

ITEMS OF INFORMATION
COUNCIL AGENDA – April 6, 2021

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February 23, 2021

Evelyn Eichenbaum, Manager, Citizen & Legislative Services/Clerk
Haldimand County
53 Thorburn St. S
Cayuga, Ontario
NOA 1EO

CLERK'S

RE: Aggregate Resources Act License Application #626494
Brant Aggregates Ltd. Hagersville Quarry
Category 2 – Class A Quarry Below Water
Part Lots 10, 11 and 12, Concession 12, Walpole Township, County of Haldimand

MAR 01 2021

**Corporate Services Dept.
Haldimand County**

Dear Evelyn,

Thank you for your letter dated December 17th, 2020 regarding the Aggregate Resources Act license application that has been submitted by Brant Aggregates Ltd. (Hagersville Quarry).

The letter outlined a resolution by Haldimand County Council and requests related to the proposed license. In response, we offer the following comments for your consideration:

There is a request that Brant Aggregates be required to consult directly with Haldimand County. The applicant has provided a copy of the complete application and supporting reports to the County and has invited comments. Councillor Stewart Patterson was able to attend the virtual open house and there was an opportunity for everyone at the meeting to ask questions about the proposed quarry. We were pleased that a number of neighbours and Councillor Patterson made the time to attend the meeting and were able to share questions and concerns with the project team. We are available to discuss the details of the proposal further with Haldimand County staff or Councillors as requested.

The resolution requests that Haldimand County be provided the opportunity to work with MNRF and Brant Aggregates on establishing the operating conditions for the proposed quarry. We have provided a copy of the Site Plans for the Hagersville Quarry, which contains all of the technical recommendations as conditions. The Plans also layout details of the proposed phasing of the quarry and the rehabilitation plan. The conditions on the Site Plans are enforceable pursuant to the Aggregate Resources Act. These conditions reflect the current regulatory standards and best practices for quarry operations. Specific conditions are embedded in the plans as measures to address protection of ground and surface water, natural heritage features, noise control and dust control. If there are additional suggested conditions that the County would like to provide, we would be pleased to review these with you.

Your letter requests that Brant Aggregates provide the aggregate levy (TOARC) to Haldimand County. A license under the Aggregate Resources Act comes with the obligation to submit an annual tonnage report to TOARC. The aggregate levy must be submitted to TOARC to keep the license in good standing. As a single tier municipality, Haldimand County receives 76 percent of the total levy. The TOARC rates are adjusted annually, and for 2021 the rate is set at \$0.208 per tonne, with \$0.158 per tonne paid to

Harrington McAvan Ltd ♦ Landscape Architects

41 Main Street, Unit 102, Unionville, Ontario L3R 2A5 Phone: (905)294-8282 Fax: (905)294-7623
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Haldimand County. Annual production in Haldimand County over the past few years is in the 1.1 Million tonne range, providing an annual contribution from TOARC levies of approximately \$175,000. With respect to protecting water supplies, the Hydrogeology Report, prepared by Golder Associates, evaluated the potential impact of the quarry on residential water supplies and provided a series of recommendations, which include a monitoring program and a well interference complaint protocol. These measures are designed to protect local water well supplies around the quarry site.

We hope that this will help to address the County's concerns with the Brant Aggregates proposal. If you would like to discuss the application in more detail, please feel free to contact either Melanie Horton (melanie@esherplanning.com) or Bernie Janssen (bernie@harringtonmcavan.com) and we would be happy to arrange a meeting.

Sincerely

HARRINGTON MCAVAN LTD



BERNIE JANSSEN, B.E.S.
Principal / Aggregate Resources Specialist

MH/

c.c. Mike Evers, General Manager, Community & Development Services



250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2
 Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.ca

March 9, 2021

Mayor Hewitt and Council
 The Corporation of Haldimand County
 P.O. Box 400
 Cayuga, ON
 L8P 4Y5

Dear Mayor Hewitt and Council,

Please be advised that at its meeting of February 18, 2021, the Board of Directors of the Niagara Peninsula Conservation Authority received Report No. FA-12-21 entitled "Bill 229 - Implications of (February, 2021) Proclamation of Various Provisions". As a result, the Board adopted Resolution No. FA-30-2021 with an applicable provision therein pertaining to partner municipalities as follows:

As per amended CAA Section 14(1), the NPCA requests partner municipalities to initiate the process of determining NPCA Board composition and associated appointments to be completed in time for NPCA's January 2023 Annual General Meeting (AGM). (No membership changes are required for the remainder of the current term until the end of 2022);

In support of the aforementioned resolution, please find attached the following documentation:

- Report No. FA-12-21 RE: Bill 229 - Implications of (February, 2021) Proclamation of Various Provisions
- Appendix 1 to Report No. FA-12-21 entitled "Implications of Proclamation of Various Provisions: Frequently Asked Questions"
- NPCA Board Skills Matrix Tool and Worksheet (2020)
- Template: Subsection 14(1.2) of the *Conservation Authorities Act* (CAA) Application for Minister's Exception (less than 70% municipal council members appointed to an authority)

Although the NPCA will be in contact with our municipal partners as we progress towards implementation of the Conservation Authorities Act (CAA) amendments, if in the interim, you or your staff have any questions or require clarification on these matters, please feel free to contact me at csharma@npca.ca or 905-788-3135 extension 251.

Respectfully,

A handwritten signature in black ink, appearing to read "Chandra", with a horizontal line underneath.

Chandra Sharma, MCIP, RPP
 Chief Administrative Officer /
 Secretary-Treasurer
 Niagara Peninsula Conservation Authority

Encl.

Report To: Board of Directors

Subject: Bill 229 - Implications of (February, 2021) Proclamation of Various Provisions

Report No: FA-12-21

Date: February 18, 2021

Recommendation:

WHEREAS the amendments to the Conservation Authorities Act (“CAA”) in Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures) was passed by the legislature on December 8, 2020 resulting in a number of un-proclaimed provisions in the CAA;

AND WHEREAS on February 2, 2021, some these provisions related to housekeeping, governance, and government requirements were proclaimed with the NPCA having received further direction from the Ministry of Environment Conservation and Parks (MECP) on February 5, 2021 in regards to implementation of said proclaimed provisions;

NOW THEREFORE, BE IT RESOLVED:

1. **THAT** Report No. FA-12-21 RE: Bill 229 - Implications of (February, 2021) Proclamation of Various Provisions **BE RECEIVED**.
2. **THAT** the recommended actions related to NPCA governance provisions **BE APPROVED** as below:
 - a) As per amended CAA Section 14(1), the NPCA requests partner municipalities to initiate the process of determining NPCA Board composition and associated appointments to be completed in time for NPCA's January 2023 Annual General Meeting (AGM). (No membership changes are required for the remainder of the current term until the end of 2022);
 - b) As per amended CAA Section 14(2), on February 5, 2021 the NPCA provides a copy of existing (2018-2019) municipal resolutions/Order in Council regarding NPCA Board composition and appointments to the Province by April 1st 2021;
 - c) As per amended CAA Section 17(1), and in keeping with NPCA Resolution No. FA -11-21, the Board consider reconfirmation of Chair and Vice Chair term for the remainder of 2021 at the June 2021 AGM and the matter be referred to the Governance Committee for further discussion in consultation with member municipalities. Any exceptions to this provision be formally requested for approval by the Minister and included in the updated Administrative By-Law.

3. **AND FURTHER THAT** a copy of this report **BE CIRCULATED** to the NPCA's partner municipalities for their consideration.

Purpose:

The purpose of this report is to seek Board approval on next steps and key actions related to the February 2, 2021 proclaimed governance provisions of the Conservation Authorities Act.

Background:

On December 8, 2020, Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020, was passed by the Legislature with amendments to the Conservation Authorities Act ("CAA"). Amendments made in 2020 along with previously unproclaimed sections of the CAA from 2017 and 2019 have resulted in a series of unproclaimed provisions.

On January 11, 2021, the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks informed the NPCA about the establishment of a Conservation Authorities Working Group to help the government implement recent changes to the CAA. Following the establishment of the Conservation Authority Working Group, various conservation authorities (including the NPCA) requested clarity on implementation timelines and transition provisions related to governance changes.

On February 5, 2021, the NPCA received an update from the Ministry of the Environment, Conservation and Parks in regard to the Conservation Authorities Act advising that on February 2, 2021, some provisions in the CAA came into effect. These provisions included:

- Government requirements (e.g. non-derogation provision clarifying that nothing in the CAA is intended to affect constitutionally protected Aboriginal and treaty rights);
- Provisions related to conservation authority governance (e.g. changes to the conservation authority municipal membership);
- Minister's powers (e.g. enabling the Minister to issue a binding directive to a conservation authority following an investigation); and
- Housekeeping amendments.

Details are provided in Appendix 1: Implications of Proclamation of Various Provisions: Frequently Asked Questions.

The remaining unproclaimed provisions are currently being developed through phased regulations by the Province to be proclaimed in two stages in 2021 as follows:

Stage 1: Provisions related to natural hazard management, mandatory programs and services, community advisory boards, the agreements and transition period, fees.

Stage 2: Provisions related to municipal levies, and standards and requirements for non-mandatory programs and services.

Recommended Actions Based on Ministry Direction:

Staff recommends a short-list of immediate next steps and actions for approval of Board as per provincial direction identified in the attached Appendix 1.

As per CAA Section 14(1) below, the NPCA will requests member municipalities to initiate the process of amending NPCA Board composition and associated appointments to be completed in time for NPCA's January 2023 Annual General Meeting.

No membership changes are required for the remainder of the current term until Dec 2022. Current members will complete the remaining duration of their appointments.

14(1.1) When appointing members of an authority, the council of a participating municipality shall ensure that at least 70 per cent of its appointees are selected from among the members of the municipal council.

Exception

14(1.2) Upon application by a participating municipality, the Minister may grant permission to the municipality to select less than 70 per cent of its appointees to an authority from among the members of the municipal council, subject to such conditions or restrictions as the Minister considers appropriate.

Further direction on Municipal appointments is provided in Section 4 of CAA:

4(1) An upper-tier municipality that was established as a regional municipality before the day subsection 6 (1) of Schedule 4 to the Building Better Communities and Conserving Watersheds Act, 2017 comes into force,

(a) shall act in the place of the local municipalities within the regional municipality for the purpose of appointing representatives to attend a meeting for the establishment or enlargement of a conservation authority or the amalgamation of conservation authorities and for the purpose may appoint representatives in the numbers to which the local municipalities would otherwise have been entitled.

As per CAA Section 14(2) below, the NPCA is required to submit any existing (2018/2019) Council resolutions/Orders in Council (on the number of total conservation authority members and number of members per participating municipality in a conservation authority) to the Minister within 60 days of February 2, 2021 (i.e., by April 3, 2021). Staff are in the process of providing these documents to the Ministry and posting on-line for the public.

Future Orders in Council regarding 2023 appointments will be obtained from member municipalities for submission to the Province within 60 days of approval of any such agreement.

14(2.1) Despite subsections (1), (2) and (5), the total number of members of the authority and the number of members that each participating municipality may appoint may be determined by an agreement that is confirmed by resolutions (2.2) If the participating municipalities of an authority enter into an agreement with respect to the total number of municipally appointed members of the authority and the total number of members each municipality may appoint, the authority shall, within 60 days after the agreement is executed, (a) provide a copy of the agreement to the Minister; and (b) make the

agreement available to the public by posting it on the authority's website and by any other means the authority considers appropriate.

Implementation of amended CAA Section 17(1) regarding rotation of Chair and Vice-Chair could begin at a meeting (AGM) as specified by Implications of Proclamation of Various Provisions: Frequently Asked Questions. The current NPCA By-Law includes no provision for rotation and terms of Chair and Vice-Chair. The NPCA Board of Directors approved Resolution No. FA-11-2021 at Meeting #1 on January 21, 2021 to reschedule the AGM for June 2021, defer the appointment of current Board Chair and Vice Chair to June 2021 and extend the current term of Board Members appointed to Committees. At that time, the Board also approved by resolution that the term of each respective NPCA Committee Chair and Vice Chair be extended until the end of 2021 with formal reconfirmation to occur at the June 2021 AGM.

In keeping with the approved Authority Resolution No. FA -11-21, the amended CAA Section 17(1.1), and provincial direction, it is recommended that the Board consider reconfirmation of Chair and Vice Chair term for the remainder of 2021 at the June 2021 AGM and the matter be referred to the Governance Committee for further discussion in consultation with member municipalities. Any exceptions to this provision, as determined by the Governance Committee, should be formally requested for approval by the Minister. These changes will be included in the future updates to the NPCA Administrative By-Law.

Term of chair, vice-chair

17(1.1) A chair or vice-chair appointed under subsection (1) shall hold office for a term of one year and shall serve for no more than two consecutive terms.

Representation from each municipality

17(1.2) An authority in respect of which more than one participating municipality has been designated shall appoint chairs and vice-chairs from among the members appointed to the authority by each participating municipality on a rotating basis so as to ensure that a member appointed to the authority by a particular participating municipality cannot be appointed to succeed an outgoing chair or vice-chair appointed to the authority by the same participating municipality.

Exception

17 (1.3) Despite subsections (1.1) and (1.2), upon application by an authority or a participating municipality, the Minister may grant permission to the authority or participating municipality to, subject to such conditions or restrictions as the Minister considers appropriate,

- (a) appoint a chair or vice-chair for a term of more than one year or to hold office for than two consecutive terms; or
- (b) appoint as chair or vice-chair of the authority a member who was appointed to the authority by the same participating municipality that appointed the outgoing chair or vice-chair.

The detailed amended [CAA](#) is available on e-Laws for a complete list of the provisions that are now in force. NPCA staff will remain in regular conversation with Conservation Ontario and the Ministry of the Environment, Conservation and Parks for updates regarding the proclamation of the remaining provisions.

Financial Implications:

The full financial implications of these CAA changes will not be known until the proposed Regulations have been developed.

Related Reports and Appendices:

Appendix 1: Implications of Proclamation of Various Provisions: Frequently Asked Questions

Authored and Submitted by:

Original Signed by:

Chandra Sharma, MCIP, RPP
Chief Administrative Officer/Secretary-Treasurer

Implications of Proclamation of Various Provisions: Frequently Asked Questions

Implications of Proclamation of Various Provisions: Frequently Asked Questions

1. Do participating municipalities have to appoint new members to conservation authorities now in order to meet the 70% requirement?

Immediate action is not required on the part of conservation authorities or by municipalities related to the provision requiring 70% of municipally appointed members be elected officials.

Current members should complete the remaining duration of their appointments. As new members are appointed, participating municipalities should be appointing members in a way that complies with this new requirement.

A participating municipality may also apply to the Minister of the Environment, Conservation and Parks requesting an exception to this 70% requirement. The request should include the rationale for the request, and what proportion of members the municipality is proposing to be elected officials. Requests should be sent to minister.mecp@ontario.ca.

2. Does a conservation authority need to immediately initiate the term limits of chair/vice-chairs and rotate amongst participating municipalities?

Immediate action is not necessarily required. Implementation of this provision could begin at the first meeting held this year (following the proclamation date of February 2, 2021), or at such other meeting as may be specified by the authority's by-laws.

A participating municipality or conservation authority may also apply to the Minister of the Environment, Conservation and Parks requesting an exception to the term limit or rotation. The request should include the alternative approach being proposed, and the rationale for the request. Requests should be sent to minister.mecp@ontario.ca.

3. When should conservation authorities transition to the use of generally accepted accounting principles?

If not already the practice, conservation authorities will transition to the use of generally accepted accounting principles for local government and ensure that key conservation authority documents are made available to the public (i.e., minutes of authority or executive committee meetings, auditor reports) following proclamation of these provisions on February 2, 2021.

Implications of Proclamation of Various Provisions: Frequently Asked Questions

4. When do copies of municipal member agreements need to be sent to the Minister and made public?

Please submit any existing agreements (on the number of total conservation authority members and number of members per participating municipality in a conservation authority) to the Minister within 60 days of February 2, 2021 (i.e., by April 3, 2021).

If no such agreement is in place as of February 2, 2021, but such an agreement is entered into at a future date, please provide it to the Minister within 60 days of executing the agreement. These agreements should also be made available to the public through the conservation authority's website or other appropriate means within these same timelines.

5. Which provisions of the *Conservation Authorities Act (CAA)* are you proclaiming in this first phase?

Provisions in the CAA that come into effect February 2, 2021, as part of this first phase include:

Housekeeping Amendments

- Clarifying “Minister” means the Minister of the of the Environment, Conservation and Parks (rather than the Minister of the Natural Resources and Forestry) (Bill 108, 2019).
- Administrative change by striking out “of the Environment” from “Minister of the Environment” (in the section on CA dissolutions – clause 13.1(6)(c)) (Bill 108, 2019).
- Remove a legislative date (now stale) for a past transition period for conservation authorities (CAs) to up-date administrative by-laws (Bill 229, 2020).

Government Requirements

- Non-derogation provision to recognize existing Aboriginal or treaty rights (Bill 229, 2020).
- Enable the Minister to delegate his or her powers to an employee of the Ministry of the Environment, Conservation and Parks (Bill 229, 2020).

Governance

- Changes to the CA municipal membership provisions including requiring 70 per cent of municipally appointed members to be elected officials with provision for the Minister to permit less than 70 per cent on application by a participating municipality (Bill 229, 2020).
- Requiring copies of municipal member agreements on number of total CA members agreed upon and numbers per participating municipality in a CA agreed upon, to be made public and provided to the Minister (Bill 229, 2020).
- Removal of the regulation making authority regarding the composition of the CA (Bill 229, 2020).

Implications of Proclamation of Various Provisions: Frequently Asked Questions

- Minister's power to appoint a member from the agricultural sector with limitations added to the member's voting rights (Bill 229, 2020).
- Limiting the term of the chair/vice-chair and rotating of the chair/vice-chair among a CA's participating municipalities with provision for the Minister to permit an exception to these requirements upon application of the CA or participating municipality. If an exception is granted, this would allow a chair/vice-chair to hold office for more than one year or two terms, or a member to succeed an outgoing chair, vice-chair, appointed from the same participating municipality (Bill 229, 2020).
- Minor amendments to the 'powers of authorities': integrating the CA power to "cause research to be done" with the CA power to "study and investigate the watershed" in order to support the programs and services the CA delivers; to require consent of the occupant or owner of the land before a CA staff can enter the land for the purpose of a CA project (such as land surveying); and to remove the power of a CA to expropriate land (Bill 229, 2020).
- Require CAs to follow generally accepted accounting principles for local governments, make key documents (annual audit, meeting agendas and minutes and member agreements) available to the public (Bill 229, 2020).

Minister's Power

- Enable the Minister to issue a binding directive to a CA following an investigation (Bill 229, 2020).
- Enable the province, upon recommendation by the Minister, to appoint a temporary administrator to assume control of a CA's operations following an investigation or the issuance of a binding directive, if the directive is not followed. Immunity is provided for the administrator (Bill 229, 2020).



Office of the Regional Chair
1151 Bronte Road
Oakville ON L6M 3L1
Fax: 905-825-8273

VIA EMAIL

March 9, 2021

The Honourable Doug Ford, Premier of Ontario
The Honourable Steve Clark, Minister of Municipal Affairs and Housing

Halton Region is undertaking an update to the Regional Official Plan to ensure it responds to the Provincial Planning framework.

Planning to implement extensive and impactful provincial policies for new growth, housing and jobs requires extensive community engagement to ensure that residents can meaningfully contribute in shaping the vision for growth in Halton to 2051.

While the Regional Official Plan Review is progressing, Regional Council is concerned that the significant changes to the Provincial Planning framework in recent months coupled with our overriding focus on responding to the COVID-19 pandemic, does not provide sufficient time and opportunity to confirm priorities for significant long-term growth with our residents.

On February 17, 2021, Regional Council unanimously approved the attached resolution respectfully requesting that the Province enable Halton Region to delay its final report on its Official Plan Review until proper, in person, informed consultation with the public can be conducted. The resolution also requests that the Province suspend the conformity deadline until the impacts of the pandemic on growth planning can be better understood and addressed as part of the land needs assessment framework.

Halton Region remains supportive of Provincial objectives to increase housing supply and support growth and economic development. Additional time will enable a result that is responsive to Provincial goals while allowing Halton to continue our long standing approach in managing growth in an environmentally, socially and fiscally sustainable manner.

Sincerely,

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

Gary Carr
Regional Chair

Regional Municipality of Halton

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1
905-825-6000 | Toll free: 1-866-442-5866

Page 2

- c. The Honourable Ted Arnott, MPP, Wellington-Halton Hills
- Jane McKenna, MPP, Burlington
- Parm Gill, MPP, Milton
- Stephen Crawford, MPP, Oakville
- Effie Triantafilopoulos, MPP, Oakville North – Burlington
- Association of Municipalities of Ontario, Brian Rosborough,
- City of Burlington, Kevin Arjoon,
- Town of Milton, Meaghen Reid
- Town of Oakville, Vicki Tytaneck,
- Town of Halton Hills, Valerie Petryniak
- Andrea Horwath, MPP, Leader of the Official Opposition
- Steven Del Duca, Leader of the Ontario Liberal Party
- Mike Schreiner, MPP, Leader of the Green Party of Ontario
- County of Northumberland, Nancy MacDonald
- County of Peterborough, Lynn Fawn
- City of Peterborough, John Kennedy
- City of Kawartha Lakes, Cathie Ritchie
- City of Orillia, Gayle Jackson
- City of Barrie, Wendy Cooke
- County of Simcoe, John Daly
- County of Dufferin, Michelle Dunne
- County of Wellington, Donna Bryce, County Clerk
- Region of Waterloo, Kris Fletcher
- City of Brantford, Tanya Daniels
- County of Brant, Heather Boyd
- Haldimand County, Evelyn Eichenbaum
- Region of Niagara, Ann-Marie Norio
- City of Hamilton, Andrea Holland
- City of Guelph, Stephen O'Brien
- Region of Peel, Kathryn Lockyer
- City of Toronto, John Elvidge
- Region of York, Chris Raynor
- Region of Durham, Ralph Walton



The Regional Municipality of Halton

THE FOLLOWING RESOLUTION WAS APPROVED BY REGIONAL COUNCIL AT ITS MEETING HELD WEDNESDAY, FEBRUARY 17, 2021

WHEREAS the Province of Ontario has mandated Halton Region to conduct a municipal comprehensive review (MCR) of its Official Plan whereby decisions must be made as to how all of the population and employment growth is to be accommodated in the local municipalities for the years 2031 to 2051;

AND WHEREAS since June 2019 the Province has amended a number of Provincial Statutes and policies that impact how municipalities plan for growth including the following:

- The Provincial Policy Statement,
- A Place to Grow: The Growth Plan for the Greater Golden Horseshoe,
- The Development Charges Act,
- The Planning Act,
- The Environmental Assessment Act, and
- The Conservation Authorities Act;

AND WHEREAS these significant Provincial changes include:

- reduced density targets in new greenfield development from 80 persons and jobs per hectare to 50 persons and jobs per hectare,
- reduced intensification targets from 60% beyond 2031 to 50%,
- setting minimum population and employment growth forecasts that can be exceeded subject to Provincial approval,
- extended the planning horizon from 2041 to the year 2051,
- introduced market demand as a consideration in determining the housing mix, and
- revisions to how municipalities fund growth;

AND WHEREAS these Provincial changes signal an abrupt shift from the emphasis on creating compact and complete communities to a planning regime that facilitates lower density and car dependent communities;

AND WHEREAS Halton Hills, Burlington, Oakville, Milton and Halton Region have all declared climate change emergencies and must consider the role of land use planning in their strategies to reduce their greenhouse gas emissions;

AND WHEREAS these Provincial changes create pressure to convert more class 1, 2 and 3 farmland in Halton to urban uses than would otherwise be necessary which is contrary to Halton's Official Plan and its 2019-2022 Strategic Plan, which both have as a goal to protect a permanent agricultural system in Halton;

AND WHEREAS ensuring that Ontarians have access to healthy safe food in the future requires thoughtful consideration of the long term impact of converting thousands of acres of prime agricultural lands in the Greater Golden Horseshoe to urban uses;

AND WHEREAS in 2016 Halton Regional Council directed the Regional Chair to write to the Premier of Ontario expressing support for creating a provincial permanent agricultural system;

AND WHEREAS the change of the planning horizon to 2051 by the Province means that future municipal councils and the public will have little power to change decisions where they will grow after 2031 to the 2051 planning horizon;

AND WHEREAS in the rural areas internet service is often poor, making it difficult for rural residents to participate in Zoom calls;

AND WHEREAS Halton Region has adopted a public engagement charter that is based on transparency, notification and participation;

AND WHEREAS the current pandemic is making effective, in person public consultation impossible at a time when robust, informed public consultation is needed more than ever.

AND WHEREAS the nature of work has evolved in response to the pandemic which may cause long term changes to the assumptions underlying the province's Land Needs Assessment.

NOW THEREFORE BE IT RESOLVED THAT Regional Council direct the Regional Chair to write to request the Province to allow the Region to delay its final report on its Official Plan Review until proper, in person, informed consultation with the public has been conducted on the growth concepts and the preferred growth concept;

AND FURTHER THAT the Province be requested to make ROPA 48, being the scoped Regional Official Plan Amendment which identifies non-discretionary components of a Regional Urban Structure that support local plans and priorities inside the current urban boundaries, exempt from the requirement for in-person consultation with the public;

AND FURTHER THAT the Province be requested to suspend the timetable for municipal conformity to the Growth Plan and the Provincial Policy Statement to ensure that the public can fully participate in the process of planning their communities for the growth planning period covering 2031 to 2051;

AND FURTHER THAT the Province suspend the deadlines it has set for conformity until the Land Needs Assessment Framework can be revisited to adjust to the significant changes to the nature of work that are reducing office space and parking space needs.

AND FURTHER THAT this resolution be circulated to Premier Doug Ford, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, Halton's Local Municipalities, the Association of Municipalities of Ontario, the leaders of the Provincial opposition parties, Halton's MPP's, and the Greater Golden Horseshoe municipalities.

* * * * *

255 Metcalf St., Postal Bag 729
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Tel.: (613) 478-2535
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Email: info@tweed.ca
Website: www.tweed.ca
facebook.com/tweedontario

March 10, 2021

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

Re: Advocacy for Reform of Joint and Several Liability

Dear Hon. Doug Ford,

During our budget deliberations and the review of the pricing for insurance for the 2021 year, Council is requesting that reform of the Joint and Several Liability system be undertaken. For the Municipality of Tweed, a small municipality within the County of Hastings, with population of 6,044 and total households of 3,023, as at the last census in 2016, we are experiencing significant increasing costs of insurance.

Over the last 5 years, we have experienced increase in our insurance premiums due to Joint and Several Liability. Our last 5 years of insurance premiums have been:

2017	\$161,441.84
2018	\$164,497.28
2019	\$171,649.20
2020	\$213,466.36
2021	\$265,170.24

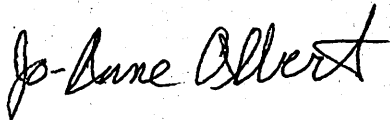
Over the last 5 years, the annual premium has increased by \$103,728.40. That is 64.25%. For the Municipality of Tweed, the 2021 increase of \$51,703.88 results in a tax levy increase of 1.25%. Therefore, when Council wishes to keep the levy no higher than a 2% increase, especially under the financial times that residents have experienced due to the COVID-19 pandemic, more than half of this increase is allocated to insurance premiums. For a population of only 6,044, the annual cost of insurance per household is \$87.72 in 2021, compared to only \$53.41 in 2017.

This phenomenon is not unique to the Municipality of Tweed, nor is this a new concern. In 2010, the Association of Municipalities of Ontario (AMO) submitted *The Case for Joint and Several Liability Reform in Ontario* on April 1, 2010 (copy can be found at <https://www.amo.on.ca/sites/default/files/assets/DOCUMENTS/Reports/2010/TheCaseforJointandSeveralLiabilityReforminOntario20100401.pdf>).

Because many view municipalities as having "deep pockets", they are often funding a larger portion of awards from court than what the fault percentage is. However, these "deep pockets" are at the cost of every taxpayer within the Municipality.

The Municipality of Tweed is advocating for reform and reconsideration of the *Negligence Act, R.S.O. 1990, c N. 1* to provide for alternatives. Many alternatives were provided in the 2010 AMO report previously referenced, including, but not limited to, Joint and Severable Liability at a set percentage of fault or Joint and Severable Liability based on type of damage.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jo-Anne Albert". The signature is fluid and cursive, with a large, stylized initial "J".

Jo-Anne Albert
Mayor

cc. Hon. Steve Clark, Minister of Municipal Affairs and Housing
All 444 Ontario Municipalities
Association of Municipalities of Ontario