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May 1, 2019

Reply to the St. Catharines Office

Delivered By E-mail

Don Boyle, CAO
Haldimand County
45 Munsee Street N.
P.O. Box 400
Cayuga, ON NOA 1EO

Dear Mr. Boyle:

**Re: Niagara Peninsula Conservation Authority
Judicial Review Application by the City of Hamilton
Decision: April 30, 2019**

We are pleased to advise that the Divisional Court has ruled in our favour in the litigation involving the Niagara Region, the City of Hamilton and the Niagara Peninsula Conservation Authority respecting the issue of apportionment of the Conservation Authority's levy against each of its participating municipalities. The case was argued in Hamilton on February 6, 2019 and the decision dated April 30, 2019 is attached.

In its decision, the Court held that our interpretation of the language in the Conservation Authorities Act and the Regulation, that was accepted by the Commissioner, was both reasonable and correct and should be confirmed.

From a financial perspective, this means that Haldimand County will save a little over \$20,000 per year commencing in 2015 (as compared to the historical, pre-2015 levy) and continuing into the future.

Prior to the case being heard, the parties agreed on a costs award that would be paid to the successful parties. Haldimand's share of that costs award is \$15,000, and is payable by the City of Hamilton.

Hamilton has a right to appeal the decision to the Ontario Court of Appeal. Any appeal must be filed within thirty days of the date of the decision.

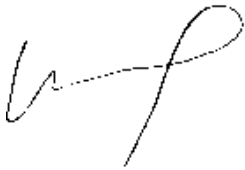
I will diarize the file for thirty days, and assuming no appeal has been filed, I will ask Hamilton for the costs awarded in the decision.

I trust that all of the above is satisfactory. If you have any questions, please let me know.

Yours very truly,

Sullivan, Mahoney LLP

Per:

A handwritten signature in black ink, appearing to be 'W. B. McKaig', written in a cursive style.

Woodward B. McKaig

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Enclosure