



Town of Newmarket Council Information Package

Index of Attachments

Date: January 31, 2020

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Proclamation, Lighting Requests and Community Flag Raising

There were no requests for this period.



COUNCIL RESOLUTION

22

Res: 2020.01. 23

Wednesday, January 15, 2020

Moved by: Mike Hentz

Seconded by: Patricia Corneil

THAT Conservation Authorities have been protecting people and conserving and restoring watersheds with local communities for over 50 years; and

THAT Municipalities must work together to ensure resilient and healthy watersheds for residents; and

THAT Conservation Authorities will be important partners in concrete and cost-effective initiatives to address climate change.

THEREFORE IT BE RESOLVED THAT the Council of the Municipality of Dutton Dunwich supports the important role Conservation Authorities provide to local communities in delivering watershed management programs

AND THAT this resolution be circulated to all upper and lower-tier municipalities, Conservation Authorities and the Provincial Government (Minister of Environment, Conservation and Parks) in Ontario

| <u>Recorded Vote</u> | <u>Yeas</u> | <u>Nays</u> |
|----------------------|-------------|-------------|
| P. Corneil | ___ | ___ |
| A. Drouillard | ___ | ___ |
| K. Loveland | ___ | ___ |
| M. Hentz | ___ | ___ |
| B. Purcell – Mayor | ___ | ___ |

CARRIED:
[Signature]
Mayor

DEFEATED:

Mayor

Subject: Strathroy-Caradoc Regular Council Meeting January 20, 2020 - Approval of Resolution LTVC - Watershed Management Programs

Please be advised the following resolution sent to member municipalities of the Lower Thames Valley Conservation Authority, was presented for consideration by Council at their regular meeting of Monday, January 20, 2020 and approved as follows:

Moved by Councillors Brennan and Kennes:

WHEREAS Conservation Authorities have been protecting people and conserving and restoring watersheds with local communities for over 50 years; and

WHEREAS Municipalities must work together to ensure resilient and healthy watersheds for residents, and

WHEREAS Conservation Authorities will be important partners in concrete and cost-effective initiatives to address climate change,

THEREFORE BE IT RESOLVED THAT: the Municipality of Strathroy-Caradoc supports the important role Conservation Authorities provide to local communities in delivering watershed management programs; and that this resolution be circulated to Municipalities, Conservation Authorities and the Provincial Government (Minister of Environment, Conservation and Parks), in Ontario. **Carried.**

Kind Regards,

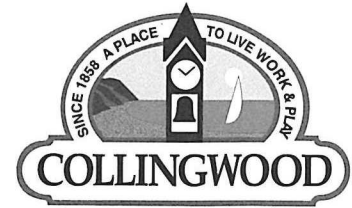
Ruth

Ruth Alcainho
Deputy Clerk/Insurance Co-Ordinator
Legal & Legislative Services



Legal & Legislative Services
Municipality of Strathroy-Caradoc
52 Frank Street | Strathroy, ON | N7G 2R4

Visit us online at www.strathroy-caradoc.ca



TOWN OF COLLINGWOOD

Becky Dahl, Deputy Clerk
 97 Hurontario St. P.O. Box 157
 Collingwood, ON L9Y 3Z5
 Tel: (705) 445-1030 Ex. 3230
 Fax: (705) 445-2448
 Email: bdahl@collingwood.ca

January 21, 2020

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

Re: Conservation Authorities

On behalf of the Council for the Corporation of the Town of Collingwood, I write to advise you of the following recommendation approved at its meeting held on January 20, 2020 for your consideration:

- WHEREAS** the Town of Collingwood has recently declared a Climate Emergency;
- AND WHEREAS** the Town of Collingwood has committed to nine core principles of sustainability;
- AND WHEREAS** the Town of Collingwood is a beneficiary of the upstream environmental remediation work done by the Nottawasaga Valley Conservation Authority (NVCA);
- AND WHEREAS** the Town of Collingwood is a member of the NVCA, with representation on its Board of Directors;
- AND WHEREAS** under the direction of the Board of Directors, the NVCA provides programs and services addressing local priorities to the residents of Collingwood and its other member municipalities, including inclusive outdoor education and recreation, water quality monitoring, preservation of species at risk as well as protecting life and property through a variety of measures;
- AND WHEREAS** the NVCA provides the Town of Collingwood with expert advice on the environmental impact of land use planning proposals and that the Municipality does not have staff with comparable expertise or experience;
- AND WHEREAS** the Ministry of the Environment, Conservation and Parks provides approximately one percent of the budget for programs and services currently delivered by the NVCA;
- THEREFORE BE IT RESOLVED THAT** the Town of Collingwood supports Conservation Authority regulations under Bill 108 being completed in consultation with municipalities, the NVCA and Conservation Ontario;
- AND THAT** the Town of Collingwood supports continuation of the critical programs and services included in the mandate of Conservation Authorities;
- AND THAT** during the fulsome review and consultations the Minister of Environment, Conservation and Parks continue to allow local municipalities' designated representatives

to determine which programs will be delivered and mandatory, along with the use of a Board-directed fair municipal levy as per current Regulation;

AND THAT this resolution be forwarded to the Minister of the Environment, Conservation and Parks, Premier Doug Ford, MPP Jim Wilson, the Association of Municipalities of Ontario, Nottawasaga Valley Conservation Authority, Conservation Ontario, all Ontario municipalities, and the County of Simcoe.

Should you require anything further, please do not hesitate to contact the undersigned at 705-445-1030 ext. 3230 or clerk@collingwood.ca .

Yours truly,

~~TOWN OF COLLINGWOOD~~

A handwritten signature in black ink, appearing to be 'Becky Dahl', written over the crossed-out text 'TOWN OF COLLINGWOOD'. The signature is fluid and cursive.

Becky Dahl
Deputy Clerk, Clerk Services

- c.c. Premier Doug Ford
- Jim Wilson, MPP
- Association of Municipalities of Ontario
- Nottawasaga Valley Conservation Authority
- Conservation Ontario
- County of Simcoe
- Ontario municipalities

Subject: Enforcement for Safety on Family Farms

Good afternoon,

Attached please find correspondence from the Township of South Frontenac as well as a resolution passed by the Township of Warwick regarding Safety on Family Farms. This correspondence was reviewed by the Township of Perth South council at their regular meeting of September 3, 2019 and the consensus of council was to fully support the resolution put forward by the Township of Warwick.

Please let me know if you have any questions.

Lizet Scott

Clerk

Township of Perth South





TOWNSHIP OF WARWICK

"A Community in Action"

6332 Nauvoo Road, R.R. #8, Watford, ON N0M 2S0

Township Office: (519) 849-3926 / 1-877-849-3926

Watford Arena: (519) 876-2808

Website: www.warwicktownship.ca

Works Department: (519) 849-3923

Fax: (519) 849-6136

E-mail: info@warwicktownship.ca

June 26, 2019

The Honourable Doug Downey, Attorney General of Ontario
 Ministry of the Attorney General
 720 Bay Street
 11th Floor
 Toronto, ON M7A 2S9

Dear Honourable Sir:

Re: Resolution Regarding Enforcement for Safety on Family Farms

Please be advised that Warwick Township Council adopted the following resolution at their regular meeting on June 17, 2019:

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 Township of Warwick 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;

AND BE IT FURTHER RESOLVED THAT this motion be circulated to Hon. Doug Downey, Ministry of the Attorney General, Hon. Doug Ford, Premier of Ontario, Hon. Sylvia Jones, Solicitor General and Hon. Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs and all Municipalities in the Province of Ontario, AMO, and ROMA.

- Carried.

Yours truly,

A handwritten signature in black ink, appearing to read 'A. Gubbels', written in a cursive style.

Amanda Gubbels
Administrator/Clerk
Township of Warwick

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



TOWNSHIP OF SOUTH FRONTENAC

4432 George St, Box 100
 Sydenham ON, K0H 2T0
 613-376-3027 Ext 2222 or 1-800-559-5862
 amaddocks@southfrontenac.net



August 9, 2019

The Honourable Doug Downey, Attorney General of Ontario
 Ministry of the Attorney General
 720 Bay St
 11th Floor
 Toronto ON
 M7A 2S9

Dear Honourable Sir:

Re: Enforcement for Safety on Family Farms

Please be advised that the Council of the Township of South Frontenac passed the following resolution at their meeting August 6, 2019:

That Council support the resolution passed by the Township of Warwick regarding the safety on family farms,

And that the Premier, Attorney General, Minister of Agriculture, Food and Rural Affairs, AMO, ROMA and all other municipalities be informed of this decision.
 Carried.

Our Council was strongly supportive of the Township of Warwick's position to find a better way to ensure stronger enforcement of existing laws or the creation of new legislation to ensure that the safety of Ontario's farm families, employees and animals. There have been a number of incidents recently where farmers and livestock transporters have been harassed and activists have had no regard for private property and leaving farmers feeling unprotected by the Ontario legal system. A copy of the Township of Warwick resolution is attached.

We look forward to receiving any updates on this matter.

Yours truly

Angela Maddocks
 Clerk

Encl.

c.c. Honourable Doug Ford, Premier of Ontario
 Honourable Sylvia Jones, Solicitor General
 Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs
 All Ontario Municipalities
 AMO
 ROMA

[REDACTED]
Sent: January 24, 2020 3:35 PM

Subject: 2020 Ontario Farmland Forum: Please bring to the attention of Mayors

To whom it may concern,

Please bring this information about the 2020 Ontario Farmland Forum to the attention of the Mayor in your municipality. The forum is hosted by the Ontario Farmland Trust and will be held March 26th, at the Grand Banquet & Event Centre in Guelph, Ontario. This year's theme, "The Shifting Landscapes of Farmland Protection," will be of interest to many elected officials.

Attached is a flyer for circulation.

Thank you,
Emma Jane

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--

Emma Jane Woods

Farmland Ecology Intern
Ontario Farmland Trust

c/o University of Guelph, SEDRD

Guelph, ON N1G 2W1

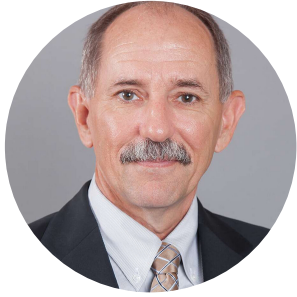
[REDACTED]
www.ontariofarmlandtrust.ca



2020 FARMLAND FORUM

The Shifting Landscapes of Farmland Protection

FEATURING



KEVIN EBY
On...

- The potential impact of changing growth forecasts and housing preferences on the need for urban expansions
- The potential impacts on urban land needs and municipal infrastructure financing



PHILLY MARKOWITZ
On...

- Grey County's efforts to map the local agri-food system to complement federal and provincial data sets and mapping
- How the agri-food system overlaps with the county's economic development priorities

And panels on...

- The shifting landscapes of farming and farmland protection
- The Agricultural System in Ontario

MARCH 26, 2020
THE GRAND BANQUET & EVENT CENTRE
8:30 AM - 4:00 PM

A day of sharing, networking, and exploring policy and land-use planning innovation for the changing landscapes of farmland protection in Ontario.

TICKETS: www.ontariofarmlandtrust.ca, info@ontariofarmlandtrust.ca

Thank you to our supporters....





THE CORPORATION OF THE CITY OF SARNIA
City Clerk's Department

255 Christina Street N. PO Box 3018
 Sarnia ON Canada N7T 7N2
 519 332-0330 519 332-3995 (fax)
 519 332-2664 (TTY)
www.sarnia.ca clerks@sarnia.ca

January 24, 2020

To: All Ontario Municipalities

Re: Ontario Power Generation's Deep Geologic Repository Project

At its meeting held on January 20, 2020, Sarnia City Council considered the attached motion submitted by Councillor Margaret Bird with respect to the proposed Deep Geological Repository Project and adopted the following resolution:

That Sarnia City Council support the halting of the construction of the Deep Geological Repository, in the Bruce Peninsular, so that less dangerous solutions can be found for the longer storage of nuclear waste; and

That Sarnia City Council instruct the Sarnia City Clerk to notify all 444 Ontario Municipalities, through AMO, by January 24th., 2020, of our objective; and

That the Sarnia City Clerk send a copy of our resolution to the County of Lambton Clerk, along with all the County Councillors, asking for their endorsement.

Sarnia City Council respectfully seeks your endorsement of this resolution. If your municipal council endorses this resolution, we would request that a copy of the resolution be forwarded to the following:

Honourable Jonathan Wilkinson, Minister of the Environment and Climate Change
ec.ministre-minister.ec@canada.ca; and

City of Sarnia, City Clerk's Office
clerks@sarnia.ca

Sincerely,



Dianne Gould-Brown
City Clerk

Attachment: Motion submitted by Councillor Margaret Bird

MOTION

I am asking for:

a) An urgent resolution of Council to support the halting of the construction of the Deep Geological Repository, in the Bruce Peninsular, so that less dangerous solutions can be found for the longer storage of nuclear waste.

b) To instruct the Sarnia City Clerk to notify all 444 Ontario Municipalities, through AMO, by January 24th., 2020, of our objective.

b) For the Sarnia City Clerk to send a copy of our resolution to the County of Lambton Clerk, along with all the County Councillors, asking for their endorsement.

If you have any questions, please do not hesitate to contact me.

Many thanks.

Kind Regards,

Councillor Bird

Sent: January 27, 2020 6:34 PM

Subject: Resolution - Environmental Awareness and Action

Good afternoon,

The Town Orangeville passed the following resolution at its January 13, 2020 Council meeting:

13.1 Councillor Peters – Environmental Awareness and Action

Resolution 2020-14

Moved by Councillor Peters
Seconded by Councillor Post

That the Town of Orangeville supports continuation of the programs and services of the CVC, both mandatory and non-mandatory, and that no programs or services of the CVC or other CAs in Ontario be “wound down” at this time; and

That the Minister of the Environment, Conservation, and Parks give clear direction as to what programs and services are considered mandatory and non-mandatory and how those programs will be funded in the future; and

That the Minister of the Environment, Conservation, and Parks recognizes the strong and positive Provincial role Conservation Authorities (CAs) play in flood risk reduction programs and reinstates funding to the CAs of Ontario; and

That this resolution be forwarded to the Minister of the Environment, Conservation, and Parks, Premier Doug Ford, MPP Sylvia Jones, the Association of Municipalities of Ontario, the Credit Valley Conservation Authority, Conservation Ontario, and all Ontario municipalities.

Carried.

Regards,

Tracy Macdonald | Assistant Clerk | Corporate Services
Town of Orangeville | 87 Broadway | Orangeville ON L9W 1K1

[Redacted] | www.orangeville.ca



The Corporation of the Township of Madoc

15651 Highway 62, P.O. Box 503, Madoc, Ontario K0K 2K0

www.madoc.ca

613-473-2677

Fax: 613-473-5580

January 27, 2020

Re: Joint and Several Liability Consultation – Town of Amherstburg Support

At its meeting of December 4th, 2019, Madoc Township Council passed the following resolution.

Motion # 19-579

Moved by: Deputy Reeve Rollins

Seconded by: Councillor Smith

That Council directs the Clerk/Planning Coordinator to write a letter supporting the Town of Spring Water resolution regarding Joint and Several Liability Consultation

-Carried-

cc:

Doug Ford, Premier of Ontario

Association of Ontario Municipalities (AMO)

Ontario Municipalities



www.springwater.ca
 2231 Nursery Road
 Minesing, Ontario
 L9X 1A8 Canada

September 26, 2019

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

Re: Joint and Several Liability Consultation

Please be advised that in response to your letter dated July 12, 2019, the Township of Springwater provides the following comments in regards to Joint and Several Liability.

1. Please describe the nature of the problem as you see it?

In response to the Province's request for consultation, the Township has a significant issue with Joint and Several Liability (JSL) and the impact it has on the municipality.

a. No Requirement of Proof

JSL is a tool that is used by the legal industry without any discretion to the point that this municipality feels that its use is negligent and in fact unethical. Most law suits that municipalities see are frivolous and vexations as lawyers cast their nets wide and attempt to use shotgun justice for their clients that are more than often the sole cause of a claim. A statement of claim does not require any proof that there is fault. A plaintiff only has to state who they think is involved and a significant amount of court time is spent determining who should be a party to the legal claim.

b. No Consequence for Being Wrongly Identified in a Statement of Claim

To add to this, there is no consequence that lawyers and their clients face for submitting a claim against a municipality when it is clear that a municipality is not involved. Municipalities incur significant administrative costs in managing these claims and the municipalities and their insurers pay significant costs to go through a lengthy process to prove that a claim was made in error (intentionally) only to find that a judge sees no reason to compensate a municipality for cost for incorrectly being named in a lawsuit by a plaintiff. Municipalities are seen as having deep pockets by the legal industry as well as the judicial system that makes decisions on these claims. Proof of innocence is often furnished to the plaintiff and lawyer by a municipality immediately upon notification of a pending legal action of statement of claim. This information is ignored by the plaintiff's lawyer. A plaintiff and their lawyer should have to reimburse a municipality for

all administrative and legal costs when the municipality is cleared of liability. Judges rarely compensate municipalities for being wrongly named in a legal action.

A recent example from 2019 occurred when a statement of claim was made against the Township of Springwater for an accident on a County Road (not the jurisdiction of Springwater). After legal and administrative costs totaling more than \$5,000, Springwater was dismissed from the claim. Unfortunately no costs were assigned to the plaintiff for wrongly naming Springwater in the statement of claim. The current system is broken and Springwater tax payers are left paying the bill.

2. *What are the problems that you need addressed to benefit your community?*

a. Ethical Standard of Due Diligence Required Before Submitting a Legal Action

Lawyer's representing plaintiff's should be required to submit documentation that provides significant research into why a claim is being made and a municipality is being named in a law suit. The claim should clearly prove authority and responsibility. The current practice of naming every party under the sun in a legal claim is negligent and unethical.

b. Frivolous and Vexatious Suits are Costing Taxpayers

The Township of Springwater is seeing a significant waste of administrative time and cost in managing legal claims against the municipality that are predominantly frivolous and vexatious due to JSL. Over the last seven years, the municipality has had 55 claims made against the municipality. These claims range from trips/falls resulting in broken eyeglasses to cases that unfortunately involve loss of life. The Township has no problem dealing with claims that the municipality is responsible for; however the Township does have a problem dealing with claims it does not have any responsibility for. Of the 55 claims against the municipality, 42 of these claims are frivolous and vexatious. Claims that the municipality has no responsibility for. Over the past 7 years, Springwater has paid more than \$100,000 on these frivolous and vexatious claims as they work themselves through the legal process. Many of these files are still open. This does not include additional costs paid by Springwater's insurance company that are beyond the municipality's deductible.

c. Negligent Legal Actions (Beyond Frivolous and Vexatious)

The Township of Springwater is currently named in 4 legal actions and an additional legal action (recently abandoned) for claims that occurred in another municipality (no where near Springwater). The Township is currently named in 3 claims that occurred in the Township of Clearview west of Stayner and one claim in the Township of Brock that have nothing to do with the Township. Springwater was named in a claim that occurred

in Wasaga Beach that was abandoned recently. All of these claims cost the Springwater taxpayer in administrative and legal costs as they work their way through the process.

d. Triage System for Claims

Before a claim makes it to a court date, the file should be triaged. It is at this stage that negligent of frivolous and vexatious claims will be filtered or thrown out. This process will trigger the reimbursement of costs to municipalities by unethical law firms.

e. Law Society of Ontario Charges

Lawyers that use JSL in an unethical way should be charged by the Law Society of Ontario. If a lawyer names a municipality in a legal action that should not be named, these lawyers should be suspended and potentially lose their license to practice law. There is a significant commonality when comparing frivolous and vexatious claims and the law firms/lawyers that submit them. The current code of ethics of the Law Society of Ontario should be updated by the Province to reprimand lawyers and law firms that negligently use JSL. The Province of Ontario should be involved in creating a new Code of Ethics for Ontario's legal industry.

3. Is it increased premiums? Rising deductibles?

A recent survey by CAO's in Simcoe County shows that insurance premiums are going up between 10% at the lowest to 59% being the highest in 2019. The Township of Springwater experienced a 10.8% increase in its 2019 insurance renewal. The area that typically sees an annual increase is related to the Municipal General Liability and Excess Liability lines of the business. The municipality was advised by its insurance broker that "over the past several years, insurance companies' appetite for Municipal Insurance has remained fairly stable. Insurance rates across all lines have seen only modest increases intended to simply keep pace with inflation and the rising cost of claims. Larger rate increases have been reserved for those accounts experiencing adverse claims development; either in frequency or severity (or both). However, starting in June 2018, the insurance market as a whole has shown clear signs of "hardening". Insurance companies for all sectors are putting stricter rules in place regarding the amount and breadth of coverage they will provide, and to which clients. Since the overall insurance supply is being reduced, the demand for insurer capacity is increasing, and as such, prices are elevating."

The table below provides at a high level (includes all lines of coverage) the Township's annual insurance premiums over the past five years.

| 2015 | 2016 | 2017 | 2018 | 2019 |
|-----------|-----------|-----------|-----------|-----------|
| \$234,942 | \$247,262 | \$254,388 | \$274,936 | \$304,688 |

The Township continues to consult with its insurance broker in an effort to ensure that Springwater's constituents are receiving the best value for their tax dollar; however, the rising costs of insurance are not sustainable over the long run. Staff and its insurance broker have looked at increasing our deductibles in an effort to reduce the overall premium; however this has led to minimal reductions in the overall annual premium to the Township.

4. Being unfairly named in lawsuits?

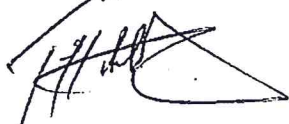
As detailed above, Springwater continues to be unfairly named in legal actions. Issues here range from a complete absence of research by legal firms on causality to the municipality being named in legal action in completely separate jurisdictions (other municipalities).

5. Feeling you cannot offer certain services because of liability risks?

More recently, with the advice of the Township's insurance broker, the Township has changed the way in which it delivers some of its recreational programs/services, especially as it relates to children's programs/activities. For example, the Township in partnership with its Community Recreation Associations will host a number of community based events throughout the year, which includes children's activities. In order to allow inflatable Bouncy castles at community events, the Township now requires the service provider to indemnify the Township and to also provide staff to monitor the safety of participants while in the inflatable Bouncy castle. Some vendors are reluctant to take on this risk.

Thank you for allowing the Township to participate in this consultation. We are open to further dialogue should you feel it necessary.

Yours truly,



Jeff Schmidt, CPA, CGA, B.A.S.
Chief Administrative Officer

Cc: Ontario Municipalities