



TOWNSHIP OF MELANCTHON

A G E N D A

Thursday, October 17, 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 - October 3, 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. Open Fuel Tenders
 2. Other
10. **Planning**
 1. Applications to Permit
 2. Hemp vs Marijuana Article - Councillor Hannon
 3. Other
11. **Climate Change Initiatives**
12. **Police Services Board**
13. **County Council Update**
14. **Correspondence**

***Board & Committee Minutes**

1. GRCA - September 27, 2019
2. Shelburne Public Library - June 18, 2019
3. Shelburne & District Fire Board - September 3, 2019

*** Items for Information Purposes**

1. Letter from Town of Mono Mayor Laura Ryan to Honourable Doug Downey, Ministry of the Attorney General regarding Joint and Several Liability
2. Letter from Town of Mono Mayor Laura Ryan to Honourable Doug Downey, Ministry of the Attorney General regarding Provincial Funding Cuts to Legal Aid Ontario
3. Township of Clearview Notice of Public Meeting for the Official Plan Review
4. AMO Communications - Submits report to Attorney General on liability and insurance cost reforms
5. Township of Mulmur letter in support of Melancthon's Resolution regarding the increase in traffic fines
6. Town of Shelburne Notice of Public Meeting Regarding a Proposed Community Improvement Plan
7. Letter from Town of the Blue Mountains to Honourable Steve Clark, Ministry of Municipal Affairs and Housing regarding Integrity Commission Matters
8. NVCA Board Meeting Highlights September 27, 2019

*** Items for Council Action**

1. NVCA 2020 Draft Budget

15. General Business

1. New/Other Business
 1. Shelburne and District Fire Department - Agreement - Update
 2. Heritage Committee - Interest from the Public (from the 2019 Fall/Winter Newsletter)
 3. Draft Salvage Yard By-law - Comments received prior to Public Meeting on November 7, 2019 (if any)
 4. Other
2. Unfinished Business
 1. WDGPH Letter to Municipalities re: Alcohol Policy

16. Delegations

1. 5:30 p.m. - Public Meeting - Zoning By-law Amendments (Bonfield Farmland Ontario)

17. Closed Session

18. Third Reading of By-laws (if required)

19. Notice of Motion

20. Confirmation By-law

21. Adjournment and Date of Next Meeting - Thursday, November 7, 2019 - 5:00 p.m.

22. On Sites

23. Correspondence on File at the Clerk's Office

**APPLICATIONS TO PERMIT FOR APPROVAL
Oct 17, 2019 COUNCIL MEETING**

PROPERTY OWNER	PROPERTY DESCRIPTION	TYPE OF STRUCTURE	DOLLAR VALUE	D.C.'s	COMMENTS
Sarah Bone	681169 260 Sideroad Pt Lot 22, Con 6 SW Plan 54 Lot 17	Dwelling	\$352,840	YES	
Mark Downey	437367 4th Line OS West Part Lot 17, Con 3 OS	Dwelling	\$	YES	
Andrew Patchett	199256 2nd Line NE Part Lot 217 & 218, Con 2 NE	Patio Enclosure	\$30,000	NO	

PLAN # 1
OCT 17 2019

From:
Counselor
Hanna

Think Hempy Thoughts

Think Consciously. Think Hempy Thoughts.

Hemp vs. Marijuana

[FULL SITE AVAILABLE HERE](#)

Hemp vs Marijuana

First and foremost: Hemp is not marijuana. Marijuana is not hemp. This is one of the most important facts to KNOW AND SHARE because people are unaware that they are different. Oftentimes people believe that hemp is the male plant of marijuana. This is false.

Hemp and marijuana are both cannabis. But, hemp and marijuana are **different varieties** of the Cannabis sativa species.

This confusion exists because marijuana was created by selectively breeding Indian hemp for Tetrahydrocannabinol (THC). THC is the major differentiating factor between hemp and marijuana.

What is the difference between hemp and marijuana?

	Hemp	Marijuana
THC Concentration	Low (Less than 0.3% THC by law)	High (More than 0.3% THC by law; normally 5% to 30% THC)
CBD Concentration	High	Low
Psychoactive	No	Yes
Female Plant Role	Produce seeds or flowers	Produce seeds and flowers, but seeds not desired except for reproduction
Male Plant Role	Strong fibers, pollinate plant for seeds. Removal desired when	Will pollinate female. Removal necessary.

growing for CBD.

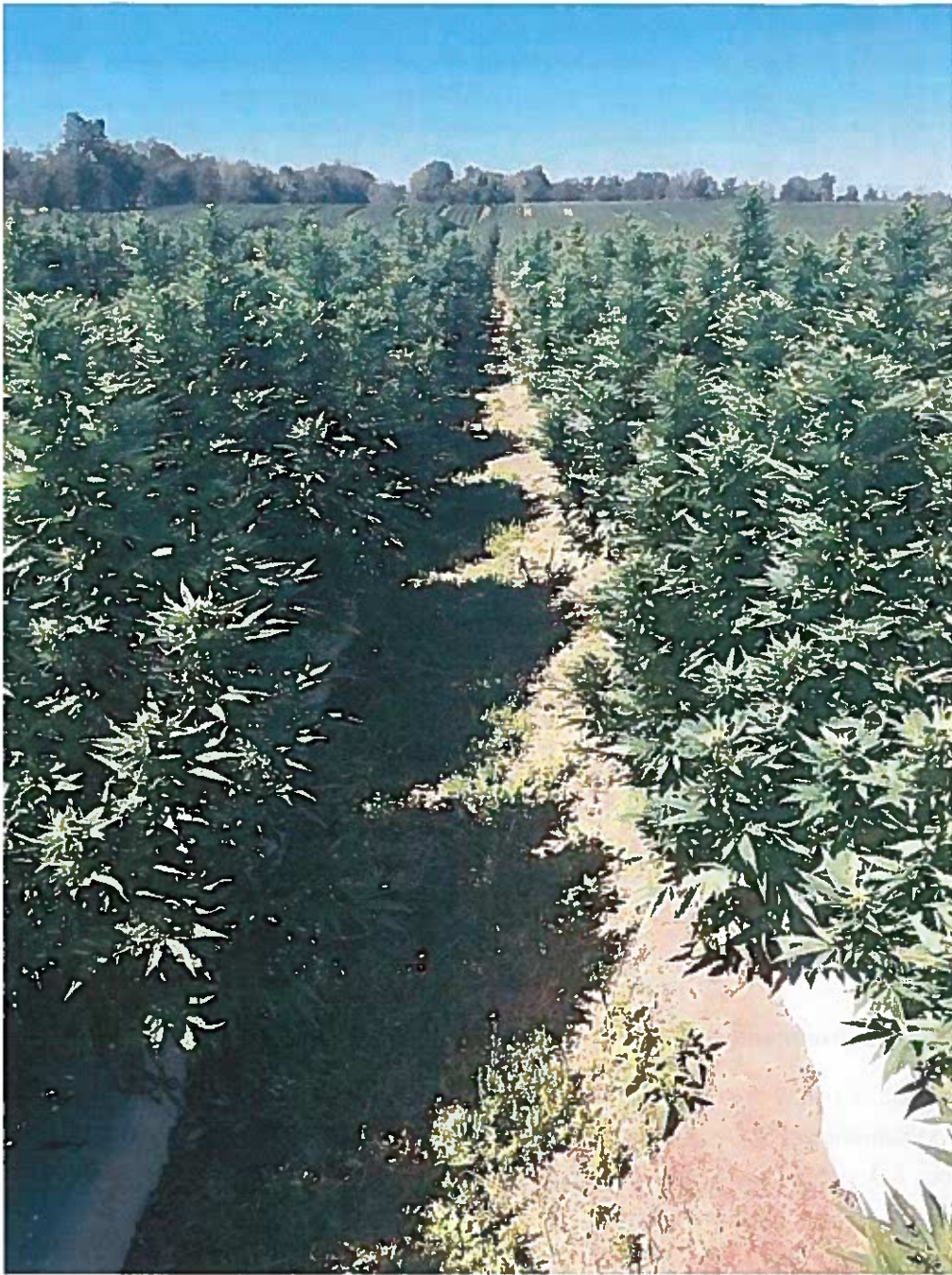
Growing Strategy	Outdoor row crop or greenhouse. Normally seeded, but cloning possible for CBD	Normally indoor or greenhouse. Commonly cloned.
Products	CBD extracts, health foods, cosmetics, composites, building materials, plastics, industrial oils, paper, textiles	Leafy material, THC extract, CBD extract, other finished marijuana products (candy, drinks, etc)

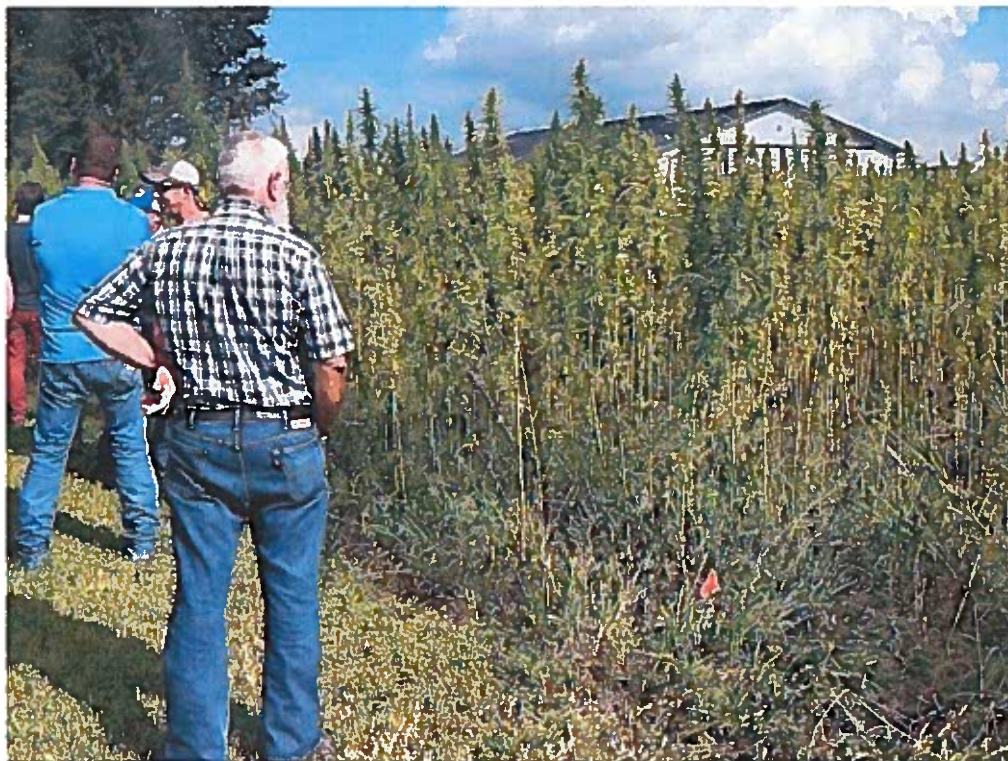
[FULL SITE AVAILABLE HERE](#)

Growing for Phytocannabinoids

The major similarity when growing hemp and marijuana is when growing for the cannabinoids. In hemp's case, farmers grow for the CBD and other minor cannabinoids, but legally require less than 0.3% of the cannabinoid THC. As for marijuana, unless growing for a particular ratio of THC : CBD, growers want the highest concentrations of THC and CBD possible. Because these production schemes both desire high concentrations of cannabinoids found in the floral material; the current growing conditions are similar.

Just like a marijuana grower, a hemp farmer growing for high concentrations of CBD would want to remove the male plants from the field or facility before pollination. This allows for less seed and higher concentrations of phytocannabinoids in each plant. Under this growing condition, hemp grown for phytocannabinoids like CBD commonly resembles marijuana production patterns.





Conversely, European growing conditions for CBD resemble fiber conditions and the crop is often dual harvested for fiber and CBD. This CBD is produced at lower concentrations in the tops of fiber varieties. This method creates a dual-purpose production system and resembles densely-packed hemp fiber production as opposed to bushy, flowering marijuana.

[FULL SITE AVAILABLE HERE](#)

Regulatory Environment

In the regulatory realm, technically anything containing (even the minutest) concentrations of tetrahydrocannabinol (THC) are regulated under the Drug Enforcement Agency's Controlled Substance Act; however, the federal government allows states to create their own cannabis policies.

For this reason, certain states have passed legislation for recreational and/or medical marijuana as well as the legal production of industrial hemp. The 2014 Farm Bill protects hemp production for research purposes and pilot scales within universities and State departments of agriculture. This is a federal bill.

The 2015 and 2016 Omnibus Bills (Federal Spending Bill) also contain strategic language that prohibits the DEA from using federal dollars to block research, production and sales of both hemp and marijuana.

Marijuana's raw materials and finished products can only be sold within its state of production. Conversely, hemp raw materials can be sold across state lines to individuals participating in their state's Hemp Pilot Program, with approval from their State's department of agriculture. In addition, hemp-derived finished products can be sold throughout the U.S.. In fact, you can find, compare and buy hemp-derived finished products in our [Marketplace!](#)

[FULL SITE AVAILABLE HERE](#)



Grand River Conservation Authority
Summary of the General Membership Meeting – September 27, 2019

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

Action Items

The Board approved the resolutions in the following reports as presented in the agenda:

- GM-09-19-90 - Residential Program Wind-down – Demolitions
- GM-09-19-97 - Human Resources Policies Update 2019
- GM-09-19-92 - Provincial Offences Act Officer Designation
- GM-09-19-93 - Cambridge East Bank Dike Repair Tender Award
- GM-09-19-89 - Acquisition of River Level Measuring and Logging Equipment
- GM-09-19-91 - Demolition and Soil Remediation Services at Brant Conservation Area Tender Results
- GM-09-19-87 - Haldimand County Memorandum of Understanding for Plan Review Services

Information Items

The Board received the following reports as information:

- GM-09-19-99 - Chief Administrative Officer's Report
- GM-09-19-86 - Cash and Investment Status
- GM-09-19-95 - Financial Summary
- GM-09-19-88 - Budget 2020 (draft #1)
- GM-09-19-94 - Water Control Structures Major Maintenance Forecast 2019-2024
- GM-09-19-98 - Environmental Assessments
- GM-09-19-97 - Current Watershed Conditions

Delegations

The Board heard from the following delegations:

- Julia Morrison and Leonard Chaplinsky - Residential Wind-down
- Clare Gingrich et al – West Montrose ice jam concerns

Correspondence

The Board received the following correspondence:

- Ministry of Environment, Conservation and Parks – Improving transparency and accountability

For full information, please refer to the September 27 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 October 25, 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'.

BO/comm #1
OCT 17 2019

Wendy Atkinson

From: Secretary <secretary@shelburnelibrary.ca>
Sent: Monday, September 30, 2019 11:11 AM
To: Cheyanne Hancock; Fred Simpson; Jennifer Willoughby; Melissa Kenney; Rose Dotten; Susan Stone; Tracey Atkinson; Wendy Atkinson
Subject: Approval of Minutes of Shelburne Public Library Board
Attachments: 06-Minutes of June 18 2019.pdf

Attached are the minutes of the June 18, 2019, meeting of the Shelburne Public Library Board.

The minutes were passed at the last meeting of the Board which was held on September 17/19. There were no meetings held in July and August so there are no minutes for those months.

The next meeting of the Shelburne Public Library Board will be held on Tuesday, October 15, 2019.

If there is anything else you require, please do not hesitate to email me.

Beverly Ford-Arnold
Secretary, Shelburne Public Library
201 Owen Sound Street
Shelburne, ON L9V 3L2
(519) 925-2168
Email: secretary@shelburnelibrary.ca

*Minutes for Shelburne Public Library Board Meeting
Tuesday, June 18, 2019*

Present: Geoff Dunlop Shane Hall Paul Barclay
Mikal Archer Gail Little Margaret Mercer
Patricia Clark

Also Present: Rose Dotten, CEO/ Head Librarian

Regrets: James Hodder, Sharon Martin

The Chair, Geoff Dunlop, called the meeting to order at 7:00 P.M.

Motion 20-19 P. Clark, S. Hall
Be it resolved that we approve the Agenda for June 18, 2019, as amended.
Carried

Motion 21-19 P. Clark, G. Little
Be it resolved that we nominate Margaret Mercer to be Vice Chair.
Carried

Motion 22-19 M. Archer, M. Mercer
Be it resolved that we approve the minutes of the board meeting dated May 21, 2019.
Carried

Financial Reports:

Motion 23-19 S. Hall, G. Little
Be it resolved that we approve the Accounts Payable Register for April, 2019 with invoices and payments in the amount of \$32,058.31.
Carried

CEO/ Head Librarian's Report:

- **Statistics**
We include statistics for the month of May, 2019. You will see that our statistics were a little down from April and March, 2019, which was not surprising because we had no Interlibrary loans in May at all due to the cancellation in April. However, as the Interlibrary Loans system has now been reinstated in a slightly different manner, the statistics will change again to reflect this. The inventory statistics were shown, but not included in the statistics total, but those inventory numbers record materials that were handled by staff.
- **Interlibrary Loans**
As referred to above in the Statistics report, Interlibrary Loans (ILL) have been restored but in a different manner. Not all libraries in Ontario are participating and under the new rules,

when we are lending to another library, we will have to pay the postage of \$2.25 per book, (which varies depending on where it is being sent and the weight of the book) to send it to the requesting library, but that also includes the return costs. Keep in mind that when we request a book from another library, the sending library will pay a comparable amount to send it to us. We will have to determine over the next couple of months what our average monthly costs are, but we will be able to report that at the September Board meeting.

- **One Book One County**

The book for this all County event has been chosen, and it is “Fate”, by Ian Hamilton. Ian Hamilton had been one of the authors presented in the Authors in the Hills of Mulmur about 3 years ago, and we are pleased that the first book in his new series will be this year’s One Book One County Book. The final author event will be on September 15, 2019, at Grace Tipling Hall at 1 pm.

- **Library Literary Events**

Our upcoming Library Literary Events are as follows:

- Traveler’s Tales—The Caribbean, by Brittany Poole, on June 25/19, at 7 pm, here at the library
- Traveler’s Tales—Asher Kirk-Elleker, August 27/19, at 7 pm, here at the library, all about the European Battle Fields

- **Coffee, Conversation & Books**

The next Coffee, Conversation & Books, will be:

- Wed, June 19, 2019—Natalie Merrit-Broderick, at Euphoria
- Wed, July 17, 2019—Debbie Kerr, at Brewed Awakenings
- Wed, August 21, 2019---Ken Weber at Jelly’s

- **Authors in the Hills of Mulmur**

This event will be held on Sunday, August 11, 2019, from 1 to 4 pm. The three authors present will be Tish Cohen, Terry Fallis, and Bianca Marais.

- **Archivist on the Road**

The MOD Archivist, Laura Camilleri, had a great presentation earlier today, which was entitled “Quack Medicine & Miracle Cures found in Dufferin”. There was a wonderful turnout and the patrons had a lot of questions for Laura after her presentation.

- **Shelburne Street Festival – Saturday, June 15/19**

The library again participated in the Shelburne Street Festival by having a big book sale and the children’s librarian had bubble blowing equipment for the kids to play with. We had a good turnout as 1st Avenue was closed in front of the library for Vendors instead of being used for the soap box derby. We think this brought in more people for the library book sale.

- **TD Summer Reading Program Launch and Information**

The Children’s Librarian, Brittany Hooker, has put together a fabulous group of activities for the TD Summer Reading Program for this summer. The launch for the program will be on Friday, July 7, 2019, with many other activities planned for the summer months, with themes such as Buggin’ Out, Picking Out Plants, Wacky Water, To Infinity and Beyond, Power Punch, and Let’s Get Moving.

- **Summer Programming for Teens—**
The YA and Technical Services Librarian, Jade Noble, will be starting the teen summer programming with the Launch Party on Tuesday, July 2/19. She has planned numerous events for the summer including Scary Movies, Trivia nights, Escape rooms, and a Marshmallow Fling.
- **New Book Shelves have been installed**
The new book shelves we had made for the hall outside the kitchen have now been installed. They were made by a local resident, Andrew Cherry. We encourage you to take a look at them. This should free up some space for us in the hall.
- **Saugeen Consortium meeting held here**
We hosted the Saugeen Consortium meeting here on Monday, June 17, 2019. This is the group of libraries which includes Shelburne, Grand Valley, Hanover, Grey Highlands, Orangeville, North Perth, St. Mary's, Blue Mountain, West Grey, Southgate, Bruce County. This is a quarterly meeting includes is composed of CEO's who discuss relevant library issues. We had a guest speaker, Nancy Cooper, who is First Nations Consultant for SOLS.
- **Donation from Monday Night at the Movies**
We would like to acknowledge a generous donation from the Monday Night at the Movies in Orangeville. Every year, they donate money so that we can buy the movies that were shown throughout the year.

Correspondence:

Business:

- **Pilot Project: Open Tuesday nights**
As a result of the discussion at last month's meeting, Rose informed the board that starting June 4, 2019, the library was also open from 5 pm to 8 pm, thus making the Tuesday hours from 10 am to 8 pm. This will be tried for the months of June, July, and August, and various statistics will be compiled during that time to determine how many people are using the library and how many materials are being circulated during those time frames.
- **Summer Student hires/Grants**
Rose announced that we received a Summer Experience Grant from the Ontario government for the summer, and the student hired is Megan Kratky. We also received two Canada Summer Job Grants but we are only going to be able to hire one student and will have to turn down the second grant. The student hired under the one Canada Summer Job Grant is Gjilliane Alcanar, who has been hired as the Children's Librarian Assistant.
- **Stone Mason for work at front of library**
Zoltan Potovsky will be renovating the original front steps and adding new stone facing on the sides of the steps.
- **In Camera session—if necessary**
Not necessary

Motion 24-19 M. Archer, P. Clark

That we now adjourn at 8:00 p.m., to meet again September 17, 2019, at 7 pm., or at call of the Chair.

Carried

SHELBURNE & DISTRICT FIRE BOARD

September 3, 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 7:06pm.

2. Appointment of Secretary/Treasurer

2.1 Resolution #1

Moved By J Horner – Seconded by G Little

BE IT RESOLVED THAT:

The Board of Management appoints Sabrina VanGerven as the Secretary/Treasurer for the Shelburne & District Fire Board.

Carried

3. Approval of Agenda

3.1 Resolution # 2

Moved by G Little – Seconded by J Horner

BE IT RESOLVED THAT:

The Board of Management approves the agenda as circulated.

Carried

4. Approval of Minutes

4.1 Resolution # 3

Moved by J Horner – 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

4.2 Resolution # 4

BD/comm #3
OCT 17 2019

Moved by F Nix – Seconded by M Mercer

BE IT RESOLVED THAT:

The Board of Management adopt the minutes under the date of July 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

No delegations or deputations.

8. Unfinished Business

8.1 Board Agreement

Resolution # 5

Moved by: S Martin – Seconded by: H Foster

BE IT RESOLVED THAT:

The Board of Management approves the Shelburne Fire Board Agreement as circulated.

AND FURTHER THAT:

The Board directs the Secretary to forward the Revised Shelburne Fire Board Agreement to the Townships of Mulmur, Mono, Melancthon, Amaranth, and the Town of Shelburne to enter into the Agreement through the passing of by-laws.

Carried

9. New Business

9.1 2020 draft budget was reviewed and will be updated and presented again at the next meeting of the Board.

10. Chief's Report

10.1 Monthly Reports

There were a total of 56 calls for the month of July and August

- 10.2 Update from Fire Chief Lemaich on – Fire Chiefs Handouts Activities - for July & August 2019 (see handout)

11. **Future Business**

12. **Accounts – July and August 2019**

12.1 **Resolution # 6**

Moved by J Horner – Seconded by E Hawkins

BE IT RESOLVED THAT:

The payables for July and August in the amount of \$59,088.52 as presented be approved for payment.

Carried

13. **Closed Session under the Municipal Act, 2001**

13.1 **Resolution # 7**

Moved by G Little – Seconded by E Hawkins

BE IT RESOLVED THAT:

The Board of Management proceed in closed session in order to address a matter pertaining to:

- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Carried

Resolution # 8

Moved by W Hannon – Seconded by H Foster

BE IT RESOLVED THAT:

The Board of Management rise and report at approximately 8:07pm.

Carried

14. **Confirming and Adjournment**

14.1 **Resolution # 9**

Moved by G Little – Seconded by J Horner

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

14.2 Resolution # 10

Moved by E Hawkins – Seconded by G Little

BE IT RESOLVED THAT:

The Board of Management do now adjourn at 8:09pm to meet again on October 1, 2019 at 7:00 pm or at the call of the Chair.

Carried

Respectfully submitted by:

Approved:

Sabrina VanGerven
Secretary-Treasurer

Walter Benotto
Chairperson

SHELBURNE & DISTRICT FIRE BOARD MEMBERS

Meeting Attendance Record Under Date of September 3, 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	
Sabrina VanGerven – Secretary/Treasurer	X	



September 25th, 2019

Hon. Doug Downey
Ministry of the Attorney General
McMurtry-Scott Building
720 Bay Street, 11th Floor
Toronto, ON
M7A 2S9

RE: Joint and Several Liability

Dear Attorney General Downey,

Thank you for providing the Town of Mono with this opportunity to provide input on your government's consultation on joint and several liability. This initiative is long overdue and hopefully will result in meaningful changes to the legal imbalance which currently exists in Ontario regarding court ordered awards.

We appreciate that joint and several liability is only one factor that is driving the escalating numbers of claims and costs of municipal insurance programs. However, from our municipal perspective, joint and several liability has created an unfair playing field, leaving municipalities and other "deep pocket" policy holders to be the last resort for court ordered awards, regardless of our assigned liability in a proceeding.

As a mayor of a small municipality in Ontario, it is incumbent on me and Council to ensure we provide appropriate insurance coverage to protect all our assets and liabilities. This also goes to ensuring that our staff employ a robust risk management program for all potential liabilities, especially for road and recreation facilities. In many cases associated with joint and several, our premiums are now going to backstop others who have chosen not to carry appropriate liability coverage or are not legally required to carry appropriate coverage.

Our insurers, Frank Cowan and Company have indicated that municipal claims inflation has increased at a considerably higher rate than CPI. Again, while we recognize many factors can affect these increases, the issue of disproportionate court awards against municipalities due to joint and several liability is a matter the Province can and should rectify. Most Provinces and many states in the US have taken steps to correct this imbalance.

You have asked as part of your consultation for alternatives to the current system, or other suggestions to stem the escalation of municipal insurance claims. We would offer the following suggestions:

P: 519.941.3599
F: 519.941.9490

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

347209 Mono Centre Road
Mono, ON L9W 6S3

WFO #1
OCT 17 2019

- Placing firm maximum limits on awards against liable parties;
- Placing limits on the maximum % proportional awards against parties, when their assigned liabilities may not be proportional;
- Consider increasing the minimum liability insurance requirements for personal, home and auto insurance for individuals; and,
- Re-establish the maximum benefits available under the Statutory Accident Benefit schedule to \$2 million, from the current \$1 million (which became effective 2016).

We look forward to, and appreciate, seeing this important municipal initiative being advanced by your government, as promised during the ROMA conference. Ontario must catch up to their provincial counterparts on the joint and several liability issue.

Regards,

TOWN OF MONO



Laura Ryan
Mayor

Copies:

Hon. Sylvia Jones, Solicitor General
Clerks, Dufferin County
Colin Smith, Frank Cowan and Company



September 26th, 2019

Hon. Doug Downey
Ministry of the Attorney General
McMurtry-Scott Building
720 Bay Street, 11th Floor
Toronto, ON
M7A 2S9

RE: Provincial Funding Cuts to Legal Aid Ontario

Dear Attorney General Downey,

Please be advised that during their Council Meeting on September 24, 2019, Town of Mono Council discussed the 12 September 2019 correspondence forwarded to you from the Municipality of Chatham-Kent regarding the provincial funding cuts to Legal Aid Ontario.

Council has asked me to write to you to express our support of the Chatham-Kent resolution. Legal Aid Ontario provides a vital service to low income and other vulnerable Ontarians. It is our observation that fewer lawyers are participating now in Legal Aid Ontario and are becoming limited to cases where jail time is possible while other cases are not supported. The limitations on opportunities for legal aid in Ontario will be further exacerbated by the funding cuts being proposed on Legal Aid Ontario by your government. Access to a fair and equitable justice system by all Ontarians should be a cornerstone right of our society, and should not be limited due to low income or other societal vulnerabilities.

Town of Mono Council urges you to restore full funding to Legal Aid Ontario.

Regards,

Laura Ryan
Mayor
Town of Mono

Copies (By Email):

Sylvia Jones, MPP and Solicitor General
Clerks, Dufferin County Municipalities
Judy Smith, Clerk, Municipality of Chatham-Kent

P: 519.941.3599
F: 519.941.9490

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

347209 Mono Centre Road
Mono, ON L9W 6S3

INFO#2
OCT 17 2019



CLEARVIEW

NOTICE OF PUBLIC MEETING FOR THE OFFICIAL PLAN REVIEW



Township of The Township of Clearview has initiated a review of the Official Plan and will hold a Public Meeting pursuant to Section 26 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

The Township is seeking public input to this important planning initiative.

Public Meeting Information:

When: Monday November 04, 2019 at 6:30 pm

Where: Council Chambers, Township of Clearview Administration Centre, 217 Gideon Street, Stayner, Ontario

The Township of Clearview has initiated a review of the Official Plan and will hold a Public Meeting pursuant to Section 26 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

The purpose of the current review is to establish a renewed long-term community perspective. Through this review, a new Official Plan will be prepared to replace the 2001 Official Plan and related amendments. The Official Plan Review is a Township-wide initiative, affecting all land within the Township of Clearview.

The Provincial *Planning Act* requires municipalities to review their Official Plans to ensure conformity with Provincial plans, policies and matters of Provincial interest.

The Township is seeking public input to this important planning initiative.

Information about the Official Plan Review will be posted on the Township website: www.clearview.ca. For more information about this matter, including information about appeal rights, contact: Mara Burton, Director Community Services, T: 705-428-6230 x 264, F: 705-428-0288, mburton@clearview.ca

INFO #3
OCT 17 2019



CLEARVIEW

NOTICE OF PUBLIC MEETING FOR THE OFFICIAL PLAN REVIEW

For More Information:

To ask questions, to be added to the mailing list, for information about appeal rights, or if you wish to make a written request for notification on decisions regarding the Official Plan Review, please contact:

Visit our website:

www.clearview.ca

Contact the Planner assigned to this file:

Mara Burton, Director Community Services
mburton@clearview.ca
705-428-6230 ext. 264

Visit or write to the Community Services Department at the Township of Clearview Administration Centre:

Box 200, 217 Gideon St., Stayner ON L0M 1S0
Monday to Friday 8:30 AM to 4:30 PM

If you have specific accessibility needs and would like another format or other accommodations the Township of Clearview will work to meet your needs. Please contact Human Resources at 705-428-6230 ext. 255.

Notice dated: 26 September 2019

Denise Holmes

From: AMO Communications <Communicate@amo.on.ca>
Sent: Tuesday, October 1, 2019 3:23 PM
To: Denise Holmes
Subject: AMO submits report to Attorney General on liability and insurance cost reforms

AMO Update not displaying correctly? [View the online version](#) | [Send to a friend](#)
Add Communicate@amo.on.ca to your safe list



October 1, 2019

AMO submits report to Attorney General on liability and insurance cost reforms

On September 27, the AMO Board approved a submission on joint and several liability entitled, "*A Reasonable Balance: Addressing growing municipal liability and insurance costs.*" Earlier today, AMO President Jamie McGarvey forwarded the report to the Attorney General, The Honourable Doug Downey for consideration.

Municipal councils are encouraged to endorse the report and its recommendations. The Ministry of the Attorney General has agreed to accept municipal resolutions up until November 1, 2019. Resolutions can be sent to the Attorney General at doug.downeyco@pc.ola.org and magpolicy@ontario.ca or by writing to:

The Honourable Doug Downey
Attorney General of Ontario
McMurtry-Scott Building,
720 Bay St, 11th Floor,
Toronto, ON
M7A 2S9

The report includes seven key recommendations on actions which the government could take to reduce the negative impact of joint and several liability. It builds on previous reports and resolutions submitted in 2010, 2011, and 2014. Please see the report for more details.

AMO thanks those municipalities that have contributed to the government's consultation to date. If you have not already done so, please provide a copy of your submission to the AMO President at amopresident@amo.on.ca.

For questions related to the report, please contact AMO Senior Advisor Matthew Wilson at mwilson@amo.on.ca or at 416-971-9856 ext. 323.

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Towards a Reasonable Balance:

Addressing growing municipal liability and insurance costs

Submission to the Attorney General of Ontario

October 1, 2019

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Sent via email to: doug.downeyco@pc.ola.org
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October 1, 2019

The Honourable Doug Downey
Attorney General of Ontario
McMurtry-Scott Building, 11th Floor
720 Bay Street
Toronto, Ontario
M7A 2S9

Dear Attorney General Downey,

Municipal governments accept the responsibility to pay their fair share of a loss. Always. Making it right and paying a fair share are the cornerstones of our legal system. Citizens expect nothing less of their local governments.

But what is a challenge for municipalities and property taxpayers alike, is being asked to assume someone else's responsibility for someone else's mistake. Municipal governments should not be the insurer of last resort. For municipalities in Ontario, however, the principle of joint and several liability ensures that they are just that.

Joint and several liability means higher insurance costs. It diverts property tax dollars from delivering public services. It has transformed municipalities into litigation targets while others escape responsibility. It forces municipal government to settle out-of-court for excessive amounts when responsibility is as low as 1%.

There must be a better way. There must be a better way to help ensure those who suffer losses are made whole again without asking municipalities to bear that burden alone. There must be a better way to be fair, reasonable, and responsible.

AMO welcomes the government's commitment to review joint and several liability. It is a complex issue that has many dimensions. Issues of fairness, legal principles, "liability chill", insurance failures and high insurance costs are all intertwined. Many other jurisdictions have offered additional protection for municipalities and AMO calls on the Ontario government to do the same.

What follows is a starting point for that discussion. Our paper reasserts key issues from AMO's 2010 paper, AMO's 2011 insurance cost survey, provides more recent examples, and details some possible solutions of which there are many options.

Municipalities are in the business of delivering public services. Municipal governments exist to connect people and to advance the development of a community. It is time to find a reasonable balance to prevent the further scaling back of public services owing to joint and several liability, "liability chill", or excessive insurance costs.



Together with the provincial government, I am confident we can find a better way.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. McGarvey', is written over a horizontal line.

Jamie McGarvey
AMO President

Executive Summary

AMO's advocacy efforts on joint and several liability in no way intends for aggrieved parties to be denied justice or damages through the courts. Rather, municipal governments seek to highlight the inequity of how much "deep pocket" defendants like municipalities are forced to pay, for both in and out of court settlements.

It is entirely unfair to ask property taxpayers to carry the lion's share of a damage award when a municipality is found at minimal fault or to assume responsibility for someone else's mistake.

Municipal governments cannot afford to be the insurer of last resort. The principle of joint and several liability is costing municipalities and taxpayers dearly, in the form of rising insurance premiums, service reductions and fewer choices. The *Negligence Act* was never intended to place the burden of insurer of last resort on municipalities.

As public organizations with taxation power and "deep pockets," municipalities have become focal points for litigation when other defendants do not have the means to pay. At the same time, catastrophic claim awards in Ontario have increased considerably. In part, joint and several liability is fueling exorbitant increases in municipal insurance premiums.

The heavy insurance burden and legal environment is unsustainable for Ontario's communities. Despite enormous improvements to safety, including new standards for playgrounds, pool safety, and better risk management practices, municipal insurance premiums and liability claims continue to increase. All municipalities have risk management policies to one degree or another and most large municipalities now employ risk managers precisely to increase health and safety and limit liability exposure in the design of facilities, programs, and insurance coverage. Liability is a top of mind consideration for all municipal councils.

Joint and several liability is problematic not only because of the disproportioned burden on municipalities that are awarded by courts. It is also the immeasurable impact of propelling municipalities to settle out of court to avoid protracted and expensive litigation for amounts that may be excessive, or certainly represent a greater percentage than their degree of fault.

Various forms of proportionate liability have now been enacted by all of Ontario's competing Great Lakes states. In total, 38 other states south of the border have adopted proportionate liability in specific circumstances to the benefit of municipalities. Many common law jurisdictions around the world have adopted legal reforms to limit the exposure and restore balance. With other Commonwealth jurisdictions and the majority of state governments in the United States having modified the rule of joint and several liability in favour of some form of proportionate liability, it is time for Ontario to consider various options.

There is precedence in Ontario for joint and several liability reform. The car leasing lobby highlighted a particularly expensive court award made in November of 2004 against a car leasing company by the victim of a drunk driver. The August 1997 accident occurred when the car skidded off a county road near Peterborough, Ontario. It exposed the inequity of joint and several liability for car leasing companies. The leasing companies argued to the government that the settlement had put them at a competitive disadvantage to lenders. They also warned that such liability conditions would likely drive some leasing and rental companies to reduce their business in Ontario. As a result, Bill 18 amended the *Compulsory Automobile Insurance Act*, the *Highway Traffic*

Act and the Ontario *Insurance Act* to make renters and lessees vicariously liable for the negligence of automobile drivers and capped the maximum liability of owners of rental and leased cars at \$1 million. While Bill 18 has eliminated the owners of leased and rented cars as “deep pocket” defendants, no such restrictions have been enacted to assist municipalities.

A 2011 survey conducted by AMO reveals that since 2007, liability premiums have increased by 22.2% and are among the fastest growing municipal costs. Total 2011 Ontario municipal insurance costs were \$155.2 million. Liability premiums made up the majority of these expenses at \$85.5 million. Property taxpayers are paying this price.

These trends are continuing. In August of 2019, it was reported the Town of Bradford West Gwillimbury faces a 59% insurance cost increase for 2019. This is just one example. AMO encourages the municipal insurance industry to provide the government with more recent data and trends to support the industry’s own arguments regarding the impact joint and several has on premiums.

Insurance costs disproportionately affect small municipalities. For 2011, the per capita insurance costs for communities with populations under 10,000 were \$37.56. By comparison, per capita costs in large communities with populations over 75,000 were \$7.71. Property taxpayers in one northern community are spending more on insurance than their library. In one southern county, for every \$2 spent on snowplowing roads, another \$1 is spent on insurance.

In 2016, the Ontario Municipal Insurance Exchange (OMEX), a not-for-profit insurer, announced that it was suspending reciprocal underwriting operations. The organization cited, a “low pricing environment, combined with the impact of joint and several liability on municipal claim settlements” as reasons for the decision. Fewer choices fuels premium increases.

Learning from other jurisdictions is important for Ontario. The Province of Saskatchewan has implemented liability reforms to support its municipalities. As a municipal lawyer at the time, Neil Robertson, QC was instrumental in laying out the arguments in support of these changes. Now a Justice of the Court of Queen’s Bench for Saskatchewan, AMO was pleased to have Neil Robertson prepare a paper and address AMO conference delegates in 2013. Much of the Saskatchewan municipal experience (which led to reforms) is applicable to the Ontario and the Canadian municipal context. Summarised below and throughout this paper are some of Robertson’s key findings.

Robertson found that, regardless of the cause, over the years municipalities in Canada have experienced an accelerating rate of litigation and an increase in amounts of damage awards. He noted these developments challenge municipalities and raise financial, operational and policy issues in the provision of public services.

Robertson describes the current Canadian legal climate as having placed municipalities in the role of involuntary insurer. Courts have assigned municipal liability where liability was traditionally denied and apportioned fault to municipal defendants out of proportion to municipal involvement in the actual wrong.

This increased exposure to liability has had serious ramifications for municipalities, both as a deterrent to providing public services which may give rise to claims and in raising the cost and reducing the availability of insurance. The cost of claims has caused insurers to reconsider not only

what to charge for premiums, but whether to continue offering insurance coverage to municipal clients.

Robertson also makes the key point that it is reasonable for municipal leaders to seek appropriate statutory protections. He wrote:

“Since municipalities exist to improve the quality of life for their citizens, the possibility of causing harm to those same citizens is contrary to its fundamental mission. Careful management and wise stewardship of public resources by municipal leaders will reduce the likelihood of such harm, including adherence to good risk management practices in municipal operations. But wise stewardship also involves avoiding the risk of unwarranted costs arising from inevitable claims.”

And, of course, a key consideration is the reality that insurance premiums, self-insurance costs, and legal fees divert municipal funds from other essential municipal services and responsibilities.

It is in this context that AMO appreciated the commitments made by the Premier and the Attorney General to review the principle of joint and several liability, the impact it has on insurance costs, and the influence “liability chill” has on the delivery of public services. Now is the time to deliver provincial public policy solutions which address these issues.

Recommendations

AMO recommends the following measures to address these issues:

1. The provincial government adopt a model of full proportionate liability to replace joint and several liability.
2. Implement enhancements to the existing limitations period including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations, and whether a 1-year limitation period may be beneficial.
3. Implement a cap for economic loss awards.
4. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.
5. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non-profit insurance reciprocals.
6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims, and deductible limit changes which support its, and municipal arguments as to the fiscal impact of joint and several liability.
7. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.

Insurance Cost Examples

The government has requested detailed information from municipalities regarding their insurance costs, coverage, deductibles, claims history, and out-of-court settlements. Municipalities have been busy responding to a long list of provincial consultations on a wide range of topics. Some of the information being sought is more easily supplied by the insurance industry. AMO's 2011 survey of insurance costs produced a sample size of 122 municipalities and assessed insurance cost increases over a five-year period. The survey revealed an average premium increase which exceeded 20% over that period.

All of the same forces remain at play in 2019 just as they were in 2011. Below are some key examples.

Ear Falls - The Township of Ear Falls reports that its insurance premiums have increased 30% over five years to \$81,686. With a population of only 995 residents (2016), this represents a per capita cost of \$82.09. This amount is a significant increase from AMO's 2011 Insurance Survey result. At that time, the average per capita insurance cost for a community with a population under 10,000 was \$37.56. While the Township has not been the subject of a liability claim, a claim in a community of this size could have significant and long-lasting financial and service implications. The Township has also had to impose stricter insurance requirements on groups that rent municipal facilities. This has had a negative impact on the clubs and volunteers' groups and as a consequence, many have cut back on the service these groups provide to the community.

Central Huron - For many years the municipality of Central Huron had a deductible of \$5,000. In 2014, the deductible was increased to \$15,000 to help reduce insurance costs. The municipality also increased its liability coverage in 2014 and added cyber security coverage in 2018. The combined impact of these changes represents a premium cost of \$224,774 in 2019, up from \$141,331 in 2010. Per capita costs for insurance alone are now \$29.67.

Huntsville - Since 2010, the Town of Huntsville reports an insurance premium increase of 67%. In 2019 this represented about 3.75% of the town's property tax levy. At the same time, Huntsville's deductible has increased from \$10,000 to \$25,000. The town also reports a reluctance to hold its own events for fear of any claims which may affect its main policy. Additional coverage is purchased for these events and these costs are not included above.

Ottawa - In August 2018, the City began working with its insurance broker, Aon Risk Solutions ("Aon"), to prepare for the anticipated renewal of the Integrated Insurance Program in April 2019. As the cost of the City's insurance premiums had risen by approximately 25% between 2017 and 2018, this early work was intended to ensure that any further increase could be properly accounted for through the 2019 budget process. Early indications of a possible further 10% premium increase prompted the City and Aon in late 2018 to explore options for a revised Program, and to approach alternative markets for the supply of insurance.

On January 11, 2019, an OC Transpo bus collided with a section of the Westboro Station transit shelter, resulting in three fatalities and numerous serious injuries. This was the second major incident involving the City's bus fleet, following approximately five years after the OC Transpo - VIA train collision in September 2013.

The January 2019 incident prompted insurance providers to re-evaluate their willingness to participate in the City Program. Despite Aon's work to secure an alternative provider, only Frank Cowan Company ("Cowan"), the City's existing insurer, was prepared to offer the City an Integrated Insurance Program. Cowan's offer to renew the City's Program was conditional on revised terms and limits and at a significant premium increase of approximately 84%, or nearly \$2.1 million per year. According to Cowan, these changes and increases were attributable to seven principle factors, including Joint and Several Liability:

1. Escalating Costs of Natural Global Disasters;
2. Joint and Several Liability;
3. Claims Trends (in the municipal sector);
4. Increasing Damage Awards;
5. Class Action Lawsuits;
6. New and/or Adverse Claims Development; and,
7. Transit Exposure.

Cowan also indicated that the primary policy limits for the 2019-2020 renewal would be lowered from \$25 million to \$10 million per occurrence, thereby raising the likelihood of increased costs for the City's excess liability policies.

Joint and Several in Action - Recent Examples

The following examples highlight joint and several in action. The following examples have occurred in recent years.

GTA Municipality – A homeowner rented out three separate apartments in a home despite being zoned as a single-family dwelling. After a complaint was received, bylaw inspectors and Fire Prevention Officers visited the property. The landlord was cautioned to undertake renovations to restore the building into a single-family dwelling. After several months of non-compliance, charges under the fire code were laid. The owner was convicted and fined. A subsequent visit by Fire Prevention Officers noted that the required renovations had not taken place. Tragically, a fire occurred which resulted in three fatalities. Despite having undertaken corrective action against the homeowner, joint and several liability loomed large. It compelled the municipality to make a payment of \$504,000 given the 1% rule.

City of Ottawa - A serious motor vehicle accident occurred between one of the City's buses and an SUV. The collision occurred at an intersection when the inebriated driver of the SUV failed to stop at a red light and was struck by the City bus. This collision resulted in the deaths of the SUV driver and two other occupants, and also seriously injured the primary Plaintiff, the third passenger in the SUV. The secondary action was brought by the family of one of the deceased passengers.

The Court ultimately concluded that the City was 20% liable for the collision, while the SUV driver was 80% at fault. Despite the 80/20 allocation of fault, the City was required to pay all of the approximately \$2.1 million in damages awarded in the primary case and the \$200,000 awarded in the secondary case, bringing the amount paid by the City to a total that was not proportionate to its actual liability. This was due to the application of the principle of joint and several liability, as well as the interplay between the various automobile insurance policies held by the SUV owner and

passengers, which is further explained below. Although the City appealed this case, the Ontario Court of Appeal agreed with the findings of the trial judge and dismissed it.

This case was notable for the implications of various factors on the insurance policies held by the respective parties. While most automobile insurance policies in Ontario provide for \$1 million in third party liability coverage, the insurance for the SUV was reduced to the statutory minimum of \$200,000 by virtue of the fact that the driver at the time of the collision had a blood alcohol level nearly three times the legal limit for a fully licensed driver. This was contrary to the requirements of his G2 license, which prohibit driving after the consumption of any alcohol. Further, while the Plaintiff passengers' own respective insurance provided \$1 million in coverage for underinsured motorists (as the SUV driver was at the time), this type of coverage is triggered only where no other party is in any way liable for the accident. As a result, the primary Plaintiff could only effectively recover the full \$2.1 million in damages if the Court attributed even a small measure of fault to another party with sufficient resources to pay the claim.

In determining that the City was at least partially responsible for the collision, the Court held that the speed of the bus – which according to GPS recordings was approximately 6.5 km/h over the posted limit of 60 kilometres an hour – and momentary inattention were contributing factors to the collision.

To shorten the length of the trial by approximately one week and accordingly reduce the legal costs involved, the parties had earlier reached an agreement on damages and that the findings regarding the primary Plaintiff would apply equally to the other. The amount of the agreement-upon damages took into account any contributory negligence on the part of the respective Plaintiffs, attributable to such things as not wearing a seat belt.

City of Ottawa, 2nd example – A Plaintiff was catastrophically injured when, after disembarking a City bus, he was struck by a third-party motor vehicle. The Plaintiff's injuries included a brain injury while his impairments included incomplete quadriplegia.

As a result of his accident, the Plaintiff brought a claim for damages for an amount in excess of \$7 million against the City and against the owner and driver of the third-party vehicle that struck him. Against the City, the Plaintiff alleged that the roadway was not properly designed and that the bus stop was placed at an unsafe location as it required passengers to cross the road mid-block and not at a controlled intersection.

Following the completion of examinations for discovery, the Plaintiff's claim against the Co-Defendant (the driver of the vehicle which struck the plaintiff) was resolved for \$1,120,000 comprising \$970,000 for damages and \$120,000 for costs. The Co-Defendant's policy limit was \$1 million. The claim against the City was in effect, a "1% rule" case where the City had been added to the case largely because the Co-Defendant's insurance was capped at \$1 million, which was well below the value of the Plaintiff's claim.

On the issue of liability, the pre-trial judge was of the view that the City was exposed to a finding of some liability against it on the theory that, because of the proximity of the bus stop to a home for adults with mental health issues, the City knew or should have known that bus passengers with cognitive and/or physical disabilities would be crossing mid-block at an unmarked crossing. This, according to the judge, could have resulted in a finding being made at trial that the City should

either have removed the bus stop or alternatively, should have installed a pedestrian crossing at this location.

The judge assessed the Plaintiff's damages at \$7,241,000 exclusive of costs and disbursements which he then reduced to \$4,602,930 exclusive of costs and disbursements after applying a reduction of 27.5% for contributory negligence and subtracting the \$970,000 payment made by the Co-Defendant's insurer.

Settlement discussions took place and the judge recommended that the matter be resolved for \$3,825,000 plus costs of \$554,750 plus HST plus disbursements.

Joint and Several Liability in Action - Other notable cases

Deering v Scugog - A 19-year-old driver was driving at night in a hurry to make the start time of a movie. She was travelling on a Class 4 rural road that had no centerline markings. The Ontario Traffic Manual does not require this type of road to have such a marking. The driver thought that a vehicle travelling in the opposite direction was headed directly at her. She swerved, over-corrected and ended up in a rock culvert. The Court found the Township of Scugog 66.7% liable. The at-fault driver only carried a \$1M auto insurance policy.

Ferguson v County of Brant - An inexperienced 17-year-old male driver was speeding on a road when he failed to navigate a curve which resulted in him crossing the lane into oncoming traffic, leaving the roadway, and striking a tree. The municipality was found to have posted a winding road sign rather than a sharp curve sign. The municipality was found 55% liable.

Safranyos et al v City of Hamilton - The plaintiff was leaving a drive-in movie theatre with four children in her vehicle at approximately 1 AM. She approached a stop sign with the intention of turning right onto a highway. Although she saw oncoming headlights she entered the intersection where she was struck by a vehicle driven 15 km/h over the posted speed limit by a man who had just left a party and was determined by toxicologists to be impaired. The children in the plaintiff's vehicle suffered significant injuries. The City was determined to be 25% liable because a stop line had not been painted on the road at the intersection.

Mortimer v Cameron - Two men were engaged in horseplay on a stairway and one of them fell backward through an open door at the bottom of a landing. The other man attempted to break the first man's fall and together they fell into an exterior wall that gave way. Both men fell 10 feet onto the ground below, one of whom was left quadriplegic. The trial judge determined both men were negligent, but that their conduct did not correspond to the extent of the plaintiff's injuries. No liability was attached to either man. The building owner was determined to be 20% and the City of London was found to be 80% liable. The Court awarded the plaintiff \$5 M in damages. On appeal, the City's liability was reduced to 40% and building owner was determined to be 60% liable. The City still ended up paying 80% of the overall claim.

2011 Review of Joint and Several Liability – Law Commission of Ontario

In February 2011 the Law Commission of Ontario released a report entitled, *"Joint and Several Liability Under the Ontario Business Corporations Act"*. This review examined the application of

joint and several liability to corporate law and more specifically the relationship between the corporation and its directors, officers, shareholders and stakeholders.

Prior to the report's release, AMO made a submission to the Law Commission of Ontario to seek to expand its review to include municipal implications. The Law Commission did not proceed with a broader review at that time, but the context of its narrower scope remains applicable to municipalities. In fact, many of the same arguments which support reform in the realm of the *Business Corporations Act*, are the same arguments which apply to municipal governments.

Of note, the Law Commission's¹ report highlighted the following in favour of reforms:

Fairness: "it is argued that it is unfair for a defendant, whose degree of fault is minor when compared to that of other defendants, to have to fully compensate a plaintiff should the other defendants be insolvent or unavailable."

Deep Pocket Syndrome: "Joint and several liability encourages plaintiffs to unfairly target defendants who are known or perceived to be insured or solvent."

Rising Costs of Litigation, Insurance, and Damage Awards: "Opponents of the joint and several liability regime are concerned about the rising costs of litigation, insurance, and damage awards."

Provision of Services: "The Association of Municipalities of Ontario identifies another negative externality of joint and several liability: municipalities are having to delay or otherwise cut back services to limit exposure to liability."

The Law Commission found that the principle of joint and several liability should remain in place although it did not explicitly review the municipal situation.

2014 Resolution by the Ontario Legislature and Review by the Attorney General

Over 200 municipalities supported a motion introduced by Randy Pettapiece, MPP for Perth-Wellington which called for the implementation a comprehensive, long-term solution in 2014. That year, MPPs from all parties supported the Pettapiece motion calling for a reform joint and several liability.

Later that year the Ministry of the Attorney General consulted on three options of possible reform:

1. The Saskatchewan Model of Modified Proportionate Liability

Saskatchewan has adopted a modified version of proportionate liability that applies in cases where a plaintiff is contributorily negligent. Under the Saskatchewan rule, where a plaintiff is contributorily negligent and there is an unfunded liability, the cost of the unfunded liability is split among the remaining defendants and the plaintiff in proportion to their fault.

¹ Law Commission of Ontario. "Joint and Several Liability Under the Ontario *Business Corporations Act*." Final Report, February 2011 Pages 22-25.

2. Peripheral Wrongdoer Rule for Road Authorities

Under this rule, a municipality would never be liable for more than two times its proportion of damages, even if it results in the plaintiff being unable to recover full damages.

3. A combination of both of the above

Ultimately, the government decided not to pursue any of the incremental policy options ostensibly because of uncertainty that insurance cost reductions would result. This was a disappointing result for municipalities.

While these reviews did not produce results in Ontario, many other common law jurisdictions have enacted protections for municipalities. What follows are some of the options for a different legal framework.

Options for Reform – The Legal Framework

To gain a full appreciation of the various liability frameworks that could be considered, for comparison, below is a description of the current joint and several liability framework here in Ontario. This description will help to reader to understand the further options which follow.

This description and the alternatives that follow are taken from the Law Commission of Ontario's February 2011 Report entitled, *"Joint and Several Liability Under the Ontario Business Corporations Act"* as referenced above.²

Understanding the Status Quo and Comparing it to the Alternatives

Where three different defendants are found to have caused a plaintiff's loss, the plaintiff is entitled to seek full payment (100%) from any one of the defendants. The defendant who fully satisfies the judgment has a right of contribution from the other liable parties based on the extent of their responsibility for the plaintiff's loss.

For example, a court may find defendants 1 (D1), 2 (D2) and 3 (D3) responsible for 70%, 20%, and 10% of the plaintiff's \$100,000 loss, respectively. The plaintiff may seek to recover 100% of the loss from D2, who may then seek contribution from D1 and D3 for their 70% and 10% shares of the loss. If D1 and/or D3 is unable to compensate D2 for the amount each owes for whatever reason, such as insolvency or unavailability, D2 will bear the full \$100,000 loss. The plaintiff will be fully compensated for \$100,000, and it is the responsibility of the defendants to apportion the loss fairly between them.

The descriptions that follow are abridged from pages 9-11 of the Law Commission of Ontario's report. These are some of the key alternatives to the status quo.

² Ibid. Page 7.

1. Proportionate Liability

a) Full Proportionate Liability

A system of full proportionate liability limits the liability of each co-defendant to the proportion of the loss for which he or she was found to be responsible. Per the above example, (in which Defendant 1 (D1) is responsible for 70% of loss, Defendant 2 (D2) for 20% and Defendant 3 (D3) for 10%), under this system, D2 will only be responsible for \$20,000 of the \$100,000 total judgement: equal to 20% of their share of the liability. Likewise, D1 and D3 will be responsible for \$70,000 and \$10,000. If D1 and D3 are unable to pay, the plaintiff will only recover \$20,000 from D2.

b) Proportionate Liability where Plaintiff is Contributorily Negligent

This option retains joint and several liability when a blameless plaintiff is involved. This option would cancel or adjust the rule where the plaintiff contributed to their loss. As in the first example, suppose the plaintiff (P) contributed to 20% of their \$100,000 loss. D1, D2 and D3 were responsible for 50%, 20% and 10% of the \$100,000. If D1 and D3 are unavailable, P and D2 will each be responsible for their \$20,000 shares. The plaintiff will remain responsible for the \$60,000 shortfall as a result of the absent co-defendants' non-payment (D1 and D3).

c) Proportionate Liability where Plaintiff is Contributorily Negligent with a Proportionate Reallocation of an Insolvent, Financially Limited or Unavailable Defendant's Share

In this option of proportionate liability, the plaintiff and remaining co-defendants share the risk of a defendant's non-payment. The plaintiff (P) and co-defendants are responsible for any shortfall in proportion to their respective degrees of fault.

Using the above example of the \$100,000 total judgement, with a shortfall payment of \$50,000 from D1 and a shortfall payment \$10,000 from D3, P and D2 must pay for the missing \$60,000. P and D2 have equally-apportioned liability, which causes them to be responsible for half of each shortfall - \$25,000 and \$5,000 from each non-paying defendant. The burden is shared between the plaintiff (if determined to be responsible) and the remaining defendants.

d) Proportionate Liability with a Peripheral Wrongdoer

Under this option, a defendant will be proportionately liable only if their share of the liability falls below a specified percentage, meaning that liability would be joint and several. Using the above example, if the threshold amount of liability is set at 25%, D2 and D3 would only be responsible for 20% and 10%, regardless of whether they are the only available or named defendants. However, D1 may be liable for 100% if it is the only available or named defendant. This system tends to favour defendants responsible for a small portion of the loss, but the determination of the threshold amount between joint and several liability and proportionate liability is arbitrary.

e) Proportionate Liability with a Reallocation of Some or All of an Insolvent or Unavailable Defendant's Share

This option reallocates the liability of a non-paying defendant among the remaining defendants in proportion to their respective degrees of fault. The plaintiff's contributory negligence does not

impact the application of this reallocation. Joint and several liability would continue to apply in cases of fraud or where laws were knowingly violated.

f) Court Discretion

Similar to the fraud exception in the option above, this option includes giving the courts discretion to apply different forms of liability depending on the case.

For example, if a particular co-defendant's share of the fault was relatively minor the court would have discretion to limit that defendant's liability to an appropriate portion.

2. Legislative Cap on Liability

Liability concerns could be addressed by introducing a cap on the amount of damages available for claims for economic loss.

3. Hybrid

A number of jurisdictions provide a hybrid system of proportionate liability and caps on damages. Co-defendants are liable for their portion of the damages, but the maximum total amount payable by each co-defendant is capped to a certain limit.

The Saskatchewan Experience

As referenced earlier in this paper, the Province of Saskatchewan responded with a variety of legislative actions to assist municipalities in the early 2000s. Some of those key developments are listed below which are abridged from *"A Question of Balance: Legislative Responses to Judicial Expansion of Municipal Liability – the Saskatchewan Experience."* The paper was written by Neil Robertson, QC and was presented to the annual conference of the Association of Municipalities of Ontario in 2013. Two key reforms are noted below.

1. Reforming joint and several liability by introducing modified proportionate liability: "The Contributory Negligence Act" amendments

The *Contributory Negligence Act* retained joint and several liability, but made adjustments in cases where one or more of the defendants is unable to pay its share of the total amount (judgement). Each of the parties at fault, including the plaintiff if contributorily negligent, will still have to pay a share of the judgement based on their degree of fault. However, if one of the defendants is unable to pay, the other defendants who are able to pay are required to pay only their original share and an additional equivalent share of the defaulting party's share.

The change in law allows municipalities to reach out-of-court settlements, based on an estimate of their degree of fault. This allows municipalities to avoid the cost of protracted litigation.

Neil Robertson provided the following example to illustrate how this works in practise:

"...If the owner of a house sues the builder for negligent construction and the municipality, as building authority, for negligent inspection, and all three are found equally at fault, they would each be apportioned 1/3 or 33.3%. Assume the damages are \$100,000. If the builder has no funds, then the municipality would pay only its share (\$33,333) and a 1/3 share of the builder's defaulting share

(1/3 of \$33,333 or \$11,111) for a total of \$44,444 (\$33,333 + \$11,111), instead of the \$66,666 (\$33,333 + \$33,333) it would pay under pure joint and several liability.”

This model will be familiar to municipal leaders in Ontario. In 2014, Ontario’s Attorney General presented this option (called the Saskatchewan Model of Modified Proportionate Liability) for consideration. At the time, over 200 municipal councils supported the adoption of this option along with the “Peripheral Wrongdoer Rule for Road Authorities” which would have seen a municipality never be liable for more than two times its proportion of damages, even if it results in the plaintiff being unable to recover full damages. These two measures, if enacted, would have represented a significant incremental step to address the impact of joint and several to Ontario municipalities.

2. Providing for uniform limitation periods while maintaining a separate limitation period for municipalities: “The Limitations Act”

This act established uniform limitation periods replacing many of the pre-existing limitation periods that had different time periods. The Municipal Acts in Saskatchewan provide a uniform one-year limitation period “from time when the damages were sustained” in absolute terms without a discovery principle which can prolong this period. This helps municipalities to resist “legacy” claims from many years beforehand. This act exempts municipalities from the uniform two-year discoverability limitation period.

Limitation periods set deadlines after which claims cannot be brought as lawsuits in the courts. The legislation intends to balance the opportunity for potential claimants to identify their claims and, if possible, negotiate a settlement out of court before starting legal action with the need for potential defendants to “close the books” on claims from the past.

The reasoning behind these limitations is that public authorities, including municipalities, should not to be punished by the passage of time. Timely notice will promote the timely investigation and disposition of claims in the public interest. After the expiry of a limitation period, municipalities can consider themselves free of the threat of legal action, and continue with financial planning without hurting “the public taxpayer purse”. Municipalities are mandated to balance their budgets and must be able to plan accordingly. Thus, legacy claims can have a very adverse affect on municipal operations.

Here in Ontario, there is a uniform limitations period of two years. Municipalities also benefit from a 10-day notice period which is required for slip and fall cases. More recently, the applicability of this limitation deadline has become variable and subject to judicial discretion. Robertson’s paper notes that in Saskatchewan, courts have accepted the one-year limitations period. A further examination of limitations in Ontario may yield additional benefits and could include the one-year example in Saskatchewan and/or the applicability of the 10-day notice period for slip and fall cases.

Other Saskatchewan reforms

Saskatchewan has also implemented other reforms which include greater protections for building inspections, good faith immunity, duty of repair, no fault insurance, permitting class actions, and limiting nuisance actions. Some of these reforms are specific to Saskatchewan and some of these currently apply in Ontario.

Insurance Related Reforms

Government Regulated Insurance Limits

The April 2019 provincial budget included a commitment to increase the catastrophic impairment default benefit limit to \$2 million. Public consultations were led by the Ministry of Finance in September 2019. AMO wrote to the Ministry in support of increasing the limit to \$2 million to ensure more adequate support those who suffer catastrophic impairment.

In 2016, the government lowered this limit as well as third-party liability coverage to \$200,000 from \$1 million. This minimum should also be increased to \$2 million to reflect current actual costs. This significant deficiency needs to be addressed.

Insurance Industry Changes

In 1989 the Ontario Municipal Insurance Exchange (OMEX) was established as a non-profit reciprocal insurance provider for Ontario's municipalities. It ceased operations in 2016 citing, "[a] low pricing environment, combined with the impact of joint & several liability on municipal claim settlements has made it difficult to offer sustainable pricing while still addressing the municipalities' concern about retro assessments."³ (Retro assessments meant paying additional premiums for retroactive coverage for "long-tail claims" which made municipal budgeting more challenging.)

The demise of OMEX has changed the municipal insurance landscape in Ontario. That joint and several liability is one of the key reasons listed for the collapse of a key municipal insurer should be a cause for significant concern. Fewer choices fuels cost. While there are other successful municipal insurance pools in Ontario, the bulk of the insurance market is dominated by for-profit insurance companies.

Reciprocal non-profit insurers are well represented in other areas across Canada. Municipalities in Saskatchewan, Alberta, British Columbia are all insured by non-profit reciprocals.

The questions for policy makers in Ontario:

Are there any provincial requirements or regulations which could better support the non-profit reciprocal municipal insurance market?

What actions could be taken to better protect municipalities in Ontario in sourcing their insurance needs?

How can we drive down insurance costs to better serve the needs of municipal property taxpayers?

³ Canadian Underwriter, August 11, 2016 <https://www.canadianunderwriter.ca/insurance/ontario-municipal-insurance-exchange-suspends-underwriting-operations-1004098148/>

Conclusion

This AMO paper has endeavoured to refresh municipal arguments on the need to find a balance to the issues and challenges presented by joint and several liability. It has endeavoured to illustrate that options exist and offer the reassurance that they can be successfully implemented as other jurisdictions have done.

Finding solutions that work will require provincial and municipal commitment. Working together, we can find a better way that is fair, reasonable, and responsible. It is time to find a reasonable balance.



758070 2nd Line E
Mulmur, Ontario
L9V 0G8

Local (705) 466-3341
Toll Free from 519 only (866) 472-0417
Fax (705) 466-2922

October 3, 2019

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

Attention: Denise Holmes, CAO/Clerk

Subject: Support of Melancthon's Resolution regarding the increase in traffic fines

At the meeting held on October 2, 2019, the Council of the Township of Mulmur endorsed the Township of Melancthon's resolution regarding the increase in traffic fines. Thanks for your hard work on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Smibert", written in a cursive style.

Michelle Smibert, MPA,CMO
Clerk

INF #5
OCT 17 2019

Denise Holmes

From: Planning Account <planning@shelburne.ca>
Sent: Monday, October 7, 2019 12:31 PM
To: Planning Account
Subject: Proposed Community Improvement Plan for the Town of Shelburne
Attachments: CIP Public Meeting Notice for Oct 28 2019.pdf

Good afternoon,

The Town of Shelburne has prepared a Community Improvement Plan (CIP) and will be holding a public meeting to consider the CIP on October 28th, 2019.

A copy of the public meeting notice is attached and the CIP is available on the Town's website at <https://www.shelburne.ca/en/town-hall/proposed-community-improvement-plan.aspx> and the online engagement website at <https://www.haveyoursayshelburne.ca/shelburne-CIP>

If you have any comments or should you require further information, please contact me prior the public meeting.

Thank you,

Steve Wever, MCIP, RPP
Town Planner



THE CORPORATION OF THE TOWN OF SHELburne

NOTICE OF PUBLIC MEETING

**REGARDING A PROPOSED COMMUNITY IMPROVEMENT PLAN
UNDER SECTION 28 OF THE PLANNING ACT**

Please be advised that the Corporation of the Town of Shelburne will be holding a public meeting on:

MONDAY, OCTOBER 28, 2019

The public 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 proposed Community Improvement Plan (CIP) for the Town of Shelburne. The proposed CIP provides a guide for future community improvements in Shelburne including:

- Design guidelines that outline '12 Big Moves' for potential improvements to buildings primarily in the Downtown and corner buildings at key intersections, the public realm including Main Street, community gateways/entrances, Fiddle Park, Jack Downey Park, and mobility improvements;
- Incentive programs to stimulate private sector investment in building and property rehabilitation, development and redevelopment; and,
- Implementation and marketing strategies.

The land to which the proposed CIP applies generally includes all land within the corporate limits of the Town of Shelburne. For this reason, no map of the subject land has been provided. Certain land within the Town of Shelburne is subject to other applications under the Planning Act, and information about currently active planning applications can be obtained by contacting the Town of Shelburne office.

Additional information and material about the proposed CIP, including a copy of the draft CIP, is available in the Town of Shelburne Office during regular office hours, Monday to Friday, from 8:30 am to 4:30 pm, and on the Town's consultation website for the CIP project at haveyoursayshelburne.ca/shelburne-CIP.

If you wish to be notified of the adoption of the proposed CIP, you must make a written request to the Town of Shelburne delivered to the Town Clerk.

The County of Dufferin is the approval authority for the Town of Shelburne CIP. If a person or public body would otherwise have an ability to appeal the decision of the County of Dufferin to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Shelburne before the proposed CIP is adopted, the person or public body is not entitled to appeal the decision. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Shelburne before the CIP is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

Dated at the Town of Shelburne this 7th day of October, 2019.

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



Town of The Blue Mountains
32 Mill Street, Box 310
THORNBURY, ON N0H 2P0
<https://www.thebluemountains.ca>

OFFICE OF: Mayor Alar Soever
Email: asoever@thebluemountains.ca
Phone: 519-599-3131 Ext 400

Sent via E-mail

October 4, 2019

Ministry of Municipal Affairs and Housing
Hon. Steve Clark | Minister | minister.mah@ontario.ca
777 Bay Street, 17th Floor
Toronto, ON M5G 2E5

Dear Minister Clark,

RE: Integrity Commission Matters

Since the Province required all municipalities to have Integrity Commissioners ("ICs"), we have noted that although this is a quasi-judicial role, few if any decisions by Integrity Commissioners refer to British Common Law precedents, or any precedents for that matter.

In addition, there seems to be quite a difference of opinion on matters between Integrity Commissioners. As an example, our IC takes the position that in all cases the Complainant should never be named in a report, even when they are another member of Council, while at the County level, our County IC, states that she would almost always name the complainant in these circumstances, unless it was a personal matter. Her test would be whether it was a matter of public interest.

As a result of this confusion on behalf of the Town of The Blue Mountains, please note the following resolution passed by Council on September 30, 2019:

Moved by: Rob Potter Seconded by: Peter Bordignon

WHEREAS the system of justice in Ontario is based on the British system of Common Law which bases decisions on legal precedents;

AND WHEREAS the decisions of Integrity Commissioners in settled cases could provide guidance to all involved in Municipal Government in Ontario as well as to the people they serve;

BE IT THEREFORE RESOLVED that the Code of Conduct Sub-Committee recommends that the Council of the Town of The Blue Mountains requests that the Ontario Ministry of Municipal Affairs and Housing create a searchable database of all matters placed before all Integrity Commissioners within the province and the resolution of such matters;

AND FURTHER BE IT RESOLVED THAT this resolution be circulated to all municipalities in Ontario via the Association of Municipalities of Ontario, Carried.

Please do not hesitate to contact me if you have any questions or comments.

Yours Truly,

A handwritten signature in cursive script that reads "Alar Soever".

Mayor Alar Soever
Town of The Blue Mountains

CC: Mayor and Council, Town of The Blue Mountains (via e-mail)
Shawn Everitt, CAO, Town of The Blue Mountains (via email)
Municipalities in Ontario (via-email)

INFO # 7
OCT 17 2019



NVCA Board Meeting Highlights September 27, 2019

Next Meeting: October 25, 2019, Tiffin Centre for Conservation, Utopia

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

2020 NVCA Draft Budget to be distributed to municipalities for review

NVCA Board of Directors approved NVCA's 2020 Draft Budget for circulation, and staff will distribute the 2020 Draft Budget booklet to municipalities for the 30 day review period.

Greenbelt Foundation Positively Green Initiative

The NVCA Board of Directors has approved endorsement of the Positively Green Initiative.

Kevin Beaulieu, Municipal Program Director Greenbelt Foundation presented to the Board of Directors to seek endorsement from NVCA for support and to move forward with outreach and funding proposals.

Ontario's greenbelt is Canada's largest greenbelt with over 2 million acres of protected land including intact natural heritage systems. It provides Ontario with fresh air, clean water, local food, thriving economies and climate resilience while protecting environmentally sensitive areas and productive farmlands.

Positively Green Initiative identifies 100 plus priority projects across the region directly benefiting the public, municipalities, and businesses including agriculture. These projects focus on nature's role in climate change and the Greenbelt's unparalleled environmental services.

The Greenbelt Foundation is looking to work with NVCA on 9 projects, including:

- Dam removal and pond decommissioning/perched culvert remediation
- Planting trees and other vegetation along rivers and streams and removing fish barriers
- Creating habitats in prairie, savannah, meadows
- Agricultural and livestock best management practices implementation

Currently 13 conservation authorities in Ontario are collaborating with the Greenbelt Foundation on this initiative.

Sharing mapping data with Greenland International Consulting

NVCA Board of Directors approved staff to have further discussions with Greenland International Consulting related to their request to have the NVCA share hydrology modelling data.

A request for this information also came from the Town of Wasaga Beach in support of a proposed grant application to the Smart Computing Innovative Fund.

In brief

Nigel Bellchamber from Amberley Gavel gave an educational presentation to the Board of Directors regarding governance and how to be an effective board.

Future Meetings and Events

Hiking the Nottawasaga Bluffs (all ages)

Friday, October 4, 2019

10:00 AM – 3:00 PM

8861 Nottawasaga 15/16 Sdrd, Clearview
Township

Volunteer Tree Planting Day

Saturday, October 5, 2019

9:00 AM - 12:00 PM

Mono Community Pollinator Garden 246366
Hockley Rd, Mono, ON (near Orangeville) L9W
2Y8

Small Halls Festival – The Tall Small Hall Hike

Sunday, October 6, 2019

Time: 10:00 AM - 12:00 PM

Singhampton Community Centre

NVCA Board of Directors Meeting

Friday, October 25, 2019

9:00 AM - 12:00 PM Location: Tiffin Centre for
Conservation, 8195 8th Line, Utopia

Denise Holmes

From: Haleigh Ferguson <hferguson@nvca.on.ca>
Sent: Monday, September 30, 2019 11:37 AM
To: Denise Holmes
Cc: Darren White; Margaret Mercer
Subject: NVCA 2020 Draft Budget
Attachments: NVCA 2020 Draft Budget - Township of Melancthon.pdf; NVCA 2020 Draft Budget Booklet.pdf

Good morning,

Please see the attachments for the NVCA's 2020 Draft Budget.

Kind regards,

Haleigh

Haleigh Ferguson | Executive Administrator

Nottawasaga Valley Conservation Authority

8195 8th Line, Utopia, ON L0M 1T0
T 705-424-1479 ext. 272 | F 705-424-2115
hferguson@nvca.on.ca | nvca.on.ca

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Nottawasaga Valley
Conservation Authority

September 30, 2019

The Township of Melancthon
c/o Denise Holmes, CAO/Clerk
157101 Highway 10
Melancthon, Ontario
L9V 2E6

Dear Mayor White & Council:

Enclosed, please find the 2020 Nottawasaga Valley Conservation Authority (NVCA) Draft Budget Booklet (attachment). This draft budget was received and approved for circulation and input for a 30 day review period, at the September 27, 2019 NVCA Board meeting. Please forward any comments to the undersigned.

The NVCA worked very diligently to address the Provincial funding cuts of approximately 50% without adversely impacting our member municipalities.

The Township of Melancthon's proposed 2020 levy contribution is \$11,953.68 an increase of \$349.77 over 2019. The year 4 capital asset levy will be \$614.10.

Please contact Haleigh Ferguson at 705-424-1479 ext. 272 or hferguson@nvca.on.ca to schedule a deputation or meeting with staff to discuss this draft budget. We believe the 2020 draft budget represents a wise investment for the long term health of our environment and our local economy.

A link to the complete 2020 Draft Budget booklet can also be found on the NVCA website home page at www.nvca.on.ca. NVCA Board approval will occur on December 13, 2019.

Yours truly,

A handwritten signature in black ink, appearing to read "Doug Hevenor".

Doug Hevenor
Chief Administration Officer

Copies: NVCA Board Member, Cllr. Margaret Mercer

NOTTAWASAGA VALLEY CONSERVATION AUTHORITY

2020 DRAFT BUDGET



**Nottawasaga Valley
Conservation Authority**

**Nottawasaga Valley Conservation Authority
8195 8th Line, Utopia ON L0M 1T0
T: 705-424-1479 • F: 705-424-2115**



OUR VISION

Innovative watershed management supporting a healthy environment, communities and lifestyles.

OUR MISSION

Working together to lead, promote, support and inspire innovative watershed management.

AT A GLANCE

For 60 years, NVCA has worked with municipal, provincial and federal partners, and local stakeholders to deliver excellence in watershed planning and management.

Like Ontario's other 35 conservation authorities, NVCA operates under three fundamental principles:

- Watershed jurisdiction
- Local decision making
- Funding partnerships

As your municipal partner, NVCA provides the expertise to help protect our water, our land, and our future.

OUR WATERSHED

Our watershed is a large geographic area, approximately 3,700 sq. km, with jurisdiction in 18 municipalities in the counties of Simcoe, Dufferin and Grey.

NVCA's Board of Directors is comprised of one representative appointed from each of our member municipalities.

Board members have a very important role and responsibility to represent the interests of their municipalities, consider the interests and needs of the conservation authority, and establish an effective reporting relationship with their municipal council and staff.

Budget Process

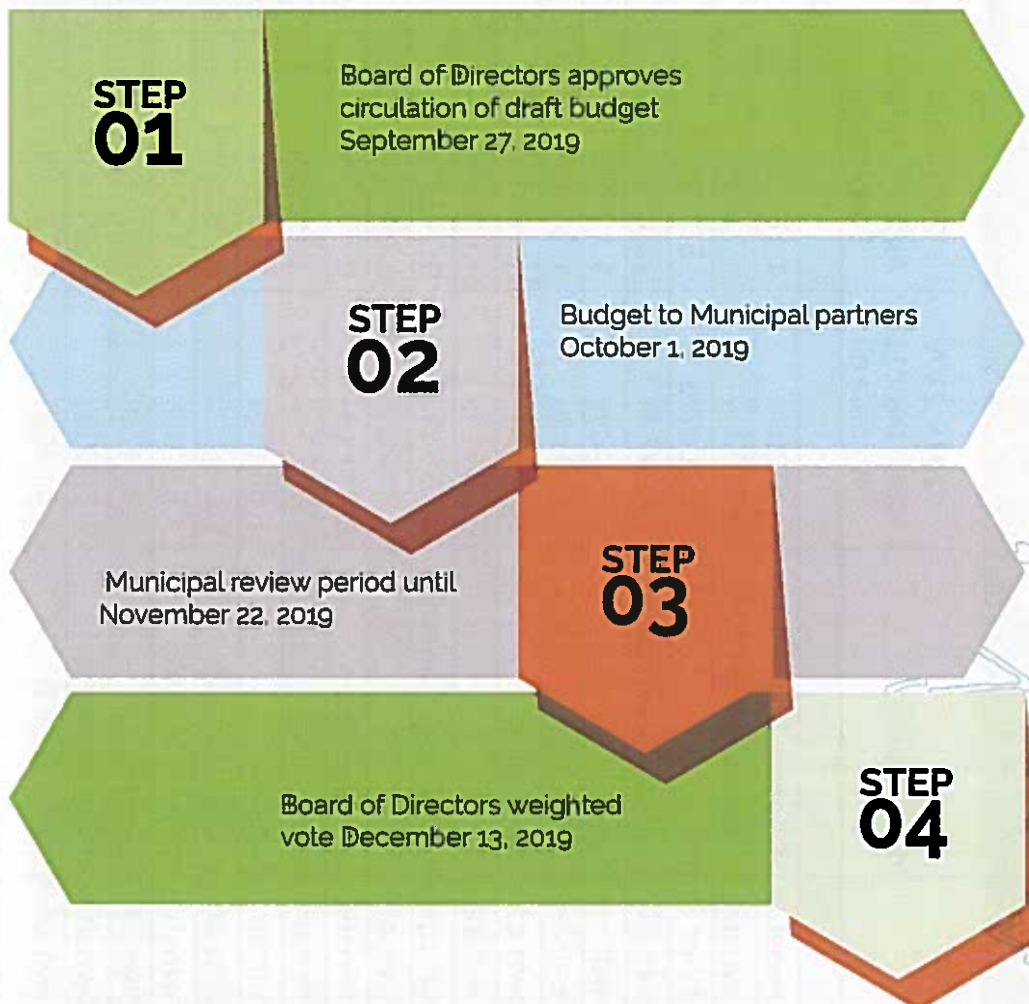
In August 2019, board members approved a staff report on the budget pressures projected for 2020 and directed staff to prepare a 2020 budget for consideration based on a \$75,000 increase to general levy.

Staff have developed a draft budget based on a \$66,028 increase. The draft budget is reviewed at the September 27, 2019 Board of Directors meeting and subsequently circulated to NVCA watershed municipalities for comments of which a minimum of 30 days is given as per the *Conservation Authorities Act*. The Board of Directors will vote on the budget at the December meeting.



Budget Vote

Directors of the Board will vote on the budget and levy using a weighted vote. The weighting formula is based on the Current Value Assessment (CVA) levy apportionment found on the next page.



2020 Draft Budget

The 2020 operation budget is organized into business units and departments and is intended to reflect all associated costs. Operating programs have been maintained at the previous years' service levels.

A \$66,028 increase in municipal levy, is needed to support the operating expenditures. The operating levy is shared by NVCA member municipalities based on the CVA apportionment percentages provided by the Ministry of Natural Resources and Forestry.

Summary of Municipal Levy Contribution

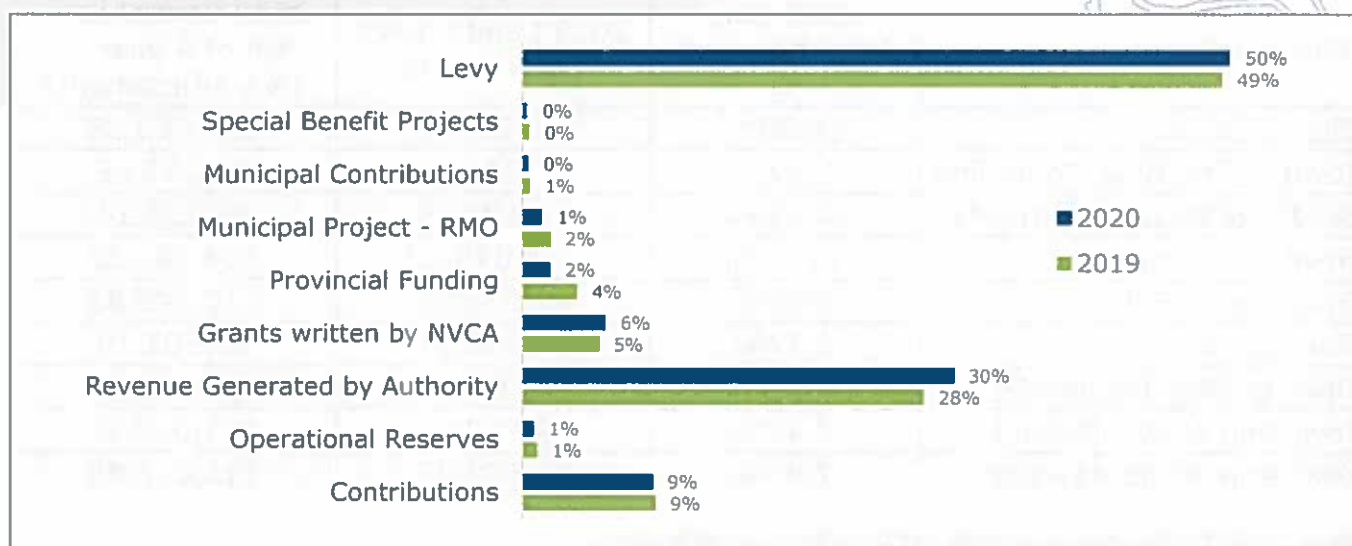
Municipality	2019 CVA Apportionment Percentage	2020 CVA Apportionment Percentage	2019 Operating Levy	2020 Draft Operating Levy	\$ Increase
			\$2,463,029.16	\$2,529,056.91	\$66,027.75
Township of Adjala-Tosorontio	4.1925%	4.1619%	\$103,262.65	\$105,257.72	\$1,995.07
Township of Amaranth	0.2192%	0.2177%	\$5,399.33	\$5,506.24	\$106.91
City of Barrie	15.4117%	15.3786%	\$379,595.83	\$388,933.47	\$9,337.64
Town of The Blue Mountains	1.4179%	1.3672%	\$34,923.55	\$34,577.82	(\$345.72)
Bradford/West Gwillimbury	3.9902%	4.1939%	\$98,280.29	\$106,065.78	\$7,785.48
Clearview Township	5.0678%	4.9414%	\$124,821.15	\$124,970.26	\$149.12
Town of Collingwood	10.0634%	9.9981%	\$247,864.38	\$252,858.40	\$4,994.02
Township of Essa	6.9541%	6.9582%	\$171,281.23	\$175,977.75	\$4,696.51
Municipality of Grey Highlands	0.3560%	0.3457%	\$8,768.66	\$8,742.10	(\$26.56)
Town of Innisfil	6.7490%	6.9409%	\$166,229.29	\$175,539.87	\$9,310.58
Township of Melancthon	0.4711%	0.4727%	\$11,603.90	\$11,953.68	\$349.77
Town of Mono	3.8050%	3.7681%	\$93,718.30	\$95,298.04	\$1,579.74
Mulmur Township	1.6843%	1.6296%	\$41,483.71	\$41,214.21	(\$269.50)
Town of New Tecumseth	13.2112%	13.6052%	\$325,395.14	\$344,082.16	\$18,687.01
Township of Oro-Medonte	7.5379%	7.4305%	\$185,659.45	\$187,922.26	\$2,262.80
Town of Shelburne	2.0602%	2.0111%	\$50,742.31	\$50,862.97	\$120.66
Township of Springwater	7.3890%	7.4502%	\$181,992.86	\$188,420.02	\$6,427.16
Town of Wasaga Beach	9.4196%	9.1289%	\$232,007.12	\$230,874.17	(\$1,132.95)

NVCA Member Municipalities

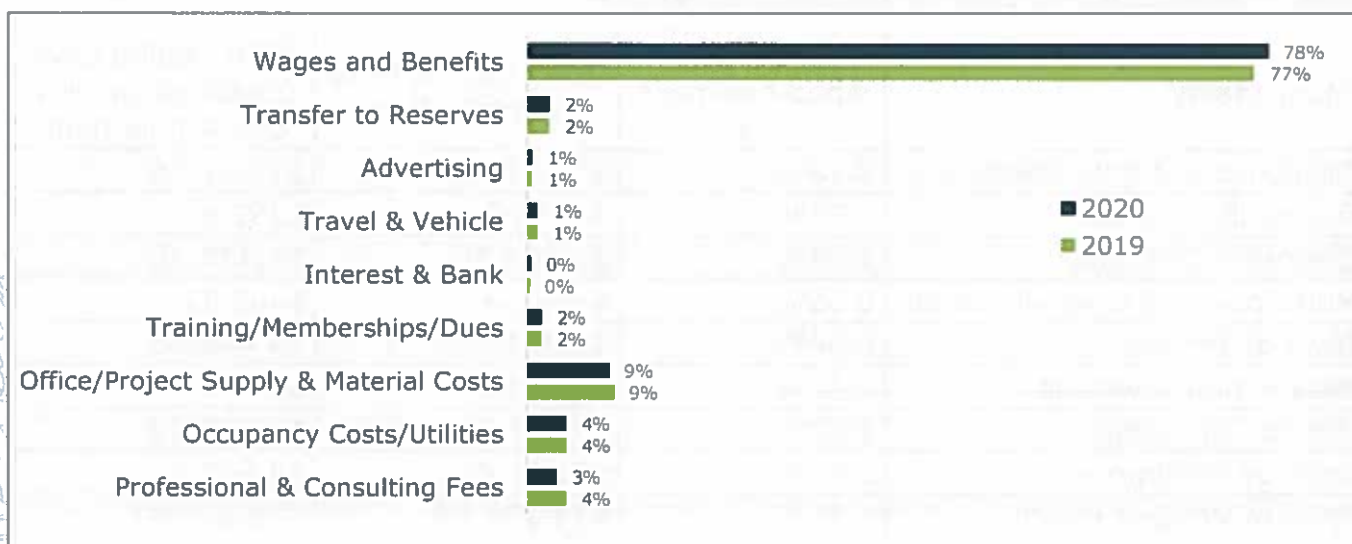
Township of Adjala-Tosorontio
Township of Amaranth
City of Barrie
Town of the Blue Mountains
Bradford/West Gwillimbury
Clearview Township
Town of Collingwood
Township of Essa
Municipality of Grey Highlands

Town of Innisfil
Township of Melancthon
Town of Mono
Mulmur Township
Town of New Tecumseth
Township of Oro-Medonte
Town of Shelburne
Township of Springwater
Town of Wasaga Beach

Sources of Revenue



Expenditures



Asset Management

The capital asset levy, which funds the asset management plan (AMP), is shared by the municipal partners based on their apportionment percentage.

When the capital asset levy was introduced in 2017, some municipalities chose to phase in their contributions over five years while others chose to contribute their full amount starting in year one. To be fair to those that are contributing in full, the AMP will continue to be updated during the phase in period, but municipalities will only pay the fees as established in year one until the phase-in-period is complete. The year 2020 is the final year of the phase in period and therefore the plan will be updated in 2020.

Below are the contributions for 2020 based on each municipality's decision:

Capital Asset Levy Phased-In Municipalities

Municipality	2020 CVA Apportionment %	2019 Capital Levy Contribution	2020 Capital Levy 4th of 4 year + CVA Adjustment)
City of Barrie	15.38%	\$20,023.94	\$22,863.83
Town of The Blue Mountains	1.37%	\$1,842.24	\$2,032.69
Bradford/West Gwillimbury	4.19%	\$5,184.35	\$6,235.18
Town of Collingwood	10.00%	\$13,075.02	\$14,864.52
Township of Essa	6.96%	\$9,035.20	\$10,345.02
Town of Mono	3.77%	\$4,943.71	\$5,602.19
Town of New Tecumseth	13.61%	\$17,164.82	\$20,227.20
Township of Oro-Medonte	7.43%	\$9,793.67	\$11,047.19
Township of Springwater	7.45%	\$9,600.25	\$11,076.45

Capital Asset Levy Full Contributing Municipalities

Municipality	2020 CVA Apportionment %	2019 Capital Levy Contribution	2020 Capital Levy Contribution with CVA Adjustment
Township of Adjala-Tosorontio	4.16%	\$5,447.18	\$5,407.46
Township of Amaranth	0.22%	\$284.82	\$282.87
Clearview Township	4.94%	\$6,584.40	\$6,420.16
Municipality of Grey Highlands	0.35%	\$462.55	\$449.11
Town of Innisfil	6.94%	\$9,421.49	\$9,490.88
Melancthon Township	0.47%	\$612.11	\$614.10
Mulmur Township	1.63%	\$2,188.29	\$2,117.32
Town of Shelburne	2.01%	\$2,676.69	\$2,613.01
Town of Wasaga Beach	9.13%	\$12,238.54	\$11,860.81

Reserves

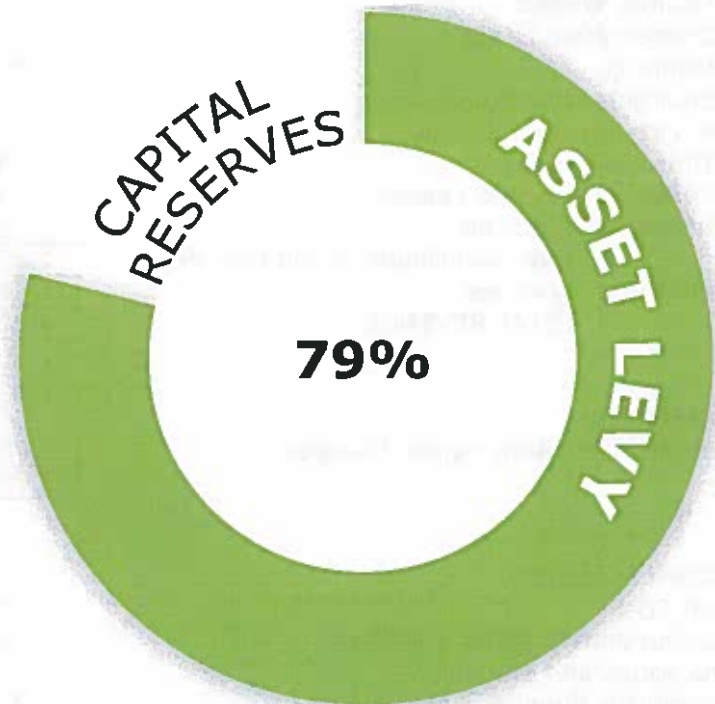
These amounts will be put into reserves to pay for the repair maintenance and replacement of the assets as identified in the AMP.

Some of the 2020 expenditures as per the AMP:

1. Dam safety review for the Tottenham Dam
2. Parts replacement on flood and monitoring equipment to extend life as well as replacement of some end of life equipment
3. Computers and server upgrades and network hardware
4. Upgrade of the water system at Tiffin, re-staining of Hix Administration building, replacement of an AED, some signage upgrades and replacement of folding chairs used for schools and events.

Funding for Asset Management Plan

2020 Total Cost - \$181,724



● **\$143,549.99**

○ **\$38,174.01**

In years where the capital asset levy is more than the required in expenditures, excess funds will replenish the capital reserve use occurring due to the ten year averaging. Capital reserve use is forecast to balance out over the ten year period.

Nottawasaga Valley Conservation Authority Proposed 2020 Budget

	BUDGET 2019	BUDGET 2020	\$ CHANGE
REVENUE:			
Municipal Levy	2,463,029.18	2,529,056.91	66,027.73
Special Benefit Projects	23,500.00	16,000.00	(7,500.00)
Oro-Medonte MOU	(36,953.37)	(37,943.72)	(990.35)
Municipal Contributions	25,000.00	20,000.00	(5,000.00)
Municipal Project - RMO	95,845.00	68,000.00	(27,845.00)
Total Municipal Revenue	<u>2,570,420.81</u>	<u>2,595,113.19</u>	<u>24,692.38</u>
MNR Transfer Payment-Flood	188,490.00	97,307.20	(91,182.80)
Other Provincial Sources	220,548.38	182,500.00	(38,048.38)
Federal Sources	44,000.00	110,460.00	66,460.00
Total Government Grants	<u>453,038.38</u>	<u>390,267.20</u>	<u>(62,771.18)</u>
Contributions	462,640.00	460,540.00	(2,100.00)
User Fees			
Reforestation	54,000.00	53,200.00	(800.00)
Healthy Waters	5,000.00	-	(5,000.00)
Conservation Lands	21,000.00	21,000.00	-
Planning	883,630.00	989,600.00	105,970.00
Environmental Monitoring	13,000.00	13,000.00	-
Environmental Education	279,500.00	298,500.00	19,000.00
Tiffin Operations	93,500.00	95,500.00	2,000.00
Conservation Land Leases	30,315.00	32,400.00	2,085.00
Investment Income	13,000.00	15,000.00	2,000.00
Total Contributions and User Fees	<u>1,855,585.00</u>	<u>1,978,740.00</u>	<u>123,155.00</u>
Operational Reserves	45,903.37	40,143.72	(5,759.65)
TOTAL REVENUE	<u>4,924,947.56</u>	<u>5,004,264.11</u>	<u>79,316.55</u>
EXPENSES:			
Wages and Interprogram Charges	<u>3,780,082.56</u>	<u>3,934,404.11</u>	<u>154,321.55</u>
	<u>3,780,082.56</u>	<u>3,934,404.11</u>	<u>154,321.55</u>
Other Expenses			
Staff Cost	11,450.00	10,600.00	(850.00)
Memberships/Professional Dues	45,100.00	47,100.00	2,000.00
Educations and Training	29,000.00	29,000.00	-
Materials & Supplies - General	274,155.00	354,900.00	80,745.00
Materials & Supplies - Cost of Trees	125,000.00	5,000.00	(120,000.00)
Vehicles & Large Equipment Costs	42,450.00	42,450.00	-
Office Expenses	26,750.00	23,000.00	(3,750.00)
Equipment Costs	9,000.00	9,000.00	-
Transportation Costs	11,000.00	13,000.00	2,000.00
Legal	37,000.00	22,000.00	(15,000.00)
Consultants	149,500.00	116,500.00	(33,000.00)
Insurance	77,900.00	79,600.00	1,700.00
Taxes	24,140.00	23,790.00	(350.00)
Heat and Hydro	33,000.00	33,000.00	-

**Nottawasaga Valley Conservation Authority
Proposed 2020 Budget**

	BUDGET 2019	BUDGET 2020	\$ CHANGE
Telephones and Internet Access	23,000.00	25,000.00	2,000.00
Audit Fees	17,500.00	18,000.00	500.00
Interest and Bank Charges	14,200.00	19,200.00	5,000.00
Maintenance Expense	31,700.00	31,700.00	-
Uniform Expense	6,000.00	6,000.00	-
Leases	14,000.00	14,000.00	-
Advertisement and Communications	26,520.00	26,520.00	-
Bad Debt Expense	500.00	500.00	-
Transfer to Reserves	116,000.00	120,000.00	4,000.00
	<u>1,144,865.00</u>	<u>1,069,860.00</u>	<u>(75,005.00)</u>
 TOTAL EXPENSES	 <u>4,924,947.56</u>	 <u>5,004,264.11</u>	 <u>79,316.55</u>
 SURPLUS (DEFICIT)	 <u>(0.00)</u>	 <u>-</u>	 <u>0.00</u>

Photo credit: Nottawasaga Valley Conservation Authority Staff
Budget process chart Designed by Freepik

**NOTICE OF A PUBLIC MEETING
TO INFORM THE PUBLIC OF A PROPOSED
ZONING BY-LAW AMENDMENT**

RECEIPT OF COMPLETE APPLICATION

TAKE NOTICE that Township of Melancthon has received complete applications to amend Municipal Zoning By-law 12-79. The purpose of the rezoning is to amend the Township's Comprehensive Zoning By-law to zone lands in Part of Lots 17 and 18, Concession 3 O.S. which were the subject of recently approved Provisional Consents.

AND PURSUANT to Section 34 (10) and 39 of the Planning Act, the application file is available for review at the Municipal Office. Please contact the Municipal Clerk to arrange to review this file.

NOTICE OF PUBLIC MEETING WITH COUNCIL

TAKE NOTICE that the Council for The Corporation of the Township of Melancthon will be holding a public meeting (described below) under Section 34 of the Planning Act, R.S.O. 1990, c.P. 13 as amended, to allow the public to comment on the proposed Zoning By-law Amendment.

DATE AND LOCATION OF PUBLIC MEETING

Date: Thursday, October 17, 2019
Time: 5:30 pm
Location: Township of Melancthon Municipal Office (Council Chambers)

DETAILS OF THE ZONING BY-LAW AMENDMENT

The application affects a vacant lot located on the 4th Line OS in West Part Lot 18, Concession 3 O.S. in the Township of Melancthon. As a result of the approval of Consent Application B3/19, this vacant lot was merged in title with the surrounding lands and as a condition of consent will be rezoned to the A1-129 Zone to match the zoning of the surrounding lands.

The application also affects a new lot located on the 4th Line OS in West Part Lot 17, Concession 3 O.S. in the Township of Melancthon. As a result of the approval of Consent Application B4/19, this new lot was created for the purpose of relocating the above-mentioned lot which was merged in title with the surrounding lands. This new lot is proposed to be zoned Rural Residential (RR).

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

FURTHER INFORMATION AND MAP OF LAND SUBJECT TO THE APPLICATION

A key map has been appended that identifies the lands that are subject to this amendment.

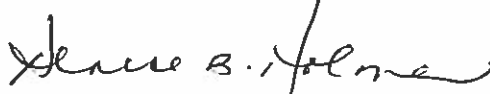
The purpose of this meeting is to ensure that sufficient information is made available to enable the public to generally understand the proposed Zoning By-law Amendment. Any person who attends the meeting shall be afforded an opportunity to make representations in respect of the proposed amendment.

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

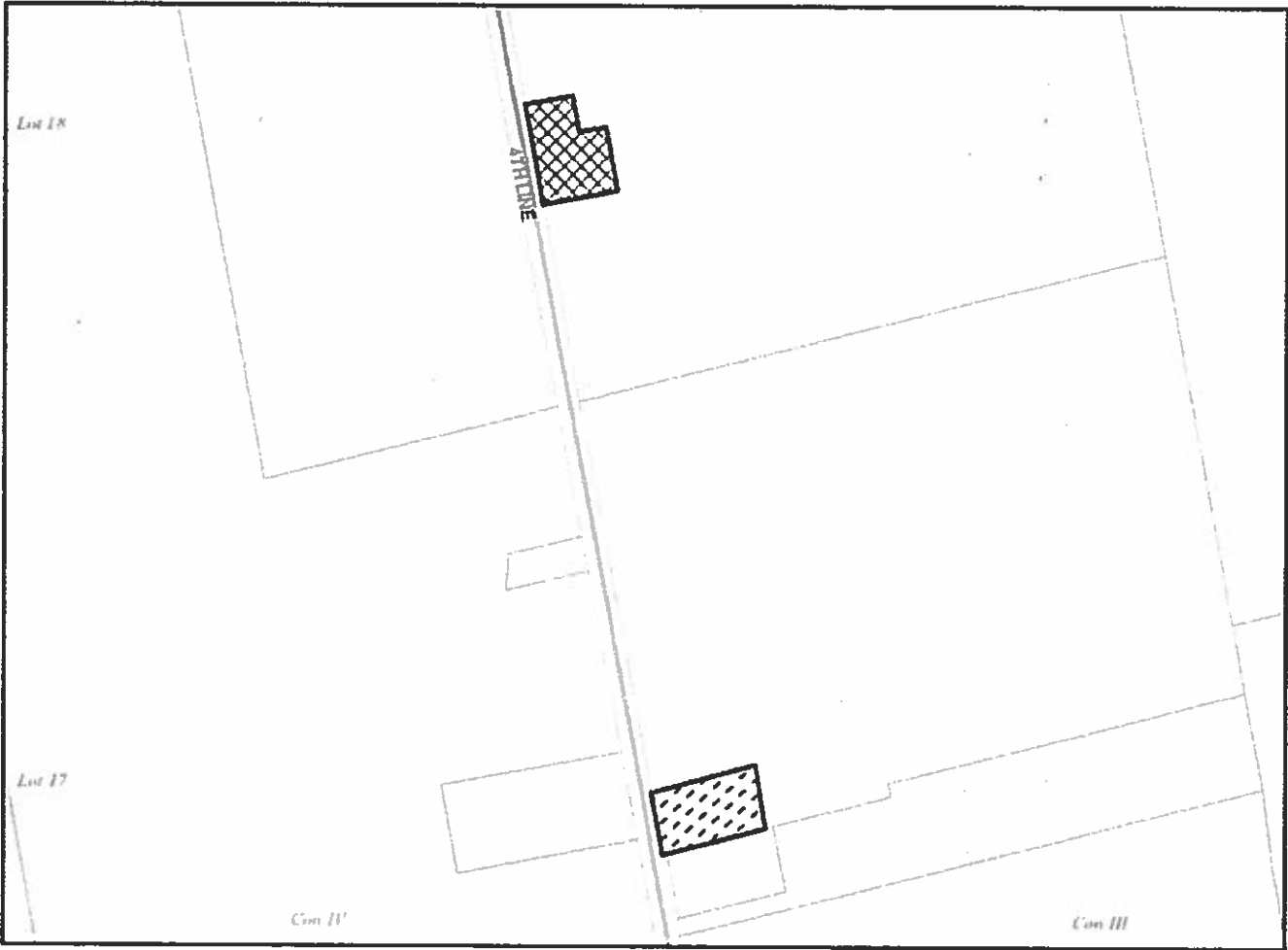
If a person or public body files an appeal of a decision of the Council for the Corporation of the Township of Melancthon, as the approval authority in respect of the proposed Zoning By-law Amendment, but does not make oral submissions at a public meeting or make written submissions to Council before the proposed amendment is approved or refused, the Local Planning Appeal Board may dismiss all or part of the appeal.

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

Mailing Date of this Notice: September 26, 2019


Denise Holmes, CAO
Township of Melancthon

LANDS SUBJECT TO APPLICATION FOR
ZONING BY-LAW AMENDMENT



MEMORANDUM

To: Mayor White and Members of Council
Copy: Ms. Denise Holmes, CAO
From: Chris Jones MCIP, RPP
Date: October 10, 2019
Re: Applications for Zoning By-law Amendment (Bonnefield Farmland Ontario)

BACKGROUND

The Township is in receipt of an application for a zoning by-law amendment for lands that were recently the subject of applications for consent. The rezoning is required as a condition of consent.

Specifically, consent application B3-19 merged an existing vacant residential lot and B4-19 re-created a new residential lot in an alternate location of a large agricultural parcel. The existing lot that was merged is located in the West Part of Lot 18, Concession 3 O.S. and the lot to be transposed or re-established is located in Part of Lot 17, Concession 3 O.S. The lands to be rezoned are illustrated in Figure 1.

Figure 1 – Subject Lands



ZONING BY-LAW

The lot proposed to be merged is located in the Rural Residential Exception (RR-159) Zone. This zone exception allows residential use and recognizes non-compliant lot area. The proposed zoning amendment would rezone this lot to the General Agricultural Exception (A1-129) Zone. The purpose of this zone is to prohibit residential use, similar to the surrounding agricultural parcel that this parcel will be merged with.

The lot to be re-created is located in the General Agricultural Exception (A1-129) Zone and is proposed to be rezoned to the Rural Residential (RR) Zone.

ANALYSIS

The proposed rezoning will fulfill requisite conditions of provisional consent and is supported, however approval of the amendments is recommended to be deferred pending delivery of the reference plans so that the new legal descriptions can be reflected in the zoning by-law amendments.

RECOMMENDATIONS

The approval of the zoning by-law amendments is supported but is recommended to be deferred pending the delivery of the registered reference plans.

Respectfully Submitted,



Chris Jones MCIP, RPP

**NOTICE OF A PUBLIC MEETING
TO INFORM THE PUBLIC OF A PROPOSED
ZONING BY-LAW AMENDMENT**

RECEIPT OF COMPLETE APPLICATION

TAKE NOTICE that Township of Melancthon has received a complete application to amend Municipal Zoning By-law 12-79. The purpose of the rezoning is to amend the Township's Comprehensive Zoning By-law to zone lands in Part of Lots 18 and 19, Concession 1 O.S. which were the subject of recently approved Provisional Consent.

AND PURSUANT to Section 34 (10) and 39 of the Planning Act, the application file is available for review at the Municipal Office. Please contact the Municipal Clerk to arrange to review this file.

NOTICE OF PUBLIC MEETING WITH COUNCIL

TAKE NOTICE that the Council for The Corporation of the Township of Melancthon will be holding a public meeting (described below) under Section 34 of the Planning Act, R.S.O. 1990, c.P. 13 as amended, to allow the public to comment on the proposed Zoning By-law Amendment.

DATE AND LOCATION OF PUBLIC MEETING

Date: Thursday, October 17, 2019
Time: 5:30 pm
Location: Township of Melancthon Municipal Office (Council Chambers)

DETAILS OF THE ZONING BY-LAW AMENDMENT

The application affects a vacant lot located on the Mulmur-Melancthon Townline in Part Lots 18 and 19, Concession 1 O.S. in the Township of Melancthon. As a result of the approval of Consent Application B5/19, lands from Part Lots 18 and 19, Concession 1 O.S. were severed and merged with an existing vacant residential lot. The proposed zoning amendment is required as a condition of Provisional Consent and will zone the resultant lot to the RR-85 Zone to recognize that the resultant lot is slightly deficient in the minimum lot area required for a new lot in the RR Zone.

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

FURTHER INFORMATION AND MAP OF LAND SUBJECT TO THE APPLICATION

A key map has been appended that identifies the lands that are subject to this amendment.

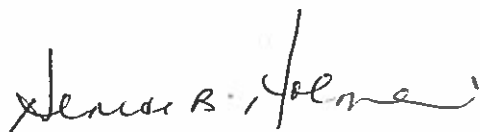
The purpose of this meeting is to ensure that sufficient information is made available to enable the public to generally understand the proposed Zoning By-law Amendment. Any person who attends the meeting shall be afforded an opportunity to make representations in respect of the proposed amendment.

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

If a person or public body files an appeal of a decision of the Council for the Corporation of the Township of Melancthon, as the approval authority in respect of the proposed Zoning By-law Amendment, but does not make oral submissions at a public meeting or make written submissions to Council before the proposed amendment is approved or refused, the Local Planning Appeal Board may dismiss all or part of the appeal.

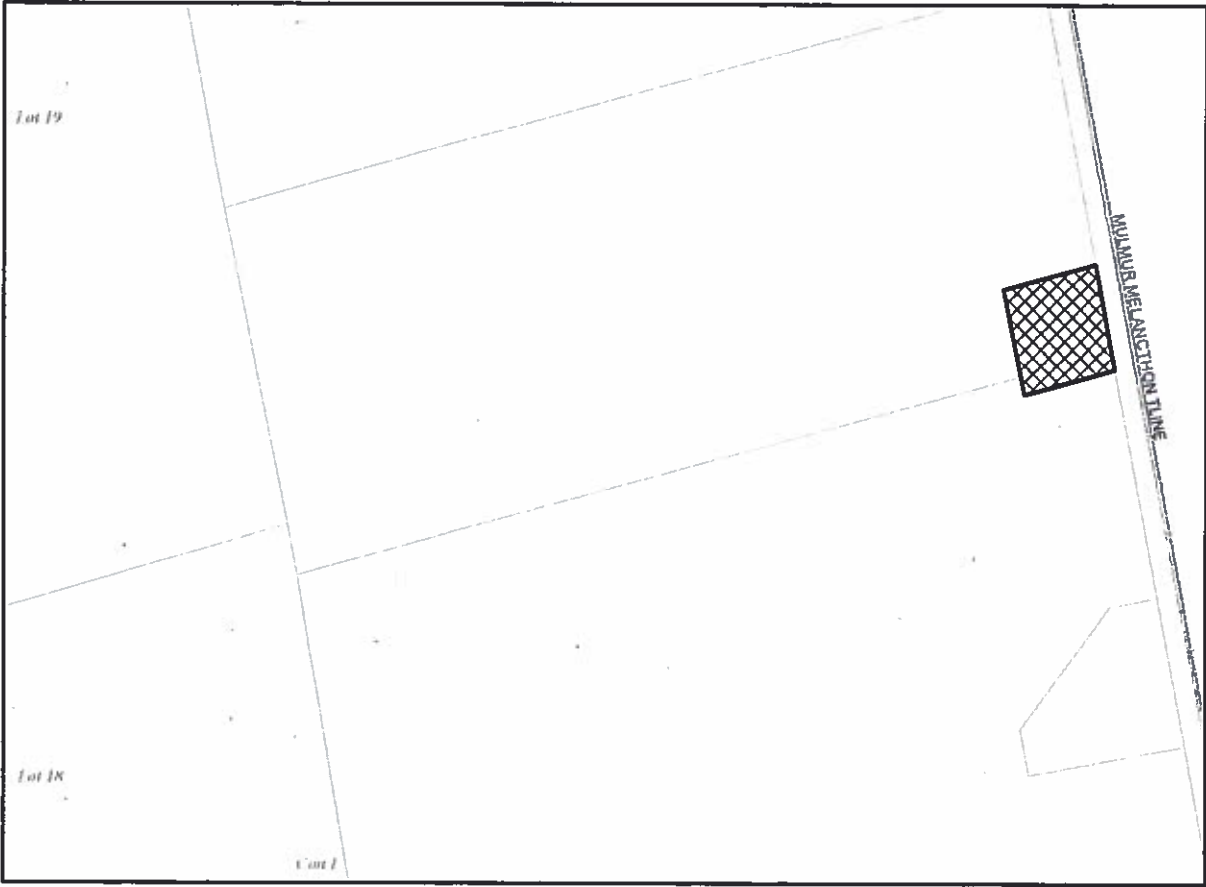
Further information regarding the proposed amendment is available to the public for inspection at the Township of Melancthon Municipal Office on Monday to Friday, between the hours of 8:30 a.m. and 4:30 p.m.

Mailing Date of this Notice: September 26, 2019



Denise Holmes, CAO
Township of Melancthon

LANDS SUBJECT TO APPLICATION FOR
ZONING BY-LAW AMENDMENT



 Subject Lands

MEMORANDUM

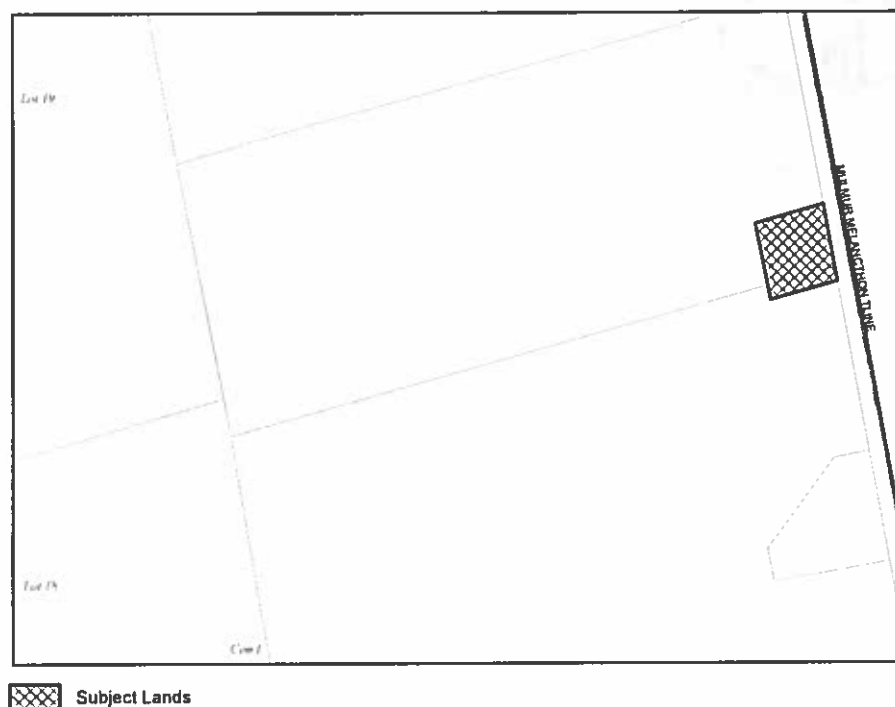
To: Mayor White and Members of Council
Copy: Ms. Denise Holmes, CAO
From: Chris Jones MCIP, RPP
Date: October 10, 2019
Re: Application for ZBA (Bonnefield Farmland Ontario Inc.)

BACKGROUND

The Township is in receipt of an application for a zoning by-law amendment to zone lands located in Part of Lot 19, Concession 1 O.S that were recently subject to the approval of Provisional Consent B5-19.

The consent facilitated a lot addition of lands to an existing vacant lot increasing the area of the lot to 0.68 ha and the frontage to 85 metres. The lands subject to the zoning by-law amendment are illustrated in Figure 1.

Figure 1 – Subject Lands



ZONING BY-LAW

The existing vacant lot is currently zoned General Agricultural (A1) and the required zoning amendment would zone the resultant lot to a Rural Residential Exception (RR-85) Zone. The purpose of the zone exception is to recognize the resultant lot area, which is slightly non-compliant with the minimum lot area requirement for the RR Zone.

ANALYSIS

The proposed rezoning will fulfill a requisite condition of provisional consent and is supported, however approval of the amendment is recommended to be deferred pending delivery of the reference plan so that the new legal description can be reflected in the zoning by-law amendment.

RECOMMENDATIONS

The approval of the zoning by-law amendment is supported but is recommended to be deferred pending the delivery of the registered reference plan.

Respectfully Submitted,



Chris Jones MCIP, RPP

• Municipal Planning Services Ltd. •

Chris D. Jones BES, MCIP, RPP
51 Churchill Drive
Barrie, Ontario
(705) 725-8133

**NOTICE OF A PUBLIC MEETING
TO INFORM THE PUBLIC OF A PROPOSED
ZONING BY-LAW AMENDMENT**

RECEIPT OF COMPLETE APPLICATION

TAKE NOTICE that Township of Melancthon has received complete applications to amend Municipal Zoning By-law 12-79. The purpose of the rezoning is to amend the Township's Comprehensive Zoning By-law to zone lands in Part of Lots 19 and 20, Concession 1 O.S. which were the subject of recently approved Provisional Consents.

AND PURSUANT to Section 34 (10) and 39 of the Planning Act, the application file is available for review at the Municipal Office. Please contact the Municipal Clerk to arrange to review this file.

NOTICE OF PUBLIC MEETING WITH COUNCIL

TAKE NOTICE that the Council for The Corporation of the Township of Melancthon will be holding a public meeting (described below) under Section 34 of the Planning Act, R.S.O. 1990, c.P. 13 as amended, to allow the public to comment on the proposed Zoning By-law Amendment.

DATE AND LOCATION OF PUBLIC MEETING

Date: Thursday, October 17, 2019
Time: 5:30 pm
Location: Township of Melancthon Municipal Office (Council Chambers)

DETAILS OF THE ZONING BY-LAW AMENDMENT

The application affects a vacant lot located on County Road 124 in West Part Lot 20, Concession 1 O.S. in the Township of Melancthon. As a result of the approval of Consent Application B6/19, this vacant lot was merged in title with the surrounding lands and as a condition of consent will be rezoned to the General Agricultural (A1) Zone to match the zoning of the surrounding lands.

The application also affects a new lot located on County Road 124 in West Part Lot 19, Concession 1 O.S. in the Township of Melancthon. As a result of the approval of Consent Application B7/19, this new lot was created for the purpose of relocating the above-mentioned lot, which was merged in title with the surrounding lands. This new lot is proposed to be zoned Rural Residential (RR).

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

FURTHER INFORMATION AND MAP OF LAND SUBJECT TO THE APPLICATION

A key map has been appended that identifies the lands that are subject to this amendment.

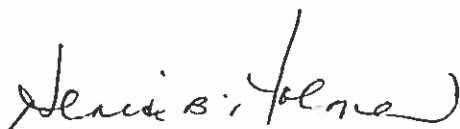
The purpose of this meeting is to ensure that sufficient information is made available to enable the public to generally understand the proposed Zoning By-law Amendment. Any person who attends the meeting shall be afforded an opportunity to make representations in respect of the proposed amendment.

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If a person or public body files an appeal of a decision of the Council for the Corporation of the Township of Melancthon, as the approval authority in respect of the proposed Zoning By-law Amendment, but does not make oral submissions at a public meeting or make written submissions to Council before the proposed amendment is approved or refused, the Local Planning Appeal Board may dismiss all or part of the appeal.

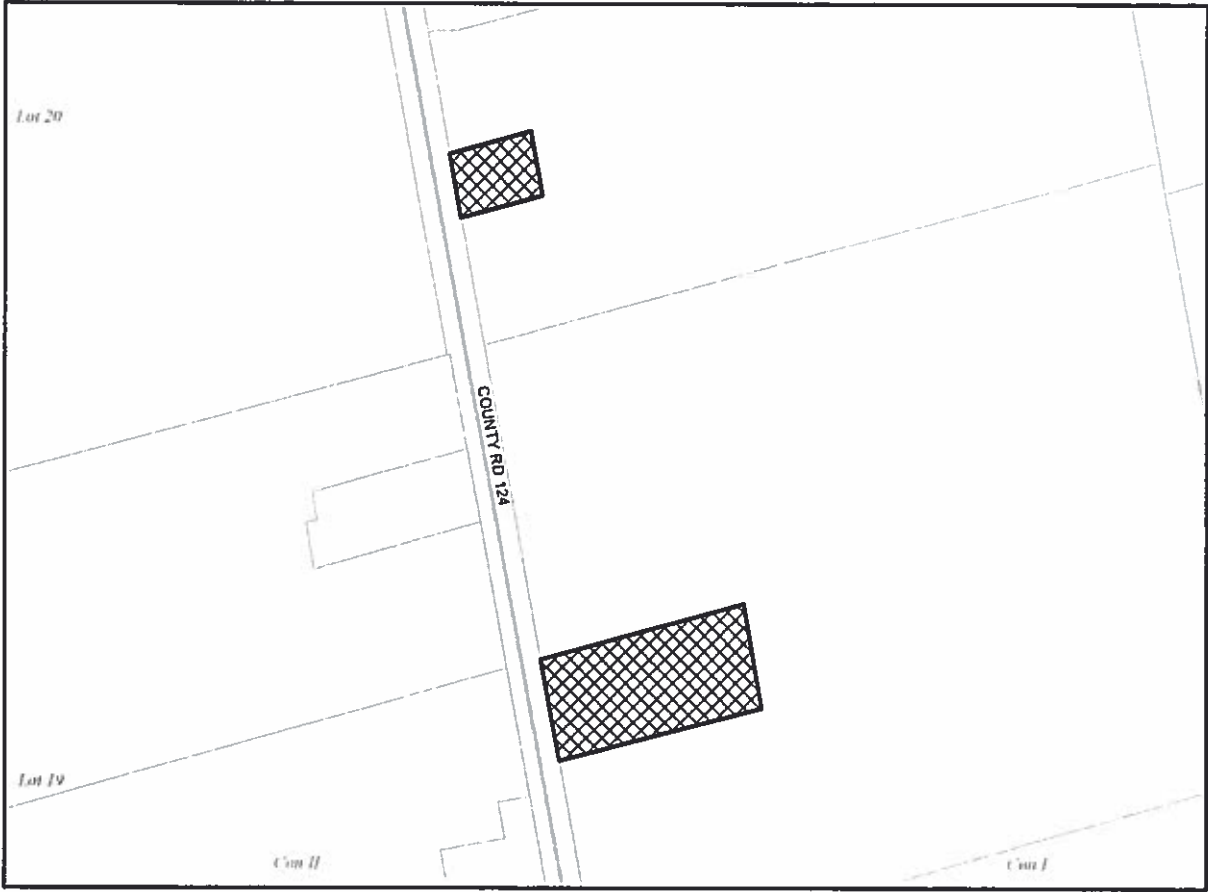
Further information regarding the proposed amendment is available to the public for inspection at the Township of Melancthon Municipal Office on Monday to Friday, between the hours of 8:30 a.m. and 4:30 p.m.

Mailing Date of this Notice: September 26, 2019



Denise Holmes, CAO
Township of Melancthon

LANDS SUBJECT TO APPLICATION FOR
ZONING BY-LAW AMENDMENT



 Subject Lands

MEMORANDUM

To: Mayor White and Members of Committee
Copy: Ms. Denise Holmes, CAO
From: Chris Jones MCIP, RPP
Date: October 10, 2019
Re: Applications for ZBA - (Bonnefield Farmland Ontario Inc.)

BACKGROUND

The Township is in receipt of an application for a zoning by-law amendment for lands that were recently the subject of applications for consent. The rezoning is required as a condition of consent.

Specifically, consent application B6-19 merged an existing vacant residential lot with a surrounding agricultural parcel and consent application B7-19 re-created a new residential lot in an alternate location of a large agricultural parcel. The existing lot to be merged is located in the West Part of Lot 20, Concession 1 O.S. and the lot to be transposed or re-established is located in the West Part of Lot 19, Concession 1 O.S. The lands subject to the zoning amendment are illustrated in Figure 1.

Figure 1 – Subject Lands



ZONING BY-LAW

The lot to be merged is currently located in the Rural Residential (RR) Zone and is required to be rezoned to the General Agricultural (A1) Zone as a condition of consent B6-19.

The lot to be re-created is currently located in the General Agricultural Exception (A1) Zone and is required to be rezoned to the Rural Residential (RR) Zone as a condition of consent B7-19.

ANALYSIS

The proposed rezoning will fulfill requisite conditions of provisional consent and is supported, however approval of the amendments is recommended to be deferred pending delivery of the reference plans so that the new legal descriptions can be reflected in the zoning by-law amendments.

RECOMMENDATIONS

The approval of the zoning by-law amendments is supported but is recommended to be deferred pending the delivery of the registered reference plans.

Respectfully Submitted,



Chris Jones MCIP, RPP

• Municipal Planning Services Ltd. •

Chris D. Jones BES, MCIP, RPP
51 Churchill Drive
Barrie, Ontario
(705) 725-8133
