



TOWNSHIP OF MELANCTHON

A G E N D A

Thursday, September 19, 2019 - 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 5, 2019**
6. **Business Arising from Minutes**
7. **Point of Privilege or Personal Privilege**
8. **Public Question Period** (Please visit our website under Agenda & Minutes for information on Public Question Period)
9. **Public Works**
 1. Estimate from RJ Burnside and Associates regarding core samples for the Riverview Bridge (CAO/Clerk will provide at the meeting)
 2. Other
10. **Planning**
 1. Applications to Permit
 2. Draft Cannabis Facility Definition and Regulation - September 12, 2019
 3. Other
11. **Police Services Board**
 1. Recommendation from Township of Melancthon Police Services Board - Highway Traffic Act
 2. AMCTO - Government Proposing Regulatory Framework for Speed Enforcement
 3. Updates from the September 12, 2019 PSB Meeting
 4. Other
12. **County Council Update & AMO Conference Update**
13. **Correspondence**

***Board & Committee Minutes**

1. Upper Grand Watershed Committee Meeting - May 23, 2019
2. NDCC - August 8, 2019
3. Shelburne & District Fire Board - June 4, 2019
4. Shelburne & District Fire Board - July 2, 2019
5. Township of Melancthon Police Services Board - June 26, 2019

*** Items for Information Purposes**

1. GRCA - Summary of the General Membership Meeting - August 23, 2019
2. Resolution from the Township of McKellar - Municipal Amalgamation
3. Letter from Ministry of Municipal Affairs and Housing regarding More Homes, More Choice Act, 2019
4. NDCC Appreciation letter to Mulmur Melancthon Fire Department
5. Dufferin County Council Meeting Change of Location
6. Email from Ontario News - Ontario Investing in Community, Culture and Recreational Projects
7. NVCA Board Highlights August 23, 2019

8. Town of Shelburne Planning - Request for Approval for Site Alteration Permit - 201 Wellington Street
9. Resolution from Town of Grand Valley supporting Town of Mono Letter regarding Municipal Amalgamations
10. Letter to Minister of Transportation, Honourable Caroline Mulroney from Laura Ryan, Town of Mono Mayor regarding MTO, Highway Traffic Act Set Fines
11. Email from Colin Smith, CIP, Account Manager, Frank Cowan Company regarding Joint and Several Liability and Insurance Consultations
- 14. General Business**
 1. New/Other Business/Additions
 2. Unfinished Business
 1. WDGPH Letter to Municipalities re: Alcohol Policy (Correspondence Item 6 deferred from August 15, 2019 * September 5, 2019 Council meetings)
 2. Email from Jennifer Willoughby regarding By-law Enforcement Services (Information Item 1 – deferred from August 15, 2019 Council Meeting)
- 15. Delegations**
 1. 7:00 p.m. - Closed Session Matter – Personal matters about an identifiable individual, including municipal or local board employees - Tax Arrears Registration
- 16. Closed Session (if required)**
 1. Approval of Draft Minutes - September 5, 2019
 2. Business Arising from Minutes
 3. Personal matters about an identifiable individual, including municipal or local board employees - Tax Arrears Registration (See above Delegations) & Update from CAO/Clerk regarding the letters that were sent to Property Owners under the Property Standards By-law
 4. Rise from Closed Session – With or Without Report
- 17. Third Reading of By-laws (if required)**
- 18. Notice of Motion**
- 19. Confirmation By-law**
- 20. Adjournment and Date of Next Meeting - Thursday, October 3, 2019 - 5:00 p.m.**
- 21. On Sites**
- 22. Correspondence on File at the Clerk's Office**

APPLICATIONS TO PERMIT FOR APPROVAL
Sept 19, 2019 COUNCIL MEETING

PROPERTY OWNER	PROPERTY DESCRIPTION	TYPE OF STRUCTURE	DOLLAR VALUE	D.C.'s	COMMENTS
John Fred McDonald	237080 4th Line NE Part Lot 9, Con 4 NE	single family dwelling	\$375,000	NO	house is being moved from strada property to this property
Brian French - Lennox Farms	518024 County Road 124 E Part Lot 21, Con 2 OS	seasonal work camp	\$150,000		

PLAN #1
SEP 19 2019

• Municipal Planning Services Ltd. •

MEMORANDUM

To: Mayor White and Members of Council
Copy: Ms. Denise Holmes, CAO
From: Chris Jones MCIP, RPP
Date: September 13, 2019
Re: Draft Cannabis Regulation

As per Council's direction subsequent to my report on existing and proposed cannabis regulations in the Counties of Brant, Norfolk, Haldimand and the Town of Pelham, I have prepared and attached a draft zoning amendment to define and regulate cannabis facilities for Council's review and consideration.

The draft by-law is reflective of the Township's existing regulation for on-farm diversified uses in that it proposes minimum separation distances between facilities as well as a minimum separation from adjacent buildings/uses.

The draft by-law also builds upon Council's earlier resolution of support for outdoor growing of cannabis, in that it defines cannabis facilities as an accessory use to a cannabis crop grown outdoors.

I look forward to discussing the draft zoning amendment with Council.

Respectfully Submitted,



Chris Jones MCIP, RPP

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
BY-LAW NO. _____
(Cannabis Facility Definition and Regulation – September 13, 2019)

Being a By-law to amend By-law No. 12-79, as amended, the Zoning By-law for the Township of Melancthon to define and regulate cannabis facilities

WHEREAS the Council of the Corporation of the Township of Melancthon is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the Planning Act, 1990;

AND WHEREAS Council of the Corporation of the Township of Melancthon wishes to update the definitions and regulations governing cannabis facilities;

AND WHEREAS the Council of the Corporation of the Township of Melancthon deems it advisable to amend By-Law 12-79, as amended;

NOW THEREFORE the Council of the Corporation of the Township of Melancthon enacts as follows:

1. Zoning By-law 12-79 as amended, is further amended in the following manner:

a) Sub-section 2.50a is deleted.

b) Section 2 is amended by adding the following new definitions after sub-section 2.10:

2.10a Cannabis means:

- i. A Cannabis plant;
- ii. Any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- iii. any substance or mixture of substances that contains or has on it any part of such a plant; and
- iv. any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

2.10b Cannabis Plant means a plant that belongs to the genus "Cannabis".

2.10c Cannabis Facility means a building or buildings, designed, used, or intended to be used in an accessory manner to the outdoor growing of cannabis for one or more of the following: cultivation, growing, cloning, propagation, production, processing, harvesting, testing, alteration, destruction, storage, packaging, shipment or distribution of cannabis where a license, permit or authorization has been issued under applicable federal law but does not include a building or part thereof solely designed, used, or intended to be used for the retail sale of cannabis.

c) Section 3 is amended by adding the following new sub-section after sub-section 3.23:

3.24 Cannabis Facilities

Notwithstanding the permitted uses and regulations of the Agricultural (A1) Zone, where a lot is authorized by Federal license for the outdoor growing of cannabis, a Cannabis Facility shall be a permitted use in the A1 Zone, subject to the following regulations:

- | | |
|--|----------------------------|
| i. Minimum Lot Area: | 40 ha |
| ii. Minimum Lot Frontage: | 150 metres |
| iii. Minimum Setback from any Lot Line: | 15 metres |
| iv. Minimum Separation from any building on a separate parcel: | 300 metres |
| v. Minimum Separation from another Cannabis Facility (separate lot): | 2,000 metres |
| vi. Maximum Lot Coverage of all buildings and structures: | 5% |
| vii. Minimum Lot Area utilized for outdoor growing of cannabis | 20 ha |
| viii. Minimum Parking Requirement: | 1 space/250 m ² |

Any lands utilized for the outdoor growing of Cannabis and/or a Cannabis Facility shall be subject to site plan control.

2. In all other respects, the provisions of By-law 12-79, as amended shall apply.

This By-law shall come into effect upon the date of passage hereof, subject to the provisions of Section 34 (30) and (31) of the Planning Act (Ontario).

READ A FIRST AND SECOND TIME on the xxth day of xxx 2019.

READ A THIRD TIME and finally passed this xxth day of xxx 2019.

Mayor

Clerk

Draft



TOWNSHIP OF MELANCTHON

POLICE SERVICES BOARD

157101 Highway 10, Melancthon, Ontario, L9V 2E6

September 12, 2019

Melancthon Township
157101 Highway 10
Melancthon, Ontario
L9V 2E6

Attention: Mayor White and Members of Council

Dear Sirs/Madame:

At the meeting of the Police Services Board, held today, the following motion is recommended to be presented to and passed by the Council of the Township of Melancthon at its regular meeting to be held on September 19, 2019:

"WHEREAS there has been a persistent and even apparent increase in the challenge created by persons operating motor vehicles while distracted, while driving at rates of speed well in excess of posted speed limits and in other manners of aggressive driving on roads in the Province of Ontario, and specifically within the County of Dufferin, including the Township of Melancthon;

AND WHEREAS the traffic data posted by the Ministry of Transportation (Ontario) for the period of 1988-2016 for Provincial Highway 10 as it crosses the Township of Melancthon into south Grey County indicates that the Annual Average Daily Traffic has increased by fifty percent and the Summer Average Daily Traffic has increased by over fifty-seven per cent;

AND WHEREAS the traffic data posted by the County of Dufferin for the period of 2004-2017 for County Roads 17 and 124 within the Township of Melancthon indicates significant traffic flow;

AND WHEREAS the data collected by the Township of Melancthon over the years 2015-19 on its Township road system indicates that drivers are operating motor vehicles at rates far in excess of posted speed limits;

AND WHEREAS there have been a number of fatal and serious personal injury accidents in the County of Dufferin and specifically within the Township of Melancthon, each accident within the Township in 2019 having indicia of driver fault attributable to one or more of distracted, speed, aggressive and impaired driving;

AND WHEREAS the driving behavior of such drivers results in costs incurred by society both financial and otherwise, including without limitation, loss of life, pain and suffering, health care cost, the cost of first responders, insurance and in the administration of the legal system be it civil, criminal or provincial offences;

AND WHEREAS municipalities are concerned as to the health and safety of their residents and the impact of speeders, careless, distracted and aggressive drivers;

AND WHEREAS the Council of the Township of the Township of Melancthon shares in all of the concerns with other local municipalities and seeks to address the issues facing its' residents to otherwise address the impact of speeding, careless and aggressive driving and distracted drivers;

AND WHEREAS there are various actions that may be undertaken to attempt to address the concerns including increasing of fines levied, the imposition of driver licence suspensions and incarceration pursuant to the Highway Traffic Act and Provincial Offences Act and the assessment of insurance rates;

AND WHEREAS local municipalities are very limited in the resources available to address and respond to the challenges and are facing increasing cost and limited resources in traffic enforcement resources;

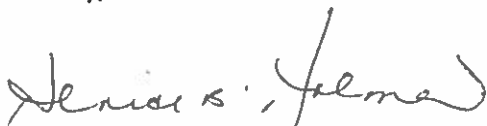
NOW THEREFORE THE Council of the Township of Melancthon resolves and moves that:

- 1. The Province of Ontario, be it through either or both the actions of the Minister of Transportation or the Chief Justice of Ontario, forthwith undertake a review of the penalties imposed by the Highway Traffic Act with a view to increasing the fines levied, such fine revenue being used by local municipalities to fund traffic calming and enforcement;*
- 2. The Province of Ontario include as part of the review of financial consequences to be imposed on offenders a surcharge to reflect the occurrence cost of first responders attending any incident;*
- 3. The Province of Ontario regulate motor vehicle insurance companies to require that surcharges be imposed on offenders for any driving offence and that likewise there be incentives (mandatory decreases in insurance levies on an annual basis) for those drivers not convicted of an offence;*

4. *The Province of Ontario include in any continuing education for Justices of the Peace and Justices information related to the actual cost of enforcement, direct and indirect, for purposes of the Courts administration imposing the appropriate sentences;*
5. *The Province of Ontario through its funding of the Ontario Provincial Police provide increased resources for traffic enforcement in recognition that the issues described above are not resolvable by local municipalities but are province wide phenomena and challenge;*
6. *The Province of Ontario review and implement photo radar on a much broader basis than is currently provided designed at the very least to capture high milers and stunt drivers as currently defined and that the cost for requisite systems be provided by and subsidized by the Province as the costing would form part of the revised fines and surcharges to be enacted and adopted by the Province;*
7. *The Province of Ontario review, in consultation with the municipalities, various and other forms of traffic calming measures and traffic enforcement measures to address the challenges facing users of the provincial, county and local road systems within the Province."*

Should you have any questions, please don't hesitate to ask myself or Councillor (Chair) Thwaites.

Yours truly,

A handwritten signature in cursive script, appearing to read "Denise B. Holmes".

Denise B. Holmes, AMCT
Board Secretary



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September 2019

Government Proposing Regulatory Framework for Speed Enforcement

2019-09-05 9:05:00 AM

CATEGORIES: [Licensing & Law Enforcement \(/Advocacy-Policy/Policy-Updates?](#)
[topicCatID=54\)](#)

The government is proposing a regulatory framework for amendments made to the *Safer School Zones Act* (<https://www.ola.org/en/legislative-business/bills/parliament-41/session-2/bill-65>) by the previous government in 2017.

The amendments were designed to prevent speeding and include the use of automated speed enforcement (ASE – or, more commonly, photo radar) technology on municipal roads and streamlining the process to adopt and use red light cameras (RLCs) – both of which can be placed in school and community safety zones.

While the Ministry has yet to propose regulations supporting the use of ASE, they will include “operational, procedural, and evidentiary requirements”. Such regulations will provide municipalities the option to implement ASE programs in school and community safety zones and vehicles that violate speed limits would be fined. Municipalities would also assume full responsibility of the program administration, which includes installing the devices, selecting locations, and processing and distributing evidence and tickets.

The proposed framework for the RLCs will change Ontario Regulation 277/99 (<https://www.ontario.ca/laws/regulation/990277/v2>) (red light camera evidence) to “streamline municipal authorization to use RLCs” thereby removing the requirement where RLCs could only be designated by regulation.

AMCTO encourages our members to share these kinds of regulatory proposals and other consultations with your organizations. Offering input into government proposals allows the government to better understand the challenges municipalities face and consider the needs of local government when developing new policies

The closing date for comments is October 3rd. To give your feedback, click here (https://www.ontariocanada.com/registry/view_posting.jsp;jsessionid=PR7txZjbVdTtvhkq08YwXHI?language=en&postingId=30227).

For more information, please see below:

Ontario Regulatory Registry: Enhancing Municipal Road Safety through Automated Speed Enforcement (ASE)

(https://www.ontariocanada.com/registry/view_posting.jsp;jsessionid=PR7txZjbVdTtvhkq08YwXHI?language=en&postingId=30227)

Bill 65: *Safer School Zones Act* (<https://www.ola.org/en/legislative-business/bills/parliament-41/session-2/bill-65>)

CBC News: Ford government asking public to weigh in on proposed photo radar changes (<https://www.cbc.ca/news/canada/toronto/photo-radar-consultations-1.5269953>)

AMCTO: Photo Radar Bill Passes Second Reading (<https://www.amcto.com/Blog/April-2017/Photo-Radar-Bill-Passes-Second-Reading>)

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(<mailto:amcto@amcto.com>)



Toronto

Ford government asking public to weigh in on proposed photo radar changes



Province is inviting public comment on proposed changes for automated speed enforcement systems until Oct. 3

CBC News · Posted: Sep 04, 2019 12:03 PM ET | Last Updated: September 4



The City of Toronto is seeking regulatory changes from the province that would allow for photo radar, as part of its Vision Zero plan to eliminate all traffic-related deaths. (Philippe Huguen/Getty Images)

[comments](#)

The Ford government is seeking public comment on proposed regulatory changes that would allow municipalities to bring in automated speed enforcement (ASE) systems, better known as photo radar, at school and community safety zones.

Ontario's Ministry of Transportation is proposing amendments to the Highway Traffic Act, as well as other regulatory changes, which would allow municipalities to adopt photo radar in these zones on roads with a speed limit of less than 80 km/h.

The changes would also streamline the process for municipalities looking to join the province's Red Light Camera Program.

"This initiative will impose no regulatory impact on vehicle operators or owners that comply with road safety regulations, and no impact on businesses in Ontario," a summary of the government's proposal reads.

"However, owners of vehicles that are used to violate speed limits in community safety or school zones where ASE systems are used would be fined."

When changes are adopted, photo radar would remain an optional program for municipalities. The City of Toronto wants to put photo radar in school zones as part of its Vision Zero plan to eliminate all traffic-related fatalities.

- **City piloting automatic speed enforcement — without the enforcement**

Last year, the city put dozens of ASEs in school zones, but they could only gather data. The ability to ticket or charge drivers will come into effect when the province brings in its regulatory changes.

- **Tory launches 'Vision Zero 2.0' with aim of lowering speed limits, making safer pedestrian crossings**

On Tuesday, the first day of school in the province for most students, Toronto Mayor John Tory said the city wants to install 50 speed enforcement cameras in school and community zones once the province passes the required legislation.

He also noted that the city has established some 136 school safety zones, with plans to complete 63 more by year's end.

Meanwhile, municipal police forces across the GTA are conducting safety blitzes in school zones until Friday.

- **'Watch for school buses and kids': Toronto police launch back-to-school safety blitz**

The back-to-school blitz comes during a particularly tragic year so far on the city's streets. A map of fatal collisions from the Toronto police traffic services division shows that 20 pedestrians have died in the city so far this year.

The Ontario government is inviting public comment until October 3.

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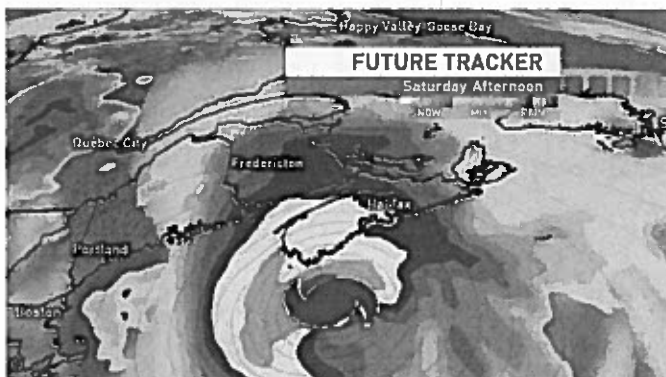
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9/5/2019

Ford government asking public to weigh in on proposed photo radar changes | CBC News

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April 2017

Photo Radar Bill Passes Second Reading

2017-04-13 12:00:59 PM

CATEGORIES: [Transportation \(/Advocacy-Policy/Policy-Updates?topicCatID=22\)](#)

Bill 65, the *Safer School Zones Act*, passed second reading this week and was referred to the Standing Committee on General Government. Amongst other things, the bill would allow municipalities to use photo radar (automated speed-enforcement systems) in school and community safety zones. It would also give municipalities the ability to reduce the speed limits in those zones, and streamline the approval process for red-light cameras.

For more:

Bill 65, the Safer School Zones Act (http://www.ontla.on.ca/web/committee-proceedings/committee_business.do?locale=en&BillID=4358+&CommID=145&BusinessType=Bill&detailPage=references)

Province to Introduce Legislation Allow Municipalities to Use Photo Radar

(<https://amctopolicy.wordpress.com/2016/11/09/province-to-introduce-legislation-allowing-municipalities-to-use-photo-radar/>)

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Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

2ND SESSION, 41ST LEGISLATURE, ONTARIO
66 ELIZABETH II, 2017

Bill 65

(Chapter 9 of the Statutes of Ontario, 2017)

An Act to amend the Highway Traffic Act in respect of speed limits in municipalities and other matters

The Hon. S. Del Duca
Minister of Transportation

1st Reading	November 15, 2016
2nd Reading	April 11, 2017
3rd Reading	May 30, 2017
Royal Assent	May 30, 2017



EXPLANATORY NOTE

*This Explanatory Note was written as a reader's aid to Bill 65 and does not form part of the law.
Bill 65 has been enacted as Chapter 9 of the Statutes of Ontario, 2017.*

The Bill amends the *Highway Traffic Act*. It addresses the ability of municipalities to set speed limits within their borders and the use of automated speed enforcement systems and red light camera systems.

Section 128 of the Act is amended so that municipalities can designate areas by by-law where they can impose speed limits that are lower than 50 kilometres per hour.

Part XIV.1 (Photo-Radar System Evidence) of the Act is repealed and replaced by a new Part XIV.1 (Automated Speed Enforcement) that authorizes the use of automated speed enforcement systems in community safety zones where the speed limit is below 80 kilometres per hour and in school zones. Section 12 of the Act is amended to allow the Registrar to require the return of number plates and to cancel number plates that are not returned within a specified time. Number plates that are damaged, altered, deteriorated or worn such that they can't be photographed by an electronic toll system, automated speed enforcement system or red light camera system may be cancelled if not returned within 30 days; other number plates may be cancelled if not returned within 60 days.

Part XIV.2 (Red Light Camera System Evidence) of the Act is amended to remove the restriction in subsection 205.15 (1) that red light camera systems may be used only in areas of the province designated by regulation. Various provisions under Part XIV.2 are amended to specify that information may be superimposed on the front or back of a photograph that is used as evidence, and the Lieutenant Governor in Council's power to make regulations under this Part is transferred to the Minister.

**An Act to amend the Highway Traffic Act
in respect of speed limits in municipalities and other matters**

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 (1) Paragraph 3 of subsection 7 (11) of the *Highway Traffic Act* is repealed and the following substituted:

3. An offence where the conviction is based on evidence obtained through the use of an automated speed enforcement system.

(2) Subsection 7 (11.1) of the Act is amended by striking out “a photo-radar system” in the portion before clause (a) and substituting “an automated speed enforcement system”.

(3) Subsection (2) of this section is of no effect and is repealed if subsection 4 (1) of the *Transportation Statute Law Amendment Act (Making Ontario’s Roads Safer)*, 2015 is in force on or before the day section 5 of this Act comes into force.

2 (1) Subsection 12 (2) of the Act is amended by striking out “the Ministry” at the end and substituting “the Registrar”.

(2) Section 12 of the Act is amended by adding the following subsections:

Notice to plate holder

(2.1) The Registrar may cause notice to be given to the holder of a number plate that the number plate is required to be returned to the Ministry.

Same

(2.2) Notice under subsection (2.1) is sufficiently given if delivered personally or mailed to the latest address of the holder of the number plate on the records of the Ministry.

No right to be heard

(2.3) There is no right to be heard before notice is given under subsection (2.1).

Cancellation of number plate

(2.4) The Registrar may cancel a number plate if it is not returned within 60 days after the date by which it is required to be returned, but if the Registrar is satisfied that the number plate is damaged, altered, deteriorated or worn such that it may not be accurately photographed by an electronic toll system, automated speed enforcement system or red light camera system, the Registrar may cancel the number plate if it is not returned within 30 days after the required date.

(3) Subsection 12 (3) of the Act is amended by striking out “For the purpose of subsection (2)” at the beginning and substituting “For the purpose of subsections (2) to (2.4)”.

3 Subsection 13 (3) of the Act is repealed and the following substituted:

Obstruction prohibited

(3) The number plates shall not be obstructed by any device that prevents the entire number plates including the numbers from being accurately photographed using an automated speed enforcement system.

4 (1) Section 128 of the Act is amended by adding the following subsections:

Same, within designated areas

(2.1) A by-law passed under subsection (2) may designate an area in the municipality and prescribe a rate of speed, which must be less than 50 kilometres per hour, that applies to all highways within the designated area that, absent a by-law passed under subsection (2), would have a prescribed rate of speed of 50 kilometres per hour under clause (1) (a).

Same, excluded highways

(2.2) A by-law for a designated area described in subsection (2.1) may exclude from the application of the by-law any highway or portion of a highway within the designated area that has a different rate of speed prescribed specifically for that highway or portion of highway by a by-law passed under subsection (2).

(2) Subsection 128 (11) of the Act is repealed and the following substituted:

By-laws, regulations effective when posted

(11) No by-law passed under this section or regulation made under clause (7) (c) becomes effective until the highway, portion of the highway or designated area affected by the by-law or regulation, as the case may be, is signed in accordance with this Act and the regulations.

5 Part XIV.1 of the Act is repealed and the following substituted:

PART XIV.1 AUTOMATED SPEED ENFORCEMENT

Use of automated speed enforcement system authorized

205.1 (1) An automated speed enforcement system may be used in accordance with this Part and the regulations made under it,

- (a) in a community safety zone designated by by-law passed under subsection 214.1 (1) where the prescribed rate of speed is less than 80 kilometres per hour; or
- (b) in a school zone designated by by-law passed under clause 128 (5) (a).

Limitations on owner liability

(2) The owner of a motor vehicle shall not be subject to conviction or penalty as an owner in respect of an alleged contravention of section 128 except on the basis of evidence obtained through the use of an automated speed enforcement system.

Same

(3) The owner of a motor vehicle convicted as an owner of an offence under section 128 on the basis of evidence obtained through the use of an automated speed enforcement system is not liable to a driver's licence suspension under section 46 as a result of default in payment of a fine resulting from that conviction.

Limitations on driver liability

(4) The driver of a motor vehicle convicted as a driver of an offence under section 128 on the basis of evidence obtained through the use of an automated speed enforcement system is not liable to imprisonment or to a probation order under subsection 72 (1) of the *Provincial Offences Act* as a result of that conviction or as a result of default in payment of a fine resulting from that conviction.

Regulations

205.2 (1) The Lieutenant Governor in Council may make regulations,

- (a) prescribing what constitutes an automated speed enforcement system;
- (b) defining "photograph" for the purposes of this Part;
- (c) governing the form, content, filing, admissibility, evidentiary value and probative force of any notice, certificate, document or photograph that may be used for the purpose of this Part, including,
 - (i) governing the circumstances in which the information set out in any certificate, document or photograph is deemed to be true and in which the certificate, document or photograph shall be received in evidence as proof of the information set out in it,
 - (ii) requiring or authorizing any person or class of persons to certify that information set out in any certificate, document or photograph is true,
 - (iii) governing the circumstances in which a certificate, document or photograph shall be received in evidence as proof that a motor vehicle referred to in the certificate or document, or shown in the photograph, was being driven at a stated rate of speed,
 - (iv) governing the information that may be or must be shown or superimposed on the front or back of the photograph, and prescribing a system of codes, symbols or abbreviations that may be used to convey information in the photograph;
- (d) governing the service of any notice upon the owner of a motor vehicle, including deeming service to have been effected on a date determined in accordance with the regulations, and authorizing service outside Ontario;

- (e) prescribing what constitutes evidence of ownership of a vehicle for the purposes of this Part;
- (f) prescribing procedures, rules and duties to apply under this Part instead of the procedures, rules and duties otherwise established under the *Provincial Offences Act*, including,
 - (i) procedures and rules that govern proceedings at any stage,
 - (ii) rules governing the circumstances in which a person is deemed to not wish to dispute a charge,
 - (iii) rules governing the circumstances in which a summons may or may not be issued and in which a person may or may not be required to give oral evidence, and
 - (iv) the duties of a justice of the peace;
- (g) requiring and governing forms or certificates to be used under this Part, including forms or certificates to be used instead of those required under the *Provincial Offences Act*;
- (h) providing that any procedure, rule, duty or other matter that applies to the use of red light camera systems under subsections 144 (18.1) to (18.5) or Part XIV.2 applies to the use of automated speed enforcement systems under this Part, with necessary modifications.

Prescribing how to refer to s. 128 in notices and certificates

(2) A regulation made under clause (1) (h) may prescribe rules for how to refer to section 128 in any notice or certificate in order to facilitate the use of computer systems that are maintained by the Government of Ontario for recording and processing information related to provincial offences and that depend, in order to make certain distinctions, on different provision numbers being specified in certificates of offences.

Conflict

(3) Where a conflict or inconsistency arises between the procedures, rules and duties described in the *Provincial Offences Act* and those required by this Part and the regulations made under it, this Part and the regulations made under it prevail.

6 (1) Subsection 205.15 (1) of the Act is amended by striking out “if the alleged offence was committed within an area of Ontario designated by the regulations” at the end.

(2) Clause 205.15 (4) (a) of the Act is amended by striking out “superimposed on the photograph” and substituting “superimposed on the front or back of the photograph”.

7 Clause 205.19 (1) (c) of the Act is amended by striking out “under subsection 5.1 (9) of that Act” at the end and substituting “under subsection 5.1 (8) of that Act”.

8 (1) Section 205.25 of the Act is amended by striking out “The Lieutenant Governor in Council” in the portion before clause (a) and substituting “The Minister”.

(2) Clause 205.25 (c) of the Act is repealed.

(3) Clause 205.25 (d) of the Act is repealed and the following substituted:

- (d) governing the form and content of photographs for the purposes of subsection 205.15 (2), including the information that may be or must be shown or superimposed on the front or back of the photographs, and prescribing a system of codes, symbols or abbreviations that may be used to convey the information;

(4) Clause 205.25 (h) of the Act is repealed and the following substituted:

- (h) prescribing the form of the certificate for striking out a conviction for the purpose of subsection 205.23 (3).

9 (1) Subsection 207 (6) of the Act is repealed.

(2) Subsection 207 (7) of the Act is amended by striking out “through the use of a photo-radar system” and substituting “through the use of an automated speed enforcement system”.

(3) Subsection 207 (8) of the Act is amended by striking out “in an area designated for the purposes of subsection 205.15 (1)” at the end.

10 Subsection 210.1 (1) of the Act is amended by adding the following paragraph:

- 2.1 A proceeding that is based on evidence obtained through the use of an automated speed enforcement system.

Commencement

11 This Act comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

12 The short title of this Act is the *Safer School Zones Act, 2017*.

Upper Grand Watershed Committee Meeting
Thursday May 23rd, 2019 at 6:30 p.m.
Town of Grand Valley Municipal Office

MEMBERS PRESENT: Lenora Banfield, Christine Winder, Barbara Dobreen, Peter Turrell, Wayne Hannon, Chris Gerrits, Guy Gardhouse, Heather Foster, Steve Soloman, Nancy Davy, Dave Bennett and Doreen Still, Secretary.

Regrets: Fred Natolochny

1. Call to order/Pecuniary/Conflict of Interest:

Chair Lenora Banfield called the meeting to order and asked if there were any pecuniary or conflict of interest.

None were declared at this meeting.

2. Added Agenda Items: None

3. Approval of Agenda:

#2019-05-01

MOVED BY CHRIS WINDER

SECONDED BY BARBARA DOBREEN

BE IT RESOLVED THAT the agenda dated May 23rd, 2019 be approved as circulated.

"CARRIED"

4. Minute Approval:

#2019-05-02

MOVED BY HEATHER FOSTER

SECONDED BY CHRIS GERRITS

BE IT RESOLVED THAT the minutes of March 28th, 2019 meeting be approved as circulated

"CARRIED"

5. Unfinished Business:

a) Grassland Habitat-Luther Marsh

Davy gave an update on the grassland management plan. The grassland management plan includes monitoring on 350 hectares scattered around the Luther Marsh, Damascus and surrounding areas. The grassland vegetation is only on GRCA and MNR land and not on privately owned property.

Turrell brought up the bobolinks and ask for delayed hay cutting for ground nesting birds. Gardhouse is going to present this to the Dufferin County council to be on the rural water program for an incentive to be added for delayed cutting of hay.

BD (comm #)

SEP 19 2019

b) Terms of Reference

A history of the UGWS committee was discussed. The committee is a communication link between GRCA and surrounding Town and Townships who share information and education on any issues that may happen in their area. The e-mail from Wellington North was discussed, and as a result of the discussion with the committee members the following resolution was passed:

#2019-05-03

MOVED BY CHRIS WINDER

SECONDED BY BARBARA DOBREEN

BE IT RESOLVED THAT the Township of Wellington North be removed from the list in the terms of reference as instructed by the Township of Wellington North and that the Township of Wellington North be invited to participate at anytime in the future.

"CARRIED"

6. New Business:

a) Soloman asked GRCA about the damages that beavers are causing. The Town of Grand Valley purchased beaver baffles to deter the beavers because of flooding and crop damages to farm owners. He asked GRCA if they would look into the issue with the beavers as some of these are on GRCA lands.

b) Soloman asked GRCA about the storm sewer piped and the riverbed filling in with sediments and erosions of the river in Grand Valley to see if there was anything that could be done. Davy will ask Natolochny to look at sediment control and erosion measures.

7. Deputation-None

8. Committee Orientation

a) GRCA services and programs

Davy handed out a pamphlet on the GRCA Strategic Plan 2019-2021 and talked about the 4 strategic priority in this pamphlet.

1. Protecting life and minimizing property damage from flooding and erosion.
2. Improving the health of the Grand River watershed.
3. Connecting people to the environment through outdoor experiences.
4. Managing land holdings in a responsible and sustainable way.

A question was brought up about a dam in Grand Valley. There was one at the ball diamond years ago. GRCA said there would be multiple approvals needed by various authorities and agencies. It was determined there would be no dam built in Grand Valley.

With changes to Bill 108-Schedule 2-Conservation Authorities Act from the Province with core mandate services, there are a lot of unknowns in this bill.

9. Board Discussion & Correspondence-None

10. Pending Items

a) LPAT/Sarah properties-update-ongoing discussion ensued

A case management meeting was held on April 3, the meeting ended with the member taking all the material that was presented that day and another case management hearing would be held in the fall.

b) Amaranth Fill Issues-update-ongoing discussion ensued

There are 3 properties with fill issues:

- 1- property one has a court order issued by GRCA with 2 years to comply
- 2- property two is proceeding in court
- 3- property three has allowed Burnside to test the soil.

11. Adjournment

12. Next Meeting Date

#2019-05-04

MOVED BY CHRIS GERRITS

SECONDED BY STEVE SOLOMAN

BE IT RESOLVED THAT we do now adjourn this meeting of the committee to meet again at the Luther Marsh on August 22nd, 2019 at 5:30 p.m. or at the call of the Chair.

"CARRIED"

Chair – Lenora Banfield

Secretary – Doreen Still



**NORTH DUFFERIN COMMUNITY CENTRE BOARD OF
MANAGEMENT
MINUTES
THURSDAY, AUGUST 8, 2019 – 7:00 P.M.
NORTH DUFFERIN COMMUNITY CENTRE**



The North Dufferin Community Centre Board of Management known as “The Board” held its meeting on the 8th day of August, 2019 at 7:00 p.m., in the Norduff Room at The North Dufferin Community Centre. Those present:

Those present:

Chester Tupling, Chair, Mulmur
Bert Tupling, Vice-Chair, Melancthon
Keith Lowry, Mulmur
Patricia Clark, Councillor, Mulmur
Nancy Noble, Mulmur
Debbie Fawcett, Melancthon
Donna Funston, NDCC Secretary, Melancthon

Regrets:

Clayton Rowbotham, Melancthon
Dave Besley, Deputy Mayor, Melancthon

#1 Call to Order by Chair

Chair Tupling called the meeting to order at 7:10 p.m.

#2 Additions/Deletions/Approval of Agenda

-Moved by Tupling, Seconded by Fawcett the Agenda be approved as circulated. Carried.

#3 Declaration of Pecuniary Interest or Conflict of Interest

None.

#4 Approval of Draft Minutes

-Moved by Fawcett, Seconded by Tupling, that the minutes of the North Dufferin Community Centre Board of Management held on July 11, 2019 be approved as circulated. Carried.

#5 Business Arising from the Minutes

None

#6 Facility Manager's Report

1. Unfinished Business

1. Quotes for hot water tank
2. Harness Inspection
3. Update from Council Members regarding efficiency fund grant money

James Woods was in attendance for this portion of the meeting.

James reports the Strawberry Supper and the Beef BBQ were a success.

Board directs Donna to send a letter of appreciation to the Mulmur-Melancthon Fire Department for their help with setting up the Strawberry Supper and the Beef BBQ as well as with removing the ice. Send this letter to Mulmur and Melancthon Council for their information.

James attended a course in Milton for lift device and work at heights, he completed both successfully.

He is in the process of getting a harness to be able to put things away from the events.

James has a quote from Dillman to install risers on the septic for when it is pumped.

One quote has been received in regards to the back door and James will get two more.

Two quotes have been received to replace the hot water tank and James will get one more.

Board directed James to send the quotes to Donna to be emailed out to the Board so they can be looked at before the meetings.

Some ice time has been scheduled already for next season including minor hockey, ladies hockey and mens hockey.

Board directs James to take jarred products to the Mulmur office and leave the beans at the Arena.

James is going to get quotes to caulk the ice surface between the concrete floor and the boards before the ice goes in. Last year was extremely hard keeping the ice froze with warm air seeping in through the gaps. James reports while he is putting in the ice he will be able to do minor repairs on the players benches and top of boards closest to the lobby. There is some waiting time when putting the ice in and he will use this time for repairs.

Chair Tupling and Member Besley will be doing a performance review with James and a new contract will need to be signed.

Member Clark, Mulmur Councillor reports on efficiency fund grant money; Mulmur Council would like the NDCC Board of Management to stick with their budget and not request more money be given. There is \$5000 in the budget that can be used instead of the efficiency money.

#7 General Business

1. Financial
 1. Accounts
 2. YTD vs. Budget comparison
2. Beef BBQ Update
3. RFP – Recreational Needs and Efficiency Review
4. Other
5. Unfinished Business
 1. Part-time position
 2. Vendors having tables at fundraising events
 3. Possible Activities Available at the Arena

#1.1 -Moved by Lowry, Seconded by Noble, Be it resolved that the accounts in the amount of \$23,920.20 be approved to be paid. Carried.

#1.2 Discussed YTD figures.

#2 Chair Tupling reports attendance numbers were down slightly from last year. Janice wanted to give some feedback to the Board – James was very helpful for the entire day, garbages were emptied regularly and supplies were available when needed.
Board directs Donna to put together a thank you package for Janice.
Board directs Donna to ask Heather for profit numbers for Strawberry supper and Beef BBQ.

#3 Discussion regarding the RFP – The Board feels the RFP does not present a clear idea of what is wanted, that the consultant reading it will not have an understanding as to what is being asked. The Scope of work is not listed for the consultant to know what we are looking for, facility and program reviews are two different requests and the RFP needs to be written as such. The time lines are too tight which may limit number of tenders we receive and the RFP is written unclear using too many words like “added”, “as well” and “addition” making it difficult for a consultant to understand the project.
The Chair of NDCC Board needs to be listed as a person to be spoken with.

Three options were recommended:

1. Hire a professional to write the RFP
 2. Research online other RFPs that are available from other Municipalities regarding recreation facility review and recreation services review.
 3. Re-write the RFP from the stand point of the reader and not the writer.
- #4 Board requests a cheque be sent back to Honeywood Mens hockey to clear off the credit amount. Would like to start 2019/2020 season with a zero balance.

#5.1 Board would like the part-time position to be advertised on the Dufferin Employment site again and if no resumes are received to have the ad placed on indeed. Suggestions were also made for Dufferin Board of Trade, small business enterprise centre and possibly the colleges in Orangeville as places that may be able to post the position.

#5.2 Room is limited but Board wants to encourage community involvement.

#5.3 Defer to August meeting.

#8 Information

-None

#9 Notice of Motion

-None

#10 Confirmation Motion

-Moved by Clark, Seconded by Lowry be it resolved that: all actions of the Members and Officers of the North Dufferin Community Centre 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.

#11 Adjournment

-Moved by Clark, Seconded by Lowry that we adjourn the North Dufferin Community Centre Board of Management meeting at 8:41 p.m. to meet again on Thursday September 12, 2019 at 7:00 p.m. at the North Dufferin Community Centre or at the call of the Chair. Carried.

CHAIR

SECRETARY

SHELBURNE & DISTRICT FIRE BOARD

June 4, 2019

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, Walter Benotto, called meeting to order.

2. Additions or Deletions

3. Approval of Agenda

3.1 Resolution # 1

Moved by S Martin – Seconded by J Horner

BE IT RESOLVED THAT:

The Board of Management approves the agenda as amended.

Carried

4. Approval of Minutes

4.1 Resolution # 2

Moved by S Hall – Seconded by G Little

BE IT RESOLVED THAT:

The Board of Management adopt the minutes under the date of May 7, 2019 as amended.

Carried

5. Pecuniary Interest

5.1 No pecuniary interest declared.

BD Comm # 3

SEP 19 2019

6. **Public Question Period**

6.1 No public present.

7. **Delegations / Deputations**

7.1 No delegations present.

8. **Unfinished Business**

None

9. **New Business**

9.1 How much surplus is needed to be put in Operating (\$51002.56)

Resolution #3

Moved by E Hawkins – Seconded by S Martin

BE IT RESOLVED THAT:

The surplus be determined on an annual basis and the surplus of \$51,002.56 for 2018, split \$20,000 to the operating budget and \$31,002.56 to the capital budget.

Carried

9.2 Resolve Capital Asset Plan

9.3 Records Management

10. **Chief's Report**

10.1 **Monthly Reports (May 2019)**

There were a total of 29 calls for the month of May.

10.2 Update from Fire Chief's on – Fire Chiefs Handouts Activities - for May 2019 (see handout)

11. **Future Business**

11.1 Moving forward with the (Information /Records Management System) See Chiefs handout

Resolution #4

Moved by J Horner – Seconded by E Hawkins

BE IT RESOLVED THAT:

The Chief contract the IT Department from the County of Dufferin to get a plan and proposed costing for what is required to increase the security for the records of the Shelburne & District Fire Board.

Carried

Resolution #5

Moved by F Nix – Seconded by H. Foster

BE IT RESOLVED THAT:

The Document retention policy for the Shelburne & District Fire Hall follow the town of Shelburne retention policy.

Carried

12. Accounts & Payroll – May 2019

12.1 Resolution # 6

Moved by G Little– Seconded by S Hall

BE IT RESOLVED THAT:

The bills and accounts in the amount of \$23,673.14 for the period of May 1, 2019 to June 3, 2019 as presented and attached be approved for payment.

Carried

12.2 Resolution # 7

Moved by S Martin – Seconded by E Hawkins

BE IT RESOLVED THAT:

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

May 2019 - \$25,554.98

Carried

13. **Confirming and Adjournment**

13.1 **Resolution # 8**

Moved by Shane Hall – Seconded by Heather Foster

BE IT RESOLVED THAT:

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

Carried

13.2 **Resolution # 9**

Moved by E Hawkins – Seconded by S Martin

BE IT RESOLVED THAT:

The Board of Management do now adjourn at 8:05 pm to meet again on at the call of the Chair.

Carried

Respectfully submitted by:

Approved:

Michelle Meikle
Secretary-Treasurer

Walter Benotto
Chairperson

SHELBURNE & DISTRICT FIRE BOARD MEMBERS

Meeting Attendance Record Under Date of June 4, 2019

Municipality / Member	Present	Absent
Township of Amaranth		
Heather Foster	X	
Gail Little	X	
Town of Mono		
Sharon Martin	X	
Fred Nix	X	
Township of Melancthon		
Wayne Hannon	X	
Margaret Mercer	X	
Town of Shelburne		
Walter Benotto	X	
Shane Hall	X	
Township of Mulmur		
Earl Hawkins	X	
Janet Horner	X	
Staff		
Brad Lemaich – Fire Chief	X	
Jeff Clayton – Deputy Chief	X	
Michelle Meikle	X	

SHELBURNE & DISTRICT FIRE BOARD

July 2, 2019

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, Walter Benotto, called meeting to order at 7:00pm.

2. Additions or Deletions

3. Approval of Agenda

3.1 Resolution # 1

Moved by S Martin – Seconded by F Nix

BE IT RESOLVED THAT:

The Board of Management approves the agenda as amended.

Carried

4. Approval of Minutes

4.1 Resolution # 2

Moved by H Foster – Seconded by S Martin

BE IT RESOLVED THAT:

The Board of Management adopt the minutes under the date of June 4, 2019 as amended.

Carried

5. Pecuniary Interest

- 5.1 No pecuniary interest declared.

6. **Public Question Period**

6.1 No public present.

7. **Delegations / Deputations**

Chris Carrier

Resolution # 3

Moved By: F Nix – Seconded by: G Little

BE IT RESOLVED THAT:

The user fee bylaw of Shelburne & District Fire Department Municipalities be amended so that the board can recover expense in insured perils.

Carried

Resolution # 4

Moved By: G Little – Seconded By: H Foster

BE IT RESOLVED THAT:

The Shelburne & District Fire Board enter into a contract with Fire Marque.

Carried

8. **Unfinished Business**

None

Resolution # 5

Moved by: H Foster – Seconded by: F Nix

BE IT RESOLVED THAT:

The Shelburne & District Fire Board do now go "in camera" to discuss the following: Personal Matters about Identifiable individual, including Municipal or local Board employees

Carried

Resolution #6

Moved by F Nix – Seconded by G Little

BE IT RESOLVED THAT:

We do now rise and report progress at 8:32 pm.

Carried

9. **New Business**

9.1 None

10. **Chief's Report**

10.1 **Monthly Reports (June 2019)**

There were a total of 29 calls for the month of June

10.2 Update from Fire Chief's on – Fire Chiefs Handouts Activities - for June 2019 (see handout)

11. **Future Business**

11.1 None

12. **Accounts & Payroll – June 2019**

12.1 **Resolution # 7**

Moved by E Hawkins – Seconded by M Mercer

BE IT RESOLVED THAT:

The bills and accounts be edited for proper payment for the period of June 1, 2019 to June 30, 2019 and that the Chair be authorized to pay the bills.

Carried

12.2 **Resolution # 8**

Moved by E Hawkins – Seconded by M Mercer

BE IT RESOLVED THAT:

The Chair be authorized to pay the payroll for June through September.

Carried

13. **Confirming and Adjournment**

13.1 **Resolution # 9**

Moved by M Mercer – Seconded by E Hawkins

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 # 10

Moved by M Mercer – Seconded by E.Hawkins

BE IT RESOLVED THAT:

The Board of Management do now adjourn at 8:35pm to meet again on September 3, 2019 at 7:00 pm or at the call of the Chair.

Carried

Respectfully submitted by:

Approved:

Michelle Meikle
Secretary-Treasurer

Walter Benotto
Chairperson

SHELBURNE & DISTRICT FIRE BOARD MEMBERS

Meeting Attendance Record Under Date of July 2, 2019

Municipality / Member	Present	Absent
Township of Amaranth		
Heather Foster	X	
Gail Little	X	
Town of Mono		
Sharon Martin	X	
Fred Nix	X	
Township of Melancthon		
Wayne Hannon	X	
Margaret Mercer	X	
Town of Shelburne		
Walter Benotto	X	
Shane Hall		X
Township of Mulmur		
Earl Hawkins	x	
Janet Horner		X
Staff		
Brad Lemaich – Fire Chief	x	
Jeff Clayton – Deputy Chief	x	
Michelle Meikle – Secretary/Treasurer	x	

TOWNSHIP OF MELANCTHON POLICE SERVICES BOARD

The Township of Melancthon Police Services Board held a meeting on Wednesday, June 26, 2019 at 10:00 a.m. at the Melancthon Township Municipal Office Committee Room. Those present: Municipal Member David Thwaites, Public Member Alan Blundell and Provincial Appointee Kate Martin, Denise Holmes, Secretary, and Detachment Commander Nicol Randall, Dufferin OPP.

Call to Order

Chair Thwaites called the meeting to order at 10:03 a.m.

Approval of Agenda

Addition of items:

- Speeding in Corbetton
- Vandalism at Horning's Mills Park

Moved by Martin, Seconded by Blundell that the Agenda be approved as amended. Carried.

Approval of Minutes - February 20, 2019

Moved by Blundell, Seconded by Martin that the minutes of the Police Services Board meeting held on February 20, 2019 be approved as circulated. Carried.

Issues Arising from the Minutes

None.

Presentations/Delegations

None.

Correspondence

1. All Chiefs Memo - Update on Transformation of Policing Grants for 2019-2020 and Ongoing

Staff Sergeant Randall spoke to the correspondence and advised that all of the grants have merged into one and Dufferin Detachment cannot apply this year, as they don't qualify. Other Detachments have already indicated what they need the money for and there is only so much funding to go around. If her Detachment can identify something this year, then they could apply for next year's funding.

Financial

None.

Detachment Commander's Report

1. January - March 2019

Staff Sgt. Randall provided her report in advance of the meeting for the period of January - March 2019 and reviewed her Report with the Board.

Staff Sergeant spoke on the increase of tickets in March and this was for "March Madness" but they won't be doing this initiative next year. A question was asked about how the social media initiative with Blue Mountain Resort worked this past winter and Staff Sergeant Randall commented that it worked well.

Committee Reports

None.

Other Business

1. Report from OPP on Half Load Season Enforcement in Melancthon and Dufferin and Use of Scales Year to Date

There were 10 initiatives this Spring and there were a lot of tickets issued. The scales were damaged and as a result, they were out of commission for about a week and a half before repaired.

2. Paid Duty Option and Costing Regarding Traffic Enforcement and Sharing Full Time Enhancement with Mulmur

Chair Thwaites has had a conversation with the Mulmur PSB Representative on this matter. They currently have a paid duty officer but could not provide any stats. Staff Sergeant Randall spoke to the FTE Officer and said the process is cumbersome and if we wanted this in place for next year, she would have to submit a Business Plan by the Fall. It was also noted that once a FTE officer is hired, the Detachment has to keep that person even though the Municipality may not want to participate in this any more. Discussion regarding Mono's FTE and the Secretary was asked to obtain information from the Town of Mono regarding the expense vs. revenue received. Staff Sergeant Randall advised that Paid Duty services are a challenge. Chair Thwaites will discuss further with the Mulmur Rep and then bring this matter to Council.

3. Use of "Cut-outs" for Enforcement

Discussion ensued on this topic as they are being used in Alberta. Staff Sergeant Randall has no problem getting on board with this but asked who would pay for the cut-outs. They would have to be moved frequently and put in different locations to be effective. It was noted that this would be cheaper than a car and paid duty officer. She will check and see if there is a policy on this.

4. Action Plan 2020-2022 - Planning, Scheduling, etc.

Staff Sergeant Randall advised that she will be attending the Strategic Planning Session on July 23, 2019. They will get their instructions on this matter at this session and what the OPP is looking at as far as priorities go and commented that the new Commissioner is looking at things differently. Melancthon PSB has a protocol on this, so we will follow that with regards to advertising, presenting to Council, etc. The Secretary was asked to contact Grand Valley PSB Secretary and ask that this matter be placed on the Joint Meeting Agenda for September 27, 2019 (as they are the host board for this meeting).

5. Community Safety and Well-Being Plan - Update

The Secretary advised that there has been conflicting information on who can complete the Plan but did advise that she has been in contact with the CAO of the County of Dufferin and the County will put the Plan together as work is already being done. With regards to the motion that Melancthon has initiated, the CAO advises that some sort of motion may still be required to have the County coordinate the Plan and she will draft something up and send it out to all in the next few days.

6. OPP Community Officer in Schools (CDDHS and Primrose) as Part of Drug Awareness/Education, etc. - Year to Date and Future

Discussion ensued and it was suggested that PC Shannon Gordanier coordinate with Shelburne PD to go into the Shelburne High School and do an information session on cannabis as the Township has received \$5,000.00 through the Ontario Cannabis Legalization Implementation Fund. Staff Sergeant Randall advised that PC Gordanier made inquiries with Primrose but couldn't get in this year. The Board encouraged PC Gordanier to follow up with Primrose for the next school year. It was also mentioned that the Paramedics could go into the High School for an educational session, so this is something to consider.

7. Community Meeting with Township – Recommendation

This topic was touched on during the meeting of the PSB in February and it will be on the July 18, 2019 Council meeting Agenda for discussion and action.

Additions to Agenda:

Speeding in Corbetton

The Roads Sub-Committee has received a complaint from a citizen in Corbetton of speeding occurring mostly in the evening and weekends. The speed limit through the Hamlet is 50 km/hour and there are children at play signs at both ends. The Public Works Department put traffic counters out from June 20th to June 25th and the information was provided to Staff Sergeant Randall. She is going to have someone run an analysis of the data.

Vandalism at the Horning's Mills Park

There has been vandalism to the Portable Toilet at the Park and the Secretary advised a member

of the Board that she would mention it at the next PSB Board meeting.

While on the topic of the Horning's Mills Park, it was advised that there was not enough Staff to have someone present at the June 22nd event, however Staff Sergeant Randall advised that mentors are being recruited for the Auxiliary program, so in the future, there will be more resources to attend these types of things. It was mentioned that there is a Strawberry Supper coming up on July 1st at the Honeywood Arena and the Beef BBQ on July 20th at the Honeywood Arena. The Secretary will send the information about these to Staff Sergeant Randall.

Other

Staff Sergeant provided information to the Board on the Province's cuts to the Ontario Provincial Police in the amount of \$67 million dollars and how that is going to affect the Detachment.

Public Discussion

N/A

Adjournment & Date of Next Meeting

The dates of the upcoming meetings were discussed. Due to the timing with the Action Plan, it was decided to cancel the September 18th meeting and reschedule to November 6th and change the December 11th meeting to December 4th.

12 Noon - Moved by Blundell, Seconded by Martin that we adjourn this Police Services Board meeting to meet again on Wednesday, November 6, 2019 at 10:00 a.m. or at the call of the Chair. Carried.

D. Thwaites

CHAIR

D. Holmes

SECRETARY

Denise Holmes

From: Eowyn Spencer <espencer@grandriver.ca>
Sent: Friday, August 23, 2019 2:16 PM
To: Eowyn Spencer
Cc: Doina Hartley
Subject: Summary of the General Membership Meeting – August 23, 2019



Grand River Conservation Authority *Summary of the General Membership Meeting – August 23, 2019*

To GRCA/GRCF Board and Grand River watershed municipalities - Please share as appropriate.

Action Items

The Board approved the resolutions as presented in the agenda:

- GM-08-19-76 - Residential Program Wind-down – Demolitions
The recommendation in this report contained three properties and was amended to vote on each property separately.
 1. Leishman Residence – Deferred to September 27, 2019
 2. Kagera Residence – Carried
 3. Laurel Superintendent - Carried
- GM-08-19-80 - Financial Summary
- GM-08-19-82 - Region of Waterloo Memorandum of Understanding for Plan Review Services
- GM-08-19-84 - Centre Wellington Tier 3 Water Budget Study - 2019-20 Budget Update
- GM-08-19-81 - New Hamburg Flood Mitigation Study Contract
- GM-08-19-C13 - Grant of Easement - Township of Centre Wellington (closed meeting agenda)

Information Items

The Board received the following reports as information:

- GM-08-19-77 - Cash and Investment Status
- GM-08-19-79 - Environmental Assessments
- GM-08-19-78 - Current Watershed Conditions
- GM-08-19-85 - Provincial Update to Conservation Authorities (Addendum)

Delegations

The Board heard from the following delegations:

- Julia Morrison and Leonard Chaplinsky - re: Residential Wind-down

Correspondence

The Board received the following correspondence:

- Ministry of Municipal Affairs and Housing – National Disaster Mitigation Program Funding
- Halton Region – 2020 Budget Direction
- City of Hamilton – 2020 Budget Direction
- City of Guelph – 2020 Budget Direction (Addendum)
- Julie McCann – Residential Wind-down (Addendum)

For full information, please refer to the August 23 Agenda Package. Complete agenda packages and minutes of past meetings can be viewed on our online calendar. The minutes of this meeting will be posted on our online calendar following the next meeting of the General Membership scheduled on September 27, 2019.

You are receiving this email as a GRCA board member, GRCF board member, or a Grand River watershed member municipality. If you do not wish to receive this monthly summary, please respond to this email with the word 'unsubscribe'.

Kind regards,

Eowyn Spencer | Executive Assistant | Grand River Conservation Authority
www.grandriver.ca | Phone: 519-621-2763 x.2200 | espencer@grandriver.ca

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www.wasagabeach.com

August 28, 2019

Hon Doug Ford
Premier of Ontario
Premier's Office
Room 281
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

BY EMAIL ONLY

Dear Premier:

Re: Resolution from the Township of McKellar – Municipal Amalgamation

Please be advised that the Council of the Town of Wasaga Beach, during their August 27, 2019 Council meeting and at the request of the Township of McKellar, adopted the following resolution:

"Whereas there are 444 municipalities in Ontario that are very efficient and well-governed, and who respond quickly to ratepayer's needs;

And whereas in the 1990's the Conservative Government forced many municipalities to amalgamate on the guise they would become more efficient, effective, save money, lower taxes and ultimately reduce the provincial deficit;

And whereas there has never been a valid evidence-based study that supported these outcomes;

And whereas forced amalgamation actually accomplished just the opposite: ill feelings, increased animosity and mistrust, job losses, rise in local taxes and an increase in the provincial deficit;

And whereas there are many positive examples of small rural and northern municipalities working together in a collaborate and cooperative manner via shared agreements that responds to local needs without amalgamation and provincial interference;

And Whereas the Provincial Government has a large deficit due to their own decision-making;

Administration: (705) 429-3844
Fax: 429-6732
Planning: 429-3847

Building: 429-1120
By-Law: 429-2511
Parks & Rec: 429-3321

Arena: 429-0412
Public Works: 429-2540
Fire Department: 429-5281

WFO# 2
SEP 19 2019

And whereas recently the same Conservative Government recently reduced one large regional municipal government by 50%, without "consultation";

And whereas this same Conservative Government is presently reviewing other provincial regional governments through a purported "consultative" approach with a view to reduce or eliminate them;

And whereas the Provincial Government should investigate all other internal ways of reducing their deficit and becoming more fiscally responsible over time rather than downloading to the one level of government that is the most efficient, has the lowest cost and is closest to the electorate which will not put a dent in the provincial deficit;

And whereas the Province could look at what other provinces have done to reduce the debt with one singular education system, organizing unorganized municipalities, controlling OPP costs, substantially increase fines, and find a way to collect millions and millions of dollars in unpaid fines and instead, invest in the north to create jobs and stimulate and enhance economic development;

Now therefore be it resolved that before the Provincial Government forces amalgamation in any of the 444 municipalities in Ontario, our AMO organization go beyond requesting "consultation" and "demand" that the Provincial Government do the following:

- 1) Hold a local referendum letting the citizens decide to amalgamate or not
- 2) Conduct an evidence-based study to show that amalgamation actually saves costs, jobs, lowers taxes and reduce the provincial deficit
- 3) Allow those municipalities to work out their own local collaborative agreement that best suit their local needs and to be permitted to do so on their own time line and volition
- 4) To ensure that there is absolutely no conflict of interest in this consultative process
- 5) To emphasize the political reality of forcing amalgamation on the many rural and northern municipalities across Ontario


And further that a copy of this resolution be sent to Doug Ford, Premier of Ontario; Christine Elliott, Deputy Premier; Steve Clark, Minister of Municipal Affairs; Andrea Horwath, Leader of the New Democratic Party; and all MPPs in the Province of Ontario;

And further that a copy of this resolution be sent to the Association of Municipalities of Ontario (AMO), the Northwestern Ontario Municipal Association (NOMA), Rural Ontario Municipalities Association (ROMA), Federation of Northern Ontario Municipalities (FONOM), the District of Parry Sound Municipal Association (DPSMA), the County of Simcoe and all Ontario municipalities for their consideration."

Your favourable consideration of this matter is appreciated.

Should you have any questions, please contact me at cao@wasagabecah.com or (705) 429-3844 Ext. 2222.

Sincerely



George Vadeboncoeur
Chief Administrative Officer

Enclosure.

- c. Hon Christine Elliott, Deputy Premier
Hon. Steve Clark, Minister of Municipal Affairs
MPP's in the Province of Ontario
Association of Municipalities of Ontario (AMO)
Northwestern Ontario Municipal Association (NOMA)
Rural Ontario Municipalities Association (ROMA)
Federation of Northern Ontario Municipalities (FONOM)
District of Parry Sound Municipal Association (DPSMA)
All Ontario Municipalities



Township of McKellar

701 Hwy #124, P.O. Box 69, McKellar, Ontario P0G 1C0

Phone: (705) 389-2842

Fax: (705) 389-1244

July 16, 2019

Hon. Doug Ford, Premier
Legislative Building Rm 281, Queen's Park
Toronto, Ontario
M7A 1A1

Dear Premier Ford,

Re: MUNICIPAL AMALGAMATION

Please be advised that at its regular meeting held, Monday July 15, 2019 the Council of the Township of McKellar passed the following resolution:

19-355 **WHEREAS** there are 444 municipalities in Ontario that are very efficient and well-governed, and who respond quickly to ratepayer's needs;

AND WHEREAS in the 1990's the Conservative Government forced many municipalities to amalgamate on the guise they would become more efficient, effective, save money, lower taxes and ultimately reduce the provincial deficit;

AND WHEREAS there has never been a valid evidence-based study that supported these outcomes;

AND WHEREAS forced amalgamation actually accomplished just the opposite: ill feelings, increased animosity and mistrust, job losses, rise in local taxes and an increase in the provincial deficit;

AND WHEREAS there are many positive examples of small rural and northern municipalities working together in a collaborate and cooperative manner via shared agreements that responds to local needs without amalgamation and provincial interference;

AND WHEREAS the Provincial Government has a large deficit due to their own decision-making;

AND WHEREAS recently the same Conservative Government recently reduced one large regional municipal government by 50%, without "consultation";

AND WHEREAS this same Conservative Government is presently reviewing other provincial regional governments through a purported "consultative" approach with a view to reduce or eliminate them;

AND WHEREAS the Provincial Government should investigate all other internal ways of reducing their deficit and becoming more fiscally responsible over time rather than downloading to the one level of government that is the most efficient, has the lowest cost and is closest to the electorate which will not put a dent in the provincial deficit;

AND WHEREAS the Province could look at what other provinces have done to reduce the debt with one singular education system, organizing unorganized municipalities, controlling OPP costs, substantially increase fines, and find a way to collect millions and millions of dollars in unpaid fines and instead, invest in the north to create jobs and stimulate and enhance economic development;

NOW THEREFORE BE IT RESOLVED that before the Provincial Government forces amalgamation in any of the 444 municipalities in Ontario, our AMO organization go beyond requesting "consultation" and "demand" that the Provincial Government do the following:

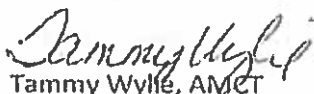
- 1) Hold a local referendum letting the citizens decide to amalgamate or not
- 2) Conduct an evidence-based study to show that amalgamation actually saves costs, jobs, lowers taxes and reduce the provincial deficit
- 3) Allow those municipalities to work out their own local collaborative agreement that best suit their local needs and to be permitted to do so on their own time line and volition
- 4) To ensure that there is absolutely no conflict of interest in this consultative process
- 5) To emphasize the political reality of forcing amalgamation on the many rural and northern municipalities across Ontario

AND FURTHER that a copy of this resolution be sent to Doug Ford, Premier of Ontario; Christine Elliott, Deputy Premier; Steve Clark, Minister of Municipal Affairs; Andrea Horwath, Leader of the New Democratic Party; and all MPPs in the Province of Ontario;

AND FURTHER that a copy of this resolution be sent to the Association of Municipalities of Ontario (AMO), the Northwestern Ontario Municipal Association (NOMA), Rural Ontario Municipalities Association (ROMA), Federation of Northern Ontario Municipalities (FONOM), the District of Parry Sound Municipal Association (DPSMA) and all Ontario municipalities for their consideration.

Carried

Sincerely,


Tammy Wylie, AMCT
Clerk Administrator

Cc:

Deputy Premier of Ontario;

Minister of Municipal Affairs and Housing;

Leader of the New Democratic Party;

All Ontario MPP's;

Association of Municipalities of Ontario (AMO);

Northwestern Ontario Municipal Association (NOMA);

Rural Ontario Municipalities Association (ROMA);

Federation of Northern Ontario Municipalities (FONOM);

District of Parry Sound Municipal Association (DPSMA);

all Ontario municipalities

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. : 416 585-7000



19-4093

Dear Head of Council:

Our government believes everyone deserves a place to call home. Inadequate supply and high housing costs have made housing unattainable for too many people in Ontario. We want to put affordable home ownership in reach of more Ontario families, and provide more people with the opportunity to live closer to where they work.

That is why I am pleased to provide you with an update on the *More Homes, More Choice Act, 2019*, which was passed by the Legislature on June 6, 2019.

In Effect Date

Schedule 12 of the *More Homes, More Choice Act, 2019* makes changes to the *Planning Act*. All changes, except for those related to community benefits charges, came into force on September 3, 2019, as specified by proclamation. This includes changes to:

- Broaden the Local Planning Appeal Tribunal's jurisdiction over major land use planning matters (i.e., official plans and zoning by-laws) and give the Tribunal the authority to make a final decision on appeals of these matters based on the best planning outcome;
- Reduce timelines for municipalities to make planning decisions;
- Remove certain "third party" appeals;
- Authorize the Minister of Municipal Affairs and Housing to mandate the use of a community planning permit system in or around specific locations to promote intensification around transit;
- Require municipalities to authorize in their official plans and zoning by-laws additional residential units in both a primary dwelling and ancillary building or structure; and
- Promote the development of affordable housing near transit by focusing the use of inclusionary zoning.

Regulations

To help implement the *Planning Act* changes, amendments to existing regulations under the Act also came into force at the same time as the related legislative provisions.

These regulations were filed on August 29, 2019 and include changes to:

- Set out transition rules for planning matters that are in process;
- Remove or update certain redundant or out-dated provisions and references;
- Remove the ability to appeal (except by the province) the implementing by-law when a municipality is required to establish a community planning permit system through a Minister's order; and

.../2

WFO #3
SEP 19 2019

- Clarify that the new community benefits charge by-law will not apply in areas within a municipality where a community planning permit system is in effect.

A new regulation for additional residential units (ARUs) was also filed on August 29, 2019 and helps remove certain zoning barriers to the creation of additional residential units by establishing the following requirements and standards:

- One parking space for each ARU, which may be provided through tandem parking as defined;
- Where a municipal zoning by-law requires no parking spaces for the primary residential unit, no parking space would be required for the ARUs;
- Where a municipal zoning by-law is passed that sets a parking standard lower than a standard of one parking space for each ARU, the municipal zoning by-law parking standard would prevail;
- An ARU, where permitted in a zoning by-law, may be occupied by any person regardless of whether the primary residential unit is occupied by the owner of the property; and
- An ARU, where permitted in a zoning by-law, would be permitted without regard to the date of construction of the primary or ancillary building.

Our proposal for the new and amended regulations was posted on the Environmental Registry of Ontario. All comments received were carefully considered.

You can view copies of the new and amending *Planning Act* regulations on Ontario's e-Laws:

- New Ontario Regulation 299/19 – “Additional Residential Units”
- Ontario Regulation 296/19 – amending Ontario Regulation 174/16 “Transitional Matters - General”
- Ontario Regulation 297/19 – amending Ontario Regulation 543/06 “Official Plans and Plan Amendments”
- Ontario Regulation 298/19 – amending Ontario Regulation 544/06 “Plans of Subdivision”
- Ontario Regulation 301/19 – amending Ontario Regulation 173/16 “Community Planning Permits”
- Ontario Regulation 300/19 – amending Ontario Regulation 232/18 “Inclusionary Zoning”

If you have any questions about the changes to the *Planning Act* and related regulations, please email PlanningConsultation@ontario.ca.

Sincerely,



Steve Clark
Minister

c: Chief Administrative Officer



**NORTH DUFFERIN COMMUNITY CENTRE
BOARD OF MANAGEMENT**



September 4, 2019

Mulmur Melancthon Fire Department
706116 County Road 21
Mulmur, ON
L9V 0W3

Dear Mulmur Melancthon Fire Department :

On behalf of the Board of Management of the North Dufferin Community Centre please accept our sincere appreciation for the hard work and valued time you gave with helping set up for the Strawberry Supper, the Beef BBQ and the removal of the ice surface. We are very grateful for the support from the Mulmur Melancthon Fire Department.

Regards,

Donna Funston
NDCC Board of Management Secretary

WF#4
SEP 19 2019

From: Dufferin County <clerk@dufferincounty.ca>
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Dufferin county



Town of Orangeville Council Chambers are located at 87 Broadway, Orangeville. Please use the entrance off Second Street across from the TD Bank.

COUNCIL MEETING CHANGE OF LOCATION

Dufferin County Council meetings will now be held at the Town of Orangeville Council Chambers for the purpose of recording and live streaming the meetings. The meetings are held on the 2nd Thursday of each month with the exception of August. Meetings begin at 7:00 pm, the December meeting commences at 4:00 p.m.

The next meeting is:

Thursday, September 12, 2019 - 7:00 pm
Town of Orangeville Council Chambers
87 Broadway, Orangeville

Pam Hillock, Clerk/Director of Corporate Services
County of Dufferin

55 Zina Street
Orangeville ON L9W 1E5
Phone: 519-941-2816
Email: info@dufferincounty.ca



The Corporation of the County of Dufferin

Our mailing address is:

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Subject: Ontario Investing in Community, Culture and Recreational Projects



Newsroom

News Release

Ontario Investing in Community, Culture and Recreational Projects

September 3, 2019

Infrastructure funds will go toward renovations, upgrades and new construction

TORONTO — Today, Laurie Scott, Minister of Infrastructure announced that the province is now accepting funding applications for projects under the Investing in Canada Infrastructure Program's (ICIP) Community, Culture and Recreation (CCR) stream. The funding will go towards investing in community, culture and recreational projects that will help deliver vital services for communities, foster greater social inclusion and improve the quality of life for residents across the province.

"Community centres, cultural facilities and recreational infrastructure are exactly the types of investments that make a difference in the daily lives of people across Ontario," said Scott. "We are making the investments that matter to our communities."

This program is funded by the federal and provincial governments along with eligible partners such as municipalities, Indigenous communities and not-for-profit groups, and could unlock up to \$320 million in provincial funding.

"These infrastructure investments are in addition to funding commitments that the Ontario government has already made for rural and northern infrastructure and transit infrastructure projects," added Scott. "We are committed to making the right investments in the right places at the right time."

Investing in Canada Infrastructure Program: Community, Culture and Recreation guidelines and application materials are available for eligible partners on the Transfer Payment Ontario [website](#).

QUICK FACTS

- The Investing in Canada Infrastructure Program (ICIP) is a \$30-billion, 10-year infrastructure program cost-shared between federal, provincial and municipal governments. Ontario's share per project will be up to 33.33 per cent or about \$10.2 billion spread across four streams: 1. Rural and Northern, 2. Public Transit, 3. Community, Culture and Recreation, 4. Green.
- The Province has nominated more than 350 projects to the federal government for funding under the Rural and Northern and Public Transit stream of the Investing in Canada Infrastructure Program, and some projects have already received federal approval to begin construction.
- This includes five key transit projects inside the GTHA including the Ontario Line and Yonge North subway extension. The Province is also currently accepting applications for transit projects from 11 municipalities inside the GTHA.
- The agreement between Ontario and Canada commits \$407 million in federal funding to the Community, Culture and Recreation stream. This could unlock up to \$320 million in provincial funding and up to \$275 million in other partner funding such as municipalities, non-profit groups or indigenous communities.

ADDITIONAL RESOURCES

- [Apply now for funding: ICIP Community, Culture, and Recreation](#)

CONTACTS

Christine Bujold
Minister's Office
christine.bujold@ontario.ca

Sofia Sousa-Dias
Communications Branch
Sofia.Sousa-Dias@ontario.ca

Ministry of Infrastructure
<http://www.ontario.ca/infrastructure>

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Investing in Canada Infrastructure Program: Community, Culture and Recreation Stream

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Description

The Investing in Canada Infrastructure Program (ICIP) is a cost-shared infrastructure funding program between the federal government, provinces and territories, and municipalities and other recipients. This program will see up to \$30 billion in combined federal, provincial and other partner funding, under four priority areas, including Community, Culture and Recreation

The Community, Culture and Recreation stream will support community infrastructure priorities across the province, improving access to and / or quality of community, cultural, and recreation priority infrastructure projects.

Deadline

The completed application and supporting documentation must be submitted to Transfer Payment Ontario by 11:59:59 p.m. EDT on November 12, 2019.

Eligibility Requirements

Please refer to the Investing in Canada Infrastructure Program: Community, Culture and Recreation stream program guidelines for assistance on submitting your application; required documents and other program information.

Note: additional supporting documents can be uploaded in Transfer Payment Ontario after submitting your application form. In addition, applicants cannot make changes to the application after the deadline. However, as part of the review process, Ontario may seek clarification and supplementary information.

The province will notify applicants if a project has been nominated for federal review. Please note that being nominated for federal approval does not deem a project to be successful for funding. Successful/unsuccessful applicants will be advised as soon as notification of federal approval has been provided to the Ministry.

Program Guidelines

Investing in Canada Infrastructure Program: Community, Culture and Recreation Stream - Program Guide

Business Case – Multi-Purpose Stream

Business Case – Renovation and Rehabilitation

Contacts

Applicants are encouraged to reach out to a Regional Advisor or the ICIP Community, Culture and Recreation team at **ICIPculture@ontario.ca** or **1-888-222-0174** if they have questions or need clarification.

Last updated: September 3, 2019

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Important Notices

LAST MODIFIED: SEPTEMBER 3, 2019

**Investing in Canada Infrastructure Program – Community, Culture and Recreation
Funding Stream Ontario Program Guidelines**



**INVESTING IN CANADA INFRASTRUCTURE PROGRAM:
Community Culture and Recreation**

Program Guidelines

**Investing in Canada Infrastructure Program – Community, Culture and Recreation
Funding Stream Ontario Program Guidelines**

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**Investing in Canada Infrastructure Program – Community, Culture and Recreation
Funding Stream Ontario Program Guidelines**

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Investing in Canada Infrastructure Program – Community, Culture and Recreation Funding Stream Ontario Program Guidelines

1. Overview – Investing in Canada Infrastructure Program

The Investing in Canada Infrastructure Program (ICIP) is a federal program designed to create long-term economic growth, build inclusive, sustainable and resilient communities and support a low-carbon economy.

Through the ICIP, the federal government is providing \$11.8 billion dollars in federal infrastructure funding to cost-share projects under the following four streams:

- Public Transit
- Green Infrastructure
- **Community, Culture and Recreation**
- Rural and Northern Communities

The Province of Ontario is a cost sharing partner in these programs. Under this intake of the Community, Culture and Recreation Funding stream, Ontario is supporting community infrastructure priorities across the province. Community infrastructure is defined as publicly accessible, multi-purpose spaces that bring together a variety of different services, programs and/or social and cultural activities to reflect local community needs.

Approximately \$407 million in federal funding and \$320 million in provincial funding will be available for the Community, Culture and Recreation stream over 10 years starting in 2019-20. At least \$30 million of federal funding must be carved out for off-reserve Indigenous projects.* The following breakdown defines the maximum cost-share percentages of total eligible costs.

	Percentage
Federal Contribution	40.00
Provincial Contribution	33.33
Applicant Contribution	26.67

The following breakdown defines the maximum cost-share percentages of total eligible costs for Indigenous recipients (e.g. First Nations, Indigenous communities and organizations).

	Percentage
Federal Contribution	75.00
Provincial Contribution	18.33
Indigenous Contribution	6.67

** Note: Projects with an Indigenous focus will not be limited to funding from the \$30 million federal carve out for off-reserve Indigenous projects. Indigenous applicants will also be eligible for funding under the broader stream.*

**Investing in Canada Infrastructure Program – Community, Culture and Recreation
Funding Stream Ontario Program Guidelines**

2. Objectives Community, Culture and Recreation Stream

The Community, Culture and Recreation stream supports projects that improve access to and / or quality of community, cultural, and recreation priority infrastructure projects. Priority is given to projects that are community-oriented, non-commercial and open to the public. Projects must be completed prior to 2027-28.

In addition to federal criteria, **Ontario's objectives** for the current proposed Community, Culture and Recreation stream project intake are noted below. Projects will be assessed based on their alignment with these objectives:

- Meets community and user needs or service gap
- Promotes good asset management planning
- Represents good value for money
- Fosters greater accessibility

See sections 4 and 7 for more details on these assessment criteria.

The intake will include two categories of funding:

- **Multi-Purpose Category**
- **Rehabilitation and Renovation Category**

***Note:** The Community, Culture and Recreation intake is a competitive process. Funding approval is not guaranteed. In addition, the Province may contact an applicant to request additional information or for clarification on information provided in the application form or supporting documentation.*

3. Applicant Eligibility

Eligible applicants under Ontario's Community, Culture and Recreation Funding stream are:

- Municipalities
- First Nations
- Other Indigenous communities / organizations
- Broader public sector organizations*
- Non-Profit organizations

** Broader public sector organizations include, for example, school boards, hospitals, colleges and universities.*

***Note:** Joint projects between multiple eligible applicants, particularly those that service multiple communities, are encouraged and will be given additional consideration as part of the assessment process.*

***Note:** Education and health care facilities are ineligible for funding, with the exception of those advancing Truth and Reconciliation Commission Calls to Action. However, broader public sector organizations that typically deliver health care and education could apply for projects outside*

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their core mandate as long as they meet federal and provincial criteria. For example, a school board could apply for funding to construct or renovate a community centre attached to a school.

4. Project Eligibility and Conditions

4.1 Eligible Projects

(1) Required Eligibility Criteria:

- a. A project must include a capital component. A project may also include pre-construction planning and design work; however, planning and design work are not eligible as stand-alone projects.
- b. A project must meet the outcome of improving access to and/or increasing quality of cultural, recreational and/or community infrastructure for Ontarians. Facilities must be publicly accessible.
- c. A project must meet the following minimum technical requirements:
 - i. Project meets federal criteria and is aligned with provincial objectives and priorities
 - ii. Demonstrated organizational capacity to implement the project
 - iii. Demonstrated ongoing financing to manage operating pressures without creating operating and/or capital cost-pressures for the Province, municipalities, Consolidated Municipal Service Managers and District Social Service Administration Boards, from new infrastructure
 - iv. Demonstrated availability of cost-shared funding to proceed with project
 - v. Demonstrated project readiness
 - vi. Operational plan developed (alignment with asset management plans for municipal projects)
 - vii. Demonstrated community need for proposed project/service (e.g., service delivery gap / lack of access to services)

For more details regarding these minimum criteria for evaluation, refer to Appendix A.

Note: Applicants are permitted to use approved funding from other project-based capital programs to demonstrate ongoing financing and availability of cost-shared funding.

(2) Eligible asset type*:

- recreation facilities (e.g., hockey arenas, multipurpose recreation centres, playing fields)
- cultural facilities (e.g., theatres, libraries, museums, cultural centres, civic squares, performing arts centres)
- community centres / hubs (e.g., multi-purpose spaces that bring together a variety of different services, community centres including recreation facilities)
- education and health facilities advancing Truth and Reconciliation Commission Calls to Action (e.g., funding for new and/or existing Indigenous healing centres, spaces in education facilities for traditional teaching/programming)

Note: applicants are encouraged to reach out to a Regional Advisor or the ICIP Community, Culture and Recreation team at ICIPculture@ontario.ca or 1-888-222-0174 if they have questions or need clarification.

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(3) Eligible project types:

a. Multi-Purpose Category:

This project category focuses on the principle of integrated service delivery to address identified service gaps. The individual project cap will generally be \$50 million in total project cost, but exceptions may be made in some cases. Eligible projects consist of:

- new build / construction projects
- larger scale renovation
- expansion of existing facilities.

b. Rehabilitation and Renovation Category

This project category focuses on maximizing the funding impact of small-scale projects that would improve the condition of existing facilities. The individual project cap is \$5 million in total project cost. Eligible projects consist of:

- renovation and rehabilitations to address functionality and use of existing facilities
- Small-scale improvements to address accessibility (e.g., hand rails, ramps, accessible doors/parking/elevators, wayfinding and signage etc.)
- Small new build / construction projects of recreation, cultural or community centre infrastructure (e.g., playing fields, tennis courts, small community squares)

Note: broader facilities that include ineligible components (e.g., community centres with a neighbourhood health centre component) can be scoped to apply for only eligible components.

Note: projects that focus on vulnerable populations (e.g., low income persons) and Indigenous people will be given additional consideration as part of the assessment process.

(4) Other requirements:

Projects must meet the following other criteria to be considered eligible:

- ✓ Capital components must be owned by an eligible entity.
- ✓ Projects must be substantially completed by March 31, 2027.
- ✓ Projects must be informed by and consistent with an applicants' asset management plan (municipalities only).
- ✓ Projects components must meet or exceed the requirement of the highest published accessibility standard in Ontario in addition to applicable provincial building codes and relevant municipal by-laws, and any applicable accessible design guidelines.
- ✓ Project components must meet or exceed any applicable energy efficiency standards for buildings outlined in the Pan-Canadian Framework on Clean Growth and Climate Change.

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- ✓ For joint projects with other eligible applicants, all applicants must also secure the endorsement of their projects by their respective municipal, CMSM/DSSAB or First Nation Band Council, board of directors, or governing body and provide the Ministry with evidence of such endorsement in the form of by-laws / resolutions / letters of agreement.
- **Integrated asset types:** Applicants must select only one primary project asset type but may integrate more than one eligible project asset type (e.g., community centre with adjoining hockey arena). Integrated projects must demonstrate that each component of the project for which the applicant is requesting funding meets eligibility requirements.
- **Asset ownership:** Municipalities must attest to owning the infrastructure assets put forward for funding.

4.2 Joint Projects

Joint projects between eligible applicants are encouraged. Joint projects are those where each **co-applicant contributes financially** to the project or to the operation of the facility. The cap may be flexible for joint projects. All applicants must meet the applicant eligibility criteria.

Joint projects may be larger than projects submitted by a single applicant, as joint applicants may combine the grant funding they request. Neighbouring communities are encouraged to work together to assess co-use of facilities to address service level gaps and to achieve economies of scale.

The lead applicant will be required to sign a transfer payment agreement with the province and also enter into a partnership agreement with the other eligible applicant(s) that will be contributing to the project. Funds will only be made available to the lead applicant, who is responsible for the financial management of the project and meeting provincial reporting requirements. Successful joint applicants are encouraged to enter into an agreement clearly setting out the nature of their relationship and key elements of the project in line with the Community, Culture and Recreation stream application and with funding approval described in the projects ICIP transfer payment agreement.

4.3 Other Project Conditions

Projects must comply with the following conditions to be considered eligible:

- (1) **Contract Award Date:** Contracts must be awarded after federal approval of funding. Contracts awarded before approval of funding are not eligible for reimbursement.
- (2) **Energy standards:** Projects must meet or exceed any applicable energy efficiency standards for buildings outlined in the Pan-Canadian Framework on Clean Growth and Climate Change.
- (3) **Accessibility standards:** Projects must meet or exceed the requirements of the highest published accessibility standard in a jurisdiction in addition to applicable provincial building codes and relevant municipal by-laws and accessible design guidelines.

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- (4) **Asset management plans [municipalities only]:** Projects should be informed by an applicant's asset management plan as outlined in Asset Management Planning for Municipal Infrastructure Regulation, O. Reg. 588/17. This means the proposed project was identified based on the plan's prioritized lifecycle activities (e.g., construction, maintenance, renewal, rehabilitation, replacement, etc.) for the applicable asset category (e.g., community, recreation and cultural facilities). For example, if an applicant has identified recreation centre needs as a priority lifecycle activity within its asset management plan, then submission of a recreation centre project would be appropriate. Where a project is not based on an asset management plan, a strong rationale must be provided in the application form.

Note: project prioritization in an asset management plan does not apply in cases where the project assets are not owned by the municipality.

- (5) **Supporting documentation [First Nations only]:** Projects should be identified in, or supported by, a 5-Year Capital Plan; a Comprehensive Community Plan; a Strategic Community Plan; an Asset Conditions Reporting System report; a Feasibility Study or Detailed Design. Where not based on a supporting document, a strong rationale must be provided. The province may request an electronic copy of one or more supporting documents during the project review stage.
- (6) **Financial sustainability:** Projects must have a financial plan in place to operate the assets and not seek senior level government support for ongoing operational funding. First Nations applicants may have operational funding arrangements with the federal government that satisfy this condition.

5. Project Submission Process

5.1 Number of Project Submissions

Eligible applicants can apply for multiple projects.

5.2 Submissions and Funding Approval Steps

Step 1: Applicants must register or login online through the Province of Ontario's online grant portal, [Transfer Payment Ontario](#). Step by step support for working with the online grant portal are found [here](#). For full functionality, the support tool link must be opened in Internet Explorer.

Step 2: Applicants must fully complete one Community, Culture and Recreation funding stream application form and the applicable business case. Completion of **only one business case is required**; the business case must correspond to the funding stream. **The application form and the associated business case are available through the Transfer Payment Ontario online portal.** Please follow the prompts in the application form and business case to respond to each question.

Step 3 [joint projects]: A joint project submitted by multiple applicants must provide supporting documentation by way of an individual partner-member municipal council resolution, a band council resolution or board of directors' resolutions or letter of agreement, clearly stating the project name and applicant / recipient contribution to the project.

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Step 4: The application and required attachments (i.e., business cases, supporting documents, etc.) must be submitted through Transfer Payment Ontario by **11:59 p.m. EDT on November 12, 2019**. A scanned application form will not be accepted. Failure to meet submission requirements will result in an incomplete submission and the submission may be considered ineligible. **If you are unable to submit the application form through the Transfer Payment Ontario, please contact: TPONCC@ontario.ca or call (416) 325-6691/(855) 216-3090.**

Step 5: Once the completed application form has been submitted, an automated acknowledgement of receipt and a file number will be emailed to the applicant.

Step 6: Projects will be assessed by the province and nominated for federal government review and approval. **Provincial project nomination to the federal government does not guarantee funding approval.**

Step 7: Applicants will be notified of both successful and unsuccessful projects. Provincial staff will be available to provide feedback for unsuccessful projects, if requested.

Step 8: The province may request **applicants to provide an attestation** that the recipient share of funding to undertake and complete the project has been secured.

Step 9: Successful municipal applicants will be required to obtain a municipal by-law or council resolution; other applicants will be required to submit a board of directors' resolution or letter of agreement or band council resolution to execute the project level transfer payment agreement with the provincial government.

Step 10: The transfer payment agreement will require procurement to be executed through a value-for-money process. Projects must undertake a competitive pricing or tendering process to demonstrate value-for-money. Applicants may be requested by the province to provide:

- Copies of proposals or bids from three (3) bidders;
- Statement indicating selected bidder; and
- Written explanation if the lowest bid is not chosen.

6. Timelines

- Applications and all supporting documentations must be submitted through Grants Ontario by **11:59 p.m. EDT on November 12, 2019**.

Note: that applications will not be accepted after this time. All supporting documentation must also be submitted by the deadline in order to be considered part of the application. Applicants cannot change the proposed project after the application deadline unless extraordinary circumstances arise (e.g., destruction of an arena) and permission is granted by the province.

- The province will notify applicants if their project has been selected for nomination to the federal government for review and approval in **winter 2020 (estimated)**.
- Applicants will be notified of the federal funding decision in **spring/summer 2020 (estimated)**.
- Projects must be completed by **March 31, 2027**.

7. Evaluation Process

7.1 Recipient Eligibility and Application Completeness

Recipients must meet Community, Culture and Recreation program eligibility requirements. Additionally, all mandatory fields of the application form must be populated correctly for a submission to be considered validated and complete. For more information, refer to Section 4 above regarding eligibility and to 4.1.4 regarding eligible categories of funding under the program.

7.2 Project Scope Review

Projects must meet federal project eligibility requirements, be technically viable and be achievable within the program timelines.

7.3 Alignment with Provincial Objectives

- a) Applicants must demonstrate that projects meet the following objectives under the Community, Culture and Recreation stream:
 - a. **Meets community and user needs:** identified and demonstrable community-level need or service gap, including barriers to social inclusion and accessibility for Ontarians with disabilities, and underserved small communities;
 - b. **Promotes good asset management:** demonstrates optimization of assets, including through multi-purpose and integrated service delivery; aligns with municipal asset management plans (municipalities only);
 - c. **Represents good value for money:** demonstrated efficiency and value for money. The most cost-effective option for delivering a similar level of service should be sought, maximizing population/communities served;
 - d. **Foster greater accessibility:** commitment to meeting minimum highest level of accessibility standards; use of Universal Design Principles and innovative solutions to increasing accessibility beyond minimum standards.

See Appendix A for details of the technical criteria associated with these objectives.

Note: Please refer to the Community, Culture and Recreation stream Business case on the Grants Ontario website.

7.3.1 Asset Management Planning

Ontario Regulation 588/17- Asset Management Planning for Municipal Infrastructure, or the Asset Management Planning Regulation sets out new requirements for undertaking municipal asset management planning. The regulation is being phased in over a 6-year period, with progressive milestone requirements for municipalities with respect to their asset management plans.

For clarity, at the time of application, the asset management plan used to inform the proposed project can be developed according to either the province's 2012 Guide (*Building together: guide for municipal asset management plans*) or the new asset management planning regulation.

As part of project reporting requirements, and to remain eligible for funding, successful municipal applicants are required to submit their updated asset management plans in

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accordance with the regulation for the duration of the project. For example, municipalities that have an active project in 2021 will be required to submit asset management plans developed in accordance with the first phase of the regulation. Please refer to the Appendix which summarizes key regulation milestones in 2021, 2023 and 2024 for municipal asset management plans.

For more information about asset management planning, as well as tools and supports available to help municipalities develop and improve their plans, please visit the <http://www.ontario.ca/assetmanagement>.

8. Financial, Contractual and Reporting Requirements

8.1 Maximum Project Costs

Rehabilitation and Renovation Category:

- The maximum total eligible cost per project for a single applicant is **\$5 million**
- For projects with multiple applicants (i.e., joint projects), each applicant can submit up to \$5 million of total eligible project costs. For example, a joint project with three eligible co-applicants can submit a project with a maximum total eligible project cost of **\$15 million**.

Multi-purpose Category:

- The maximum total eligible cost per project for a single applicant is **\$50 million**. The cap may be flexible for joint projects. Value for money will be a significant funding consideration. If an applicant's project exceeds \$50 million, please contact ICIPculture@ontario.ca or call **1-888-222-0174**.

Note: Projects that have a total eligible cost of more than **\$10 million** must complete a federal climate lens assessment and report on community employment benefits. See Appendix for more information.

Note: Applicants must pay for all ineligible project costs as well as any cost over-runs experienced on a project. **Cost over-runs** reflect any costs that exceed the total project cost submitted at the time of application.

8.2 Cost Sharing

The following breakdown defines the maximum cost share percentages of the total eligible cost:

Applicant Type	Federal Cost Share (Max %)	Provincial Cost Share (Max %)	Applicant Cost Share (Min %)
Municipality	40%	33.33%	26.67%
Non-Profit	40%	33.33%	26.67%
BPS	40%	33.33%	26.67%
Indigenous Recipient	75%	18.33%	6.67%

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Note: The cost-sharing breakdown assumes municipal or Indigenous applicants own or have control over the asset being nominated for funding and is subject to change

For instance, this means that:

- An eligible municipality may request up to 73.33% of the total eligible costs.
- Indigenous recipient may request up to 93.33% of the total eligible costs.

8.3 Stacking of Funding

General:

- Applicants may combine funding received through the Community, Culture and Recreation funding stream and funding from another project-based capital program.
- Applicants can apply for a project at the same location as a project already receiving funding from another capital program where the project in question would be ineligible for Community, Culture and Recreation funding, but the applicant must clearly scope out the component that is unique to the Community, Culture and Recreation funding stream application.

Applicants who are not sure how to best combine funding are encouraged to contact a Regional Advisor or the ICIP Community, Culture and Recreation team at ICIPculture@ontario.ca or call 1-888-222-0174 before submitting an application.

8.4 Eligible Costs

Project **costs are eligible only if they are incurred after federal approval**. Eligible Expenditures will include the following:

- All costs considered by Canada and Ontario to be direct and necessary for the successful implementation of an eligible Project, and which may include third party costs such as project management, capital costs, construction and materials, design / engineering and planning, contingency costs (25% maximum), and costs related to meeting specific Program requirements, including completing climate lens assessments (see Note 2 below) and creating community employment benefit plans;
- The incremental costs of employees of a Recipient may be included as Eligible Expenditures for a Project under the following conditions:
 - The Recipient is able to demonstrate that it is not economically feasible to tender a contract; and
 - The arrangement is approved in advance and in writing by Canada and Ontario.
 - *Note: Applicants submitting for these costs must submit a rationale for the use of own-force labour when the application is submitted.*

Note 1: Contracts must be awarded after federal approval of funding. Contracts awarded before approval of funding are not eligible for reimbursement.

Note 2: Costs associated with completing climate lens assessments, which are eligible before project approval, but can only be paid if and when a project is approved by Canada for contribution funding under contracts

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Note 3: *Capital costs are only eligible once the project receives notification that Canada is satisfied that the applicant has met its Duty to Consult and Environmental Assessment requirements. Before this notification is received, no site preparation, vegetation removal or construction may take place.*

8.5 Ineligible Costs

When a project meets a federal outcome in the Community, Culture and Recreation Infrastructure stream, it is not eligible for funding if it:

- has a private sector, for-profit Ultimate Recipient;
- is a stand-alone daycare facility, for-profit daycare facility, daycare facility associated with a school board, or a daycare facility funded under Canada's Early Learning and Child Care initiative;
- is a religious site that serves as a place of assembly for religious purposes, which includes among others, a site, church, mosque, synagogue, temple, chapel (e.g., within a convent or seminary), shrine or meeting house; or
- is a professional or semi-professional sport facility that is primarily a commercial operation, such as those that serve major junior hockey leagues.

Other ineligible project costs include:

- Costs incurred *before* federal project approval and all expenditures related to contracts signed prior to federal project approval, *except* for expenditures associated with completing climate lens assessments
- Costs incurred for cancelled projects
- Costs related to health or education functions (except for those advancing *Truth and Reconciliation Commission Calls to Action*)
- Acquisition or leasing of land, buildings and other facilities
- Leasing equipment other than equipment directly related to the construction of the project
- Real estate fees and related costs
- Financing charges
- Legal fees
- Loan interest payments including those related to easements (e.g. surveys)
- Costs of completing the application
- Taxes, regardless of rebate eligibility
- Any goods and services costs which are received through donation or In-kind
- Staff costs, unless *pre-approved* by the federal and provincial governments
- Operating costs and regularly scheduled maintenance work
- Costs related to furnishing and non-fixed assets which are not essential for the operation of the project
- Costs that have not been claimed for reimbursement by March 31 of year following the year in which the costs were incurred (e.g., costs incurred between April 1, 2018 and March 31, 2019 must be submitted for reimbursement no later than March 31, 2020).

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- All capital costs, including site preparation and construction costs, until Canada has confirmed in writing that environmental assessment and Indigenous consultation obligations have been met and continue to be met.
- All costs related to any component of the project other than the approved scope

A more detailed list of eligible and ineligible expenditure categories will be provided in individual project level contribution agreements.

8.6 Payments

Funding is claims based and will be reimbursed upon review and approval of eligible costs under transfer payment agreements. Reimbursement of claims is based on the cost sharing percentage. The claims process requires Recipients to submit claims for the Ministry's review, approval and submission to Canada and for Canada's review and approval once received from Ontario. The claims format will be outlined in individual contribution agreements.

All costs must be incurred by March 31, 2027. Recipients are required to keep all receipts/invoices and claims as they are subject to audit by the province or the federal government.

Note: A holdback of 10% may be applied to payments under the program. The holdback would be released upon successful completion of all reporting requirements following project completion.

8.7 Contractual Obligations

Successful applicants will be required to sign a provincial contribution agreement containing clauses regarding, among other things, items such as insurance, arm's length requirements, communications (including project signage), reporting requirements, and obligations with respect to consultations with Indigenous groups.

Successful applicants will be required to obtain a municipal council resolution or board of director/governing body resolution or letter of agreement to execute the project level contribution agreement with the province. Joint applicants will be required to enter into a joint partnership agreement and must provide a copy of that agreement to Ontario. For cases where the applicant is not the asset owner, the province will provide additional support to coordinate the execution of the transfer payment agreement.

Successful municipalities will also be required to complete an Asset Management Self-Assessment prior to signing their contribution agreement.

8.8 Reporting Requirements

Specific reporting requirements will be outlined in individual transfer payment agreements.

9. Consultations with Indigenous Peoples

The Government of Canada, the Government of Ontario and municipalities may have a duty to consult and, where appropriate, accommodate Indigenous peoples (e.g., First Nation and Métis communities) where an activity is contemplated that may adversely impact an established or asserted Aboriginal or treaty right.

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Before providing funding to a project, the Government of Ontario will assess whether its duty to consult obligations are engaged. If the duty to consult is triggered, Ontario may delegate the procedural aspects of consultation to project proponents. Therefore, it is important that all applicants recognize that a duty to consult process may be necessary and appropriately plan for this work (e.g., resources, time, etc.) as part of their funding submission. *The application form contains preliminary questions to begin considering the potential that a duty to consult may exist.*

Consultation requirements will vary depending on the size and location of the project in question and the depth and scope of the project's potential adverse impacts on Aboriginal treaty rights. For successful applications, the province will provide further details in writing surrounding specific consultation requirements, including which communities require consultation. Throughout the duration of the project applicants should ensure they are fulfilling the duty to consult requirements delegated to them.

10. Further Information

Please contact a [Regional Advisor](#) or the ICIP Community Culture and Recreation team can be reached by telephone at

1-888-222-0174 or by email at ICIPculture@ontario.ca.

Appendix A – Technical Criteria

The province will assess and prioritize projects for federal nomination and funding based on the following criteria, aligned with provincial objectives:

Provincial Objective A: Meets Community and User Needs

Criterion 1: Community Need

Applications must demonstrate that the proposed project is filling a clearly identified and documented service level gap and that there is a need in the community for the services that will be provided. Applicants should demonstrate that community members are in need of proposed services, and that the project will provide them with access to the required services. This may include both quantitative elements (e.g., demographic data), and qualitative elements (e.g., evidence that the community lacks access to services). Additional consideration will be given to projects focusing on vulnerable populations and/or Indigenous people (First Nations, Métis and Inuit populations).

Criterion 2: Funding Need for Proposed Project

Projects will be assessed according to greater funding need, including the cost of the proposed project per household, median household income and weighted property assessment per household. **Note:** for Indigenous Communities, proxy values may be applied.

In general, applicants with greater funding need (i.e., higher project cost per household, lower median household income, lower weighted property assessment per household) will be more competitive in the evaluation process. However, applicants **must still be able to fund all project costs and potential cost over-runs to be eligible for funding.**

Applicants should clearly note whether user fees or other sources of revenue are collected at the facility.

Provincial Objective B: Promotes Good Asset Management

Criterion 3: Provincial Land-Use Planning

Projects must be aligned and support the expected and required provincial priorities and outcomes, as set out in provincial land use policy, provincial land use plans, and municipal official plans and supported by policy direction in the Provincial Policy Statement (PPS).

Criterion 4: Efficiencies Through Joint Projects

Additional consideration will be given to joint projects for providing benefit to multiple communities and generating efficiencies and community benefits.

Criterion 5: Project Readiness

Applications must demonstrate that planning is underway and that the projects are ready to begin, to ensure completion within federal timelines.

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Provincial Objective C: Represents Good Value for Money

Criterion 6: Financial Risk Assessment and Due Diligence

The Province will conduct a financial risk assessment to ensure that sufficient resources are available to support project completion, including coverage of any cost overruns. Projects should have a financial plan in place to operate the assets and not seek senior level government support for operational funding. The Province may request additional supporting documentation upon review of the application.

Criterion 7: Organizational Capacity for Implementation

Projects will be evaluated based on organizational capacity. Organizations must demonstrate capacity to carry out capital project and implement the requested project and to manage ongoing costs related to operating the facility. Applicants must demonstrate that organizations (or partners) have sufficient funding to commit to the project (i.e., funding in place for the cost-shared amount, or demonstrated ability to fundraise the required amount).

Criterion 8: Developed Operational Plan

Applicants must demonstrate that there is a strong operational plan in place for the ongoing operation of the facility. This will include alignment with asset management plans for municipalities and may include memoranda of understanding for joint projects/partnerships.

Provincial Objective D: Fosters Greater Accessibility

Criterion 9: Accessibility

Applications must demonstrate that projects will meet the highest published accessibility standards in alignment with the Accessibility for Ontarians with Disabilities Act (AODA) and the Ontario Building Code. Projects will additionally be evaluated based on exceeding minimum standards; use of Universal Design Principles, accessible guidelines and innovative solutions to increasing accessibility.

Appendix B – Federal Program Parameters

In the event of any conflict, contradiction or inconsistency in interpretation, the federal language in the Appendix shall prevail over summaries provided in the body of the guidelines.

I. Eligible Recipients

Eligible recipients for the Community, Culture and Recreation funding stream, subject to the terms and conditions of the Canada-Ontario ICIP Agreement, include:

- a) An Ontario municipal or regional government established by or under provincial statute;
- b) An Ontario's broader public sector organizations (school boards, hospitals, colleges and universities). These entities can apply for funding of projects outside of their regular business. However, core business functions are not eligible (e.g., health and education services).
- c) Non-profit organizations
- d) First Nations and Indigenous Communities

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II. Procurement

- Successful applicants must award **third-party** contracts in a way that is fair, transparent, competitive and consistent with value-for-money principles, or in a manner otherwise acceptable to Canada, and if applicable, in accordance with the *Canadian Free Trade Agreement* and international trade agreements. Applicants must adopt a value for money procurement approach. Any requests for sole source procurement exemptions will be evaluated on a case-by-case basis and requires **pre-approval** by the federal and provincial governments. **Sole source procurement is not encouraged as approval is not guaranteed.** (Refer to Section 4.5 above)

III. Climate Lens Assessment

Applicants with projects that have a **total eligible cost of \$10 million or more** are required to complete a climate lens assessment using methodologies developed by the federal government after federal government approval of the project. The climate lens assessment consists of two potential assessments for projects being brought forward for funding which include a greenhouse gas (GHG) mitigation assessment and a climate change resilience assessment. Visit Infrastructure Canada's Climate Lens – General Guidance webpage for information on how to complete the assessment.

Costs associated with completing climate lens assessments are eligible before project approval but can only be paid if and when a project is approved by Canada for contribution funding under this Agreement.

Applicants are permitted to defer the Climate Lens assessment at the time of application, with the rationale that the Climate Lens assessment will be conducted during the detailed design phase of the project.

Applicants can contact the Climate Services Support Desk to obtain standardized climate lens data that can be used to support the completion of climate lens assessments.

IV. Community Employment Benefits

Applicants with projects that have a **total eligible cost of \$10 million or more** are required to report on community employment benefits provided to at least three federal target groups (apprentices - from traditionally disadvantaged communities, Indigenous peoples, women, persons with disabilities, veterans, youth, new Canadians, or small-medium-sized enterprises and social enterprises). Visit the Community Employment Benefits General Guidance webpage for more information. Additional details on this reporting will be provided to Recipients when applicable.

V. Environmental Assessment

No site preparation, vegetation removal or construction will occur for a Project and Canada and Ontario have no obligation to pay any Eligible Expenditures that are capital costs, as determined

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by Canada and Ontario, until Canada and Ontario are satisfied that the federal requirements are met and continue to be met:

- Requirements under the *Canadian Environmental Assessment Act, 2012* (CEAA, 2012),
- other applicable federal environmental assessment legislation that is or may come into force during the term of this Agreement, and;
- other applicable agreements between Canada and Indigenous groups (also referred to as Indigenous Peoples).

VI. Indigenous Consultation

No site preparation, vegetation removal or construction will occur for a Project and Canada and Ontario have no obligation to pay any Eligible Expenditures that are capital costs, as determined by Canada and Ontario, until Canada and Ontario is satisfied that any legal duty to consult, and where appropriate, to accommodate Indigenous groups (also referred to as Indigenous Peoples) or other federal consultation requirement has been met and continues to be met. If required, Canada must be satisfied that for each Project:

- a) Indigenous groups have been notified and, if applicable, consulted;
- b) If applicable, a summary of consultation or engagement activities has been provided, including a list of Indigenous groups consulted, concerns raised, and how each of the concerns have been addressed, or if not addressed, an explanation as to why not;
- c) Accommodation measures, where appropriate, are being carried out by Ontario or the Ultimate Recipient and these costs may be considered Eligible; and
- d) Any other information has been provided that Canada may deem appropriate.

Appendix C – Asset Management Regulation Phase-In Schedule [municipalities only]

Asset Management Plan

Ontario Regulation 588/17- Asset Management Planning for Municipal Infrastructure, or the Asset Management Regulation sets out new requirements for undertaking asset management planning. The regulation will be phased in over a 6-year period, with progressive requirements for municipalities with respect to their asset management plans.

Asset Management Phase-in Schedule

Date	Milestone
July 1, 2019	Date for municipalities to have a finalized strategic asset management policy that promotes best practices and links asset management planning with budgeting, operations, maintenance and other municipal planning activities.
July 1, 2021	Date for municipalities to have an approved asset management plan for core assets (roads, bridges and culverts, water, wastewater and stormwater management systems, arenas, theatres) that identifies current levels of service and the cost of maintaining those levels of service.
July 1, 2023	Date for municipalities to have an approved asset management plan for all municipal infrastructure assets that identifies current levels of service and the cost of maintaining those levels of service.
July 1, 2024	Date for municipalities to have an approved asset management plan for all municipal infrastructure assets that builds upon the requirements set out in 2023. This includes an identification of proposed levels of service, what activities will be required to meet proposed levels of service, and a strategy to fund these activities.

Recipients will also be required to complete an Asset Management Self-Assessment prior to signing their TPA.

For more information about asset management planning, as well as tools and supports available to help municipalities develop and improve their plans, please visit the <http://www.ontario.ca/assetmanagement>.



NVCA Board Meeting Highlights August 23, 2019

Next Meeting: September 27, 2019, Tiffin Centre for Conservation, Utopia

For the full meeting agenda including documents and reports, visit nvca.on.ca/about/boardofdirectors

Presentation by Greenland International Consulting

Greenland International Consulting presented a new system to track water levels and flooding for watersheds in Ontario and is seeking NVCA assistance. The presenters talked about the differences and similarities between NVCA's current system and the new system and asked if NVCA would contribute data to develop this system. The presentation was received and staff will be bringing a staff report in September.

Smoke-Free Outdoor Spaces Policy

The board approved NVCA's Smoke-Free Outdoor Spaces policy. The policy prohibits smoking in all Conservation Areas, except in designated areas. This policy is designed to promote healthy outdoor experiences at NVCA properties by reducing health risks of second-hand smoke, de-normalizing tobacco use, and supporting a healthier environment.

Some "No Smoking and No Vaping" signage has been provided by the Simcoe Muskoka District Health Unit and NVCA will provide the other signage from our current operational budget. Cigarette butt receptacles will also be phased in over the next two years.

NVCA enforcement staff will undertake an education-based approach for enforcement for the first two years of the program.

Financials

Board of Directors received NVCA staff report on second quarter financials and approved guidelines for the development of the 2020 NVCA draft budget. NVCA staff will prepare a draft 2020 budget for consideration by the Board of Directors.

Letter from Minister of the Environment, Conservation and Parks

NVCA received a letter from the Minister of the Environment, Conservation and Parks on August 16, 2019 regarding "winding down" any programs not related to our conservation authority's core mandate.

CAO Doug Hevenor replied to the Minister's letter stating the important work that NVCA does and that we will continue our work as directed by our member municipalities.

In brief

During the meeting, the board also:

- Received the update on the National Disaster Mitigation Program
- Approved staff to review process related to municipal Drainage Act works and approval processes.

Future Meetings and Events

Edible Wild Walk Date

September 7, 2019 10:00 AM - 12:30 PM

Location: Tottenham Tract, Simcoe Forest

TD Tree Days - Volunteer Tree Planting

Saturday, September 21, 2019 9:00 AM -

12:00 PM Location: Clearview EcoPark, 300

Mowat Street North, Stayner, Ontario

Mushroom Foray

Saturday, September 21, 2019 10:00 AM -

12:30 PM Location: Wallwin Tract, near Everett

Mushroom Foray

Sunday, September 22, 2019 10:00 AM - 12:30

PM Location: Copeland Forest, near Craighurst

NVCA Board of Directors Meeting

Friday, September 27, 2019 9:00 AM - 12:00

PM Location: Tiffin Centre for Conservation,

8195 8th Line, Utopia

TD Tree Days – Volunteer Tree Planting

Saturday, September 28, 2019 9:00 AM -

12:00 PM Location: Edenvale Conservation Area

3920 Highway 26, Minesing, ON L0L 1Y0

Festival at Fort Willow

Saturday, September 28, 2019 10:00 AM -

4:00 PM Location: Historic Fort Willow, 2714

Grenfel Road

Denise Holmes

From: Planning Account <planning@shelburne.ca>
Sent: Friday, September 6, 2019 5:43 PM
To: Planning Account
Subject: Request for Approval for Site Alteration Permit - 201 Wellington Street, Shelburne
Attachments: Site Alteration Notice - Stella-Jones.pdf; 4652.Site alteration permit application.pdf; 4652.Servicing.PH1.ltr.pdf; 4652.PH1.1Sub.Dwgs.pdf

Good afternoon,

The Town of Shelburne has received a Request for Approval for Site Alterations for property located at 201 Wellington Street.

The Notice of the application and a copy of the information submitted by the applicant are attached for your review.

We would appreciate receiving any comments, concerns or conditions you may have by Friday, September 20, 2019. If you have no comments or objections regarding this application, please respond to this email indicating no comments.

Thank you,

Steve Wever, MCIP, RPP
Town Planner

Total Control Panel

[Login](#)

To: dholmes@mclancthontownship.ca
From: planning@shelburne.ca

Message Score: 1
My Spam Blocking Level: High

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

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

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



THE CORPORATION OF THE TOWN OF SHELburne
NOTICE OF SITE ALTERATION PERMIT APPLICATION
UNDER BY-LAW NO. 26-2015

Take notice that the Corporation of the Town of Shelburne has received a Request for Approval to permit a Site Alteration and that Town Council will consider the application on:

MONDAY, SEPTEMBER 23, 2019

The meeting is scheduled to start at 6:30 p.m., or as shortly thereafter as possible, and will be held in the Council Chambers at the Municipal Office, 203 Main Street East, Shelburne.

The purpose of the meeting is to consider a Request for Approval to permit a Site Alteration on the subject property located on the south side of Main Street West (Highway 89) and west of the former rail corridor, having a municipal address of 201 Wellington Street and described as Part of Lot 32, Concession 3 East, 7R2800 Parts 5, 6, 9, 10, 12 and 13 and 7R2808 Part 1, in the Town of Shelburne. The subject property is presently occupied by an existing industry (treated lumber products) operated by Stella-Jones Inc. and has a total land area of 11.2 hectares and approximately 55 metres of frontage on Main Street West (Highway 89).

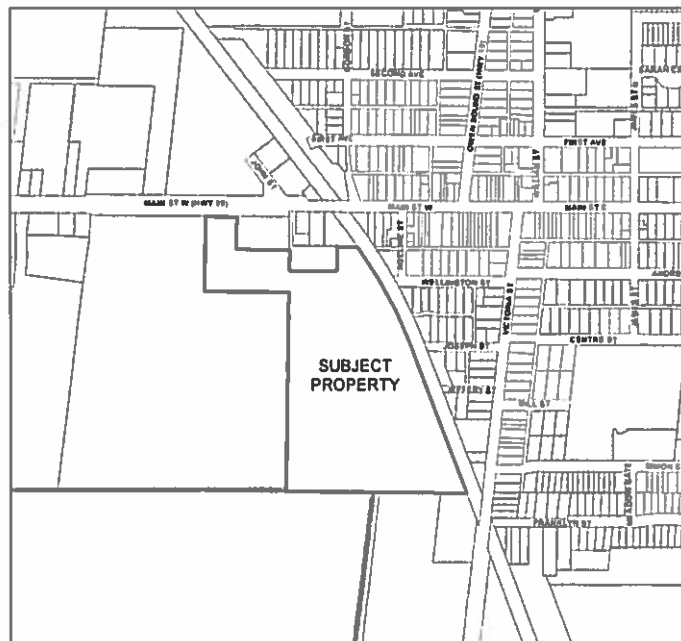
The proposed site alterations include earthworks, grading and paving of a total area 2.8 hectares within the south-central portion of the site, as well as related on-site erosion, runoff and sediment controls. The duration of the project will be approximately 1 to 2 months commencing and ending in the Fall of 2019. Additional phases of work proposed on the site will require further notice and approval. Construction vehicle traffic and trucks hauling the fill material are proposed to enter the subject property from Main Street West (Highway 89) via the existing truck entrance to the property.

At the meeting you will be given an opportunity to ask questions and indicate whether you support or oppose the Site Alteration Request for Approval. Written submissions will be accepted by the Clerk up to the time of the meeting and will be considered by the Council prior to a decision being made.

Additional information relating to the Site Alteration Request for Approval is available for inspection at the Town of Shelburne Municipal Office at 203 Main Street East, during normal office hours, 8:30 a.m. to 4:30 p.m. and on the Town's website at www.shelburne.ca. If you wish to be notified of Council's decision, you must make a written request to the Town at the address below.

Dated at the Town of Shelburne on the 9th day of September, 2019.

Jennifer Willoughby,
Clerk
Town of Shelburne
203 Main Street East
Shelburne, ON L9V 3K7
Phone: 519-925-2600
Email:
planning@shelburne.ca





Town of Shelburne
Site Alteration Permit Application Form
Site Alteration By-law #26-2015

The Site Alteration Application Form is to be completed by an applicant/registered owner proposing a site alteration. All information on this form together with all supporting documentation and the Application Fee is required. Incomplete applications will be returned.

Site Information	
Street Address 201 Wellington Street	
Legal Description (Lot Number/Plan Number) Part of Lot 32, Concession 3	
Estimated Cost of Site Alteration (\$) 1,900,000.00	
Proposed Start Date September 2019	Proposed Completion Date October 2019
Total Site Area (ha) 11.2ha	Total Area to be Altered (ha) 3.8ha
Total Area to remain Inactive (ha) 7.4ha	
Description of Site Alteration: Earthworks, grading and paving approximately 2.8ha (6.9ac) in the South and West portions of the site to provide an area for inventory storage. Earthworks and grading will also be required in additional 1.0ha of area around the paved portion to transition from the existing grades in the rest of the site to the finished grades at the pavement area. This work requires approximately 8600m ³ of native material to be moved on site, with an additional 476 ³ of fill material to be imported from off-site.	

Applicant/Consultant	
Name Sylvain Couture	Title Director of Operations
Company Name Stella-Jones Inc.	
Street Address 1 Ram Forest Road	
City Stouffville	Province Ontario
Postal Code L4A 2G7	Business Phone 1-905-727-1164
Cell Phone [REDACTED]	Fax 1-905-727-7758

Registered Site Owner (if different from Applicant)	
Name	Title
Company Name	
Street Address	
City	Province
Postal Code	Business Phone
Cell Phone	Fax

Personal information contained on this form is collected pursuant to the Municipal Freedom of Information and Protection of Privacy Act and will be used for the purpose of responding to your application. Questions about this collection should be directed to the Clerk's Office, Town of Shelburne, 203 Main Street E, Shelburne ON, L9V 3K7. By phone 519-925-2600.

24 Hour Emergency Repair Contact Person (if different from Applicant)	
Name Kyle Brown	Title Plant Manager
Company Name Stella-Jones Inc.	
Street Address 309 Main St. W	
City Shelburne	Province Ontario
Postal Code L9V 3K6	Business Phone 1-519-925-5915 x224
Cell Phone [REDACTED]	Fax

Contractor The Miller Group	
Name Jodie Geisler	Title General Manager
Company Name The Miller Group	
Street Address 505 Miller Avenue	
City Markham	Province Ontario
Postal Code L6G 1B2	Business Phone 1-905-476-6660
Cell Phone	Fax 1-905-475-3852


 Signature of Applicant

August 16, 2019
 Application Date

Authorization of Owner For Agent To Make The Application

If the applicant is not the owner of the land that is the subject of this application, confirmation by the owner that the applicant is authorized to make the application on his/her behalf must be completed below

We/I, the registered owner(s) of _____
 hereby authorize _____ to act
 as agent for the Site Alteration Application which relates to the above-noted
 lands.

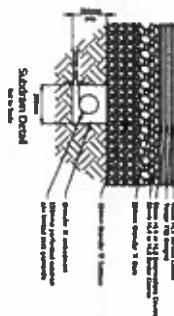
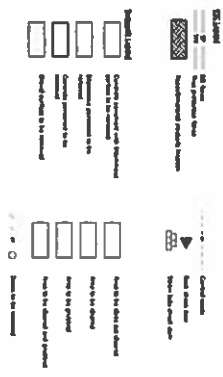
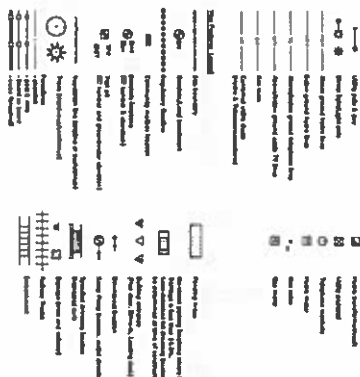
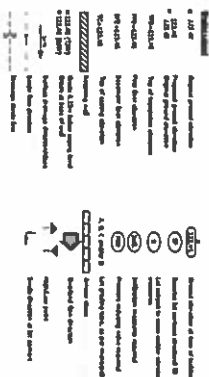
 Signature of Owner

 Date

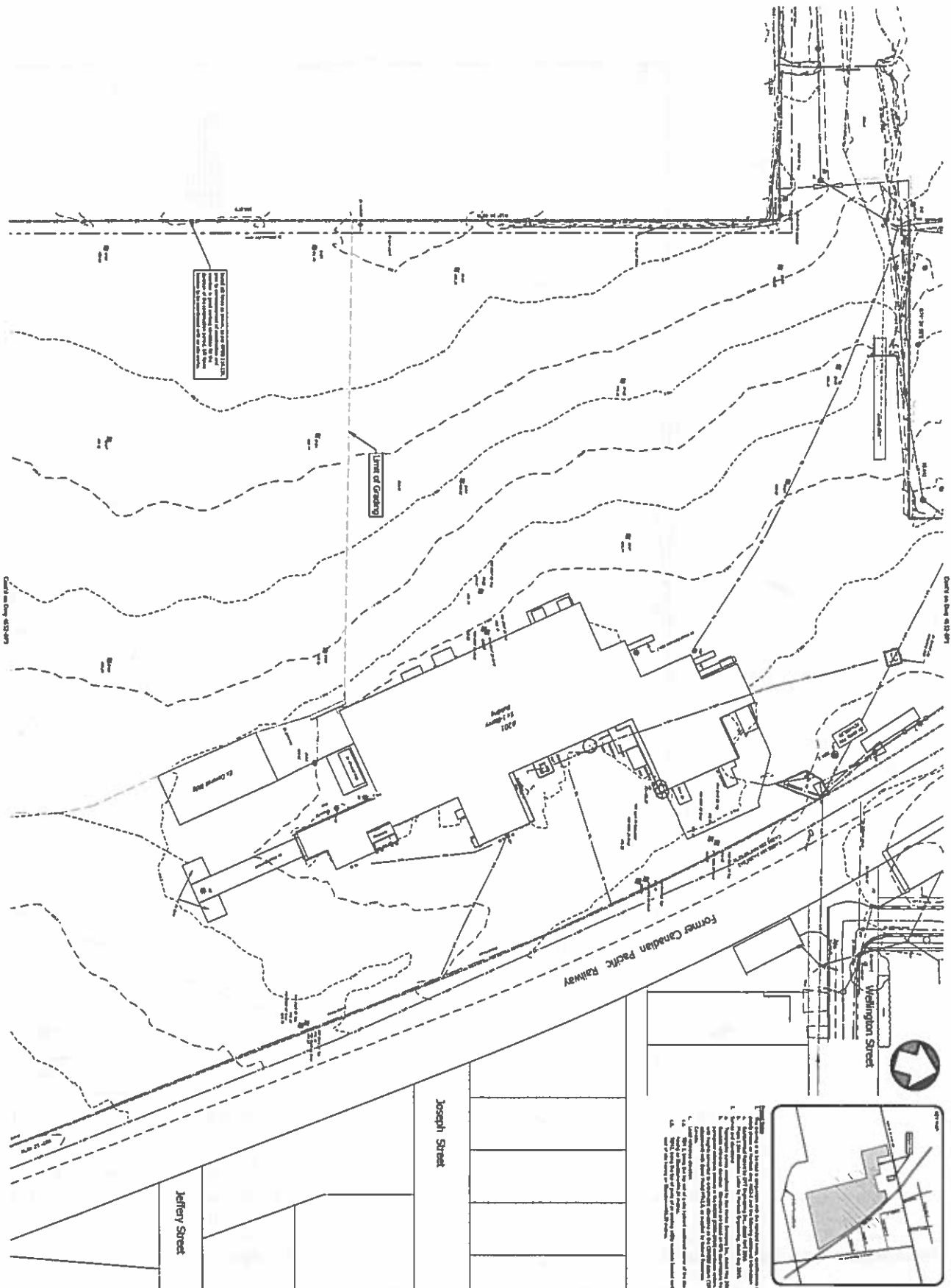
Please Print, Sign and return this form via mail to:

Town of Shelburne
 Clerk's Department
 203 Main St E
 Shelburne ON
 L9V 3K7

Personal information contained on this form is collected pursuant to the Municipal Freedom of Information and Protection of Privacy Act and will be used for the purpose of responding to your application. Questions about this collection should be directed to the Clerk's Office, Town of Shelburne, 203 Main Street E, Shelburne ON, L9V 3K7. By phone 519-925-2600.

[illegible]

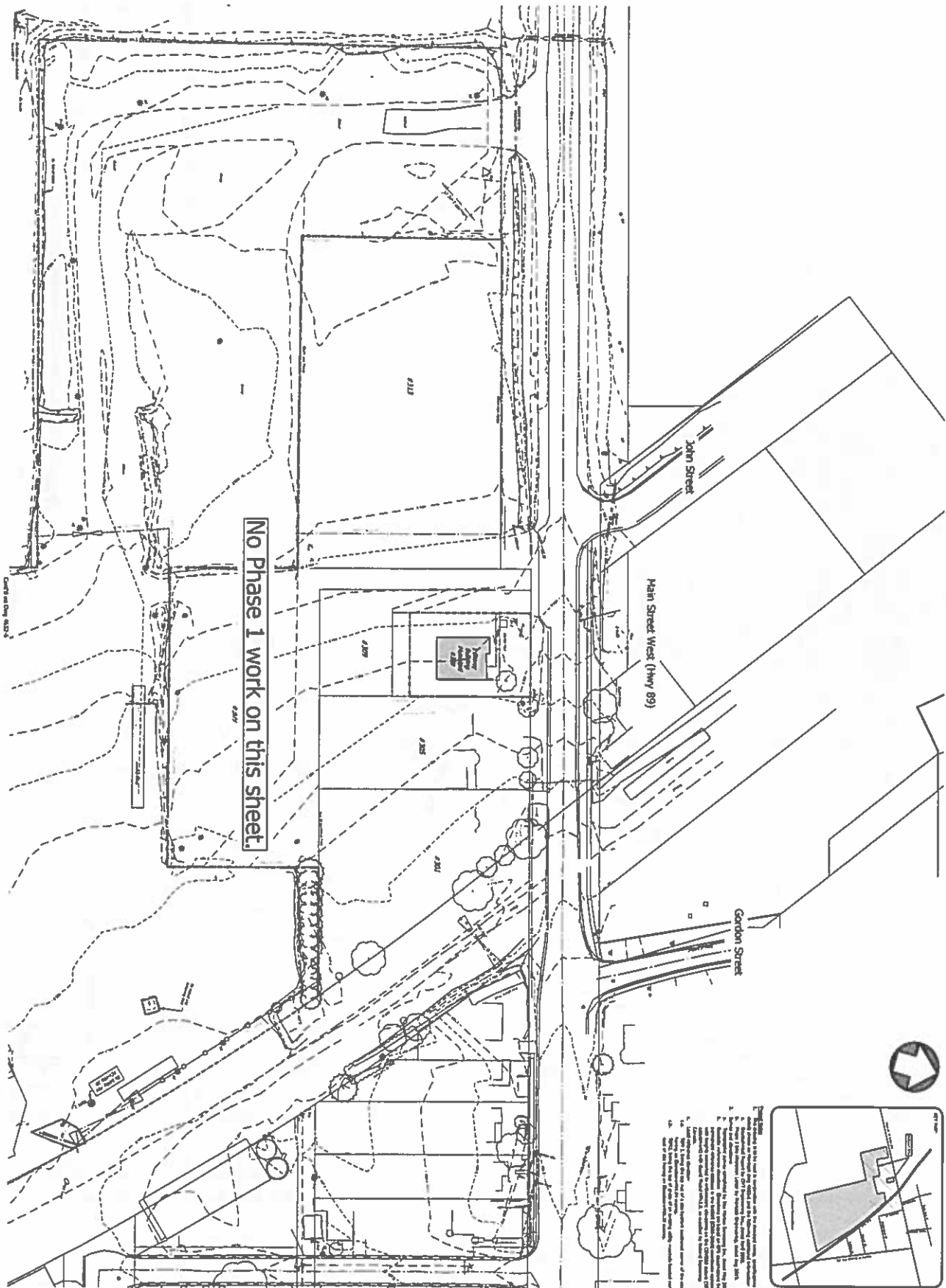
Legend, Details & Project Notes Plan				Project: Stella-Jones Inc.					
Location: Town of Shelburne				Location: Town of Shelburne		City: Shelburne		Project: 201 Wellington Street (Phase 1) Port of Lot 32, Concession 3	
Drawn by: JCS Checked by: JCS Date: Aug 14, 2015 File name: 0452.rvt				Drawn by: JCS Checked by: JCS Date: Aug 14, 2015 File name: 0452.rvt		Drawn by: JCS Checked by: JCS Date: Aug 14, 2015 File name: 0452.rvt		Drawn by: JCS Checked by: JCS Date: Aug 14, 2015 File name: 0452.rvt	



Original Conditions and Removals Plan & Erosion and Sedimentation Plan - 2 of 3			Stella-Jones Inc.		
DRAWN BY: PCT CHECKED BY: PCT DATE: Aug 14, 2019 SCALE: 1:500 PROJECT: 201 Wellington Street (Phase 1) PART OF LOT 32, CONCESSION 3			LOCATION: Town of Shelburne		
PROJECT: 201 Wellington Street (Phase 1) PART OF LOT 32, CONCESSION 3			DATE: Aug 14, 2019 BY: PCT		

MERITECH
 Engineering
 1000 Highway 10, Shelburne, Ontario N0G 1P0
 Tel: (519) 926-1111
 Fax: (519) 926-1112
 Email: info@meritech.ca
 Website: www.meritech.ca

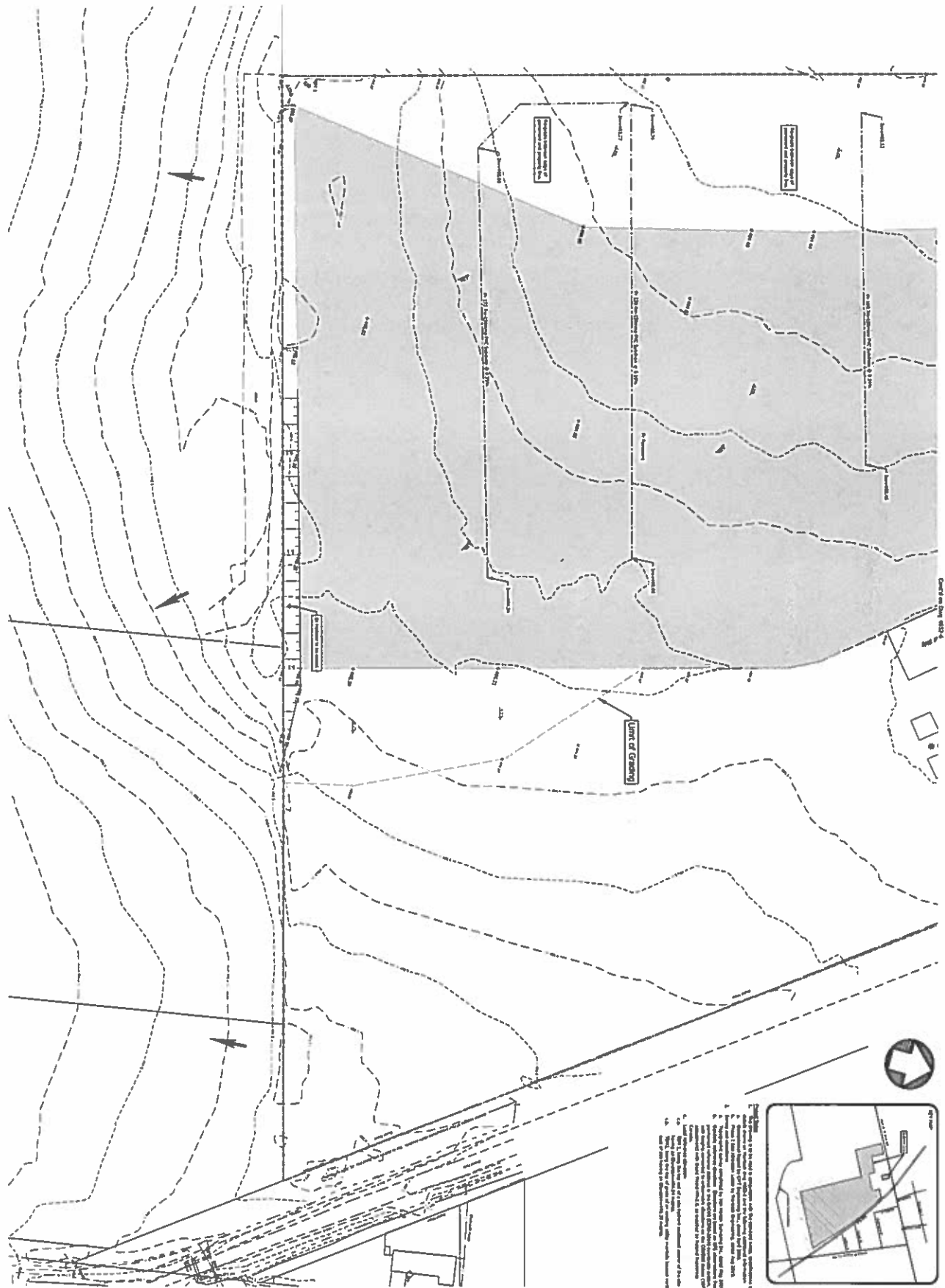
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Grading and Drainage Plan - 1 of 3				Stella-Jones Inc. 201 Wellington Street (Phase 1) Part of Lot 32, Concession 3							
Drawn by: H2H Checked by: H2H Date: Aug 14, 2019 Scale: 1:500 Sheet: 1 of 3	Designed by: CHT Date: Aug 14, 2019 Scale: 1:500 Sheet: 1 of 3	Constructed by: H2H Date: Aug 14, 2019 Scale: 1:500 Sheet: 1 of 3	Project: 201 Wellington Street (Phase 1) Part of Lot 32, Concession 3	Date: Aug 14, 2019 Scale: 1:500 Sheet: 1 of 3	Date: Aug 14, 2019 Scale: 1:500 Sheet: 1 of 3	Date: Aug 14, 2019 Scale: 1:500 Sheet: 1 of 3	Date: Aug 14, 2019 Scale: 1:500 Sheet: 1 of 3	Date: Aug 14, 2019 Scale: 1:500 Sheet: 1 of 3	Date: Aug 14, 2019 Scale: 1:500 Sheet: 1 of 3	Date: Aug 14, 2019 Scale: 1:500 Sheet: 1 of 3	Date: Aug 14, 2019 Scale: 1:500 Sheet: 1 of 3



Pharm. C. (2014) 10(1) 1-10. <https://doi.org/10.1007/s12242-014-9114-4> (14 Aug 2014) 40 pp, 10 refs



Grading and Drainage Plan - 3 of 3				Stella-Jones Inc.			
Drawn by: 152H Checked by: 152H Date: Aug 14, 2019 Scale: 1:500 Project: 201 Wellington Street (Phase 1) Part of Lot 32, Concession 3				Location: Town of Shelburne Project: 201 Wellington Street (Phase 1) Part of Lot 32, Concession 3			
Approved by: 152H Date: Aug 14, 2019 Scale: 1:500				Approved by: 152H Date: Aug 14, 2019 Scale: 1:500			
Project: 201 Wellington Street (Phase 1) Part of Lot 32, Concession 3				Project: 201 Wellington Street (Phase 1) Part of Lot 32, Concession 3			

This drawing is the property of MERITECH engineering and shall remain confidential. It is to be used only for the project and location specified herein. No part of this drawing may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without prior written permission from MERITECH engineering.

Denise Holmes

From: Meghan Townsend <mtownsend@townofgrandvalley.ca>
Sent: Wednesday, September 11, 2019 11:47 AM
To: Fred Simpson; Mark Early
Cc: Pam Hillock, Dufferin County; Sue Stone, Amaranth-East Garafraxa; Tammy McQueen; Jessica Kennedy; Tracey Atkinson; Denise Holmes; Jennifer Willoughby; Karen Landry; Jane Wilson; Trask, Lavinia
Subject: Support for letter from Town of Mono - municipal amalgamations
Attachments: 12.5 Mono - municipal amalgamations.pdf

To the Town of Mono,
At their September 10, 2019 regular meeting, following review of the attached letter from the Town of Mono, Council for the Town of Grand Valley passed the following motion:

2019-09-17

Moved by P Rentsch, Seconded by R Taylor

BE IT RESOLVED THAT Council supports the letter sent to Minister Clark by the Town of Mono, and asks that this be circulated to all relevant parties.

CARRIED

Should you have any questions, please contact us.

Thank you,



Meghan Townsend, MPS, BSc | Deputy Clerk

Town of Grand Valley | 5 Main Street North, Grand Valley, ON L9W 5S6

Tel: (519) 928-5652 | Fax: (519) 928-2275 | mtownsend@townofgrandvalley.ca



Town of Mono

347209 Mono Centre Road
Mono, Ontario L9W 6S3

August 30th, 2019

Hon. Steve Clark
Minister of Municipal Affairs
Ministry of Municipal Affairs and Housing
17th Floor, 777 Bay St.
Toronto, ON M5G 2E5

RE: Municipal Amalgamations

Minister Clark,

Our Council has recently received Council Resolutions from the Township of McKellar and the Municipality of Hasting Highlands, regarding forced amalgamations of Ontario municipalities. Our Council supports the intent of these resolutions which generally request that where the Province is considering forced amalgamations of municipalities, that the Province hold a local referendum to determine support for amalgamation; that evidence based studies are prepared to justify amalgamations, and to allow municipalities to prepare collaborative agreements for amalgamation under their own timelines and not forced by arbitrary deadlines.

Over the past 25 years, the County of Dufferin has seen three significant major reviews or challenges of the governance model for the County, including single-tier County; Orangeville as a separated city; and amalgamation of local municipalities within the County system. It has always been determined that the status quo has the most significant financial and social benefits for the residents of Dufferin County.

Bigger is not always better, and I would suggest to you that the requests that you are seeing today from municipalities for organizational change are coming from the communities forced into regional governments in the 1970's onward, and the municipalities forced into amalgamations during the days of the previous Harris Conservative government in the late 1990's.

The Town of Mono and its municipal partners in Dufferin County have been able to ensure cost efficient government not only through service agreements and joint service boards, but also the sharing of personnel, machinery and infrastructure. Not only does the Town of Mono have service agreements within the County of Dufferin, we have agreements for services with municipalities in Peel Region and Simcoe County. We have always found that where opportunities exist the option of contracting for services, and participating on joint boards for services, provides a much more cost-efficient approach to

providing services such as library, arenas, fire and emergency services to our community. Our service delivery models transcend municipal boundaries.

As indicated previously, Dufferin and the local municipalities have not supported amalgamation of local governments over the last 25 years, however, we have continually met to address our residents' need for cost efficient service delivery. Today is no different. I would like to take this opportunity to advise you that the County of Dufferin and the local municipalities are utilizing monies from the Municipal Modernization funding to complete a service review. This service review aims to investigate opportunities to increase existing cooperation between our municipalities in hopes of finding newer or better opportunities to deliver our local community services to the residents of Dufferin in an efficient, accountable and cost-effective fashion.

I trust we are following the path that your government initiated with you Municipal Modernization funding announcements.

Regards,

TOWN OF MONO



Laura Ryan
Mayor

Copies: Premier Ford
Hon. Sylvia Jones, Solicitor General, MPP Dufferin-Caledon
County of Dufferin, Clerk
Dufferin Municipalities, Clerks

Denise Holmes

From: Fred Simpson <fred.simpson@townofmono.com>
Sent: Wednesday, September 11, 2019 12:11 PM
To: Denise Holmes; Karen Landry; Michelle Smibert; Susan Stone; Jennifer Willoughby; Jane Wilson
Subject: Highway Traffic Act Set Fines
Attachments: MTO, Highway Traffic Act Set Fines.pdf

Attached is a letter from the Mayor of the Town of Mono to the Minister of Transportation, the Hon. Caroline Mulroney, regarding increasing the set fines for Highway Traffic Act offences.

Fred Simpson
Deputy Clerk
Town of Mono
519.941.3599, 234



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 fred.simpson@townofmono.com.



September 10, 2019

Hon. Caroline Mulroney, Minister of Transportation
5th Floor, 777 Bay Street
Toronto, ON M7A 1Z8

Dear Honourable Mulroney:

Re: Highway Traffic Act Set Fines

On June 12, 2019 I wrote to the Honourable Lise Maisonneuve, Chief Justice of the Ontario Court of Justice, with a copy to your predecessor as Minister of Transportation, the Honourable Jeff Yurek. In this letter I asked Honourable Maisonneuve to consider increasing the set fines for speeding offences. I suggested that fines for speeding deserve a thorough review as they have not increased in over 20 years.

The Town of Mono, like many municipalities, has seen a marked increase in speeding and aggressive driving. We responded to the problem with increased traffic patrols; however, the deterrent value of the fines is not what they once were. It is time to re-calibrate the fines to bring them in line with today's reality.

In her reply to my letter, Honourable Maisonneuve pointed out that; while she has the authority to specify an amount as the set fines, she would typically do so in response to a request from your Ministry. As this remains a concern in my community, I urge you to undertake a review of the set fines related to the Highway Traffic Act. The amount of the fines should be increased to a level that will provide a deterrent commensurate with the risk such offenders pose to the safety and wellbeing of other drivers and pedestrians.

I look forward to your favourable response to our request.

Regards,

TOWN OF MONO

Original signed by:
Laura Ryan, Mayor

Laura Ryan
Mayor

Enclosures: 2

Letter from Chief Justice of the Ontario Court of Justice dated July 16, 2019

Letter to Chief Justice of the Ontario Court of Justice dated June 12, 2019

**cc: Hon. Sylvia Jones (Dufferin-Caledon), Solicitor General
Chief Justice of the Ontario Court of Justice
Association of Municipalities of Ontario
All Dufferin Municipalities**

**P: 519.941.3599
F: 519.941.9490**

**E: info@townofmono.com
W: townofmono.com**

**347209 Mono Centre Road
Mono, ON L9W 6S3**

THE HONOURABLE LISE MAISONNEUVE
CHIEF JUSTICE
ONTARIO COURT OF JUSTICE

1 QUEEN STREET EAST
SUITE 2300, BOX 91
TORONTO, ONTARIO M5C 2W5

L'HONORABLE LISE MAISONNEUVE
JUGE EN CHEF
COUR DE JUSTICE DE L'ONTARIO

1, RUE QUEEN EST
BUREAU 2300, CASE 91
TORONTO (ONTARIO) M5C 2W5

TELEPHONE/TÉLÉPHONE (416) 327-0612
FAX/TÉLÉCOPIEUR (416) 326-4787

July 16, 2019

Laura Ryan
Mayor
347209 Mono Centre Rd.
Mono, Ontario L9W 6S3

Dear Mayor Ryan:

Re: Set fines under the Highway Traffic Act:

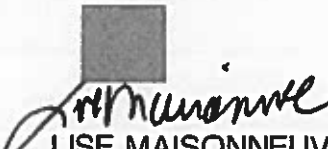
This is to acknowledge receipt of your letter dated June 12, 2019 as well as your request, pursuant to the passing of the council resolution regarding a review of the set fines for speeding under the *Highway Traffic Act*.

I understand the safety concerns that you have conveyed on behalf of your community. I have considered your request and in response would outline the following procedure that our court adheres to in determining set fines under the *Provincial Offences Act*.

The Chief Justice of the Ontario Court of Justice has been given the authority to specify an amount as the set fine for the purpose of proceedings under Part I or II of the *Provincial Offences Act* through s. 91.1(1) of the *Provincial Offences Act*. However, in the usual course, that authority is exercised in response to a request from the Ministry responsible for the pertinent provincial legislation. In that regard, I note that you have copied the Minister of Transportation on your request to have the set fines for speeding increased.

I thank you for your letter.

Yours truly,



LISE MAISONNEUVE

Chief Justice / Juge en chef
Ontario Court of Justice / Cour de justice de l'Ontario



June 12, 2019

The Honourable Justice Lise Maisonneuve
Chief Justice of the Ontario Court of Justice
Ontario Court of Justice - Office of the Chief Justice
1 Queen Street East, Suite 2300
Toronto, ON M5C 2W5

Your Honour:

Re: Highway Traffic Act Set Fines

The Town of Mono is a rural community of under 10,000 residents on the northern edge of the GTA. There are three provincial highways and numerous regional arteries passing through our Town. While many of our residents commute to the large urban centres to our south, many more transit through Mono on their daily commutes or when heading to vacation properties along Georgian Bay.

Over the past few years we have witnessed ever aggressive drivers on our roadways. To combat this, we have increased traffic patrols to well beyond the OPP base level of service. This past Victoria Day long weekend saw our local police lay seven stunt driving charges within our borders. And this is by no means exceptional with many weekends seeing similar charges laid. While this strategy has proven successful in catching speeding drivers, it has not proven nearly as successful in altering their behaviour.

While police enforcement is an essential tool in addressing this safety concern, I am concerned that stiffer penalties are also needed. It is my understanding that set fines for speeding have not increased in over 20 years. I firmly believe that increasing the fines for speeding will have a positive effect on those drivers that insist on putting all of us in danger with their disregard for other's safety.

The Council of the Town of Mono passed the following resolution on June 11, 2019.

Resolution #12-11-2019

Moved by John Creelman, Seconded by Ralph Manktelow

WHEREAS Set Fines for speeding offences under the Highway Traffic Act (Section 128) have not increased in over 20 years or more;

AND WHEREAS the Town of Mono and other municipalities in Ontario are facing serious road safety issues arising from aggressive speeding and careless driving on local, county and regional roads as well as provincial highways;

AND WHEREAS Set Fines for speeding deserve a thorough review both in terms of appropriateness, given no increases in 20 years or more and the need to establish appropriate deterrence;

AND WHEREAS the Chief Justice of the Ontario Court of Justice determines fines under the Provincial Offences Act (Section 91.1 (1)): 'The Chief Justice of the Ontario Court of Justice may specify an amount as the set fine for the purpose of proceedings under Part I or II for any offence. 2017, c. 34, Sched. 35, s. 17.';

AND WHEREAS an increase in fines may also require a change in Regulations;

BE IT RESOLVED the Town of Mono requests the Chief Justice of the Ontario Court of Justice to review Set Fines under the Highway Traffic Act, especially those involving speeding offences (Section 128) and careless driving (Section 130) with the view to an increase that both takes into consideration the length of time since the last increase as well as establishing appropriate deterrence;

AND THAT this Motion be sent to the Chief Justice, Dufferin County municipalities, MPP Sylvia Jones, the Detachment Commander of the Dufferin OPP and the Association of Municipalities of Ontario.

"Carried"

I trust that this is a matter that you find equally concerning. I look forward to your favourable response to our request.

Regards,

TOWN OF MONO

Original signed by:
Laura Ryan, Mayor

Laura Ryan
Mayor

cc: Hon. Sylvia Jones (Dufferin-Caledon), Solicitor General
Hon. Jeff Yurek, Minister of Transportation

P: 519.941.3599
F: 519.941.9490

E: info@townofmono.com
W: townofmono.com

347209 Mono Centre Road
Mono, ON L9W 6S3

Staff Sgt Nicol Randall, Detachment Commander, Dufferin OPP
Association of Municipalities of Ontario
All Dufferin Municipalities

P: 519.941.3599
F: 519.941.9490

E: info@townofmono.com
W: townofmono.com

347209 Mono Centre Road
Mono, ON L9W 6S3

Denise Holmes

From: Colin Smith <Colin.Smith@frankcowan.com>
Sent: Tuesday, September 10, 2019 10:13 AM
To: Denise Holmes
Cc: Heather Hill
Subject: Joint and Several Liability and Insurance Consultations
Attachments: RM Escalating_Cost_of_Municipal_Claims.pdf

Hi Denise

Thanks again for having us at council last week and for the continued support. As mentioned in the discussion, Frank Cowan has put together information to help respond to the Ministry of the Attorney General's recent invitation to engage in consultations regarding joint and several liability and insurance costs in general.

In an attempt to keep joint & several liability in context I am sharing with you a Frank Cowan Company document drafted earlier this year. It is also available on our Centre of Excellence website. It speaks to the many faces of rising insurance claims and how there are a multitude of factors that affect the cost of insurance – joint and several liability being one.

The cost of claims is the result of factors such as: apportionment of liability (or the diminishing role of the plaintiff/ the reducing level of contributory negligence), low limits on personal auto insurance, the cost of care for accident victims a.k.a. future care costs, climate change and severe weather events, increasingly litigious society, as well as joint and several. Each of these sources can be significant on their own. It would be impossible to single out any one factor and put a dollar value on its impact.

Frank Cowan Company continues to support AMO and OGRA as we have for decades. We were on their joint and several panel at their last conference and we applaud efforts for reform. We stay in close contact with both organizations to help in any way we can and believe that municipalities should fight for change by supporting AMO and OGRA in their mission.

We hope our paper on Escalating Claims Costs is helpful to understanding the current claims landscape. Definitely joint & several liability is one of the factors responsible for the rising burden on municipalities – though admittedly only one of many factors driving the cost of claim.

We are encouraging all municipalities to respond to the best of their ability, to the questions posed in the Attorney-General canvas of Ontario municipalities. It is vital that your voice be heard and your concerns made clear if any measure of reform is to be entertained.

If you have any further questions, we would be happy to assist.

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Escalating Cost of Municipal Claims

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Introduction

At Frank Cowan Company, we are concerned about recent and historical trends affecting the cost of municipal insurance. Municipal claims costs continue to escalate. At a time when municipalities are facing considerable pressure managing their budgets due to increasing economic challenges, increasing claims costs creates additional financial pressure since it affects all municipalities and their insurance providers. We believe it is important you understand why.

This report was created to help municipal clients understand the changing landscape. The information was compiled based on analysis conducted by Frank Cowan Company using industry data, as well as real claims from our own database that contains years of information collected over our long history in the municipal insurance business. This report provides an overview of the major trends influencing claims costs, and then looks closer at some of the primary drivers, including:

- Climate Change
- Joint and Several Liability (The 1% Rule)
- Class Actions
- Changing Legal Landscape
- Future Care Costs
- Cyber Liability

There is clearly a shift in a number of areas that impact the cost of municipal claims. All of the insurers of municipal governments are being impacted by this increasing cost of claims, and will need to respond in order to ensure that premiums are adequate to pay for these claims.

Overview - Claims are driving premiums

One of the most significant factors in the pricing of insurance is the "long tail" nature of municipal liability claims. An incident may occur in a given policy year, but the claim may not be presented until many years later. Then the claim may take several years to settle. Forecasting what the courts may award a plaintiff several years, if not decades, in the future is very challenging.

Over the past few years, there has been a shift in a number of factors impacting municipal claims – factors that are driving up claims, which, in turn, are driving up the cost of insurance. These trends will likely never reverse.

What has changed?

Property losses are more frequent and severe. Climate change has resulted in a substantial increase in property losses and catastrophic losses. Regardless of whether this has impacted a municipality directly, the substantial escalation in the cost of claims has increased both property insurance and reinsurance rates worldwide.

Joint and several liability (the 1% rule) is a significant concern for municipalities in Ontario. The Association of Municipalities of Ontario (AMO) has created a number of working groups over the years with the goal of reforming this law. As the severity of awards increases, so too does the exposure to those who have deep pockets. Although AMO initiatives have not generated change, they have increased awareness and Frank Cowan Company will continue to assist the municipal sector in lobbying for relief.

Class action lawsuits are increasing in frequency because the certification process is now much easier and there are more plaintiff lawyers who pursue this type of claim. Municipalities have a growing exposure here. Even though a municipality may be innocent of the allegations, class actions are much more difficult and costly to defend.

The changing legal landscape. There is a continuing trend that shows we, as a society, have become more litigious and demonstrate less personal accountability resulting in a higher frequency and severity of claims. In response, judges have awarded more contributory negligence to municipalities versus plaintiffs.

Damage awards are substantial. A number of years ago it was alarming to hear about a \$5M liability award. Today, larger awards are more frequent. Court awards for severe bodily injury claims have increased dramatically in the last ten years. Claims that may have settled for \$5M ten years ago are now settling for \$12M - \$18M. These awards are primarily driven by the costs of providing future care for catastrophically injured plaintiffs. Municipalities have a large exposure to this type and size of damage award and are currently feeling the impact through the cost of insurance.

The cost of defending a claim is going up. Individual claims are more complex to defend resulting in more time to manage the claim with more detailed investigation, more experts and more legal time involved in the process – at ever-increasing rates.

Cyber liability claims have risen dramatically in the last three years. More important, it is anticipated that these claims will continue to grow at an exponential rate. In 2017, alone, there were multiple billion-dollar cyber-attacks: the NotPetya ransomware attack in June, Wannacry in May and Equifax in July. More is expected with the growth of the internet of things and the increased sophistication of hackers.

The big picture

Over the course of our nine decades of successful and continuous business in Canada, Frank Cowan Company has watched as new insurers have entered and exited the municipal insurance sector. Many have underestimated the long tail nature of municipal liability claims. They thought they could deliver coverage to the marketplace at a discount, only to find out within a few years that they lacked sufficient premium to pay the cost of claims. The only solutions available at that point was to either raise their clients' premiums to the appropriate level or exit the business, sometimes leaving municipalities without insurance coverage.

In 2016, OMEX discontinued underwriting operations. As reported in Canadian Underwriter in 2016, OMEX "has struggled in recent years to grow in an extremely soft insurance market and a highly competitive business environment. This low pricing environment, combined with the impact of joint and several liability on municipal claim settlements has made it difficult to offer sustainable pricing while still addressing the municipalities' concern about retro assessments." Insurance providers that do not have a long term perspective will not survive.

Frank Cowan Company's long term, sustainable model has stood the test of time. Some brokers in the municipal insurance space frequently change insurers so that they can continue to offer deeply discounted premiums at the expenses of other critical elements of a value proposition. When the insurance market hardens, some brokers may not be able to find a market that will offer insurance to municipalities.

Frank Cowan Company partners with insurance companies that understand the high risk and the long tail nature of municipal liability claims. Together, we recognize that as the cost of claims continues to rise, premiums must adjust accordingly. We validate pricing decisions with actuarial reviews that ensure the long term sustainability of our product and the continued ability to provide broad insurance coverage and our top quality, local risk management and claims services. Our actuarial studies are based on decades of data from the experience of hundreds of Canadian municipalities.

The rising cost of claims and the impact on insurance premiums is a critical issue to manage as part of an organization's overall risk management plan. We believe it is very important for all clients to understand the factors that are driving up the cost of claims and the long term dangers if municipalities and insurers are not managing this risk proactively. While there may be opportunities in the marketplace where some insurers are prepared to underprice

their product, it must be understood that this will invariably lead to a return to realistic premium levels as the impact of claims is realized.

Municipalities need to be certain they have the appropriate insurance protection for their assets and liabilities on an ongoing basis. The purchase of sustainable and appropriately priced insurance and a robust risk management program must remain at the core of their insurance program.

Drivers of Escalating Claims Costs

Climate change

Globally, the frequency and severity of catastrophic property losses is on the rise. No one can argue that our weather patterns have not changed. What was deemed to be a “100-year storm” years ago now occurs with increasing frequency.

The actuarial societies of US and Canada jointly publish a quarterly index, The Actuaries Climate Index (ACI) that measures the climate extremes across the two countries. The index is designed to provide actuaries, public policy makers and the general public with objective data about changes in the frequency of extreme weather events over recent decades. The ACI reveals that the five-year moving average of climate extremes remains at record levels for both the US and Canada.

According to Munich Re, overall losses from worldwide natural catastrophes (cat losses) in 2016 totaled \$175 billion dollars, up from \$103 billion in 2015. Insured losses from these events rose to \$50 billion in 2016, up from \$32 billion in 2015. Insured losses in 2016 were higher than the average of the past 10 years and the past 30 years.

There were 750 cat loss events worldwide in 2016, compared with 730 events in 2015. The ten-year average is 590 annually while the 30-year average equates to 470. Clearly, both severity and frequency are on the rise.

2017 has become the second worst year on record for cat losses. Some significant property catastrophic losses included: Hurricanes Harvey, Irma and Maria, Mexico earthquakes and California wildfires. Total losses for 2017 approximated \$330 billion, while insured losses amounted to an estimated \$135 billion which are well above the historic averages.

Canada is not immune to catastrophic property losses. The 2016 Fort McMurray wildfire event was the single largest cat loss in Canadian history. Prior to Fort McMurray, the largest single cat loss event was the Alberta floods of 2013. Severity is on the rise in Canada as well. In the first half of 2017, Canada experienced five cat loss events, which is what we would usually see in a full year. BC fires raged during the summer of 2017 causing even more damage. Canada is experiencing the same global trends – an increase in frequency and severity of property cat loss claims.

Worldwide events, Canadian events and insurance trends directly impact Canadian Insurance capacity. Simply put, property and reinsurance rates are on the rise. Often when rate targets cannot be solely achieved with increases on one line, rates increases will spill over to other lines as well (primarily auto and liability).

Joint & Several Liability (The 1% Rule)

Joint and several liability is legislated in many Canadian provinces. In Ontario, the governing statute is The Negligence Act. This legislation directs that a person injured by two or more wrongdoers may collect his/her full damages from one of the wrongdoers regardless of the proportion of their liability. In our opinion, the legislation has a very negative impact on municipalities.

Severe injuries are most common in road maintenance cases. People that become injured in road accidents, bring actions against the at fault driver of the vehicle as well as the municipality, alleging poor road maintenance or design.

Due to the high value of severe injuries, the limits of insurance on the vehicle are generally not enough to satisfy the judgment. Therefore, due to joint and several liability, the municipality's insurer must pay the balance, even if it is only 1% liable.

For over a decade Frank Cowan Company has participated in a number of initiatives with AMO and the Provincial government to solicit change to the 1% rule for municipalities and relieve them of this unfair burden. The latest initiative occurred in 2014 when the Ontario government (Attorney General's Office) was considering the Saskatchewan model of proportionate joint and several liability. Unfortunately, the Ontario Provincial election resulted in a newly appointed Attorney General and the proposal was abandoned.

Recent regulatory changes to the Statutory Accident Benefit Schedule could expose municipalities to a higher frequency of joint and several claims allegedly arising due to poor road conditions. For claims arising out of accidents that occurred on or after June 1, 2016, the maximum benefits available under the Statutory Accident Benefit Schedule to 'catastrophically impaired' persons have been reduced from \$2 million (\$1 million in medical and rehabilitation plus \$1 million in attendant care benefits) to a total of \$1 million (i.e. a 50% reduction). This benefit reduction only impacts new claims for accidents occurring on or after June 1, 2016. This represents a significant change and that shortfall in available coverage under the Statutory Accident Benefits Schedule for claimants, whom did not purchase optional benefits, must be addressed by the at-fault auto defendant thereby eroding the auto defendant's liability limits quicker. Given that the majority of auto liability policy limits are \$1 million; municipalities will likely see an increase in the frequency of joint and several claims from injured claimants.

Frank Cowan Company handles numerous joint and several exposure claims. Here are two examples:

A young recently-licensed driver lost control of a vehicle on a gravel road. A passenger sustained a severe brain injury. The liability limits on the vehicle were \$1,000,000. The allegation against the municipality is a failure to grade the road. The damages claimed for the passenger are \$15,000,000. If liability is found on the municipality, any damages awarded in excess of \$1,000,000 will be payable by the municipal insurer.

In another case the plaintiff and two minor grandchildren were passengers in a vehicle. The driver came to a stop at a stop sign. The driver proceeded to make a left hand turn into the path of an oncoming vehicle. The sightlines and signage at the stop sign were within standards. The plaintiff placed the municipality on notice because they claimed snow piles at the edge of the road were too high, therefore obstructing visibility. The claim for the plaintiff(s) will greatly exceed the limits of \$1,000,000 on the automobile. The claim has a total value of approximately \$6,000,000. The exposure to the municipality based upon an estimated 25% liability would be \$1,500,000. Because of the 1% rule, the exposure to the municipality will increase to \$5,000,000 if the plaintiff(s) are successful with their case.

Class Actions

The Class Proceedings Act of 1992 allows for class actions in Ontario. A class action may be commenced in any common law province (except for Prince Edward Island which does not have class proceedings legislation), as well as Quebec.

When a large group of people are collectively harmed they can collectively bring an action before the Court. Class actions are an economical way of bringing suit because the expenses are shared among many parties. In addition, where the group can't afford the expenses to bring a class action forward, a government fund has been created to assist them. It has become increasingly difficult to successfully oppose class certification in all jurisdictions. Our Courts are more readily willing than before to certify class actions. Recent examples of class actions include: 1) Claims against a Health Department for negligent inspection of a public swimming pool which lead to infectious disease of claimants. 2) Claims against a municipality by charitable organizations for the collection of fees (taxes) for which the municipality did not have the authority to impose. 3) Claims against municipalities related to property damage arising from flooding following a rain event and the legal risk associated with storm-water management.

At Frank Cowan Company, we have seen the increases in the number of class actions over the past few years. If liability is found against the municipality, the damage award can be significant depending upon the number of people in the group. However, more importantly, the cost of defending class actions is very high. For example, a recent class action claim commenced against a municipality for breach of privacy had a potential of 85,000 claimants as per the pleadings. Through the legal process it was finally determined that there were only 40 claimants. After careful review of all the submissions by claimants the claim was settled. All but one of the claims were rejected for a total damage payout of \$113.04. The big costs were in the form of third party legal costs, defence costs and expenses which totalled approximately \$1,335,000.

Changing Legal Landscape

Recent court decisions have shown a reluctance to assign contributory negligence to claimants whom have been catastrophically injured. For example, consider *Stephen Campbell et al. vs. the Municipal Corporation of the County of Bruce*.

This was an occupier's liability claim in which the claimant cyclist was advancing over a "Free Fall" apparatus at the municipality's adventure park, when he fell off the obstacle, rendering him a quadriplegic. "Free Fall" is a variant of a Teeter-Totter that was fixed to the ground with concrete and piping to swivel the teeter-totter up and down. It is marked as having a high difficulty rating.

The trial judge noted that the plaintiff, testified that he was a relatively active middle-aged man who had extensive experience with road and mountain biking. He further noted that when he attended at the bike park he knew that there were risks of injury associated with mountain bike riding, that he understood the rating system employed at the mountain bike park and that the mountain bike park was an unsupervised, non-fee-paying facility. The plaintiff further observed the signs requiring him to ride within his own abilities and his own risk and to wear a helmet, although he did not do so on the first day. With respect to the incident itself, the trial judge noted that the plaintiff "overestimated his abilities and underestimated his skill required to successfully ride this teeter-totter". The trial judge further noticed that Campbell "acknowledged that his exit strategy off of Free Fall was incorrect". Despite all this, the trial judge concluded that the plaintiff bore no contributory negligence in this case.

Recently, the Financial Services Commission of Ontario contracted an independent research company to collect statistics on motor vehicle accident claims. Here is a highlight of some of the findings and comparisons to their last study:

- 91% of the claimants had some type of legal representation (a 37% increase since last reported).
- 83% of claimants ultimately commenced legal action (an increase of 60% since the last report)

Future Care Costs

Future care costs address the medical and non-medical needs of a person who has suffered a catastrophic injury. Future care takes into account the person's future needs that will enhance the person's life. Consideration is given to medications, rehabilitative needs, nursing, home renovations, orthotics, assistive devices, transportation, social outings, educational or vocational needs, housekeeping and personal care services, recreational activities and future medical complications.

Future care costs are by far the largest component of a serious bodily injury claim. Providing future care is extremely expensive. People with severe brain injuries, spinal cord injuries and multiple orthopedic injuries are living longer. Coupled with rising healthcare costs, the cost of future care has ballooned over the past five years.

Brain injury cases are the types of cases where future care awards are the most significant. In the past 10 years, Frank Cowan Company has seen a dramatic increase in the number of brain injury cases reported.

Examples of Future Care Awards

Frank Cowan Company handled a claim in which a teenager was catastrophically injured when hit by a car in an intersection. The case was settled mid-way through trial for \$8,300,000. Future care accounted for \$5,000,000 of the settlement.

In *MacNeil vs. Bryant*, the Court awarded an \$18,427,207 judgement to a 15-year-old female who received a severe head injury as a result of a motor vehicle accident. Over \$15,000,000 of the award was for future care.

In *Sandhu vs. Wellington Place Apartments*, a severe head injury was sustained by a child who fell from an apartment window. The Court awarded a \$17,000,000 settlement which included \$11,000,000 for future care.

In *Marcoccia vs. Gill*, a 20-year-old male received catastrophic injuries as a result of an automobile accident. The Court award was in the range of \$15,500,000 as plaintiff counsel argued he would need 24/7 attendant care for the rest of his life.

In *Morrison and Gordon vs. Greig*, Gordon was rendered a paraplegic and Morrison sustained a catastrophic brain injury. Morrison was awarded \$11,500,000 and Gordon \$12,600,000.

As outlined in the cases above, future care costs ranged from \$5,000,000 to \$15,000,000 which had an immense impact on the total cost of these claims.

What Factors are Impacting Future Care Assessments?

Attendant Care

Attendant care, private duty nursing or a personal support worker is often required/demanded in the most serious cases. Depending upon the level of care provided, the hourly rates can be very costly. To help illustrate how these costs can escalate quickly; imagine a young person with a brain injury who has a 50-year life expectancy requiring 24/7 care. Attendant care for that person could easily cost in the millions. There are other providers of future care services including services such as: housekeeping, nanny services, lawn and home maintenance, speech therapists, psychological counseling, occupational therapy, personal support worker and employment counseling.

Inflation on Medical Expenses

Statistics have shown that the medical expenses inflate at a higher rate than average. Statistics Canada published inflation rates demonstrate that Health Care Services inflation exceeds CPI by 23.3% over the last 15 years. In the case of *MacNeil vs. Bryant*, the Court accepted the expert evidence that medical costs will inflate at a higher rate than average. Our medical system is currently strained and with no future relief in sight, medical services will increase in cost as demand exceeds supply. This alone can increase future care costs significantly.

Management Fees

Awards for future care must be managed to ensure the capital provided lasts a lifetime. In many cases neither the plaintiff nor the plaintiff's family is capable or experienced in managing a large sum of money. The Courts realize that a professional guardian needs to be hired to ensure the funds are properly invested and managed. Today, these management fees are approximately 5% (or more) of the futures award.

In *Sandhu vs. Wellington Place Apartments*, the future care cost awarded was \$11,000,000. In addition, management fees of \$1,795,000 were awarded. This fee is well above 15%.

Interest Rate and Discount Rate Impact

Current interest rates are low. When a claim for future care is settled an insurer is paying a large sum of money today for an expense into the future. A discount rate, which is tied to interest rates, is used by our Courts to assess the current value of this future expense. Until 2003, the rate was 2.5% on all damage awards for future losses. Since then, the rate was lowered to 0.1% for the first fifteen (15) years of the future award and 2.5% thereafter. This change has resulted in a minimum increase of 18% on these awards.

Additional Heads of Damage

A head (or type) of damage for loss of competitive advantage was the first “new head” argued in the early 1980's. It was argued that a person, with even the most minor injury, was entitled to damages in the case of a job loss and/or the fact that a prospective employer may not hire a “damaged person”. In 1980, this head started at a \$5,000 award. Today, it is typically valued at \$100,000 or more.

Loss of Interdependent Relationship (LOIR) was first pleaded in the early 2000's. The damages are based on the fact a severely injured person may never have a spousal relationship, and benefit from the ability of two people living cheaper than one. When first pleaded, this award was less than \$100,000 and has subsequently doubled.

Municipal Claims Inflation

Claims inflation should not be confused with the Consumer Price Index (CPI).

CPI is an indicator of the changes in consumer prices experienced by Canadians. These items include food, shelter, transportation and clothing. The CPI is frequently used to estimate the extent to which purchasing power of money changes, so it is widely used as a measure of inflation.

Inflation on municipal claims is a very different concept. Actuaries refer to this concept as trending. Actuaries will take a measurement of claims trending on a large book of business, such as Ontario municipal liability, and will use this information to determine appropriate rate adjustments. To determine the level of trending in the municipal portfolio the actuary considers trends related to both claims severity and claims frequency. This is a predictive measure used to estimate future expected values by analyzing historical data and other relevant information. They also take into consideration jury awards, court decisions, changes to legislation, emerging trends that may impact the claims as well as any professional fees for lawyers, adjusters, and experts.

Frank Cowan Company has a large statistically relevant municipal database established over 90 years of working with our clients. Taking all factors into account, our actuaries estimate that municipalities have a claims cost trend that is well above CPI.

Conclusion – What can we do?

Insurance is complicated and the landscape continues to become even more complex when considering other exposures such terrorism, cyber and climate change. Municipalities must increasingly rely on an insurance provider that keeps abreast of emerging issues and provides best in class risk management and claims services.

What can we do? When selecting your insurance carrier through an RFP process, think of insurance as a product, not a commodity. Make sure your provider has superior tailored risk management and claims services. Municipalities can't rely on the Province to provide relief - they must take matters into their own hands. A Total Cost of Risk (TCoR) approach must be deployed to ensure your insurance program is cost effective and efficient. A TCoR methodology is a tailored approach that mitigates local exposures (risk management) and implements best practices in claims management.

Each municipality must be informed of how their insurer provides risk management and claims services.

You need to ask questions about claims management:

- How does your insurer manage claims?
- Are all lines serviced by one Canadian provider under "one roof" or by multiple insurers in various countries?
- Does your insurance provider utilize best practices to manage their claims volume?
- What is the cycle time of claims?
- Are older claims increasing in proportion?
- Is the legal spend being managed appropriately?
- Some municipalities have large deductibles – can your insurance provider assist with implementing a best practices environment in your municipality?
- In some municipalities the cost of claims below the deductible is the largest expenditure of the insurance program. Is the cost of consulting services covered by the premium or does your insurance provider charge additional fees?

Municipalities have long tail claims; managing claims properly will reduce municipal expenses.

You need to ask questions about risk management:

- What risk management services does your insurer provide?
- Do they utilize a tailored approach or are the risk management services generic and not industry/geographically specific?
- Can their staff perform a road review, MMS review, inspect a toboggan hill or trail?
- Does your insurance company provide you with the tools to mitigate risks (GPS systems monitoring compliance with MMS)?
- Is the cost of the risk management services covered by the premium or does your insurance provider charge additional fees?

You need to ask how long your service provider has been part of their insurance program?

Municipal insurance operates in a long tail claims environment. Some programs compete on price and shed their municipal insurance providers regularly to ensure they can continue to offer low premiums. This approach is not sustainable. Constantly changing markets results in poor claims service with multiple insurers providing claims services from different countries and lines. Your partners need to be committed to the municipal insurance space. It is important to ask how long your service provider has had their markets, specifically liability?

With the described escalation in the cost of claims, it is necessary to ensure that premiums are adequate to recover the cost of claims. What is viewed as a problem today may become a full-blown crisis tomorrow, especially in a highly specialized area such as municipal liability.

Based upon the descriptions of what are driving claims costs, there is strong justification for an increase in the cost of insurance. It is recognized that this may cause increased pressure on the finances of the municipal client base in the short run. It is also recognized that some insurers may be prepared to ignore these trends, and offer lower premium levels. We believe, however, that the need to offset the ever-increasing cost of claims with premium adjustments cannot be ignored. We trust that our clients will continue to value our expertise based on our past experience and insight in order to be assured of long term sustainability in their insurance program.

In the interim, our municipal clients must continue their efforts to attack the root causes of this problem by working to reduce both the frequency and severity of claims.

Frank Cowan Company has been working with municipalities for over 90 years. We understand municipal liability and we are here to assist you in addressing your various risks. We believe the best way to keep your total insurance costs low is by preventing claims before they happen. As a Frank Cowan Company client, you have unrestricted access to our risk management services – at no extra charge. These include educational sessions, consultation services and on-site inspections. Our experts can analyze your operational policies and procedures, identify exposures and risks in your facilities, and consult with municipal workers on risk management topics.

Let us help you!

Donna Funston

To: Denise Holmes
Subject: RE: By-law Enforcement Services

From: Jennifer Willoughby <jwilloughby@shelburne.ca>
Date: August 6, 2019 at 4:32:06 PM EDT
To: Jennifer Willoughby <jwilloughby@shelburne.ca>
Cc: Carey Holmes <cholmes@shelburne.ca>, Denyse Morrissey <dmorrissey@shelburne.ca>, Bylaw Shelburne <bylaw@shelburne.ca>
Subject: By-law Enforcement Services

Good Afternoon

Our Council recently directed staff to research and report back regarding the provision of pro-active versus re-active By-law Enforcement. We are currently facing challenges in managing the volume of our own by-law enforcement needs.

If the Town was to adopt a more pro-active approach in any area of by-law enforcement we would be facing very limited staffing resources. We would then not be able to provide your municipality with by-law enforcement services in the future depending on the decision of Council. The expected timing of the staff report is September/October 2019.

The agreement we have entered into with your municipality notes that "This agreement may be terminated by the Town or Township by Council resolution."

I wanted to give you advance notice that our agreement might be terminated in the near future and likely effective December 31, 2019.

Thank You

Jennifer Willoughby, Clerk | Phone: 519-925-2600 ext 223 | Fax: 519-925-6134 |
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