

ITEMS OF INFORMATION
COUNCIL AGENDA – October 13, 2020

| Communications | Page |
|---|-------------|
| 1. Haldimand County Provincial Offences Act Ticket Issuance Statistics | 1 |
| 2. Correspondence from the Town of Amherstburg to Minister Lisa McLeod Re: Request for Amendments to Bill 108 re: the Ontario Heritage Act | 3 |
| 3. Correspondence from the Town of Wasaga Beach to Premier Doug Ford Re: Unauthorised Car Rally in Wasaga Beach | 5 |
| 4. Resolution from the Township of Glengarry Re: Request for Ontario Approval of Capital Expenditures under the Safe Restart Agreement | 8 |
| 5. Correspondence from the Township of Asphodel-Norwood Re: Cannabis Production | 9 |
| 6. Correspondence from the City of St. Catharines to Minister Jeff Yurek Re: Development Approval Requirements for Landfills (Bill 197) | 11 |
| 7. Correspondence from the County of Wellington Re: Aggregate Resource Valuation Advocacy Report | 13 |
| 8. Correspondence from the Township of Lake of Bays to Premier Doug Ford Re: Reform to the Municipal Insurance Policy | 19 |

Haldimand County Provincial Offences Act

Ticket Issuance Statistics

| Year | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|--------------|-------------|-------------|-------------|-------------|-------------|-------------|
| JANUARY | 279 | 217 | 149 | 151 | 209 | 104 |
| FEBRUARY | 201 | 205 | 184 | 186 | 330 | 81 |
| MARCH | 273 | 248 | 364 | 213 | 283 | 84 |
| APRIL | 566 | 211 | 181 | 295 | 370 | 81 |
| MAY | 422 | 202 | 197 | 337 | 262 | 270 |
| JUNE | 398 | 197 | 214 | 271 | 238 | 140 |
| JULY | 567 | 171 | 146 | 345 | 349 | 216 |
| AUGUST | 336 | 272 | 203 | 303 | 325 | 122 |
| SEPTEMBER | 238 | 173 | 117 | 184 | 298 | 191 |
| OCTOBER | 242 | 258 | 143 | 212 | 236 | |
| NOVEMBER | 302 | 153 | 164 | 248 | 108 | |
| DECEMBER | 200 | 102 | 127 | 276 | 71 | |
| Total | 4024 | 2409 | 2189 | 3021 | 3079 | 1289 |

The above figures reflect tickets issued in Haldimand County from all sources including Haldimand County By-law Enforcement, the O.P.P., and various provincial ministries. They do not include Part II (Parking) issued offences.

Comprehensive POA Stats - 2020

| Legislation / By-law Reference | | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC |
|---|---------------------------------------|------------|-----------|-----------|-----------|------------|---|------------|-------------|--------------------------|----------|----------|----------|
| Summary of Charges Laid by OPP | | | | | | | | | | | | | |
| Highway Traffic Act (Part I - ticket) | | 86 | 53 | 72 | 76 | 221 | 100 | 198 | 75 | 156 | | | |
| Highway Traffic Act (Part III - information) | | 11 | 12 | 10 | 3 | 40 | 37 | 3 | 29 | 27 | | | |
| Parking By-laws (Part II) | By-law 307/02 | | | 1 | | 1 | 20 | 12 | 7 | 2 | | | |
| | By-law 302/02 (snow) | 5 | | | | | | | | | | | |
| | By-law 1534-15 Parks | | | | 3 | | 3 | 52 | | | | | |
| Discharge Firearms | By-law 41-74 | | | | | | | | | | | | |
| | By-law 38-74 | | | | | | | | | | | | |
| | By-law 11-79 | | | | | | | | | | | | |
| Noise | By-law 1435/14 | | | | | | | | | | | | |
| Open Air Fires | By-law 1662/16 | | | | | | | | | | | | |
| EMCPA | 7.0.11(2)(a) | | | | 1 | | | | | | | | |
| Late Filed Part 1 Tickets | these #'s not included in total | | | | | | | | | | | | |
| Total of all Charges Laid | | 102 | 65 | 83 | 83 | 262 | 160 | 265 | 111 | 185 | 0 | 0 | 0 |
| | | | | | | | | | | OPP Total: 1316 | | | |
| Summary of Charges Laid by County Staff | | | | | | | | | | | | | |
| Discharge Firearms | By-law 41-74 | | | | | | | | | | | | |
| | By-law 38-74 | | | | | | | | | | | | |
| | By-law 11-79 | | | | | | | | | | | | |
| Noise | By-law 1435/14 | | | | | | | | | | | | |
| Property Standards | By-law 730/06 | | | | | | | | | | | | |
| Ontario Building Code Act, 1992 | Section 8(1) No Permit | | | | | | | | | | | | |
| | Section 12(2) Fail to Comply to Order | | | | | | | | | | | | |
| Open Air Fires | 1662/16 | | | | | | | | | | | | |
| Planning Act | 562(67)(1) | | | | | | | | | | | | |
| Haldimand-Norfolk Tree By-law | By-law 15-00 | | | | | | | | | | | | |
| Fire Protection | By-law 28(1) | | | | | | | | | | | | |
| Parking By-laws (Part II) | By-law 307/02 | 25 | 11 | 1 | 1 | 40 | 244 | 266 | 161 | 52 | | | |
| | By-law 302/02 (snow) | | | | | | | | | | | | |
| Parks | By-law 1534/15 | | | | 14 | 4 | 78 | 146 | 86 | 8 | | | |
| Site Alteration By-law | By-law 1664/16 | 7 | | | | | | | | | | | |
| Total of all Charges Laid | | 32 | 11 | 1 | 15 | 44 | 322 | 412 | 247 | 60 | 0 | 0 | 0 |
| | | | | | | | | | | Staff Total: 1144 | | | |
| Summary of Charges Laid by Other Enforcement Agencies | | | | | | | | | | | | | |
| Ministry of Natural Resources and Forestry | | | | | | | 2 | 12 | 15 | 7 | | | |
| Welland & District Society for the Prevention of Cruelty to Animals (SPCA) | | | | 2 | 1 | 9 | 1 | 3 | 1 | 1 | | | |
| Ministry of Finance | | | | | | | | | 2 | | | | |
| Ministry of Revenue | | | | | | | | | | | | | |
| Ministry of Transportation | | | | | | | | | | | | | |
| Ministry of Environment | | | | | | | | | | | | | |
| Ministry of Labour | | | 16 | | | | | | | | | | |
| Ministry of Housing | | | | | | | | | | | | | |
| Ministry of Agriculture, Food & Rural Affairs | | | | | | | | | | | | | |
| Ontario College of Trades | | | | | | | | | | | | | |
| Health Protection Act | | | | | | | | | | | | | |
| Total of all Charges Laid | | 0 | 16 | 2 | 1 | 9 | 3 | 15 | 18 | 8 | 0 | 0 | 0 |
| | | | | | | | Other Enforcement Agency Total: 72 | | | | | | |
| *Note: Total Charges (Excluding Parking) reflects what is recorded and reported regularly to Council (through the Council Information Package) and PSB for year-by-year historical trends. The historical trends spreadsheet does not capture parking tickets. | | | | | | | *Total Charges (Excluding Parking) | | 1289 | | | | |
| | | | | | | | OPP Issued Parking Charges | | 106 | | | | |
| | | | | | | | Staff Issued Parking Charges | | 1137 | | | | |
| | | | | | | | Total Parking Charges Issued | | 1243 | | | | |
| | | | | | | | Total of All 2020 Charges | | 2533 | | | | |



The Corporation of The Town of Amherstburg

September 21, 2020

VIA EMAIL

Hon. Lisa McLeod, Minister of Heritage, Sport, Tourism and Culture Industries
6th Flr, 438 University Ave,
Toronto, ON
M7A 1N3

Re: Request for Consideration of Amendments to Bill 108 re. The Ontario Heritage Act

At its meeting of September 14, 2020, Council passed the following for your consideration:

Resolution # 20200914-258:

"WHEREAS Royal Assent has been granted to Bill 108 entitled 'More Homes, More Choice Act, 2019' on June 6, 2019; and,

WHEREAS Schedule 11 of Bill 108 contains amendments to the Ontario Heritage Act which require appeals under the Ontario Heritage Act to be heard by the Local Planning Appeal Tribunal not the Conservation Review Board; and,

WHEREAS the Conservation Review Board is an adjudicative tribunal that, through the mandate provided by the Ontario Heritage Act, considers a number of matters such as:

- The proposed designation of a property as having cultural heritage value or interest;
- Applications for the repeal of a By-law on a specific property;
- Applications related to the alteration of a property covered by a By-law; and,
- Matters related to archaeological licensing. AND,

WHEREAS Schedule 11 of Bill 108 will come into effect on a date to be proclaimed by the Lieutenant Governor; and,

WHEREAS the Local Planning Appeal Tribunal are not experts in heritage matters unlike members of the Conservation Review Board; and,

WHEREAS the Local Planning Appeal Tribunal decisions are binding decisions unlike the Conservation Review Board non-binding recommendations; and,

WHEREAS the Ontario Heritage Act provides a means for municipalities to protect and preserve the cultural heritage value or interest of the municipality for generations to come; and,

WHEREAS the Conservation Review Board currently provides reports to municipal council's setting out its findings of fact, and its recommendations so that a final decision can be rendered by municipalities about what is valuable in their community;

WHEREAS the Town of Amherstburg remains committed to the preservation and protection of property of cultural heritage value or interest;

Website: www.amherstburg.ca

271 SANDWICH ST. SOUTH, AMHERSTBURG, ONTARIO N9V 2A5

Phone: (519) 736-0012 Fax: (519) 736-5403 TTY: (519) 736-9860

NOW THEREFORE BE IT RESOLVED THAT the Town of Amherstburg strongly recommends that Schedule 11 of Bill 108 be amended to remove the powers provided to the Local Planning Appeal Tribunal, retaining authority for hearing certain appeals by the Conservation Review Board; and,

BE IT FURTHER RESOLVED THAT the Town of Amherstburg strongly recommends that Schedule 11 of Bill 108 be amended to return the authority for final decisions to municipal council's as the elected representative of the communities wherein the property and its features of cultural heritage value exist; and,

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, Lisa McLeod the Minister of Heritage, Sport, Tourism and Culture Industries, Andrea Horwath, MPP and Leader of the Official Opposition and the Ontario NDP Party, MPP John Fraser Interim Leader of the Ontario Liberal Party, Mike Schreiner MPP and Leader of the Green Party of Ontario, Taras Natyshak MPP Essex County; and,

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Association of Municipalities of Ontario (AMO), all MPP's in the Province of Ontario, the County of Essex and all Municipalities in Ontario for their consideration."

We strongly recommend that the Ontario government consider amendments to Bill 108 to return the final authority to municipal Council's to determine what is of cultural heritage value or interest in their communities with the benefits of the expert and professional advice provided by the Conservation Review Board.

Regards,



Tammy Fowkes
Deputy Clerk, Town of Amherstburg
(519) 736-0012 ext. 2216
tfowkes@amherstburg.ca

cc:

The Right Hon. Doug Ford, Premier of Ontario
Andrea Horwath, MPP, Leader of the Official Opposition and the Ontario NDP Party
John Fraser, MPP and Interim Leader of the Ontario Liberal Party
Mike Schreiner, MPP and Leader of the Green Party of Ontario
Taras Natyshak, MPP of Essex County
All Ontario Municipalities



October 1, 2020

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

BY EMAIL ONLY

Dear Premier:

I am writing today to follow-up on our conversation about the recent car rally that took place in our Town.

The Town of Wasaga Beach was thankful for the efforts of the officers from the Huronia West OPP Detachment, the OPP Traffic Safety Division, as well as officers from York and Peel regions who joined forces this past weekend to address an unauthorized car rally in Wasaga Beach.

Over the weekend, officers worked around the clock to ensure the safety of residents, visitors, and businesses during extremely trying circumstances and I applaud them for their amazing work. The event disrupted people's enjoyment of their property and put people's safety at risk. This is not acceptable and it must stop. The arrogant and selfish behavior shown over the weekend is costing all Ontarians financially due to the resources required to deal with these impromptu community invasions.

Not everyone here this past weekend was inconsiderate. However, it puts a dark cloud over true car enthusiasts and events such as show and shines that can be great family entertainment and are welcomed in communities. I have heard from true car enthusiasts who do not want to be lumped in with this group.

Kudos to Police Services for implementing "Project Drift" and "Project E.R.A.S.E." which are addressing concerns regarding stunt driving and high-speed chases.

I believe mayors and councils of every municipality in Ontario must support the Premier and Provincial Government in developing tougher laws with larger financial penalties than currently exist when dealing with unauthorized car rallies and participants. Another municipality may be invaded next.

Our Provincial Government must take the lead in increasing penalties and fines. Every municipality should be reviewing their by-laws to ensure that measures are in place to allow the OPP to act on their behalf when events such as these unauthorized car rallies take over a community or parking lot. For example, Wasaga Beach authorized the OPP to enforce no trespassing laws this past weekend to ensure safety of the town's property and the community. This allows the OPP to consider damage to the town's property as mischief and is considered a criminal offence.

While common sense needs to be used by officers when dealing with every day regular people not associated with rallies or street racing, some potential infractions that could benefit from **significantly** higher fines when dealing with these situations and act as a deterrent could be:

- **Licence Plates** must be on the front and back of a vehicle - current fine for not adhering to this is \$85.00/\$110.00.

Increase in fine is suggested. In the event of rallies such as the one in Wasaga Beach, there was lots of camera footage of inappropriate behavior. It is harder to identify vehicles with only one plate. Two properly installed license plates would assist in recording the cars not adhering to the law to allow charges.

- **Loud/Unnecessary Noise/Improper Exhaust** (also missing muffler) - current fine \$85.00/\$110.00.

Increase in fine is suggested. In the event of rallies such as the one in Wasaga Beach, part of the enjoyment for participants is to have loud cars. A larger fine will be a deterrent.

- **Prohibited Nitrous Oxide Fuel Systems** are putting the driver, passenger, others on the road and emergency responders in accident situations in added danger and needs to result in a significant financial fine. Currently there is no set fine. Permanent confiscation of the vehicle followed by destruction of the vehicle would make the message clear and be a deterrent.
- **Insurance** Police require the authority to not just confirm with an insurance agency that a vehicle is insured but they need to be permitted to advise the company that modifications have occurred to a vehicle that they have insured on behalf of an owner. If insurance is hard to get for these modified vehicles or too costly, it is yet another deterrent. Tougher convictions are required for people caught attempting insurance fraud associated with these events.
- **Impoundment** Currently a vehicle can be impounded for 1 week. This needs to increase with all costs being born by the vehicle owner. Impounding it for a greater length of time (1-2 months) would be inconvenient, expensive and be a significant deterrent.
- **Border Crossing Prevention** Street racers or law breakers from other Provinces or Countries need to be banned from crossing into Ontario for a period. If breached a large fine will be a deterrent.
- **Automatic License Suspensions** for a significant period of time for those endangering the public by street racing, performing stunts or any other activity that may cause injury to a bystander.

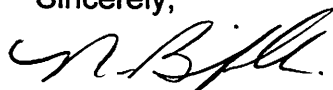
-3-

- **Municipal Authority to Close our Borders** In the event a municipality is made aware of such an event being planned for their community, consideration needs to be given to the municipal council having the authority to close their borders with OPP assistance to turn away anyone who is not a resident or property owner.
- **Access to Hospital Information when Dealing with a Crime** We were told that at these events people "take care of their own." If someone is hurt they drop them off at the hospital for care. Under the current rules it is my understanding that officers are not permitted to know if a hospital patient is someone they are looking for in an active investigation/situation. The Police could spend hours or days looking for someone who is actually sitting in the hospital. This rule may need to change in several situations to avoid unnecessary time being spent by officers which also costs the taxpayers of Ontario.
- **Other considerations**
 - With this growing trend, should there be more access for officer training and equipment to deal with these situations.
 - This could happen to any municipality without notice and suggest that a municipal awareness program including the public may be beneficial.
 - Tougher convictions for people associated with the promotion of these events (i.e.: administrators of social media sites) as well as industries found to be associated with assisting these events such as tow companies and auto modification shops.
 - Authority provided to the OPP to do an "Air Drop" on the spot of any video footage captured by attendees' cell phones that would aid in possible investigations.

I feel that serious consideration needs to be given to deterring these types of events province-wide. We don't want to just push them out of our community so they can land in another community causing the same disruption, disrespect and cost to the tax payer. It is only through penalties that cause severe financial hardship that we can deter these unsanctioned and dangerous events from happening in our communities.

In closing, I want to again commend you for the great leadership during these difficult times and I look forward to hearing from you.

Sincerely,



Nina Bifulchi
Mayor
Town of Wasaga Beach

- c. Sylvia Jones, Solicitor-General
Doug Downey, Attorney General
Thomas Carrique, OPP Commissioner
Dwight Peer, OPP Chief Superintendent
Philip Browne, OPP Commander
Derek Banks, OPP Sergeant
Kevin Winiarski, OPP Sergeant
Association of Municipalities of Ontario
All Mayors of Ontario
Wasaga Beach Town Council Members

**CORPORATION OF THE
TOWNSHIP OF NORTH GLENGARRY**

Resolution #

Date:

Monday, September 28, 2020

Moved by: Jeff Manley

Seconded by: Johanne Wensink

THAT Council of the Township of North Glengarry adopt the following resolution:

WHEREAS the Ontario government has provided emergency assistance funding to municipalities through the Safe Restart Agreement to offset the financial impact due to the COVID-19 pandemic;

AND WHEREAS the Province has specified funding must be used for operating costs and pressures due to COVID-19;

AND WHEREAS due to the nature of the pandemic and the necessity to make physical retrofits to offices to accommodate staff and the public in a safe environment, capital costs will be incurred by municipalities;

AND WHEREAS the Township has been advised by SDG County, through the Ministry of Finance that COVID-19 related capital costs are ineligible for Safe Restart Agreement Funding;

THEREFORE, BE IT RESOLVED THAT the Township of North Glengarry urges Ontario to allow capital expenditures under the Safe Restart Agreement, and that a copy of this resolution be forwarded to Premier Doug Ford, Jim McDonell, MPP and the Association of Municipalities of Ontario (AMO).

Carried

Deferred

Defeated

Mayor / Deputy Mayor

Office of the Mayor

Rodger Bonneau

October 7, 2020

Sent via E-mail

Re: Cannabis Production

Dear Ministers, Members of Parliament, and Members of Provincial Parliament,

Please be advised that the Council for the Corporation of the Township of Asphodel-Norwood passed the following resolution at its regular meeting of September 22, 2020:

Motion No. 239/20 | Moved by: Councillor Walsh | Seconded by: Deputy Mayor Burt

WHEREAS the Ontario Federation of Agriculture has adopted the position that licenced cannabis production for medical and/or recreational-use purposes should be considered a farming activity;

AND WHEREAS the Government of Canada introduced Bill C-45 (the Cannabis Act) to create the foundation for a comprehensive national framework to provide restricted access to regulated cannabis, and to control its production, distribution, sale, importation, exportation, and possession;

AND WHEREAS Section 7 of the Cannabis Act requires that any person who intends to submit an application for a licence for cultivation, a licence for processing, or a licence for sale that authorizes the possession of cannabis must provide written notice to: a) The local government, b) The local fire authority, and c) The local police force or the Royal Canadian Mounted Police detachment responsible for providing policing services to the area in which the site is referred to in the application;

AND WHEREAS Section 35(1) of the Act requires a holder of a licence for cultivation, a licence for processing, or a licence for sale that authorizes the possession of cannabis to provide a written notice to the local authorities within 30 days of issuance, amendment, suspension, reinstatement or revocation of a licence and provide a copy of said notice to the Minister; and

FURTHER BE IT RESOLVED THAT the Township of Asphodel-Norwood requests a governing body in cannabis production that:

1. Takes a unified approach to land use planning restrictions;
2. Enforces the regulations under the Cannabis Act on behalf of the licencing agency and ensures local authorities are in fact provided with notification of any licence issuance, amendment, suspension, reinstatement, or revocation within their region;
3. Communicates more readily with local governments; and
4. Provides local governments with more support.

AND FURTHER BE IT RESOLVED THAT the Township of Asphodel-Norwood will forward this motion to the following partners: All municipalities in Ontario, the MP and MPP of Northumberland-Peterborough South, the MP and MPP of Peterborough-Kawartha, the Minister of Agriculture, Food and Rural Affairs, and the Minister of Agriculture and Agri-Food with the request that they enact legislation to support local governments with land use management and enforcement issues.

Thank you for your time and consideration.

Sincerely,



Rodger Bonneau, Mayor
Township of Asphodel-Norwood

- c. E. Hardeman, Minister of Agriculture, Food and Rural Affairs
M. Bibeau, Minister of Agriculture and Agri-Food
D. Piccini, MPP Northumberland-Petrborough South
P. Lawrence, MP Northumberland-Petrborough South
D. Smith, MPP Peterborough –Kawartha
M. Monsef, MP Peterborough-Kawartha
All municipalities in Ontario

October 7, 2020

Honourable Jeff Yurek
Minister of Environment, Conservation and Parks
College Park 5th Flr,
777 Bay St, Toronto, ON M7A 2J3

Sent via email: minister.mecp@ontario.ca

**Re: Development Approval Requirements for Landfills - (Bill 197)
Our File 35.2.2**

Honourable and Dear Sir,

At its meeting held on October 5, 2020, St. Catharines City Council approved the following motion:

WHEREAS Schedule 6 of Bill 197, COVID-19 Economic Recovery Act, 2020 considers amendments to the Environmental Assessment Act relating to municipal autonomy and the principle that municipalities can veto a development outside their municipal boundary in an adjacent municipality; and

WHEREAS Bill 197 empowers multiple municipalities to 'veto' development of a landfilling site within a 3.5 km zone inside the boundary of an adjacent municipality; and

WHEREAS Bill 197 establishes a dangerous precedent that could be expanded to other types of development; and

WHEREAS Bill 197 compromises municipal autonomy and the authority of municipal councils to make informed decisions in the best interest of their communities and municipal taxpayers; and

WHEREAS amendments in Schedule 6 could cause conflict in the effective management of landfill sites, put significant pressure on existing landfill capacity, and threaten the economic activity associated with these sites;

THEREFORE BE IT RESOLVED That the City of St. Catharines calls upon the Government of Ontario (Ministry of the Environment, Conservation and Parks (MOECP) to amend Bill 197, COVID-19 Economic Recovery Act, 2020, to eliminate the development approval requirement provisions from adjacent municipalities and that the 'host' municipality be empowered to render final approval for landfills within their jurisdiction; and

BE IT FURTHER RESOLVED that a copy of this motion be forwarded to Premier Doug Ford, Jeff Yurek the Minister of Environment, Conservation and Parks, Steve Clark the Minister of Municipal Affairs and Housing, local MPP's., the Association of Ontario Municipalities (AMO) and Ontario's Big City Mayors (formerly Large Urban Mayors Caucus of Ontario-LUMCO)

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all Ontario municipalities with a request for supporting motions to be passed by respective Councils and copies of the supporting motion be forwarded to Premier Doug Ford, Jeff Yurek the Minister of Environment, Conservation and Parks, Steve Clark the Minister of Municipal Affairs and Housing, the local MPP's, the Association of Ontario Municipalities (AMO).

If you have any questions, please contact the Office of the City Clerk at extension 1506.



Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:ra

Cc. Hon. Premier Doug Ford premier@ontario.ca
Hon. Steve Clark, Minister of Municipal Affairs, Housing minister.mah@ontario.ca
Jennifer Stevens, MPP - St. Catharines, JStevens-CO@ndp.on.ca
Jeff Burch, MPP - Niagara Centre, JBurch-QP@ndp.on.ca
Wayne Gates, MPP - Niagara Falls, wgates-co@ndp.on.ca
Sam Oosterhoff, MPP - Niagara West-Glanbrook, sam.oosterhoff@pc.ola.org
Association of Municipalities of Ontario amo@amo.on.ca
Chair of Ontario's Big City Mayors, Cam Guthrie mayor@guelph.ca
All Ontario Municipalities (via email)



COUNTY OF WELLINGTON

KIM COURTS
DEPUTY CLERK
T 519.837.2600 x 2930
F 519.837.1909
E kimc@wellington.ca

74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

October 2, 2020

Sent via email to all Ontario Municipal Clerks

Dear Municipal Clerks,

At its meeting held September 24, 2020, Wellington County Council approved the following recommendation from the Administration, Finance and Human Resources Committee:

WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and

WHEREAS Wellington County Council supports a fair and equitable assessment system for all aggregate resource properties; and

WHEREAS the Municipal Property Assessment Corporation determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and

WHEREAS Wellington County Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties.

NOW THEREFORE BE IT RESOLVED:

(a) That Wellington County Council does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and

(b) That Wellington County Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and

(c) That Wellington County Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and

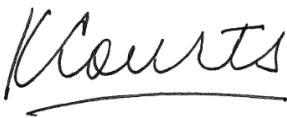
(d) That Wellington County Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, and all Ontario municipalities and local MPP(s).

Please find the Aggregate Resource Property Valuation and Advocacy report and Municipal Resolution enclosed.

Wellington County Council is requesting that all Ontario municipalities adopt the Municipal Resolution and forward to Donna Bryce, Wellington County Clerk at donnab@wellington.ca upon passing.

Should you have any questions please contact Ken DeHart, County Treasurer, at kend@wellington.ca or call 519.837.2600 ext 2920.

Sincerely,

A handwritten signature in black ink that reads "Kim Courts". The signature is written in a cursive style with a horizontal line underneath the name.

Kim Courts
Deputy Clerk



COUNTY OF WELLINGTON

COMMITTEE REPORT

To: Chair and Members of the Administration, Finance and Human Resources Committee
From: Ken DeHart, County Treasurer
Date: Tuesday, September 15, 2020
Subject: **Aggregate Resource Property Valuation and Advocacy Report**

Background:

Through the County's Assessment Base Management Policy and Programme approved in 2016; Wellington County has made significant efforts to maintain, protect and enhance the quality of the assessment roll. This includes reviewing the accuracy of individual assessments and ensuring the equitable distribution of the tax burden. The County remains a strong advocate for the accurate and equitable valuation and property tax treatment of all properties, including gravel pit and aggregate resource properties in the County and throughout Ontario.

The County has been actively pursuing fair and accurate assessment valuations for gravel pits through two streams:

1. Assessment appeals heard by the Assessment Review Board
2. Advocacy through the province on a permanent policy solution

Assessment Appeals

The County has filed assessment appeals on all aggregate producing properties in its three southern-most municipalities, being Puslinch, Erin and Guelph/Eramosa for the 2017 to 2020 taxation years. The purpose of these appeals is to ensure that the current value assessment of these properties is captured through the existing legislation, and to deal with how those properties are classified for taxation purposes.

The effect of the current property tax valuation structure by the Municipal Property Assessment Corporation ("MPAC") unfairly sees active gravel pits incurring less property tax than many single-family homes and small businesses as a result of unduly low and inaccurate current value assessments. It also leads to properties that are located in the same areas and are similar to gravel pits receiving vastly different property valuations, which contradicts the principle of fairness and transparency underpinning our taxation system that similar properties should be treated and taxed equally. Arbitrarily classifying gravel pits as among the lowest form of farmland (Class 5) sets an artificial cap on these producers' property assessments and keeps their property taxes well below what they should be paying. In turn, residents and businesses are subsidizing the break that gravel producers are receiving.

In terms of next steps for these appeals, a settlement conference is scheduled to take place on September 16 and hearings are scheduled for the weeks of November 16 and 23.

Advocacy for a Permanent Policy Solution

The County has been working with its colleagues through the Top Aggregate Producing Municipalities of Ontario (TAPMO) to raise awareness of the assessments and the inequitable treatment of these properties and ask the government to review how these properties are assessed and treated from a property tax policy perspective through the MPAC review that is currently taking place.

Through this work, TAPMO endorsed the attached municipal resolution to be shared with TAPMO municipalities for consideration at local Councils. The resolution formally asks the province to review how these properties are assessed in light of the inequitable treatment in comparison to other residential and business properties in the municipality. Several municipalities across the province have approved and forwarded this resolution to the province and local MPPs.

To be clear, the County believes MPAC's property valuation is incorrect even within the current legislation, however, the County is looking for further direction and possible legislative or regulatory changes that will eliminate future disputes. This kind of permanent policy change is in everyone's best interest to resolve this issue once and for all.

Staff recommend that the Administration, Finance and Human Resources Committee support the resolution and pass it along to County Council for approval. This is also an opportunity for the County to remind its member municipalities to review and give consideration to this resolution as well.

AMO Delegation Meeting

On August 18, 2020, in collaboration with the Top Aggregate Producing Municipalities of Ontario (TAPMO), County representatives met with Stan Cho, Parliamentary Assistant to the Minister of Finance, to discuss the need to improve how aggregate properties are assessed across Ontario under an equitable valuation system. The meeting was held during the Association of Municipalities of Ontario (AMO) conference. This is where municipal and provincial policymakers come together to discuss pressing issues facing both levels of government.

Wellington County and other TAPMO members presented several policy-driven solutions to Mr. Cho that would make MPAC's property tax valuations accurate and equitable. There are many possible legislative, regulatory or policy changes that can achieve a permanent solution. These include:

- Creating a separate class for aggregate producing properties (as was done for landfills in 2015);
- Directive (or regulation) from the Minister to MPAC regarding how to assess these types of properties to reflect their true market or industrial value;
- Remove the aggregate exemption from the *Assessment Act* (as was the situation prior to 2008).

This would enable municipalities to maintain stability in local taxation levels and meet the needs of their communities. Directing MPAC on how to assess these properties based on their true market value makes common sense and will result in stability and accuracy in the assessment process. The solution to remove the exemption of aggregate in the *Assessment Act* would allow MPAC to assess the full value of the property.

Summary

Aggregate sites are important job creators and an increasingly critical element of public works that help to fuel steady economic growth across Ontario, especially as part of municipalities' post-pandemic recovery. Yet, under the current MPAC valuation formula, their current value assessment is inaccurate such that these sites generate significantly less revenue for municipalities and the Province than other possible uses for the same land. This costs Ontario municipalities millions of dollars in lost tax revenue every year and negatively impacts their abilities to deliver more fulsome services and programmes to residents. The current system also generates less Education property taxes which shifts even more tax burden onto homeowners and small businesses. Municipalities are therefore eager to find a solution that is fair for all involved: the municipality, taxpayers, and aggregate producers.

COVID-19 has highlighted the urgency for a policy-driven, equitable approach. Municipalities across Ontario are fighting to continue providing a high standard of services to our families and businesses who need them now more than ever. The lost tax revenue undermines our ability to enhance those services and make key infrastructure investments at a time when our residents are suffering. The County wants to be fair to aggregate producers while recognizing that they should be part of the solution in terms of helping families and businesses get back on their feet – the very people who are carrying the burden of the current MPAC system.

Recommendation:

That the Aggregate Resource Property Valuation and Advocacy Update Report be received for information; and

That the attached resolution be supported by County Council and sent to the Ministry of Finance.

Respectfully submitted,



Ken DeHart, CPA, CGA
County Treasurer

SCHEDULE A – MUNICIPAL RESOLUTION

WHEREAS previous assessment methodologies for aggregate resource properties valued areas that were used for aggregate resources or gravel pits at industrial land rates on a per acre basis of the total site and such properties were formally classified and taxed as industrial lands; and

WHEREAS Wellington County Council supports a fair and equitable assessment system for all aggregate resource properties; and

WHEREAS the Municipal Property Assessment Corporation determined, with the participation only of the Ontario Stone, Sand and Gravel Association, revised criteria for assessing aggregate resource properties; and

WHEREAS Wellington County Council has concerns that the revised criteria does not fairly assess the current value of the aggregate resource properties;

NOW THEREFORE BE IT RESOLVED:

- (a) That Wellington County Council does not consider the revised criteria for assessment of aggregate resource properties as a fair method of valuation for these properties; and
- (b) That Wellington County Council believes there is a need to review the current assessment scheme for aggregate resource properties to address the inequity of property values; and
- (c) That Wellington County Council hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and
- (d) That Wellington County Council direct the Clerk to provide a copy of this motion to the Ministers of Finance; Municipal Affairs and Housing; and Natural Resources and Forestry; and to AMO, ROMA, and all Ontario municipalities and local MPP(s).



T 705-635-2272
 TF 1-877-566-0005
 F 705-635-2132

TOWNSHIP OF LAKE OF BAYS
 1012 Dwight Beach Rd
 Dwight, ON P0A 1H0

October 9, 2020

Via Email

Honourable Doug Ford
 Premier of Ontario
 Legislative Building
 Queen's Park
 Toronto, ON 1A1

Dear Honourable Premier Doug Ford:

RE: Reform to the Municipal Insurance Policy

On behalf of the Council of the Corporation of the Township of Lake of Bays, please be advised that Council would like to express their concern and request a reform to the Municipal Insurance Policy.

As outlined in the Association of Municipalities of Ontario (AMO) report entitled, "[Towards a Reasonable Balance: Addressing Growing Municipal Liability and Insurance Costs](#)", dated October 1, 2019, joint and several liability creates a higher insurance cost for municipalities. Local municipalities within Muskoka have experienced a 20% increase in municipal liability for 2019 and are expecting at least 20% increase for 2020.

Throughout the Township of Lake of Bays, the area of concern is the Errors and Omissions for building code claims. There is a much higher value of newly built cottages/seasonal residences within Lake of Bays and it is populated by a commanding number of ratepayers who possess the financial means to sue and will endure the protracted legal process. The Township has a lower than average number of building claims, however a higher than average payout.

Please consider an amendment to Bill 124 to make it a requirement that the building contractor name be disclosed and that the contractor must provide proof of insurance, thus providing greater accountability and responsibility and ensuring that municipalities will not bear the burden alone.

...2



T 705-635-2272
TF 1-877-566-0005
F 705-635-2132

TOWNSHIP OF LAKE OF BAYS
1012 Dwight Beach Rd
Dwight, ON P0A 1H0

Page 2

Kindly review and consider the recommendations as outlined in the above-noted AMO report. Should you have any questions or concerns, please do not hesitate to contact the Municipal Office at 705-635-2272.

Sincerely,

Carrie Sykes, *Dipl. M.A., CMO, AOMC,*
Director of Corporate Services/Clerk.

CS/cw

Copy to: MP, Scott Aitchison
MPP, Norm Miller
Association of Municipalities of Ontario
Municipalities in Ontario