Municipality informed of the status of the project and of any occurrences which adversely affect the Municipality's interests.
- e) Not perform any additional work outside of the scope of this contract without obtaining the written agreement of the Municipality. No additional work shall be authorized without a full written quotation being supplied for any additional task or function.
- f) Consultant designates Giorno to act as its representative, such person to have complete and exclusive authority to transmit instructions to and/or receive information.
- g) Consultant will indemnify, defend and hold the Municipality, its officers, employees and agents, harmless from and against any liability, expense or damage, including reasonable attorneys' fees, in each case solely for bodily injury, death or damage to real or tangible personal property to the extent directly and proximately caused by the negligence or wilful misconduct of Consultant while engaged in the performance of services under this engagement; provided, however, that if there also is fault on the part of Municipality or any entity or individual indemnified hereunder or any entity or individual acting on Municipality's behalf, the foregoing indemnification shall be on a comparative fault basis. The foregoing obligations are conditioned on Municipality providing Consultant with prompt notice of any claim for which indemnification shall be sought and cooperating in all reasonable respects with Consultant in connection with any such claim. Consultant shall be

entitled to control the handling of any such claim and to defend or settle any such claim, in its sole discretion, with counsel of its own choosing.

- h) The Consultant will comply with all applicable requirements of the *Workplace Safety and Insurance Act*. It certifies that all employees, officers, agents and sub-contractors who must be covered are covered under the Act. The Municipality understands that Offices of Lawyers and Notaries (employer classification 7761-000, WSIB Employer Classification Manual, I-956-41) are not covered by the Act.
- (i) When engaged in work within any facility of the Municipality's, the Consultant and its employees shall abide by the rules and regulations of the Corporation of the Township of Melancthon. The Consultant's employees may be required to attend an orientation meeting, highlighting the health and safety requirements of the Municipality. In the event that the Consultant and/or its employees shows disregard for these requirements, a notice of non-compliance may be issued. The Consultant will be responsible for reacting immediately to the deficiency and correcting any potential health and safety risks.
- (j) The Consultant shall during the length of the agreement carry liability insurance in the minimum amount of \$2,000,000 per incident. In addition, the Municipality will be added as an additional insured party to the policy, relevant to the work involved in this agreement. A current certificate of insurance shall be supplied and the Municipality shall be immediately informed by the Consultant, if any of the relevant details change.
- (k) The Consultant shall carry Professional liability or Errors and Omissions insurance in the minimum amount required within the RFP documents.
- (l) The Municipality acknowledges that a Certificate of Insurance (naming Municipality as an additional insured party) and a Summary of Professional Liability Insurance Coverage, satisfying the requirements of this section, have been supplied. Consultant shall immediately inform the Municipality if any of the relevant details change.

3. The Parties agree:

- (a) That the yearly contract fee, exclusive of the hourly rate of \$100.00 plus HST, and exclusive of Expenses as set out in the RFP response, shall not exceed \$90.00 plus HST
- (b) Authority for general co-ordination of the project shall reside with the

Municipality to the extent provided for in this Agreement. This Agreement does not create any master and servant or partnership relationship between the Municipality and the Consultant. At no time will the Consultant or anyone acting for the Consultant; be considered employees of the Municipality.

- (c) The Consultant shall co-ordinate the activities of any Sub-Consultants, under direction from the Municipality.
- (d) If the Consultant is shown to be in default in the performance of any of his/her material obligations set forth in this Agreement, then the Municipality may, by written notice to the Consultant, require such default to be corrected. If within 15 days after receipt of such notice such default shall not have been corrected or reasonable steps to correct such default shall not have been taken, the Municipality may, without limiting any other right or remedy he may have, immediately terminate this Agreement and make settlement for the cost of the services rendered and disbursements incurred by the Consultant pursuant to this Agreement and remaining unpaid as of the effective date of such termination.
- (e) If the Municipality is unwilling or unable to proceed with the project, the Municipality may suspend or terminate this Agreement by giving 30 days prior written notice to the Consultant. Upon receipt of such written notice, the Consultant shall perform no further services other than those reasonably necessary to suspend or close out the project. In such event the Consultant shall be paid by the Municipality for all services performed and for all disbursements incurred pursuant to this Agreement and remaining unpaid as of the effective date of such suspension or termination.
- (f) If the Municipality terminates the contract for any of the previously stated reasons, it shall be entitled to take possession of copies of any research materials and the deliverables that have been prepared to the point of termination.

4. Legal Services, Confidentiality and Conflicts of Interest

- (a) The parties confirm that the services covered by this agreement will be provided by Consultant through Giorno in his capacity as a lawyer.
- (b) The Consultant and Giorno will, inside the law firm, create a "confidentiality wall" so that only the those professionals within the firm working the Municipality's Integrity Commissioner files have access to such information related to the Municipality.
- (c) The Municipality confirms, agrees and consents that the appointment of Giorno and this agreement with the Consultant do not prohibit the

Consultant from accepting from another client a mandate that is adverse to the interests of the Municipality, provided that all of the following conditions are satisfied: Giorno does not act in the other mandate; no one else providing services under this agreement acts in the other mandate; the other mandate is unrelated to Integrity Commissioner services; and the Consultant possesses no confidential information obtained in the course of providing services under this agreement that is relevant to the other mandate.

- (d) Paragraph (c), above, constitutes the informed consent referred to in the third paragraph of section 1.1 (Conflicts of Interest) on the second page of the response to the RFP.

5. License and Ownership.

- a) Consultant Technology. Consultant and its contracted affiliates and subcontractors have created, acquired or otherwise have rights in, and may, in connection with the performance of services hereunder, employ, provide, modify, create, acquire or otherwise obtain rights in, various intellectual, industrial and other property, including, without limitation, concepts, ideas, methods, methodologies, procedures, processes, know-how, techniques, models, templates, the generalized features of the structure, sequence and organization of software, user interfaces and screen designs, general purpose consulting and software tools, utilities and routines, and logic, coherence and methods of operation of systems (collectively, the "Consultant Technology").
- b) Ownership of Deliverables. For purposes of this engagement, "Deliverables" shall mean all work product first created by Consultant for delivery to Municipality in connection with the services provided hereunder, but shall not include any third-party software or related documentation licensed directly to the Municipality from a third party, or any modifications or enhancements thereto or derivatives thereof. Subject to Municipality's full and final payment to Consultant hereunder, Consultant shall (i) transfer, assign and convey to Municipality all right, title and interest in and to the Deliverables (except for any Consultant Technology contained therein), and (ii) grant to Municipality a non-exclusive, royalty-free, worldwide, perpetual, non-transferable licence to use, for Municipality's internal business purposes, any Consultant Technology contained in the Deliverables. For greater certainty, the parties agree that Giorno's final (not draft) reports to Council are the only Deliverables contemplated by this Agreement.
- c) Ownership of Consultant Property. To the extent that Consultant uses any Consultant Technology or any other intellectual, industrial or other

property in connection with the performance of its services, Consultant shall retain all right, title and interest in and to such property, and, except for the license expressly granted in Section 4(b), Municipality shall acquire no right, title or interest in or to such property.

6. (a) If the Municipality is shown to be in default in the performance of any of its material obligations set forth in this Agreement, then the Consultant may, by written notice to the Municipality, require such default to be corrected. If within 7 days after receipt of such notice such default shall not have been corrected, the Consultant may terminate this Agreement. In such an event the Consultant shall be paid by the Municipality for all services performed and for all disbursements incurred pursuant to this Agreement and remaining unpaid as of the effective date of such termination.
- (b) If the Consultant's services are suspended by the Municipality at any time for more than 30 days through no fault of the Consultant, then the Consultant shall have the right at any time until such suspension is lifted by the Municipality, to terminate this Agreement upon giving 7 days written notice thereof to the Municipality. In such event the Consultant shall be paid by the Municipality for all services performed and for all disbursements incurred pursuant to this Agreement and remaining unpaid as of the effective date of such suspension.
7. (a) The duties and obligations imposed by the contract documents and the rights and remedies available thereunder shall be in addition to and not a substitution for any duties, obligations, rights and remedies otherwise available by law.
- (b) No action or failure to act by the Municipality or Consultant shall constitute a waiver of any right or duty afforded either of them under the contract, nor shall any such action or failure to act constitute an approval of or acquiescence in any breach thereunder, except as may be specifically agreed in writing.
8. (a) All matters in dispute arising out of or in connection with this Agreement or in respect of any defined legal relationship associated with it or derived from it may, with the concurrence of both the Municipality and the Consultant, be submitted to arbitration to a single arbitrator appointed jointly by them.

The place of the arbitration shall be the Corporation of the Township of Melancthon Municipal Office and the language of the arbitration shall be English.
- (b) No one shall be nominated to act as arbitrator who is in any way

financially interested in the conduct of the project or in the business affairs of either the Municipality or the Consultant.

- (c) In the event that the parties cannot agree as to the single arbitrator to be appointed, then such arbitrator shall be appointed by the applicable Courts.
 - (d) The laws of the Province of Ontario shall govern this Agreement and any arbitration or litigation in respect thereof.
 - (e) The award of the arbitrator shall be final and binding upon the parties.
 - (f) For greater certainty, a challenge to, or disagreement concerning, a report of an investigation into a Code of Conduct complaint, a recommendation contained in such report or the investigation process, shall not be considered a "matter in dispute" covered by this section.
9. Neither party may assign this Agreement in any manner without the prior consent in writing of the other.
10. This agreement shall continue until the full completion of the work outlined in schedule "A".
11. All notices required by this Agreement to be given by either party shall be deemed to be properly given and received within two (2) business days if made in writing to the other party by registered mail, or e-mail, addressed to the regular business address of such other party as stated within this Agreement.

Corporation of the Township of Melancthon	Fasken Martineau DuMoulin LLP
157101 Highway 10	333 Bay Street
Melancthon, Ontario	Toronto, Ontario
L9V 2E6	M5H 2T6
E-mail: dholmes@melancthontownship.ca	E-mail: ggiorno@fasken.com

12. The Consultant shall at all times be responsible for keeping confidential, any files, data and other forms of information belonging to the Municipality that is encountered while fulfilling work within this Agreement. The Consultant shall take all necessary measures to guard any such information to ensure that it is kept secure at all times. The foregoing obligations shall not apply to information which (i) shall have otherwise become publicly available other

than as a result of disclosure by the Consultant in breach hereof, (ii) was disclosed to the Consultant on a non-confidential basis from a source other than the Municipality, which is not prohibited from disclosing such information as a result of an obligation in favor of the Municipality, (iii) is developed by the Consultant independently of, or was known by the Consultant prior to, any disclosure of such information made by the Municipality, or (iv) is disclosed with the written consent of the Municipality.

A receiving party also may disclose confidential information to the extent required by an order of a court of competent jurisdiction, administrative agency or governmental body, or by any law, rule or regulation, or by subpoena, summons or other administrative or legal process, or by applicable regulatory or professional standards, or in connection with any judicial or other proceeding involving the Consultant and the Municipality relating to the Consultant's services for the Municipality or this Agreement.

Should it be necessary to remove information, or systems which contain information, from Township premises, the Consultant will take additional precautions during transportation and at the Consultant's or Sub-Consultant's premises to make certain that the information is not accessed by or transmitted to a third party, either directly or indirectly. The Consultant, employees of the Consultant and any involved Sub-Consultant shall not view information contained on any system that is not absolutely necessary in order to complete the task assigned. Further they shall not copy, share or transmit any of the Municipality's information, without seeking the written consent of the Municipality. All individuals shall be required to sign a confidentiality statement (Schedule "E") acknowledging their understanding and promise to keep such information safe and confidential.

This clause shall not limit the right of the Municipality or other party to seek remedy via any municipal, provincial or federal legislation guarding against the release of private or sensitive information.

13. This Agreement constitutes the sole and entire agreement between the Municipality and the Consultant relating to the project, and supersedes all prior agreements between them, whether written or oral, respecting the subject matter hereof, and no other terms, conditions or warranties, whether expressed or implied, shall form a part thereof. This Agreement may be amended only by written instrument signed by both the Municipality and the Consultant.
14. Attach and initial any additional terms, which shall form a part of this Agreement.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first above written.

**THE CORPORATION OF THE CORPORATION OF THE
TOWNSHIP OF MELANCTHON**

Darren White, Mayor

Denise B. Holmes, CAO/Clerk

FASKEN MARTINEAU DUMOULIN LLP

I have authority to bind the Partnership

Print name _____

Title _____

Witness

Print name _____

SCHEDULE 'A'

CORPORATION OF THE COUNTY OF DUFFERIN

REQUEST FOR PROPOSAL
RFP CS-16-01

PROVISION OF INTEGRITY COMMISSIONER SERVICES RESPONSE FORM

CLOSING DATE: THURSDAY, APRIL 21, 2016, 2:00 PM, local time

RETURN TO: County of Dufferin, Treasury Department
55 Zina Street, 2nd Floor
Orangeville, Ontario L9W 1E5

PROPOSAL FORM:

FOR THE PROVISION OF: CS 16-01 INTEGRITY COMMISSIONER SERVICES

AS SUPPLIED BY: Fasken Martineau DuMoulin LLP

FIRM NAME

ADDRESS: 333 Bay Street, Suite 2400, P.O. Box 20, Toronto, Ontario

POSTAL CODE: M5H 2T6

(HEREINAFTER CALLED THE RESPONDENT)

TO: THE CORPORATION OF THE COUNTY OF DUFFERIN
55 ZINA STREET, 2ND FLOOR
ORANGEVILLE, ON, L9W 1E5
(HEREINAFTER CALLED THE CORPORATION)

THE RESPONDENT DECLARES

1. No person(s), firm or corporation, other than the Respondent, has any personal interest in this Proposal or in the award for which this Proposal is made.
2. No member of Council, officer or employee of the Corporation is or will become interested directly or indirectly as a contracting party, partner, shareholder, and surety or in any portion of the profits thereof, or in any of the monies to be derived, there from.
3. This Proposal is made without any connection, comparison of figures, or arrangements with, or knowledge of any other corporation, firm or person making a Proposal for the same and is in all respects without collusion or fraud.
4. By signing this submission, I confirm I have read and understood the content and requirements of this Proposal document.

LOWEST OR ANY PROPOSAL NOT NECESSARILY ACCEPTED

ACKNOWLEDGEMENT TO RECEIPT OF ADDENDA

This will acknowledge receipt of the following addenda and, that the pricing quoted includes the provision set out in such addenda

ADDENDUM #

DATE RECEIVED

#

1

April 14, 2016

#

☐ Check here if NO Addenda received

1.1 Conflicts of Interest

Proponents are required to state any perceived or actual conflicts of interest that they might have with County of Dufferin or their staff.

We have conducted a thorough conflict search and have identified no conflict of interest.

The search did not reveal any instance of us ever acting against the County in litigation. In the last five years, we have acted only once on the other side of a real estate transaction involving the County.

If we are successful in the RFP and the County becomes our client then, in accordance with the Rules of Professional Conduct of the Law Society of Upper Canada, we would not be able to act against the County in any other matter—unless the County were to provide informed consent on a specific-case basis.

If we are successful in the RFP then we will discuss with the County additional steps that we can take within our firm to protect the County's information in our possession that is not otherwise publicly available, such as creating a "confidentiality wall" so that only those professionals within our firm working on County files would have access to such information related to the County.

1.2 Confidentiality

The information submitted in response to this RFP will be treated in accordance with all applicable legislation regarding freedom of information and privacy. The information collected will be used solely for the purposes stated in the RFP.

The proponent does, by the submission of a proposal, accept that the information contained in it will be treated in accordance with the process set out in the RFP. Proponents should clearly indicate in their submission which parts, if any, are exempt from disclosure under the relevant freedom of information and protection of privacy legislation.

All written Proposals received by the County become a public record once a Proposal is accepted by the County of Dufferin. All information contained in them is available to the public including personal information.

1.3 Use of Materials Provided

The proponent confirms that all materials provided by the County of Dufferin have been used only to respond to this Request for Proposal.

1.4 Consent and Certification

By submitting this application, the lead proponent hereby certifies to the Owners that the application and the supporting documentation are true and complete in all respects. The proponent also certifies that it has read and complied with the terms of the Request for Proposal.

DATED: April 21, 2016


SIGNATURE OF WITNESS


SIGNATURE OF RESPONDENT

SIGNATURE OF WITNESS SIGNATURE OF RESPONDENT

By my signature, I hereby confirm I am a principal, or have been duly authorized by the principal/board, to sign on behalf of the above named.

1.1 Conflicts of Interest

Proponents are required to state any perceived or actual conflicts of interest that they might have with the County of Dufferin or their staff.

We have conducted a thorough conflict search and have identified no conflict of interest.

The search did not reveal any instance of us ever acting against the County in litigation. In the last five years, we have acted only once on the other side of a real estate transaction involving the County.

If we are successful in the RFP and the County becomes our client then, in accordance with the Rules of Professional Conduct of the Law Society of Upper Canada, we would not be able to act against the County in any other matter—unless the County were to provide informed consent on a specific-case basis.

If we are successful in the RFP then we will discuss with the County additional steps that we can take within our firm to protect the County's information in our possession that is not otherwise publicly available, such as creating a "confidentiality wall" so that only the those professionals within our firm working on County files would have access to such information related to the County.

1.2 Confidentiality

The information submitted in response to this RFP will be treated in accordance with all applicable legislation regarding freedom of information and privacy. The information collected will be used solely for the purposes stated in the RFP.

The proponent does, by the submission of a proposal, accept that the information contained in it will be treated in accordance with the process set out in the RFP. Proponents should clearly indicate in their submission which parts, if any, are exempt from disclosure under the relevant freedom of information and protection of privacy legislation.

All written Proposals received by the County become a public record once a Proposal is accepted by the County of Dufferin. All information contained in them is available to the public including personal information.

1.3 Use of Materials Provided

The proponent confirms that all materials provided by the County of Dufferin have been used only to respond to this Request for Proposal.

1.4 Consent and Certification

By submitting this application, the lead proponent hereby certifies to the Owners that the application and the supporting documentation are true and complete in all respects. The proponent also certifies that it has read and complied with the terms of the Request for Proposal.

DATED: April 21, 2016

SIGNATURE OF WITNESS

SIGNATURE OF RESPONDENT

SIGNATURE OF WITNESS SIGNATURE OF RESPONDENT

By my signature, I hereby confirm I am a principal, or have been duly authorized by the principal/board, to sign on behalf of the above named.

RESPONDENT INFORMATION FORM

Official Name of Proponent	Fasken Martineau DuMoulin LLP
Operating Name (if different from Official Name)	
Lead Contact	Guy W. Giorno
Position/Title	Partner
Mailing Address	333 Bay Street, Suite 2400, P.O. Box 20
City/Town/County/Region	Toronto
Postal Code	M5H 2T6
Telephone	+1 416 366 8381
Fax	+1 416 364 7813
Email	ggiorno@fasken.com
Website	www.fasken.com
HST Account #	87937 6127 RT0001

In the case of a partnership please replicate the table above for each partner.
Add additional pages for any other involved partners.

1.0 COMPANY INFORMATION

1.1 Company/Individual Profile

Provide a profile of the company or individual submitting the proposal. If a Company, list the length of time in business and the principals involved.

Fasken Martineau is a leading Canadian firm. The firm began as Beatty & Chadwick in 1863, and has evolved through various mergers and firm names over the years. Today we have eight offices with more than 700 lawyers in Toronto, Ottawa, Montreal, Québec City, Vancouver, Calgary, London, and Johannesburg.

We have a special relationship with Terrance S. Carter, Managing Partner of the Carters law firm in Orangeville. Terrance is Counsel to Fasken Martineau on files involving charitable law.

The firm's practice areas and services include many relevant to the County, such as: municipal law, government ethics, conflict of interest, internal investigations, government agency administration and public sector transparency.

Peter Feldberg is our Firm Managing Partner. Martin Denyes is our Ontario Managing Partner.

Our excellence and broad industry expertise consistently garner accolades and top rankings from renowned law-firm guides published by Chambers & Partners, International Financial Law Review's Guide to the World's Leading Financial Law Firms, Legal 500 UK and Legal Experts published by Legal Business, and the Canadian Legal Lexpert Directory.

1.2 Partner Profile

Where a proposal is from a partnership, similar information should be provided for the Partner(s).

Guy is an expert in conflict of interest and government ethics. He was called to the Bar in 1991 and has practised law for 25 years. He has been a partner in Fasken Martineau continuously since 2002, except for the period July 1, 2008, through December 31, 2010, when he was Chief of Staff to the Prime Minister of Canada. Guy's practice is devoted to government ethics, conflict of interest, lobbyist registration, lobbying ethics, government transparency, and related fields. He serves on the Steering Committee of the Council for Governmental Ethics Laws, the pre-eminent organization of government ethics administrators in North America. He chairs the Law of Lobbying and Ethics committee of the Canadian Bar Association.

News media call him "well respected as an expert in accountability and ethics law" (Huffington Post, June 6, 2013) and "an ethics and lobbying bulldog who has built a reputation as a vocal advocate of accountable government" (IPolitics, February, 25, 2013).

1.3 Project Team Members

Use the following table to list all of the project team members. The table may be duplicated as many times as required. Resumes are to be attached separately.

Member	Guy W. Glorno	Organization	Fasken Martineau
Address	333 Bay Street, Suite 2400, Toronto, ON	Present Title	Partner
Postal Code	M5H 2T6	Telephone	+1 416 366 8381 x 46871
Email	gglorno@fasken.com	Facsimile	+1 416 364 7813

Role in Project

Integrity Commissioner: all functions including advice, reports and investigations

(Relevant skills and expertise to be contributed to the Project)

Member		Organization	
Address		Present Title	
Postal Code		Telephone	
Email		Facsimile	

Role in Project

(Relevant skills and expertise to be contributed to the Project)

Member		Organization	
Address		Present Title	
Postal Code		Telephone	
Email		Facsimile	

Role in Project

(Relevant skills and expertise to be contributed to the Project)

2.0 EXPERIENCE

2.1 Approach to Project

Proposals should clearly describe the process that would be undertaken in completing this project and the unique or innovative components that the specific proposal incorporates. Proponents should be explicit in describing the methodology they will use.

GENERAL PHILOSOPHY AND APPROACH

Guy's philosophy is that it is better to provide up-front advice, support and guidance in order to promote compliance than to conduct an inquiry into alleged non-compliance after the fact. The steps outlined below reflect this philosophy.

1. OUTREACH TO COUNCIL

At the beginning of his term, and then at least once annually, Guy will contact each Member, individually, to ask if the Member has any questions or comments related to the Code of Conduct. The objectives will be (a) to make the Integrity Commissioner accessible and available to Members and (b) to create a culture where Members don't hesitate to ask the Integrity Commissioner about how the Code of Conduct applies to specific situations.

2. GUIDANCE/BULLETINS

While under the Municipal Act such guidance would be non-binding, as Integrity Commissioner Guy will issue periodic reports to Council to provide guidance on the application of the Code to certain common fact situations.

3. ANNUAL REPORTS

At least annually, he will report to Council on the operation of the Code. The reports will include brief summaries of advice given to individual Members (with all identifying information removed) so that all Members (and the public) can learn from the case summaries.

4. INQUIRY PROCESS

By Labour Day 2016, Guy proposes to recommend to Council a draft process for handling complaints (requests) under the Code. The draft process will cover matters such as: time frames (to ensure inquiries are expeditious); notice to participants; and the right of the affected Member to comment on draft factual findings (but not the analysis or conclusions) before the report to Council is finalized. The draft process will follow an "inquiry" model and not an "adversarial" (two sides) model.

5. RESTRAINT IN PUBLIC COMMUNICATIONS

While the office of Integrity Commissioner provides a vital public service (maintenance of public confidence in the integrity of government) we believe it is essential to respect lines of accountability and reporting. In other words, the Integrity Commissioner must report only to Council. Therefore, Guy will never discuss specific cases with the news media. Further, only at the request of the Council will he conduct news media interviews or answer media questions about general (not specific) matters, and then only to increase public awareness of the Code and ethics. Further, except to the extent necessary to handle a complaint (request) from a member of the public that leads or could lead to an inquiry under s. 223.4 of the Municipal Act, or to conduct an inquiry, Guy will not discuss an individual Member's conduct with a member of the public. Except to handle a complaint (request) from one Member about another Member or to conduct an inquiry, Guy will not communicate with one Member about another Member's conduct; he will only communicate with Council as a whole.

6. NO COMMENT ABOUT ONGOING MATTERS

Specifically, when a complaint about a Member (i.e. request for inquiry) is received, as a matter of policy Guy will not discuss the complaint with, or even acknowledge it to, the news media or the public. If the decision is made to conduct an inquiry, he will first notify the Member(s) concerned and then post on the Website a brief statement which does nothing except confirm that an inquiry into a named Member is being conducted. Thereafter there will be no communication to the news media or public until the inquiry is completed and a report has been transmitted to Cabinet.

7. WEBSITE

While the Integrity Commissioner reports to Council and not to the public, we nonetheless believe that public transparency is critical. Guy will work with County staff to ensure that the County website (1) makes it easy to a member of the public to figure out how to submit a complaint (request) to the Integrity Commissioner and (2) easily makes available the Integrity Commissioner's reports. (The Municipal Act says the reports must be available to the public but does not specify Web posting. Guy would insist on it.)

2.2 Previous Experience

Proponents should describe any previous experience in projects similar to that included in the request for proposal.

Guy has extensive experience in conflict of interest and ethics matters involving government officials:

1. Represented Member of Parliament in inquiry under the Conflict of Interest Code for Members of the House of Commons.
2. Represented/advised MPPs (both complainants and respondents) in inquiries by the Integrity Commissioner (Ontario) under the Members' Integrity Act
3. Represented federal officials (including a Minister, two former Deputy Ministers, and several former officials) in examinations by the federal Conflict of Interest and Ethics Commissioner and other proceedings under the Conflict of Interest Act
4. Advised and represented witnesses in examinations by the federal Conflict of Interest and Ethics Commissioner under the Conflict of Interest Act
5. Represented persons being investigated for alleged breaches of the federal Lobbyists' Code of Conduct
6. Routinely advises on compliance with:
 - Conflict of Interest Rules for Public Servants (regulations under Public Service of Ontario Act)
 - Conflict of Interest Act (Canada)
 - Conflict of Interest Code for Members of the House of Commons
 - Policy on Conflict of Interest and Post-Employment (Canada)
 - Code of Conduct for Procurement (Canada)
 - Ethical and Political Activity Guidelines for Public Office Holders (Canada)
 - Lobbyists' Code of Conduct (Toronto)
 - Lobbyists' Code of Conduct (Ottawa)
 - Lobbyists' Code of Conduct (Canada)
 - Public corruption provisions of Criminal Code
7. Advised various government agencies/entities on conflict of interest, transparency and whistle-blowing
8. Drafted policies on conflict of interest, transparency, whistle-blowing
9. Testified on conflict of interest before House of Commons Standing Committee on Access to Information, Privacy and Ethics
10. Drafted Annex B of "Open Government: A Guide for Ministers" (now known as Open and Accountable Government)
11. Consulted by three different provinces on law-of-lobbying issues.

In addition, Guy has appeared before the following Courts and tribunals:

- Ontario Court of Appeal
- Ontario Divisional Court
- Superior Court of Justice
- Assessment Review Board
- Canadian Radio-television and Telecommunications Commission
- Grievance Settlement Board
- Ontario Labour Relations Board
- Workplace Safety and Insurance Appeals Tribunal (formerly WCAT)

A few of his many other presentations on ethics include:

- Reputation and Ethics: The Legal Issues – <http://goo.gl/UvcK0b>
- Political promises: easier to break than make, commentary on s. 550 of Canada Elections Act – <http://goo.gl/EakC8o>
- Government Procurement: When Selling Becomes Lobbying: The Impact of Accountability Law – <http://goo.gl/C0rZO7>
- Raising the Bar - The Case for Corporate Responsibility and Accountability, ACEC Summit 2013 – <http://goo.gl/6lFM1N>

2.3 General Municipal Knowledge

Proponents shall provide at least three (3) examples that demonstrate the proposed Integrity Commissioner's broad knowledge and experience within a municipal government including practices, procedures, methods and mandates found within a municipal environment.

Guy has extensive experience working with and for municipalities. In fact, he has worked with municipalities since the beginning of his legal career:

1. Toronto: Conducted workplace "equal employment opportunity" investigations for former Municipality of Metropolitan Toronto (1989 - while a student-at-law)
2. Gravenhurst: Successfully represented Town in landmark freedom of Information ruling: Gravenhurst (Town) v. Ontario (Information and Privacy Commissioner) (1993), 13 O.R. (3d) 531, 49 C.P.R. (3d) 550 (Div. Ct.)
3. Pembroke: Represented Police Services Board in another significant case: Pembroke (City) Police Services Board v. Kidder (1995), 22 O.R. (3d) 663 (Div. Ct.)
4. Ontario: While employed by the Government of Ontario (1995-2002) Guy was closely involved in the municipal restructuring reforms of the mid to late 1990s
5. Ontario: Acted for the Ministry of Municipal Affairs and Housing on project related to the Toronto Islands community (2002-2003)
6. Brantford: Facilitator for Council strategic planning session, then delivered written report (2004)
7. Grimsby: Facilitator for Council strategic planning session, then delivered written report (2004)
8. Faculty, Advanced Roundtable in Municipal Law, Law Society of Upper Canada (May 2, 2008)
9. "Municipal Mergers: A Case Study of Municipal Amalgamation in Ontario, 1996-2001," presentation to Ryerson University Department of Politics and Public Administration and Canada25 (March 2005) – <http://goo.gl/rgx68F>

OTHER

During 2006, when the Municipal Act was being amended (including to provide for municipal Integrity Commissioners), Guy was there: commenting on lobbyist registries, on democratic accountability and other issues related to open and ethical government. For example:

- "We need more democracy locally - not less," Globe and Mail (May 3, 2006) – <http://goo.gl/UOpUa8>
- "Act needs to be stronger to curb lobbyists at City Hall," National Post (June 12, 2006) – <http://goo.gl/1prtFA>

During the 1990s Guy routinely represented municipal institutions (respondents) in freedom of information appeals. Guy now focuses on compliance and best practices (helping institutions to achieve greater transparency and accountability) and on helping requesters to exercise their rights.

2.4 Knowledge of Municipal Law

Proponents are to demonstrate the proposed Integrity Commissioner's work experience in Ontario Municipal Law and give examples thereof.

Proponents who have taught, lectured or otherwise publicly demonstrated advanced knowledge of Municipal Ethics or Code of Conduct matters will be scored favourably

Guy has lectured and publicly demonstrated advanced knowledge of Municipal Ethics or Code of Conduct matters:
PRESENTATIONS

"Municipal Conflict of Interest - What's New?" Ontario Bar Association (February 8, 2013) – <http://goo.gl/1UQUhb>

"Municipal Conflict of Interest," OBA Summer Institute, live Q&A following rebroadcast (July 11, 2013)

"The Ethical Council: Conflict Codes, Lobbyist Registration and Other Best Practices for Councils and Councillors," presented to Association of Municipalities of Ontario (August 16, 2005) – <http://goo.gl/yyqMnQ>

PUBLICATIONS

"Leasing Lives on: Toronto's MFP scandal provides lessons," Summit, January/February 2006 (p. 12) – <http://goo.gl/BzJJIP>

"Comments on Implementation of the Recommendations of the Bellamy Inquiry," Presentation to Policy and Finance Committee, Toronto City Council Meeting No. 10, November 22, 2005 – <http://goo.gl/8aX9IT>

For additional presentations and publications, please see Section 2.3.

2.5 Investigative Experience

Proponents are to give at least two (2) examples to demonstrate the proposed Integrity Commissioner's previous experience each of the following:

Impartiality and neutrality in managing sensitive inquiries and conducting investigations and making appropriate recommendations;

Expertise with investigative techniques and procedures and in gathering of evidence and its legal interpretation;

Adjudicative skills or similar experience.

1. Conducted confidential internal investigations and prepared investigation reports for a federal political party.
 - Interviewed witnesses
 - Gathered, reviewed and interpreted evidence
 - Liaison with technical experts (forensic review)
 - Applied the facts to policy to determine whether contraventions had occurred
 - Acted with independence and neutrality
 - Prepared reports and made recommendations
2. Served as chair of the appeals board for a provincial political party.
 - Drafted (for approval by executive) rules for leadership election
 - On own authority, drafted and issued procedures and hearing rules
 - Presided over a three-member hearing panel (and sometimes single-person panel) that entertained challenges, complaints and disputes concerning alleged contraventions of the rules and party constitution
 - Conducted oral, in-person hearings
 - Reviewed documentary evidence
 - Drafted and issued production orders
 - Ruled on preliminary motions and issued written reasons
 - Made final rulings and issued detailed written reasons
 - Role required complete neutrality and sensitivity in dealing with often adversarial parties
3. Investigated "equal employment opportunity" complaints for former Municipality of Metropolitan Toronto
 - Interviewed complainants
 - Interviewed supervisors
 - Interviewed witnesses
 - Reviewed documentary evidence
 - Drafted investigation reports
4. Advised board of directors of financial institution on investigation into alleged executive misconduct
 - Worked with forensic accountants
 - Reviewed witness statements
 - Co-authored materials for board
 - Drafted board communications to employees, to stakeholders and to other audiences

2.6 Public Relations

Proponents are to give examples to demonstrate the proposed Integrity Commissioner's past experience and confidence in dealings with elected officials, the public and the media.

We suggest that no candidate for the position of Integrity Commissioner has as much experience and confidence dealing with elected officials, the public and the news media as Guy.

ELECTED OFFICIALS

As a former Chief of Staff to the Premier of Ontario and former Chief of Staff to the Prime Minister of Canada, and as an experienced lawyer serving municipalities, Guy is at ease dealing with elected officials. He has made presentations to: municipal councils; council committees; school board meetings; the federal Cabinet; the Ontario Cabinet; committees of the House of Commons, Senate and Ontario Legislature; and federal and provincial caucuses. He has dealt with elected officials one-on-one and in groups. He has dealt with elected officials in every conceivable way: given them advice; trained them; acted on their instructions; reported to them. Ten years of his legal career were spent inside government, working with elected officials.

NEWS MEDIA

The news media frequently ask Guy to address issues related to municipal councillors and municipal government. For example:

- Toronto Star (October 4, 2013)
- Toronto Metro (October 4, 2014)
- TVO's The Agenda with Steve Paikin (December 5, 2012)
- Ottawa Business Journal (August 21, 2012)
- Ottawa Sun (July 6, 2012)
- Ottawa Citizen (March 8, 2012)

Outside of municipal issues, Guy has extensive experience dealing with TV, radio, print and digital news media. Inside Ontario, those news media include: AM640 (CFMJ), CBC Metro Morning, CBC Newsworld, Education Today, CFRA, CIUT, CTV, CTV Question Period, Global TV, The Globe and Mail, The Hill Times, Hour Town (Pulse 24), Huffington Post, iPolitics, The Lawyers Weekly, Lobby Monitor, National Post, News Talk 1010 (CFRB), Ottawa Citizen, Ottawa Sun, Power and Politics, Rhonda Live, Summit Magazine, Sun News Network, TVO's Studio Two, Toronto Star (Canada's largest circulation newspaper, where he used to write a weekly column) and URC Investigates.

SPEAKING ENGAGEMENTS

He is highly regarded as a public speaker and as a trainer and an instructor, including at Carleton University where he teaches a graduate course in the school of political management. He has delivered speeches to a variety of audiences, including: Economic Club of Canada, ACEC-Canada, Canada-UK Chamber of Commerce, Canadian Council of Christian Charities, Ontario Hospital Association, Osgoode Professional Development, Council on Governmental Ethics Laws, University of Toronto School of Public Policy & Governance and Mowat Centre for Policy Innovation, Carleton University, Municipal Taxpayer Advocacy Group, Canadian Bar Association, University of Calgary, Winnipeg Public Library, and many others.

AUDIENCE FEEDBACK (SAMPLE)

- "Your presentation last time was a highlight of our event." Conference organizer, November 30, 2014
- "Guy Giorno was a very engaging speaker." Seminar attendee, June 20, 2013
- "Very Informative; great speaker and very clear." UK speech attendee, September 14, 2012
- "Dynamic speaker." Seminar participant, May 11, 2011
- "A great speaker ... commands attention." Audience member, January 31, 2006
- "Every once in a while, I hear a speech that I think is so good, I just want to turn over my entire column to it. ... Besides being a romping fun speech, Giorno's words should serve as a valuable lesson ..." Licia Corbella, Editor, Calgary Sun, November 13, 2005
- "Frankly you were the most highly rated speaker over the summer and in high demand by the registrants." Conference organizer, September 15, 2005

WRITING

- 2008 OVATION Award of Excellence for Writing, International Association of Business Communicators/Toronto
- 2008 OVATION Award of Merit for Writing, International Association of Business Communicators/Toronto
- Author of numerous articles and papers
- Co-author of the leading legal text on the law of lobbying in Canada

3.0 VALUE ADDED SERVICES

Proponents should provide details on any aspects of the proposal that provide additional value or provide for any extra service not requested within the scope of work.

1. RELATED ADVICE AND GUIDANCE

At the request of Council, for the hourly rates specified in Section 4, the Integrity Commissioner is also willing to provide:

- Advice to individual Members about their own situation under the Code of Conduct and other procedures, rules and policies governing the ethical behaviour of Members
- Specific and general opinions and advice to Council on the County's procedures, rules and policies regulating the conduct of Members and Issues of compliance with same
- Educational outreach programs to Council on Issues of ethics and Integrity

2. LOBBYIST REGISTRY

Guy is widely recognized as Canada's leading legal expert on lobbying laws.

If the County wishes to consider the drafting of a lobbying by-law or the introduction of a lobbyist registry, Guy would be pleased to offer his expertise (whether to draft, to comment on drafts, to make recommendations, to help design a process, or to assist in any other way) at the hourly rates described in Section 4.

3. PUBLIC COMMUNICATION

If Council requests, for the purpose of public education and understanding, the Integrity Commissioner would, pursuant to Section 4, attend one or more public meetings, arranged by the County, to explain to the public the Code of Conduct and to answer questions about ethical issues. His comments during those meetings would be general and not relate to any individual case.

With Council's permission and County cooperation he will also draft one or more web pages (on the County website) to facilitate public understanding of the Code, the process, and ethics generally.

4. COUNCIL ON GOVERNMENTAL ETHICS LAWS (COGEL)

COGEL is the pre-eminent organization of government ethics administrators in North America. It provides a valuable forum for integrity commissioners to share best practices and to learn from the experiences of one another. The federal and most provincial integrity/ethics commissioners already belong to COGEL.

If we are successful in this RFP, we will, at our expense and not the County's expense, register the Office of the Integrity Commissioner, Dufferin County, as a "governmental" member of COGEL. This will give the County, through the Integrity Commissioner, access to all the benefits of COGEL membership.

5. BULLETINS AND SEMINARS

We regularly publish bulletins on new developments in the area of conflict of interest, government ethics, lobbying law and related topics. We will include the County on our distribution lists.

We will also offer County personnel complimentary (free) admission to our annual update seminars on municipal (and federal and provincial) lobbying laws. Ordinarily, our lobbying seminars operate on a paid-attendance basis).

6. LIBRARY SERVICES

Fasken Martineau has one of the largest private law firm libraries in Canada and would be pleased to have County personnel use our library facilities by informal appointment. Our librarians would also be pleased to offer quick reference assistance to County personnel by telephone or in person on a third-party cost recovery basis.

4.0 PRICING

Proponents must provide a schedule of the costs associated with the project including hourly rates/per diem of all individuals involved, disbursements including travel, communications, printing and overhead.

FEES - INTEGRITY COMMISSIONER

For the services of Guy Glorno as Integrity Commissioner:

1. Annual retainer from County: \$220
2. Annual retainer from each interested lower-tier municipality: \$90
3. For each hour spent interviewing, speaking to Members, receiving and reviewing complaints (requests for inquiries), researching, writing, reporting, and attending at meetings and telephone conferences: \$100

Note: Hours to be rounded to the nearest 15 minutes (i.e., \$25 per 15 minutes)

FEES - OTHERS

None. No other individuals will be involved in providing the services.

EXPENSES

Expenses will be charged as follows:

Note: Guy works out of our Toronto and Ottawa offices but resides in Ottawa. In the best interests of the County, for the purpose of charging for expenses our Toronto office will be used as the starting location.

1. Travel to meetings or interviews: reimbursement for taxi fares (actual cost, with receipts) or, where personal vehicle used, reimbursement at the County's mileage (km) rate. For consistency, mileage (km) will always be calculated using our office at 333 Bay Street, Toronto, as the deemed start point and deemed end point of a round trip.
 - 1A. If the County requires the Integrity Commissioner's presence urgently (96 hours notice or less, not counting weekends) and if he is already scheduled to be outside the Greater Toronto Area on the day his presence is requested (or on the day immediately prior or on the day immediately following) then reimbursement of any additional cost for extraordinary expenses that he will need to incur to accommodate timing of the request will be subject to prior agreement with the Clerk.
2. Accommodation when required for meetings or interviews: reimbursement in accordance with County policy.
3. Meals: reimbursement at County rates; alcohol not reimbursable
4. Long-distance calls, including cell-phone calls: reimbursed at actual cost
5. Copies: 1-49 at a time, 10 cents per page; 50+ we will ask the County to reproduce
6. Other overhead: We will waive most of the disbursements that we normally charge to clients such as internal printing of material, mailing charges, couriers (except as described below), scanning, and faxing.
7. Extraordinary disbursements (for e.g. courier for a document that must be delivered on a time-sensitive basis when the need to send arose on short notice): subject to prior agreement with the Clerk.

TAXES

HST to be added to fees, and where applicable to costs, as required by law.

5.0 REFERENCES

Please provide three references for similar assignments in which you have been involved. Under "Role in Project" describe if you or your organization was the lead agency or a subcontractor, the scale of the project, and the deliverables. Replicate the forms as required.

REFERENCE #1

<i>Organization Name:</i>	Cancer Care Ontario
<i>Contact Name:</i>	Erica Zarkovich
<i>Contact Title:</i>	General Counsel
<i>Address:</i>	620 University Avenue, Toronto, Ontario M5G 2L7
<i>Telephone #:</i>	+1 416 971 9800
<i>E-mail Address:</i>	Erica.Zarkovich@cancercare.on.ca
<i>Description of Services Provided/Role in Project</i>	Legal advice and support to an internal investigation into alleged conflict of interest

REFERENCE #2

<i>Organization Name:</i>	City of Brantford
<i>Contact Name:</i>	Mike Hancock
<i>Contact Title:</i>	Mayor from 2003-2010
<i>Address:</i>	31 Winding Way, Brantford, ON N3R 3S1 (Home)
<i>Telephone #:</i>	+1 519 756 9108 (Home)
<i>E-mail Address:</i>	N/A
<i>Description of Services Provided/Role in Project</i>	Facilitated Council Members' day-long strategic planning session and prepared report

REFERENCE #3

<i>Organization Name:</i>	Conservative Party of Canada
<i>Contact Name:</i>	Dustin van Vugt
<i>Contact Title:</i>	Executive Director
<i>Address:</i>	130 Albert Street, Suite 1204, Ottawa, Ontario K1P 5G4
<i>Telephone #:</i>	+1 613 755 2007
<i>E-mail Address:</i>	dustinvanvugt@conservative.ca
<i>Description of Services Provided/Role in Project</i>	Conducted confidential, sensitive internal investigations and reported on same

Print Form

Guy W. Giorno



Partner

Toronto/Ottawa

+1 416 366 8381

+1 613 696 6871

+1 613 230 6423 (fax)

ggiorno@fasken.com

www.fasken.com/guy-giorno

Guy Giorno leads Fasken Martineau's public sector ethics, transparency and political law practice, and practises public law with an emphasis on accountability and ethics laws. He routinely advises public sector entities on their governance, ethics and transparency.

Clients benefit from Guy's significant experience in public sector ethics, conflict-of-interest codes, accountability legislation (including freedom of information law), lobbyist registration law and election and election finance law. He is also versed in meeting facilitation, strategic planning, strategic communication, crisis communication and issue management and stakeholder relations.

He serves on the Steering Committee of the Council on Governmental Ethics Laws. Guy is also Chair of the "Law of Lobbying and Ethics" committee of the Canadian Bar Association, is co-author of the legal text *Lobbying in Canada* and routinely speaks, writes and advises clients on this emerging, complex field of law.

Guy originally joined Fasken Martineau in June 2002. He rejoined the partnership in January 2011 after serving two and one-half years as Chief of Staff to the Prime Minister of Canada. He has been appointed a Fellow of the University of Toronto School of Public Policy & Governance, and a Fellow of Carleton University's Clayton H. Riddell Graduate Program in Political Management where he also teaches a Master's level course. He is also an Executive Member of the National Administrative Law Section of the Canadian Bar Association.

Areas of Practice

- Municipal Government Ethics and Lobbyist Registration
- Government Transparency and Ethics
- Anti-Bribery and Corruption
- Corporate Governance
- Corporate Social Responsibility Law
- Litigation & Dispute Resolution

Education

- LL.B., 1989, University of Toronto

Year of Call/Admission

- Ontario, 1991

Languages

- English

During the 1990s he routinely represented municipal institutions (respondents) in freedom of information appeals. Guy now focuses on compliance and best practices (helping institutions to achieve greater transparency and accountability) and on helping requesters to exercise their rights to obtain government records under freedom of information/access to information legislation.

Before joining the firm, Guy served as chief of staff and legal counsel to the 22nd Premier of the Province of Ontario. He founded and until 2008 he was the first national director of our Government Relations and Ethics group.

Guy's skill in writing has been recognized in two separate Ovation Awards conferred by the International Association of Business Communicators (Toronto). Much sought-after as a speaker, he has delivered presentations and speeches to numerous audiences and organizations. His analysis appears frequently in the media, including but not limited to Advisor.ca Daily News, The Bottom Line, Briefly Speaking, CBC Metro Morning, CBC Newsworld, Education Today, CFRA, CIUT, CKNW's Nightline BC, Charles Adler OnLine, CTV, CTV Question Period, Global TV's Focus Ontario, The Globe and Mail (Canada's national newspaper), The Hill Times, Hour Town (Pulse 24), Huffington Post, iPolitics, The Lawyers Weekly, Lobby Monitor, the Michael Coren Show, the National Post, News Talk 1010 (CFRB), Ottawa Sun, Power and Politics, Rhonda Live, Summit Magazine, Sun News Network, TVO's Studio Two, the Toronto Star (Canada's largest circulation newspaper, where he used to write a weekly column), URC Investigates, Voice of the Province and the Western Standard.

Representative Municipal Experience

- *Re City of Toronto, Orders MO-2135-I, MO-2226, MO-2275, MO-2282-I, MO-2389, MO-2396-F (Information and Privacy Commissioner/Ontario)*
Counsel to the Requester
- *Re City of Toronto, Final Order MO-2468-F (Information and Privacy Commissioner/Ontario)*
Counsel to the Requester
- *Pembroke (City) Police Services Board v. Klidder, 22 O.R. (3d) 663 (Div. Ct.)*
Counsel to Pembroke Police Services Board
- *Gravenhurst (Town) v. Ontario (Information and Privacy Commissioner) (1993), 13 O.R. (3d) 531, 49 C.P.R. (3d) 550 (Div. Ct.)*
Counsel to Town of Gravenhurst
- *Glengarry Memorial Hospital v. Ontario (Pay Equity Hearings Tribunal) (1993), 99 D.L.R. (4th) 706 (Ont. Div. Ct.)*
Counsel to Glengarry Memorial Hospital
- *McColl v. Gravenhurst (Town), [1993] O.J. No. 1132 (Ont. Gen. Div., Assessment Officer)*
Counsel to Town of Gravenhurst

Municipal Law and Related Presentations

- Municipal Conflict of Interest: What's New?, Summer Institute 2013, Ontario Bar Association, July 11, 2013
- Municipal Conflict of Interest: What's New?, Institute 2013, Ontario Bar Association, February 8, 2013
- Reform of the Interest Arbitration Process, Government Innovation Conference, Municipal Taxpayer Advocacy Group, March 8, 2012
- City of Ottawa Lobbyist Registry and Rules Take Effect Sept. 1st: Is Your Business or Organization Ready?, Fasken Martineau Institute, September 11, 2012
- Government Procurement: When Selling Becomes Lobbying: The Impact of Accountability Law, February 25, 2008
- Toronto's New Lobbying By-Law Takes Effect February 11: Are You Ready?, February 22, 2008
- Failure to Implement the Lobbying By-Law: Submission to Government Management Committee, Toronto City Council, November 8, 2007
- Seminar - Beyond the Rhetoric: Making Sense of Toronto's New Lobbying By-Law, May 23, 2007
- Toward a Tough Lobbying Control By-Law in Toronto, June 12, 2006
- Letter to Members of the Ontario Legislative Assembly concerning Bill 53, the Stronger City of Toronto for a Stronger Ontario Act, June 5, 2006
- Strengthening Bill 53 to Support a Lobbying Control Framework in Toronto, May 3, 2006
- Comments on Implementation of the Recommendations of the Bellamy Inquiry, November 22, 2005
- Municipal Freedom of Information and Protection of Privacy Act, Standing Committee on the Legislative Assembly, January 20, 1994

Municipal Law and Related Publications

- "Municipal Lobbyist Registry Now Operational: Broad Impact on Ottawa Businesses", Capital Perspectives, September 2012
- "City of Ottawa Considers Sweeping Lobbying Disclosure Law: Impact on Businesses, Non-Profits and Neighbourhood Groups", Lobbying Law Bulletin, November 24, 2011
- "It's crunch time for Ottawa's lobbyist registry", Capital Perspectives, September 2011
- "We need universal lobbying rules in Ottawa", March 27, 2007
- "Toronto, where the lobbyists roam freely", March 9, 2007
- "Act needs to be stronger to curb lobbyists at City Hall", June 12, 2006
- "Toward a Tough Lobbying Control By-Law in Toronto", June 12, 2006

- "Leasing lives on: Toronto's MFP scandal provides lessons", by Guy W. Giorno, January 2006
- "Comments on Implementation of the Recommendations of the Bellamy Inquiry", by Guy W. Giorno, November 22, 2005
- "Municipal Lobbyist Registration", by Guy W. Giorno, September 27, 2005
- "The Ethical Council: Conflict Codes, Lobbyist Registration and Other Best Practices for Councils and Councillors", by Guy W. Giorno and Andrew Pillar, August 16, 2005
- "Municipal Mergers: A Case Study of Municipal Amalgamation in Ontario, 1996-2001", By Guy W. Giorno, March 2005

Memberships and Affiliations

- Chair, Law of Lobbying and Ethics Committee, Canadian Bar Association, Administrative Law Section
- Member, Steering Committee, Council on Government Ethics Laws
- Executive Member, National Administrative Law Section, Canadian Bar Association
- Fellow, Carleton University Clayton H. Riddell Graduate Program in Political Management
- Fellow, University of Toronto School of Public Policy & Governance
- Member, Ontario Bar Association

Rankings and Awards

- Distinguished Alumni Award, Toronto Catholic District School Board (2001)
- 2008 OVATION Award of Excellence for Writing, International Association of Business Communicators/Toronto
- 2008 OVATION Award of Merit for Writing, International Association of Business Communicators/Toronto

Fasken Martineau DuMoulin LLP
Barristers and Solicitors
Patent and Trade-mark Agents

+ 1 416 366 8381 General
+ 1 416 364 7813 Fax
1 800 268 8424 Toll-free

Bay Adelaide Centre
333 Bay Street, Suite 2400
P.O. Box 20
Toronto, Ontario M5H 2T6
Canada

fasken.com

**FASKEN
MARTINEAU** 

April 20, 2016
Invoice #: ABC
HST#: 87937 6127 RT0001

The Corporation of the County of Dufferin
Attention: Clerk
55 Zina Street
Orangeville, ON L9W 1E5

For services rendered as Integrity Commissioner through September 30, 2016

<u>Date</u>	<u>Description</u>	<u>Time</u>	<u>Rate</u>	<u>Fee</u>
08/20/2016	Interviews related to Inquiry	2.20 hrs.	\$100	\$220.00
08/22/2016	Drafting report	1.50 hrs.	\$100	\$150.00
08/31/2016	Review respondent's comments and finalize report including recommendations	1.25 hrs.	\$100	\$125.00
09/15/2016	Attendance at Council in relation to report	1.75 hrs.	\$100	\$175.00

Our Fees

HST

\$ 670.00

87.10

Total Fees Including Taxes

\$757.10

Disbursements

Long-distance telephone calls

\$ 3.32

Mileage (09/15/2016) 163 km @ 0.50¢/km

81.50

Total Disbursements

\$84.82

Total Fees, Disbursements and Taxes

CAD \$841.92

Fasken Martineau DuMoulin LLP

Per: Guy W. Glorno
E.&O.E.

Terms: payment due upon receipt. Pursuant to the *Solicitors Act*, interest will be charged at the rate of 0.8% per annum on unpaid fees, charges or disbursements calculated from a date that is one month after this statement is delivered. Any disbursement not posted to your account on the date of this statement will be billed later.

SCOTIABANK, 20 Queen Street West, 4th Floor, Toronto, Ontario, M5H 3R3
Account Name: Fasken Martineau DuMoulin LLP
CAD\$ Account No: 476961041614, Transit No. 47696 Bank ID: 002
SWIFT code: NOSCCATT

Please send a payment notice to credits@fasken.com

VANCOUVER CALGARY TORONTO OTTAWA MONTRÉAL QUÉBEC CITY LONDON JOHANNESBURG

Fasken Martineau DuMoulin LLP¹

Summary of Professional Liability Insurance Coverage as of March 1st, 2016

The firm has the following errors and omissions insurance, with maximum limits totaling up to Cdn\$250 million per claim/Cdn\$280 million in the annual aggregate.

1st Layer Coverage

Each lawyer who is a member of one (or more) of the Law Societies (in Québec, called the *Barreau*) for the provinces in which the firm has offices is required to have the following minimum coverage. (A lawyer licensed in two or more of Ontario, Alberta and B.C. need only have the mandatory policy issued in the province where he or she resides.) The policy periods are January 1, 2016 to December 31, 2016,^(1 a 2) or April 1, 2015 to March 31, 2016⁽³⁾ or July 1, 2015 to June 30, 2016⁽⁴⁾.

Quebec - Fonds d'Assurance Responsabilité du Professionnelle du Barreau du Québec⁽⁵⁾
Ontario - Lawyers Professional Indemnity Company⁽¹⁾
Alberta - Alberta Lawyers Insurance Exchange⁽⁴⁾
British Columbia - The LSBC Captive Insurance Company Ltd. ⁽²⁾

Cdn\$10 million per claim/annual aggregate
Cdn\$1 million per claim/Cdn\$2 million annual aggregate
Cdn\$1 million per claim/Cdn\$2 million annual aggregate
Cdn\$1 million per claim /Cdn\$2 million annual aggregate

Each Québec notary is required by The Chamber of Notaries of Québec to have Cdn\$1 million per claim/Cdn\$2 million annual aggregate minimum coverage from the Fonds d'assurance-responsabilité professionnelle de la Chambre des Notaires du Québec. The policy period is January 1, 2016 to December 31, 2016.

Each translator, terminologist or interpreter who is a member of the Order of Certified Translators, Terminologists and Interpreters of Québec is covered by a Cdn\$1 million per claim/annual aggregate policy issued by La Capitale General Insurance Inc.. The policy period is April 1, 2015 to March 31, 2016.

Each patent or trademark (or dual) agent licensed in Canada is covered by the excess policies applicable to lawyers practicing Canadian law in Canada (see below) subject to a self-insured retention of \$25,000.

Each lawyer who is a member of the Law Society of England and Wales (LSEW) is covered in the same manner as a Canadian lawyer practicing non-Canadian law, except that he or she is required to have £3 million per claim/annual aggregate coverage provided by one or more insurers approved by the LSEW and containing terms stipulated by the LSEW. This policy is provided by underwriters at Lloyds but the 3 million is included inside the CLLAS international policy that provides US\$30 million from Lexington Insurance Company, Interstate Fire & Casualty, Continental Casualty and Scottsdale Insurance Company.

Each lawyer in the London office is covered in the same manner as a Canadian Lawyer practicing Non-Canadian Law.

Each lawyer who is a member of the Bar of Paris is covered in the same manner as a Canadian lawyer practicing non-Canadian law, excess of the Paris Bar.

Excess Coverage

The firm has excess errors and omissions insurance to a maximum limit of Cdn\$250 million/Cdn\$280 million annual aggregate (inclusive of the mandatory 1st layer coverage) for the practice of Canadian law anywhere in the world (except as noted below for Ontario lawyers). The policy period is July 1, 2015 to June 30, 2016. The insurers are:

Canadian Lawyers Liability Assurance Society (CLLAS) - an insurance reciprocal of 11 large Canadian firms
Liberty International Underwriters Canada
Royal & Sun Alliance Insurance
Travelers Guarantee Company of Canada
QBE Services Inc.
AIG Insurance Company of Canada
Chubb Insurance Company
ENCON Group Inc.
Northbridge Insurance Company

In the case of Canadian patent and trademark agents, the maximum limit (as noted above) is Cdn\$249 million/Cdn\$279 million annual aggregate subject to a self-insured retention of \$25,000.

Lawyers practicing law in offices outside of Canada are excluded from the Ontario mandatory 1st layer coverage. Lawyers and Québec notaries practicing non-Canadian laws are excluded from the Québec, Ontario, Alberta and B.C. mandatory 1st layer coverages and from the first Cdn\$50 million of excess coverage (which is inclusive of the 1st layer coverage, where applicable), provided by CLLAS.

Lawyers to which these exceptions apply are insured under policies issued by Lexington Insurance Company, Interstate Fire & Casualty Insurance Company, Continental Casualty Company, and Scottsdale Insurance Company providing US\$30 million per claim/annual aggregate in coverage. (As noted above, the policy period is July 1, 2015 to July 1, 2016.) Using Cdn\$1=US\$1, the firm therefore has errors and omissions insurance to a maximum limit of Cdn\$230 million/\$260 million annual aggregate for the practice of law by lawyers resident abroad and the practice of non-Canadian laws by Canadian or non-Canadian lawyers anywhere in the world.

In the case of lawyers in our Johannesburg office, the professional indemnity insurance and misappropriation of Trust Funds is however through AON South Africa and the coverage is as follows:

Policy Period: February 1, 2016 to January 31, 2017
Professional Indemnity: R1 500 000 000 each and every claim in excess of any amount recoverable in terms of the Attorneys Fidelity Fund Professional Indemnity Insurance Scheme.
Misappropriation of Trust Funds: R100 000 000 in the aggregate

¹ Fasken Martineau DuMoulin LLP is a limited liability partnership formed under Ontario law. The London, Paris and Johannesburg law firms that use the Fasken Martineau name and logo are separate organizations formed under the laws of England, France and South Africa, respectively. References in this summary to the firm should be read to mean each of the four organizations, because each is a named insured under the excess insurance policies, and the per claim and annual aggregate limits described in this summary apply to all four on a combined basis.

SCHEDULE 'B'

Work Schedule for Processing Complaints under Code of Conduct

Note that the Integrity Commissioner has discretion to extend any of these time limits.

<u>Step</u>	<u>Maximum Time (total business days elapsed from Making of Complaint)</u>
Commissioner receives Complaint	one business day (+1)
Commissioner initially classifies complaint	within three business days after receipt (+4)
Commissioner decides whether to proceed to investigation stage	within three business days after receipt (+4)
Commissioner gives notice to Member and to Complainant	within three business days after receipt (+4)
Member has seven business days to respond	seven business days (+11)
Commissioner shares Member's reply with Complainant	within three business days (+14)
Complainant has seven business days to reply	seven business days (+20)
Commissioner determines whether interviews and further investigation and/or settlement attempts are required	within week of receiving reply (+25)
Interviews and further investigation and/or settlement	three weeks (+40)
Commissioner drafts proposed findings and proposed recommendations	within week (+45)
Commissioner delivers proposed findings and proposed recommendations to Member	same day (+45)
Member has seven business days to respond	seven business days (+52)
Commissioner delivers general findings (without recommendations) to Member and Complainant, and delivers report and recommendations to Council (via Clerk)	five business days (+57)

SCHEDULE 'C'

Confidentiality Statement

As an employee or partner of Fasken Martineau ("the Consultant"), and as a condition of receiving access to information belonging to the Township of Melancthon ("the Municipality"), I understand and promise to adhere to the following confidentiality requirements:

The Consultant shall at all times be responsible for keeping confidential, any files, data and other forms of information belonging to the Municipality that is encountered while fulfilling work within this Agreement. The Consultant shall take all necessary measures to guard any such information to ensure that it is kept secure at all times. The foregoing obligations shall not apply to information which (i) shall have otherwise become publicly available other than as a result of disclosure by the Consultant in breach hereof, (ii) was disclosed to the Consultant on a non-confidential basis from a source other than the Municipality, which is not prohibited from disclosing such information as a result of an obligation in favor of the Municipality, (iii) is developed by the Consultant independently of, or was known by the Consultant prior to, any disclosure of such information made by the Municipality, or (iv) is disclosed with the written consent of the Municipality.

A receiving party also may disclose confidential information to the extent required by an order of a court of competent jurisdiction, administrative agency or governmental body, or by any law, rule or regulation, or by subpoena, summons or other administrative or legal process, or by applicable regulatory or professional standards, or in connection with any judicial or other proceeding involving the Consultant and the Municipality relating to the Consultant's services for the Municipality or this Agreement.

Should it be necessary to remove information, or systems which contain information, from Municipality's premises, the Consultant will take additional precautions during transportation and at the Consultant's premises to make certain that the information is not accessed by or transmitted to a third party, either directly or indirectly. The Consultant and employees of the Consultant shall not view information contained on any system that is not absolutely necessary in order to complete the task assigned.

Further they shall not copy, share or transmit any of the Municipality's information, without seeking the written consent of the Municipality.

Signed: _____

Print Name: _____

Date: _____