



# The Regional Municipality of Durham

## COUNCIL INFORMATION PACKAGE

### August 23, 2019

#### **Information Reports**

- [2019-INFO-59](#) Commissioner of Works re: Durham York Energy Centre Ambient Air Monitoring Program: Total Suspended Particulate Exceedance
- [2019-INFO-60](#) Commissioner of Works: re: The Regional Municipality of Durham Comments: Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health, 2020

#### **Early Release Reports**

There are no Early Release Reports

#### **Staff Correspondence**

There is no Staff Correspondence

#### **Durham Municipalities Correspondence**

1. [Township of Brock](#) – re: Resolution passed at their Council meeting held on August 12, 2019, regarding Bill 108 – Comments on Proposed Regulatory Changes

#### **Other Municipalities Correspondence/Resolutions**

1. [Municipality of Chatham-Kent](#) – re: Resolution passed at their Council meeting held on August 12, 2019, endorsing the Township of Warwick resolution regarding Enforcement for Safety on Family Farms
2. [Municipality of Hastings Highlands](#) – re: Resolution passed at their Council meeting held on August 14, 2019, regarding Municipal Amalgamation
3. [Township of Papineau-Cameron](#) – re: Resolution passed at their Council meeting held on August 13, 2019, regarding Municipal Amalgamation
4. [Municipality of Hastings Highlands](#) – re: Resolution passed at their Council meeting held on August 14, 2019, regarding Reducing Litter and Waste in our Communities

### **Miscellaneous Correspondence**

1. [Parks and Recreation Ontario](#) – re: Information about the Impact of Bill 108 on municipal parks and recreation
2. [Jeff Yurek, Minister of the Environment, Conservation and Parks](#) – re: Letter dated August 16, 2019 requiring Conservation Authorities to re-focus their efforts to the delivery of programs and services related to their core mandate
3. [Conservation Ontario](#) – re: Letter dated August 19, 2019 in response to the letter from the Minister of the Environment, Conservation and Parks constraining Conservation Authority programs and services

### **Advisory Committee Minutes**

There are no Advisory Committee Minutes

Members of Council – Please advise the Regional Clerk at [clerks@durham.ca](mailto:clerks@durham.ca), if you wish to pull an item from this CIP and include on the next regular agenda of the appropriate Standing Committee. Items will be added to the agenda if the Regional Clerk is advised by Wednesday noon the week prior to the meeting, otherwise the item will be included on the agenda for the next regularly scheduled meeting of the applicable Committee.

Notice regarding collection, use and disclosure of personal information:

Written information (either paper or electronic) that you send to Durham Regional Council or Committees, including home address, phone numbers and email addresses, will become part of the public record. If you have any questions about the collection of information, please contact the Regional Clerk/Director of Legislative Services.

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Information Report

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From: Commissioner of Works  
Report: [#2019-INFO-59](#)  
Date: August 23, 2019

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## **Subject:**

Durham York Energy Centre Ambient Air Monitoring Program: Total Suspended Particulate Exceedance

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## **Recommendation:**

Receive for information

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## **Report:**

### **1. Purpose**

1.1 The purpose of this report is to update Regional Municipality of Durham Council (Region) on the Durham York Energy Centre (DYEC) Ambient Air Monitoring Program, Total Suspended Particulate (TSP) matter exceedance and reporting.

### **2. Background**

2.1 As required by the approved Ambient Air Monitoring Program, there are two ambient air monitoring stations installed: upwind (Courtice Water Pollution Control Plant (WPCP)) and downwind (Rundle Road).

### **3. Total Suspended Particulate Matter Exceedance Reporting**

3.1 The Ministry of Environment, Conservation and Parks (MECP) was notified of the May 9, 2019 TSP exceedance through the second quarter report as well as with a notice of exceedance.

- 3.2 The sampling results are compared to the Ontario Ambient Air Quality Standard (AAQS) of 120 micrograms per cubic metre ( $\mu\text{g}/\text{m}^3$ ). The 2019 second quarter ambient air report was recently finalized, and a TSP exceedance was identified for May 9, 2019, at the upwind Courtice WPCP Station at a level of  $146.4 \mu\text{g}/\text{m}^3$ .
- 3.3 The exceedance occurred at the Courtice WPCP Station with predominant winds coming from the east. It is the opinion of the DYEC's ambient air monitoring consultant, RWDI Air Inc., that it is unlikely that DYEC was the contributor of the particulate and that the TSP exceedance was likely due to a localized source. The ambient air second quarter and notice of exceedance reports have been submitted to the MECP for their review and assessment.
- 3.4 The potential human health risks associated with TSP are with fine particulate matter ( $\text{PM}_{2.5}$ ). The measured daily average  $\text{PM}_{2.5}$  concentration at the Courtice WPCP Station on May 9 was  $11.4 \mu\text{g}/\text{m}^3$  which is well below the Ontario ambient air quality criterion of  $28 \mu\text{g}/\text{m}^3$  for a 24-hour period. Therefore,  $\text{PM}_{2.5}$  concentrations measured on May 9 at the DYEC's upwind Courtice WPCP Station represented a negligible human health risk.

Respectfully submitted,

**Original signed by John Presta for**

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Susan Siopis, P.Eng.  
Commissioner of Works

If this information is required in an accessible format, please contact 1-800-372-1102 ext. 3540.



# The Regional Municipality of Durham Information Report

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From: Commissioner of Works  
Report: [#2019-INFO-60](#)  
Date: August 23, 2019

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## **Subject:**

The Regional Municipality of Durham Comments: Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health, 2020

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## **Recommendation:**

Receive for information.

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## **Report:**

### **1. Purpose**

- 1.1 The purpose of this report is to summarize the comments offered by Regional Municipality of Durham (Region) staff related to the Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health, 2020 Framework and Annexes. [The draft Canada-Ontario Great Lakes Agreement](#) can be found online.

### **2. Background**

- 2.1 Since 1971, a series of Canada-Ontario Agreements (COA) on the Great Lakes have enabled both governments, together with local partners, to address the most significant challenges facing the Great Lakes. The current COA expires in December 2019. Canada and Ontario have negotiated a new draft Canada-Ontario Agreement, which is open for comments until September 4, 2019. The COA guides actions by the Government of Canada and the Government of Ontario to address the most significant challenges facing the Great Lakes. In addition, the COA makes suggestions about actions that should be taken by Ontario's municipalities to achieve these goals.

2.2 The draft COA consists of a Framework Agreement and 13 Annexes. Region staff have prepared comments on Framework and the relevant Annexes. These comments are being incorporated into a coordinated response on behalf of the Regional Public Works Commissioners of Ontario (RPWCO). In addition, the Region will submit these comments directly to the Province through the Environmental Registry website. The comments are summarized below.

### **3. General Comments**

3.1 The Ministry of Municipal Affairs and Housing should be added to the list of signatory Provincial ministries as land-use planning is closely related to the health of the Great Lakes.

3.2 There are many areas in the Agreement that overlap with or are currently addressed through provincial policy. Efforts should be made to ensure the Agreement and other Provincial and Federal policy and initiatives are aligned. The relationship between provincial source protection initiatives and municipally-led watershed planning should be identified.

3.3 Consideration should be given to ensuring alignment of the Provincial watershed planning guidance (yet to be released) and the latest proposed changes to the Provincial Policy Statement with the Agreement.

3.4 Conservation Authorities (CA) are leaders in the protection of water in Ontario. Greater reference should be made to Conservation Authorities as partners in achieving the goals of the Agreement.

### **4. Articles**

4.1 Article 1 – Definitions: The new definitions include reference to the Ontario Great Lakes Strategy adopted in 2015 and Ontario’s Environment Plan 2018 draft (still not finalized). We have not seen any provincial response to the comments collected through the consultation on the 2018 plan.

4.2 Article 2 – Purpose: The commitments to action would be more credible if the agreement included timelines and a parallel commitment of funding for the term of the agreement to support the actions outlined.

4.3 Article 3 – Principles:

- a. Section (b)’s wording should be amended to read “openness and a view to innovation and continuous improvement to ensure effective....”

- b. Section (d) speaks about “effective communication methods” but the agreement contains no action to evaluate the effectiveness of communication to the Great Lakes community or the public.
- c. Sections (o) and (p) do not discuss how the elimination of the Ontario Toxics Reduction Act through Bill 66 supports these principles.

#### 4.4 Article 5 – Administration:

- a. The COA Management Committee, a committee given implementation responsibility in the previous agreement, has been eliminated from this Agreement. Annex Leads and their subcommittees will now report directly to the COA executive committee of Assistant Deputy Ministers and Regional Directors General which may only meet once per year.
- b. Annex leads manage the implementation of each Annex and review science needs and priorities annually. They carry most of the workload.
- c. If the committee with oversight for implementation meets only once per year, the ability of the partners to get work done in a timely way may be limited.

#### 4.5 Article 8 – Resources:

- a. The parties are committed to implementation only if their respective legislature allocates them some funds to do so.
- b. This Agreement could go further and stipulate that it be accompanied by a requirement for five-year budget allocation and projected cashflow to clearly enable the parties to undertake the work identified in the agreement. It is not clear what can or will be achieved with an unknown level of resources to be allocated.

## 5. Annexes

- 5.1 The structure of the Annexes has been altered compared to the previous agreement. Overarching goals, which could be interpreted as the aspirational, longer-term objectives have been removed and replaced with statements of expected “results”. Since most of the actions listed under the results have no timeline, it is not known if the results mentioned will occur within the five-year time frame, or if the results replace the longer-term objectives. There are some exceptions, especially in the Areas of Concern Annex where certain actions are clearer and more specific. There should be greater distinction between projects that start and end and the ongoing “monitoring and maintenance” types of activities that must be carried out continuously.

5.2 It is not clear how the new structure of the Agreement relates to the structure of the lake-wide management plans. While the lake-wide management plans are more specific in nature they also contain no indication of the level of resources being dedicated to the work in terms of staffing or funding.

5.3 Annex 1 – Nutrients

- a. This Annex is dominated by the actions for Lake Erie and Lake Ontario. This section has been considerably amended from the previous agreement. The previous agreement had significant discussions on Lake Erie but considerably more has been added in the new Annex. There is also a new focus on Lake Ontario. This may reflect the completion of considerable work on Lake Erie, as well as completion of lake-wide action and management plans for these two lakes. This section will be of great interest to the Region because:
- The establishment of phosphorus targets for both Lake Erie and Lake Ontario is promoted. This could affect Regional water pollution control plants if objectives and limits are revised.
  - The focus on agriculture in this segment is extensive. Financial support for the agricultural initiatives (e.g. modelling) is specifically mentioned. This would benefit the Region's agricultural sector.
- b. It is unclear why parallel urban runoff issues have been separated into another Annex on wastewater and stormwater. Both Annexes mention the development of the "Canadian Nutrients Strategy for Lake Ontario" to address harmful and nuisance algae in AOC and other nearshore areas. Some of the actions in this section are listed as federal activities but they seem more aligned with the activities of Conservation Authorities (CAs).
- c. The Agreement recommends more research and modelling to understand factors contributing to Cladophora blooms. The Region would be concerned about delays in decisions on Environmental Assessment (EA) studies conducted for infrastructure projects related to this change. It is important to note that existing studies and Lake Ontario water quality monitoring including recognized peer review work provide evidence-based science for the regulatory agencies.

#### 5.4 Annex 2 – Harmful Pollutants

- a. Ontario's repeal of the Toxics Reduction Act (as part of Bill 66) appears to conflict with the commitments in this Annex. The federal government has added a section which is reminiscent of what the previous Ontario toxics reduction strategy tried to do, which was get companies to move to less use of toxics in their processes. It is not clear why the Canada-Ontario Chemicals Management Committee has been eliminated from an agreement that is founded on collaborative action.
- b. The lack of specific actions and timelines in this section is problematic. As currently laid out, it could take decades to implement several of the standards outlined.
- c. There are several items that require greater clarification or consultation:
  - The definition of 'end of life' products may affect the Region's waste management policies and procedures.
  - Chloride is mentioned in the context of site-specific guidelines relating to protecting habitat for species at risk. Salt is dealt with more extensively under the stormwater Annex. New guidelines should be reviewed with feedback from municipal government during the development stages.
- d. The lengthy new section on plastic pollution should more clearly define "plastic polluters" and clarify whether "support" for plastic capture and cleanup projects means funding for these initiatives. The suggestion of "investment in recycling facilities" is of interest to the Region's waste management and water supply operational business units.

#### 5.5 Annex 3 – Water and Wastewater

- a. This new Annex states that "Ontario is committed to reviewing and updating its wastewater policies and developing a new stormwater management policy," but no timeline is provided. Further in the Annex, the "promotion of eligible investments under infrastructure and other funding programs" is mentioned, including green infrastructure. The Region would welcome the offer of incentives for adding green infrastructure and full cost recovery of stormwater services. These activities align with our climate adaptation plan.
- b. To provide clarity, the Province should articulate the details of their commitment to "work with municipalities" on the issues identified in this

Annex. The Region suggests that Province should strengthen requirements for green standards in the Ontario Building Code.

- c. Additional review and study is always welcome, but the Region is ready for action. For example, in Result 1, Item (I), the Province could look at the impact septic system reinspection has had on phosphorus levels in Lake Simcoe as the program has been in place for several years.

#### 5.6 Annex 5 – Areas of Concern

- a. Only three of the twelve AOCs identified in 1987 have been mitigated. A few more are “close” to being delisted but there are few firm timelines and no indication of level of financial commitment to bring any of these matters to conclusion.

#### 5.7 Annex 6 – Lakewide Management

- a. The Region supports the coordination of the Federal government, Provincial government, CAs, academic institutions, and other stakeholders research and monitoring initiatives wherever possible to reduce duplication of efforts and costs to taxpayers. However, references in this section to engaging the Great Lakes Community, which includes municipal governments, to undertake actions is a concern if it implies downloading of unfunded responsibilities. The Region suggests that increased engagement should be paired with specific funding allocations to support implementation by the agencies and governments. This would incent others to also get on board.
- b. This section also proposes identifying nearshore areas by 2020. A formal identification of areas for priority action seems to parallel the previous identification of AOCs. The agreement should clarify what priority area status means in the context of the agreement.
- c. The Region supports the collection and sharing of data as part of the Federal Geospatial Platform Initiative. The Region recommends that to achieve the greatest benefits from the data, the Great Lakes Community should be able to access it without cost.

## 5.8 Annex 9 – Groundwater Quality

- a. It is appreciated that groundwater is being addressed in the Agreement. An acknowledgement of the link between the Great Lakes and groundwater supports the type of work that the York Durham Peel Toronto and The Conservation Authorities Moraine Coalition (YDPT-CAMC) have undertaken related to the Oak Ridges Moraine.
- b. One of the results focused on chloride reduction could require widespread actions like reduction of impermeable surfaces and heightened salt management everywhere. These actions would impact Regional responsibilities including winter road maintenance and facilities management.

## 5.9 Annex 10 – Climate Change Impacts and Resilience

- a. The Region, with funding from the Friends of the Greenbelt Foundation, and in partnership with five CAs (TRCA, GRCA, KRCA, LSRCA, CLOCA), has retained the Ontario Climate Consortium to update climate projections for our Region. These updated projections will consider the Great Lakes effect, which has not yet been taken into consideration in provincial or federal climate projections. Once completed later this year, the methodology can be shared broadly across the Province.
- b. The Region supports the extension of seasonal coverage of water quality monitoring. The Region suggests not just maintaining the provincial network of water quality and quantity monitoring in streams and lake, but increasing it, given the need to monitor local impacts related to climate change.
- c. Ontario's recent funding cut to CA's for natural hazard/flooding programs, may prove problematic if the agreement demands that municipalities make planning decisions using up-to-date flood mapping. CAs may not be funded to produce such maps. This could be a concern since municipalities have to fulfill statutory obligations under the Planning Act to keep population safely out of the flood plain. One government agency should be responsible for floodplain mapping and it should likely be with Conservation Authorities which are watershed-based versus municipal boundaries.
- d. Flooding and erosion along the shoreline of Lake Ontario are serious issues with potential for significant impacts on water quality and to people and property. Consideration should be given to these issues in the agreement.
- e. While it may be beneficial as part of this Agreement for municipalities to report their progress in addressing climate change, it would be more impactful if the government provided financial support to implement these

programs. The Region has corporate and community energy plans and a climate change adaptation plan. Matching funds to implement the programs for these two plans would be beneficial for the communities within the Region.

#### 5.10 Remaining Annexes

- a. Throughout the remaining Annexes, the details regarding timelines and identification of funding to undertake the actions are missing. These details would significantly strengthen the Agreement and the commitment.
- b. Given the relationship between the health of the Great Lakes and source protection, continued provincial (and possibly federal funding) for source protection is recommended. Additionally, consideration should be given to the provision of funding as part of the Agreement for watershed planning for watersheds in the Great Lakes Basin and other local initiatives which have a positive impact and are aligned with the goals of the Agreement (e.g. Oshawa Second Marsh Management Plan is currently under development by the City of Oshawa).

### 6. Conclusion

- 6.1 The Regional Municipality of Durham fundamentally supports the progress and partnership with the federal and provincial governments to improve the Great Lakes water quality and ecosystem health in an aligned manner.
- 6.2 For additional information, please contact Kelly Murphy at 905-668-7711, extension 3370.

Respectfully submitted,

**Original signed by John Presta for:**

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Susan Siopis, P.Eng.  
Commissioner of Works



The Corporation of  
The Township of Brock  
1 Cameron St. E., P.O. Box 10  
Cannington, ON L0E 1E0  
705-432-2355

August 16, 2019

The Honourable Laurie Scott, MPP  
Haliburton-Kawartha Lakes-Brock  
14 Lindsay Street North  
Lindsay, Ontario  
K9V 1T4

Dear Madam:

Re: Report: Council-15  
Bill 108 – Comments on Proposed Regulatory Changes

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Please be advised that the Council of the Township of Brock endorsed the above noted report, a copy of which is enclosed, as their response to the proposed regulatory changes with respect to Bill 108 and requested that a copy be forwarded to you.

Should you have any concerns please do not hesitate to contact the undersigned.

Yours truly,

THE TOWNSHIP OF BROCK

  
for Becky Jamieson  
Clerk

BJ: dh

cc. Durham Region area municipalities

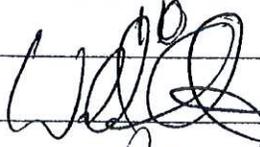
If this information is required in an accessible format  
please contact the Township at 705-432-2355

TownshipOfBrock.ca

The Municipal Council of the Corporation of  
The Township of Brock

Session Number 29 Date August 12 2019

Resolution Number \_\_\_\_\_

Moved By  \_\_\_\_\_  
Cma Pettingill

Seconded By \_\_\_\_\_

That Council endorse report 2019-CO-15 as our  
response to proposed regulations by The Province  
on behalf of The Township

CARRIED  




**THE CORPORATION OF THE TOWNSHIP OF BROCK**

Finance Department

Treasurer to Council

Report: 2019-Council-15

Date: August 12, 2019

Date:	08/08/2019
Refer to:	Council
Meeting Date:	12/08/2019
Action:	Action
Notes:	
Copies to:	

**SUBJECT**

Bill 108 – Comments on Proposed Regulatory Changes

**RECOMMENDATION**

1. That Council endorse this report as the Township's response to the proposed regulations currently on the Environmental Registry of Ontario; and
2. That the report be forwarded to the Environmental Registry of Ontario prior to the August 21<sup>st</sup> deadline for submissions.

**ATTACHMENTS**

None

**REPORT**

**Background**

Bill 108, More Homes, More Choice Act, 2019 received royal assent on June 6, 2019. This legislation's stated objective is to tackle Ontario's housing crisis and help build more homes across the province. The Act makes significant changes to the planning appeals process and to development charges. It also introduces a new Community Benefit Charges (CBC) under the Planning Act and makes changes to the planning process, conservation authorities, endangered species legislation, environmental assessments and to the Ontario Heritage Act.

~~Proposed regulatory changes are currently posted on the Environmental Registry of Ontario for comment. This report focuses comments on the proposed changes to O. Reg 82/98 under the Development Charges Act related to Schedule 3 of Bill 108 (019-0184) and proposed new regulation pertaining to the community benefits authority under the Planning Act (019-183). These changes are those that could have a significant impact on the Township of Brock financially.~~

This report is available in alternate formats.  
Please contact the Clerk's Department at 705-432-2355.

*Res 10-29 Co. Aug 12*

**019-0184 – Proposed changes to O. Reg. 82/98 under the Development Charges Act related to Schedule 3 of Bill 108 – More Homes, More Choice Act, 2019**

When a municipality grows, more housing is constructed, more roads are paved, more parks are built, more schools open and a healthy community is formed. These are communities that people want to be a part of. The added cost of building the new communities and connecting them to municipal services offered to other property owners in the Township should be financed through funds collected from those developing the land. This was the philosophy used when Development Charges were initially introduced and remains true today. Simply speaking growth should pay for growth. With the proposed changes this basic principal will be tested.

1. **Transition** – The Minister proposes that the specified date for municipalities to transition to community benefits is January 1, 2021. After that date municipalities would no longer be able to collect development charges for discounted services.  
**Comments** – The timing for this transition is too short and would better serve municipalities if it coincided with the 1<sup>st</sup> DC study completed after the prescribed regulations are in place. This would allow for a maximum of five years to phase in the change across the province. Smaller municipalities frequently rely on consultants to complete in depth studies and with the requirements for the CBC as yet unknown municipality could be competing for consulting time.
  
2. **Scope of Types of Development subject to development charges deferral** – The Minister proposes that the types of developments proposed for development charge deferrals be defined as “non-profit housing development”, “Institutional development”, “Industrial development”, and “commercial development”.  
**Comments** – The inclusion of Non-profit housing is in keeping with the stated objective to tackle Ontario’s housing crisis and help build more homes across the province. Extending a deferral for institutional, industrial and commercial development puts an unreasonable burden on municipalities. This will involve not only the increase in staff time to track and collect the deferred payments, it will also shift the cost of development to existing property tax payers that are already overburdened. This is evidenced by the 38% increase in outstanding property taxes reported by Brock Township between December 2017 and December 2018. It is also critical that municipalities be given the authority to use a priority lien status to collect any outstanding deferrals.
  
3. **Period of time for which the development charge freeze would be in place** – In order to encourage development to move to the building permit stage so that housing can get to market faster and provide greater certainty of cost, the Minister is proposing that the development charge would be frozen until two years from the date the site plan application is approved, or in the absence of the site plan application, two years from the date the zoning application was approved.  
**Comment** – The term “approved” is not defined and could therefore be subject to interpretation as it relates to these applications. The approved point should not occur until all major conditions have been met. Tracking the amounts to be charged for DC’s on these developments will also require considerable staff time and the development of new tracking spreadsheets. These could be cumbersome

to maintain and subject to change if the rules are again changed with additional new regulatory requirements.

4. **Interest rate during deferral and freeze of development charges** – The Minister is not proposing to prescribe a maximum interest rate that may be charged on development charge amounts that are deferred or on development charges that are frozen.

**Comments** – This will allow the Township to set the rate that works for our unique circumstances.

5. **Additional dwelling units** – the existing O. Reg. 82/98 prescribes existing single detached dwellings, semi-detached/row dwelling and other residential building as buildings in which additional residential units can be created without triggering a development charge and rules related to the maximum number of additional units and other restrictions. It is proposed that this regulation be amended so that units could also be created within ancillary structures to these existing dwellings without triggering a development charge. It is also proposed that one additional unit in a new single detached dwelling; semi-detached dwellings; and row dwelling, including in a structure ancillary to one of these dwellings, would be exempt from development charges. It is also proposed that within other existing residential buildings, the creation of additional units comprising 1% of existing units would be exempt from development charges.

**Comments** – This type of intensification should be permitted provided it fits within the local municipal context. There should also be limits placed on the maximum number of additional units that would be exempt from DCs to avoid the possibility of possibly supersizing an ancillary structures to take advantage of the unlimited exemption.

#### **019-0183 – Proposed new regulation pertaining to the community benefits authority under the Planning Act**

Providing a community with access to library services, parkland, and recreational services/facilities is an important element provided by local municipalities. The cost of improving the services and adding new facilities to service growing municipalities is substantial and has historically been funded through development charges. A municipality the size of Brock Township will need to ensure the CBC formula will provide the same level of funding in order to provide services to new development and avoid “have” and “have not” neighborhoods.

1. **Transition** – It is proposed that the specified date for municipalities to transition to community benefits is January 1, 2021.

**Comments** - The timing for this transition is too short and would better serve municipalities if it coincided with the 1<sup>st</sup> DC study completed after the prescribed regulations are in place. This would allow for a maximum of five years to phase in the change across the province. Smaller municipalities frequently rely on consultants to complete in depth studies and with the requirements for the CBC as yet unknown municipality could be competing for consulting time.

2. **Reporting on community benefits** – In order to ensure that community benefit charges are collected and spent on community benefits in a transparent manner, and for greater accountability, the Minister is proposing to prescribe reporting requirements that are similar to existing reporting requirements for development charges and parkland under section 42 of the Planning Act.  
**Comments** – This will add additional reporting requirements with limited benefits. Could a report capturing all three be combined into one report with three schedules to limit this burden?
3. **Reporting on Parkland** – In order to ensure that cash-in-lieu of parkland is collected and used in a transparent manner, the Minister is proposing to prescribe reporting requirements for parkland.  
**Comments** – This will add additional reporting requirements with limited benefits. Could a report capturing all three be combined into one report with three schedules to limit this burden?
4. **Exemptions for community benefits** – The Minister is proposing that the following types of developments be exempt from charges for community benefits under the Planning Act – Long-term care homes; Retirement homes; Universities and colleges; Memorial homes, clubhouses or athletic grounds of the Royal Canadian Legion; Hospices; and Non-profit housing.  
**Comments** – Many residents of these dwellings expect to have access to libraries, parkland and recreation facilities as part of a healthy and vibrant community. Restricting funding for these facilities by exempting certain types of development will put an additional financial burden on the remaining revenue sources of the municipality. It could also delay the construction or acquisition of these assets and create neighborhoods without equal access to services.
5. **Community benefits formula** – It is proposed that a range of percentages will be prescribed to take into account varying values of land. In determining the prescribed percentages, there are two goals. Firstly to ensure that municipal revenues historically collected from development charges for “soft services”, parkland dedication including the alternative rate, and density bonusing are maintained. Secondly to make costs of development more predictable. The Minister is not providing prescribed percentages at this time. However, the Ministry would welcome feedback related to the determination of these percentages. There will be further consultation on the proposed formula in late summer.  
**Comments** – Until a formula has been developed and tested it is difficult to predict the impact of the change if any to the Township’s revenues. The formula will have to take into consideration the unique nature of each municipality and factor in that costs will not be the same in different parts of the Province. We will comment further once the formula is available for testing.
6. **Appraisals for community benefits** – The Minister is proposing that if the owner of land is of the view that the amount of community benefits charge exceeds the amount legislatively permitted and pays the charge under protest, the owner has 30 days to provide the municipality with an appraisal of the value of land. If the municipality disputes the value of the land in the appraisal provided by the owner,

the municipality has 45 days to provide the owner with an appraisal of the value of the land. If the municipality's appraisal differs by more than 5 percent from the appraisal provided by the owner of the land, the owner can select an appraiser from the municipal list of appraisers, that appraiser's appraisal must be provided within 60 days.

**Comments** – Appraisals are costly to obtain and raise the most pertinent question of who should pay this cost. It is also important to know exactly how the value of the land will be determined on the day before the permit is issued. This will be an extremely critical factor in the CBC formula and may not have any relation to the actual purchase price of the property being developed. Could the process actually require 4 appraisals? Obtaining an appraisal will take time and not all municipalities have easy access to qualified appraisers locally. The Township of Brock has had land appraisals done in the past to support property dispositions and it normally takes 2-3 months for the results to be delivered. This timeline will not work under the new CBC requirements. The process needs to be clarified, allow more time for the work to be completed, and should be structured in a way that will **not** increase the costs to the municipality.

7. **Excluded services for community benefits** – The Minister is proposing to prescribe that the following facilities, services or matters be excluded from community benefits including Cultural or entertainment facilities; Tourism facilities; Hospitals, Landfill sites and services; Facilities for the thermal treatment of waste; and Headquarters for the general administration of municipalities and local boards. This would be consistent with the ineligible services list currently found under the Development Charges Act.

**Comments** – These exclusions align with those excluded by the DCA and we have no issue.

8. **Community planning permit system** – Amendments to the Planning Act in the More Homes, More Choice Act, 2019 establish a new authority for municipalities to levy charges for community benefits to make requirements in this regard more predictable. As the community planning permit system also allows conditions requiring the provision of specified community facilities or services, it is proposed that a community benefits charge by-law would not be available for use in areas within a municipality where a community planning permit system is in effect.

**Comments** – This is not currently used in the Township and we have no issue.

## Conclusion

In summary, the regulations as written present serious concerns for the Township of Brock. Without a CBC formula the full impact cannot be determined and this lack of clarity will have a detrimental effect on long range planning. In addition it is anticipated that Township staff will need to develop a new tracking and collection process for development charge deferrals. These deferrals will add to the already high level of outstanding receivables reported in the Township's financial statements and an increased level of uncertainty with regard to the collectability of these debts. We would request that serious consideration be given to extending the CBC implementation date to allow smaller municipalities the time to phase it in and plan adequately for the transition.

The implementation of Bill 108 may provide the developers with more predictability in their costs while at the same time creating more funding uncertainty, collection challenges, and administrative costs for municipalities.

Respectfully submitted,

  
\_\_\_\_\_  
Laura E. Barta, CPA, CMA  
Treasurer

Reviewed by,

  
\_\_\_\_\_  
Garth Johns  
CAO

August 13, 2019

The Honourable Doug Downey, Attorney General of Ontario  
Ministry of the Attorney General  
720 Bay Street, 11<sup>th</sup> Floor  
Toronto On M7A 2S9

**Re: Resolution Regarding Enforcement for Safety on Family Farms**

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on August 12, 2019 endorsed the following resolution from the Township of Warwick:

WHEREAS agriculture is the second largest industry in Ontario, contributing \$13.7 billion annually to Ontario's GDP and is essential for putting food on the tables of millions of people here and around the world;

AND WHEREAS in recent months there has been a steady increase in harassment of farmers and livestock transporters by activists opposed to animal agriculture and the consumption of animals;

AND WHEREAS the protests have become blatantly illegal in nature with extremist groups trespassing onto private property, unlawfully entering into buildings and removing animals without fear of prosecution and even promoting and publishing their crimes on social media;

AND WHEREAS maintaining proper biosecurity is essential to ensure the health and well-being of the animals cared for on these agricultural operations;

AND WHEREAS the recent attacks on farmers homes and businesses have resulted in no criminal charges laid, leaving farmers feeling unprotected by the Ontario legal system and afraid for the welfare of themselves, their families, their employees and the animals they care for;

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Municipality of Chatham-Kent requests that Hon. Doug Downey work with his fellow MPP's and agricultural leaders to find a better way forward to ensure stronger enforcement of existing laws - or new legislation - to ensure the safety of Ontario's farm families, employees and animals.

If you have any questions or comments, please contact Judy Smith at 519-360-1998 Ext # 3200.

Sincerely,

A handwritten signature in black ink, appearing to read 'Judy Smith', with a stylized flourish at the end.

Judy Smith, CMO  
Director Municipal Governance  
Clerk /Freedom of Information Coordinator

C

The Honourable Doug Ford, Premier of Ontario  
The Honourable Sylvia Jones, Solicitor General  
The Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs  
Association of Municipalities of Ontario (AMO)  
Rural Ontario Municipal Association (ROMA)



# Hastings Highlands

*Beautiful By Nature*

Mayor Vic A. Bodnar  
**Mayor**

Suzanne Huschilt  
**Municipal Clerk**

**The Municipality of Hastings Highlands**  
P.O. Box 130, 33011 Hwy 62, Maynooth, ON K0L 2S0  
613 338-2811 Phone  
1-877-338-2818 Toll Free

August 17, 2019

Hon. Doug Ford, Premier  
Legislative Building Rm 281, Queen's Park  
Toronto, Ontario  
M7A 1A1  
[premier@ontario.ca](mailto:premier@ontario.ca)

Dear Premier Ford,

**Re: MUNICIPAL AMALGAMATION**

C.S. - LEGISLATION

Original
To: CIP
Copy
To:
C.C. S.C.C. File
Take Appr. Action

Please be advised that at its Regular Meeting of Council held on August 14, 2019 the Council of the Municipality of Hastings Highlands supported the Township of McKellar and passed the following resolution:

Resolution 533-19

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

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

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

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

**AND WHEREAS** there are many positive examples of small rural and northern municipalities working together in a

collaborate and cooperative manner via shared agreements that responds to local needs without amalgamation and provincial interference;

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

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

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

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

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

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

Hold a local referendum letting the citizens decide to amalgamate or not

Conduct an evidence-based study to show that amalgamation actually saves costs, jobs, lowers taxes and reduce the provincial deficit

Allow those municipalities to work out their own local collaborative agreement that best suit their local needs and to be permitted to do so on their own time line and volition

To ensure that there is absolutely no conflict of interest in this consultative process

To emphasize the political reality of forcing amalgamation on the many rural and northern municipalities across Ontario

**AND FURTHER** that a copy of this resolution be sent to Doug Ford, Premier of Ontario; Christine Elliott, Deputy Premier; Steve Clark, Minister of Municipal Affairs; Andrea Horwath, Leader of the New Democratic Party; and Daryl Kramp, MPP.

**AND FURTHER** that a copy of this resolution be sent to the Association of Municipalities of Ontario (AMO), Rural Ontario Municipalities Association (ROMA), the Township of McKellar and all municipalities in Ontario.

CARRIED

Sincerely,



Suzanne Huschilt  
Municipal Clerk

*The Corporation of the Township of Papineau-Cameron*

P.O. BOX 630, #4861 HIGHWAY 17, MATTAWA, ON POH 1V0

DATE: August 13, 2019

RESOLUTION NUMBER: 2019-160

MOVED BY:

*T. Bangs*

SECONDED BY:

*Alvina Neault*

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

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

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

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

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

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

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

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

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

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

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

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

AND FURTHER THAT a copy of this resolution be sent to Doug Ford – Premier of Ontario, Christine Elliott – Deputy Premier, Steve Clark – Minister of Municipal Affairs, and all MPPs in the Province of Ontario;

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

CARRIED:

*Robert Corriveau*

(Mayor)

NOT CARRIED:

(Mayor)

Recorded Vote (Upon Request of Councillor \_\_\_\_\_) Section 246 (1) Municipal Act

RECORDED DIVISION VOTE	YES	Signature	NO	Signature	ABSTAIN	Signature
Mayor Robert Corriveau						
Deputy Mayor Shelley Belanger						
Councillor Terry Bangs						
Councillor Wendy Adams						
Councillor Alvina Neault						

COPY



# Hastings Highlands

*Beautiful By Nature*

Mayor Vic A. Bodnar  
Mayor

Suzanne Huschilt  
Municipal Clerk

The Municipality of Hastings Highlands  
P.O. Box 130, 33011 Hwy 62, Maynooth, ON K0L 2S0  
613 338-2811 Phone  
1-877-338-2818 Toll Free

August 17, 2019

Hon. Doug Ford, Premier  
Legislative Building Rm 281,  
Queen's Park Toronto, Ontario  
M7A 1A1  
[premier@ontario.ca](mailto:premier@ontario.ca)

Dear Premier Ford,

**Re: Reducing Litter and Waste in Our Communities**

C.S. - LEGISLATIVE

Original
To: CIP
Copy
To:
C.C. S.C.C. File
Take Appr. Action

Please be advised that at its Regular Meeting of Council held on August 14, 2019 the Council of the Municipality of Hastings Highlands supported the Town of Halton Hills and passed the following resolution:

Resolution 534-19

**WHEREAS** the Province of Ontario, through the Ministry of the Environment, Conservation and Parks, has posted a discussion paper entitled "Reducing Litter and Waste in our Communities";

**AND WHEREAS** producer responsibility has not been adequately addressed by the Province of Ontario;

**AND WHEREAS** a successful deposit/return program for single use plastic, aluminum and metal drink containers has been in existence in other Provinces in Canada including Newfoundland, Nova Scotia and British Columbia;

**AND WHEREAS** these successful programs have eliminated many of these containers from the natural environment;

**THEREFORE BE IT RESOLVED** that the Council of the Municipality of Hastings Highlands call upon the Province of Ontario, through the discussion paper entitled "Reducing Litter and Waste in our Communities", to review and implement a deposit/return program for all single use plastic, aluminum and metal drink containers;

**AND FURTHER THAT** the Province of Ontario review current producer requirements and look for extended producer responsibility for all packaging;

**AND FURTHER THAT** a copy of this motion be sent to Doug Ford, Premier of Ontario; Jeff Yurek, the Minister of the Environment, Conservation and Parks; Steve Clark, the Minister of Municipal Affairs; the Association of Municipalities of Ontario (AMO); Rural Ontario Municipalities Association (ROMA); Daryl Kramp, MPP; the Town of Halton Hills and all municipalities in the Province of Ontario.

**CARRIED**

Sincerely,



Suzanne Huschilt  
Municipal Clerk

**Afreen Raza**

---

**From:** Parks and Recreation Ontario <pro@prontario.org>  
**Sent:** August-15-19 3:14 PM  
**To:** info  
**Subject:** Assessing the Impact of Bill 108 on Municipal Parks and Recreation



Healthy People | Vibrant Communities | Sustainable Environments

### **Important information about the Impact of Bill 108 on municipal parks and recreation**

**To:** Head of Council  
**From:** Parks and Recreation Ontario

As you are aware, the Provincial Government, through the *More Homes, More Choice Act, 2019 (Bill 108)*, has introduced significant changes to how Ontario's municipalities will plan and fund parks and recreation facilities in their communities. On June 6, 2019, Bill 108, the *More Homes, More Choice Act*, received royal assent. The Province describes this legislation as a plan to increase the amount of housing in Ontario by boosting supply. After careful review, Parks and Recreation Ontario (PRO), through consultation with its membership and key stakeholders, determined this Act could have a significant negative impact on how municipalities deliver parks and recreation facilities in their communities.

From our consultation, we have developed four key recommendations that we will be submitting to the Province as they review and prepare for implementation of the Act. These are:

1. The community benefits approach must meet the funding needs of all municipalities today and into the future;
2. Develop a Community Benefits Charge (CBC) cap and formula that is responsive to community-specific and growth-related needs;
3. Provide clarity on transition for in-progress planning applications; and
4. Ensure sufficient time and capacity for municipalities to transition to new CBC authority.

The issues and recommendations are described in further detail in our [submission](#).

We are sharing recommendations with you as a resource to consider in your discussions with the Provincial Government, your local council, staff and key stakeholders. We are also aware that many of you may be meeting with provincial representatives at the upcoming annual AMO Conference and wanted to ensure that this information was available for these potential meetings. We ask that you please share this information with staff who may be preparing submissions on behalf of your municipality.

We appreciate your attention to this matter and your support to advance PRO's mission to provide every person equitable access to vibrant communities, sustainable environments, and personal health.

## **About PRO**

PRO is a provincial association that works to advance the health, social and environmental benefits of quality recreation. We represent over 6,500 members in municipalities across the province. Our members provide vital services and facilities to more than 85% of Ontarians. In all of PRO's submissions, we use evidence-based practices, resources and collaborative partnerships to ensure sound recommendations that reflect the unique voices of the variety of municipalities across Ontario.

[prontario.org](http://prontario.org) | [pro@prontario.org](mailto:pro@prontario.org)

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[Click here](#) to unsubscribe from future mailings or send an email to [pro@prontario.org](mailto:pro@prontario.org) with 'Unsubscribe' in the subject line.

Ministry of the Environment,  
Conservation and Parks

Ministère de l'Environnement,  
de la Protection de la nature et des  
Parcs



Office of the Minister

Bureau du ministre

777 Bay Street, 5th Floor  
Toronto ON M7A 2J3  
Tel.: 416-314-6790

777, rue Bay, 5<sup>e</sup> étage  
Toronto (Ontario) M7A 2J3  
Tél.: 416.314.6790

August 16, 2019

To whom it may concern:

As you know, on June 6, 2019, our government passed the *More Homes, More Choice Act, 2019*, which updated the *Conservation Authorities Act*. We made these legislative changes to improve public transparency, consistency, and accountability in conservation authority operations. These changes will give greater control to individual municipalities on conservation authority programs and budgets. These changes will also require conservation authorities to re-focus their efforts on the delivery of programs and services related to their core mandate, such as those related to:

- Risk of natural hazards;
- Conservation and management of CA owned or controlled lands;
- Drinking water source protection;
- Protection of the Lake Simcoe watershed;
- Other programs or services, as prescribed by regulation.

Furthermore, over the coming months, I will be reviewing all of the relevant legislation and regulations that govern Ontario's conservation authorities to explore even more opportunities to re-focus their efforts and to ensure they are best serving the interests of the people of Ontario.

In the meantime, I request that you review and consider your own conservation authority's activities and begin preparations and planning to wind down those activities that fall outside the scope of your core mandate. I also encourage you to refrain from developing new policies that are not aligned with your mandate or with provincial policies. Finally, I ask that while we are undergoing this review and updating the legislation and regulations that you do not proceed with any increases to your fees or levies.

I appreciate the work of conservation authorities and the feedback that was provided on the legislative changes. I look forward to receiving further input and recommendations as we move forward with upcoming regulatory and policy proposals.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Yurek".

Jeff Yurek  
Minister of the Environment, Conservation and Parks

**Cheryl Bandel**

**Subject:** FW: Conservation Ontario Media Release: Province Moves to Constrain Conservation Authority Programs and Services



Letter From Province

## **Province Moves to Constrain Conservation Authority Programs and Services**

NEWMARKET (August 19, 2019) Conservation authorities and Conservation Ontario are stunned by [a letter](#) that the Province circulated recommending that conservation authorities start shutting down any programs not related to their 'core mandate' as described by the Province in the proposed changes to the Conservation Authorities Act earlier this year.

Conservation authorities (CAs) and their member municipalities received letters from Jeff Yurek, Minister of Environment, Conservation and Parks (MECP), addressed to 'whom it may concern' on Friday evening (August 16) recommending that CAs start to wind down any programs not directly related to their 'core mandate'.

"This is confusing and extremely disappointing," said Kim Gavine, General Manager of Conservation Ontario, the Association which represents Ontario's 36 conservation authorities. Conservation authorities provide a wide variety of [watershed management programs](#) in partnership with all levels of government. These programs help to reduce or prevent the costly and devastating damages of flooding, protect water resources, help to reduce pollution from getting to the Great Lakes and support healthy watersheds.

"We've been caught completely by surprise," Gavine said. "We've been working for months in good faith with the government to make a number of planning and development approvals streamlining changes to support their agenda to eliminate the deficit and implement the Housing Strategy." There was no consultation with Conservation Ontario or the CAs about this letter before it was circulated. "I can only assume they are trying to avoid criticism about downloading conservation authorities' programs and services to municipalities," she said. Conservation authorities' provincial funding for natural hazards was reduced by 50 percent earlier this year.

Gavine pointed out that what the government is proposing isn't taking into consideration the fact that the CA Act is still a work in progress.

"The changes being proposed by the government to the Conservation Authorities Act haven't even been proclaimed and we are only starting discussions about the regulations that go with the legislation

which will specify which actual programs and services are mandatory," she said. After mandatory programs and services are agreed upon by the Province and conservation authorities, then CAs can begin to negotiate the remaining non-mandatory programs with their member municipalities.

"It was a very pre-emptive move that disregards the process and relationship that conservation authorities and municipalities have together."

30

For more information:

Kim Gavine, General Manager, Conservation Ontario  
905.895.0716 ext 231 (Cell) 905.251.3268 [kgavine@conservationontario.ca](mailto:kgavine@conservationontario.ca)

Jane Lewington, Marketing & Communication Specialist  
905.895.0716 ext 222 (Cell) 905.717.0301 [jlewington@conservationontario.ca](mailto:jlewington@conservationontario.ca)

STAY CONNECTED:



Conservation Ontario, 120 Bayview Parkway, Newmarket, Ontario L3Y 3W3 Canada

[SafeUnsubscribe™\\_colleen.goodchild@durham.ca](mailto:SafeUnsubscribe™_colleen.goodchild@durham.ca)

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Sent by [jlewington@conservationontario.ca](mailto:jlewington@conservationontario.ca) in collaboration with

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**C.S. - LEGISLATIVE SERVICES**

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