



# Cheryl Gallant

Member of Parliament  
Renfrew-Nipissing-Pembroke  
Member of Standing Committee on National Defence

①



HOUSE OF COMMONS  
OTTAWA, CANADA

Melinda Reith  
CAO, Head, Clara and Maria Township  
15 Township Hall Rd.  
Stonecliffe, ON, K0J 2K0

RECEIVED  
JUL 11 2012

July 6<sup>th</sup>, 2012

Dear Ms. Reith,

I am pleased to announce the launch of the new Community Infrastructure Improvement Fund. Community and recreational facilities are now eligible for repairs and upgrades through the Fund. Our Federal Conservative Government is allocating \$49.6 million over two years.

Our Government is committed to creating jobs, growth and long-term prosperity in our communities. The Community Infrastructure Improvement Fund will boost economic activity in communities and help support job creation. By improving the quality of our community facilities, we are also contributing to building prosperous communities for Canadian families for years to come.

The Fund will support, on a cost-shared basis, repairs and improvements to existing community infrastructure that is accessible for use by the public. Local, regional and First Nation governments, as well as not-for-profit organizations with projects that can be completed before March 31, 2014 are invited to apply for funding.

Eligible recipients may receive contributions of up to \$1 million and must leverage a minimum of 50 per cent of funding from other sources. Priority may be given to projects that require a federal contribution of just 33.3 per cent of total project costs.

Applications for projects must be submitted by 5:00 p.m. EDT on August 24, 2012. For detailed program guidelines and information on how to apply, please visit my website, [www.cherylgallant.com](http://www.cherylgallant.com) and click on the "Community Infrastructure Improvement Fund" under the "Programs" tab.

Sincerely,

Cheryl Gallant, M.P.  
Renfrew—Nipissing--Pembroke

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Website: [www.cherylgallant.com](http://www.cherylgallant.com)

Minister of State  
(Science and Technology)  
(Federal Economic Development  
Agency for Southern Ontario)



Ottawa, Ontario K1A 0H5

Ministre d'État  
(Sciences et Technologie)  
(Agence fédérale de développement  
économique pour le Sud de l'Ontario)

July 5, 2012

Dear Sir/Madam:

The Government of Canada is committed to creating jobs, growth and long-term prosperity. As outlined in Economic Action Plan 2012, we are making investments to encourage economic growth and improve the quality of life in communities across the country.

I am pleased to announce the launch of the new Community Infrastructure Improvement Fund (CIIF), which will provide \$49.6 million over two years to support repairs and improvements to existing small public infrastructure throughout Ontario. Infrastructure such as community centres, cultural centres and local sports facilities serve as important gathering places for families and contribute to building prosperous communities.

The Federal Economic Development Agency for Southern Ontario (FedDev Ontario) will be administering this program. This investment will boost economic activity and create local jobs, while ensuring our community infrastructure facilities meet the needs of our residents in the long term.

Given the short time-span over which the funding will be provided, this program is geared towards the repair and rehabilitation of existing community facilities as those generally require shorter lead times in terms of project start-up and completion and have lower project costs.

Municipalities, First Nations governments, and community not-for-profit organizations with eligible projects that can be completed before March 31, 2014, are invited to submit applications with your priority projects. If more than one application is being submitted, please indicate the priority ranking of your applications.

We also ask and encourage you to share information about the new program with your local community organizations and not-for-profit entities that may have eligible projects.

Under CIIF, eligible recipients may receive a non-repayable contribution of up to 50 percent of eligible costs of an infrastructure project with recipients providing the remaining balance. However, priority may be given to projects that require a CIIF contribution of only 33.3 percent. CIIF contributions will be up to a maximum of \$1,000,000.

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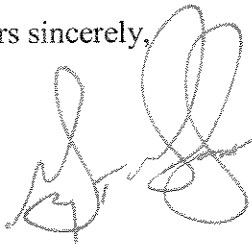
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Library  
Meeting rooms  
Archival Storage

Additional details on the program criteria such as project eligibility, as well as the program guidelines, application form, and application process, are available online at [www.feddevontario.gc.ca/ciif](http://www.feddevontario.gc.ca/ciif). The application deadline is August 24, 2012.

For additional information, please e-mail [infrastructure@feddevontario.gc.ca](mailto:infrastructure@feddevontario.gc.ca) or call 1-866-593-5505.

Over the coming months, I look forward to working with you as partners in stimulating our local economies. I am confident we will see the many benefits from the infrastructure improvements brought to communities in Ontario.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'G. Goodyear', written over a faint, illegible printed name.

The Honourable Gary Goodyear, P.C., M.P.



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117 Banting Drive  
Deep River, Ontario  
K0J 1P0  
613-584-3333  
613-584-4920  
drdh.org

July 11, 2012

Ms. Tammy Lea Stewart  
Reeve, Head Clara Maria Township  
Stonecliffe, ON  
K0J 2K0

Dear Tammy:

**Re: Physician Recruitment Incentive Invoice for 2012-13**

Let me open this message with a note of appreciation for your ongoing support of our 4-party partnership to make funds available for physician recruitment incentives for North Renfrew. Prior to my imminent departure, my CFO and I have done a complete accounting review of the Physician Incentive Account, both money in, money out, and projected physician commitments based on current and soon-to-be signed contracts.

As of the end of June, 2012, we have a net balance in this account of approximately \$60,000 with 2 more years of committed partner funding (another \$60,000). Over the next three years, we have commitments of almost \$77,000 in incentive payments to current and soon to be announced physicians. Within the following 2 years, we have commitments for another \$32,000 in incentive payments. So we have commitments in place for basically 90% of the funds contained in the original 5 year commitment from the Hospital and the three participating Municipalities. This will now actually cover the recruitment incentives for three rather than the original two new physicians.

Given the financial position of this account, and the current scheduling of committed physician payments, by notice of this letter, I am deferring the 2012-13 invoice for partner contributions for at least one year, to be re-assessed in April 2013. I will so advise the other two municipalities of this decision.

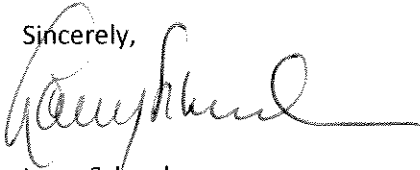
This rather pleasant situation has arisen because of changes made about 2 years ago to the provincial funding program for physician recruitment incentive programs in our area. The net result of their new 4 year funding formula is that the timing of our community payments is now deferred until quite late in the 5 year incentive period. This has resulted in the present surplus of funds in this account.

Stacey Mortson, our CFO, will re-visit the timing of invoices for the final two years of the partner funding at the end of the 2012-13 fiscal year.

We expect to be making an announcement shortly about additional family physicians joining our Family Health team over the months ahead – and we will need the full amount of the original partner commitments to meet all of our obligations. But we can delay the partner invoicing somewhat.

This has been an extremely successful endeavor for the four partners to come together on. I am pleased to advise that we will very soon be in a position to guarantee every resident in the three local municipalities access to a family physician. Thank you for making this impressive progress possible.

Sincerely,



Larry Schruder

Chief Executive Officer

☎ 613-584-584-1266 ext. 132

📠 613-584-4920

c. Stacey Mortson  
Chief Financial Officer

## COUNTY OF RENFREW



DEVELOPMENT & PROPERTY  
DEPARTMENT

9 INTERNATIONAL DRIVE  
PEMBROKE, ON, CANADA  
K8A 6W5  
(613) 735-0091 or (613) 735-3204  
Toll Free: 1-800-273-0183  
FAX: (613) 735-2492  
www.countyofrenfrew.on.ca

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**MEDIA RELEASE**
**FOR IMMEDIATE RELEASE**


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Tuesday, July 17, 2012

**RENFREW COUNTY PART OF WATER RESPONSE TEAM  
FORMED IN REACTION TO LEVEL 1 DROUGHT**

**Pembroke (ON):** On Tuesday, July 10, 2012 the Pembroke District Office of the Ministry of Natural Resources declared a Level 1 Drought in the County of Renfrew. This declaration was based on data showing significantly lower than historical average rainfall amounts and surface water levels on lakes, rivers and streams. The County of Renfrew was invited to be part of the Water Response Team which was formed to coordinate information gathering and sharing about the drought situation and the various voluntary water conservation measures which might be suggested to municipalities, residents and businesses

The Water Response Team(WRT) is coordinated by the Ontario Ministry of Natural Resources, per Government of Ontario policy, and is made up of representatives from: the Ontario Ministry of Environment, the Ontario Ministry of Agriculture, Food and Rural Affairs and County municipalities and emergency services.

It has been apparent for some time that the County of Renfrew is enduring a very dry early summer. That, combined with a dryer than normal spring and a very low accumulation of snow this past winter, has created conditions with low surface water levels throughout the County of Renfrew, and in surrounding eastern Ontario and western Quebec.

We have all noticed the effects of the low water levels on gardens, lawns, lakes streams and rivers and we also recognize the increased risk of bush fires. These low water levels also affect ground water levels in wells, hydro power production, recreation, tourism and cottage life- but farmers face the most severe consequences. Since early spring farmers have recognized the looming crisis and have been very concerned about the significant damage this drought has been causing to crops, livestock and the economic viability of their farms. Pasture lands have dried out and are not producing adequate feed for livestock. Hay production is badly off with only a first cut assured for feed for this coming winter or sale to market while the common second and third cuts are in doubt. Many farmers are feeding hay intended for winter use to their livestock right now as the pastures are inadequate. Corn and grain crops have not developed and many of these are at risk of close to total loss for this growing season.

Farmer representatives at the Water Response Team (WRT) meeting made it clear to the rest of the WRT how desperate the situation has become. Without adequate hay and feed crops for the winter livestock producers will be hard-pressed to keep their animals as they normally would and many beef herds may be dispersed. There is a very high likelihood that many beef and pork operators may not be able to justify re-investing for next year. "This would be a terrible blow to the approximately \$79 million dollar agri-business sector of the County of Renfrew," states Alastair Baird, Manager of Economic Development Services at the County. The 100 dairy producers in the County face similar challenges producing feed for their herds.

An important aspect of this drought that farmers point out is that it will take a sustained period of rainfall over a number of weeks just to get ground and surface water levels back to adequate levels. A single rainfall will not be sufficient. Another important issue is that even with rainfall now, significant damage has been done to crops and they likely will not develop to maturity at this point in their growth cycle.

Thursday, July 19, the Renfrew County Agricultural Economic Development Committee is hosting a special meeting with the District Manager of the Ontario Ministry of Natural Resources- Rick Watchorn, representatives of Ontario Ministry of Agriculture, Food and Rural Affairs and some of the agricultural sector representatives on the Water Response Team. At this meeting we will learn more about the water level data, the trends the levels are taking and we will ensure that the WRT recognizes the severe threat this drought poses for agriculture here in the County of Renfrew.

For more information:

Alastair Baird- Manager Economic Development Services, County of Renfrew 613-735-0091  
Paul Moreau- Director Development and Property Services, County of Renfrew 613-735-3204

Ontario  
Provincial  
Police

Police  
provinciale  
de l'Ontario



Municipal Policing Bureau  
Bureau des services policiers des municipalités

777 Memorial Ave.  
Orillia ON L3V 7V3

777, ave Memorial  
Orillia (ON) L3V 7V3

Tel: (705) 329-6200

Fax: (705) 330-4191

File #: E-3167

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JUL 16 2012  
RS.

July 4, 2012

Reeve  
Township of Head, Clara & Maria  
15 Townships Hall Road  
Stonecliffe ON K0J 2K0

Dear Sir/Madam:

As Commander of the Ontario Provincial Police (OPP), Municipal Policing Bureau, responsible for overseeing OPP contract policing matters I am pleased to inform you about a valuable training opportunity hosted by the Ontario Association of Police Services Boards (OAPSB).

The OAPSB fall seminar scheduled for September 13th and 14th, 2012 in the Toronto area, is specifically designed for municipal officials and members of Police Services Boards (PSB) in OPP Section 10 police contracts. Day one of the seminar will be "All About the OPP Contract". The session will include a review of the cost recovery formula and the staffing methodology utilized by the OPP. The second day will focus on "Improving the Section 10 Paradigm" and is designed for municipal leaders and members of PSB's to discuss concerns about contracts, costs and governance.

Although you currently receive your policing under a Section 5.1 arrangement with the OPP, this training would be very beneficial to you and other municipal officials.

More information can be found on the OAPSB website, [www.oapsb.ca](http://www.oapsb.ca). I will be attending with members of my staff and we look forward to seeing you there. If you are unable to attend and would like to receive more information about the cost recovery formula and staffing methodology, one of my staff members will be pleased to meet you and your council to present this information.

Yours truly,

A handwritten signature in cursive script, appearing to read "R.A. Philbin".

R.A. (Rick) Philbin, Superintendent  
Commander  
Municipal Policing Bureau

/sh/gh





ONTARIO ASSOCIATION OF POLICE SERVICES BOARDS

## Section 10 Fall Seminar

### **"Section 10 Contracts, Costs & Governance"** **September 13 & 14, 2012**

For the first time ever, OAPSB is hosting a seminar specifically for all four parties of Section 10 contract policing: police services boards, municipalities, the OPP and provincial government staff. This is the first seminar where all four key stakeholder groups are specifically invited. To facilitate maximum participation, non-members are being offered member rates.

The program has been designed in accordance with member and stakeholder requests. Thursday consists of two concurrent programs: "*All About the OPP Contract*" and "*Police Governance 'How To' Education*". The latter is being offered at reduced cost, and will be delivered by professional trainers with police governance experience. Meal and refreshment breaks for both programs are scheduled collectively to allow for maximum networking.

Friday's session, "*Improving the Section 10 Paradigm*", is for **boards and municipalities only**. It is designed to further discuss concerns regarding Section 10 contracts, costs and governance, and identify viable potential improvements. Outcomes will form the basis for future advocacy positions.

Participation by all stakeholders is strongly encouraged!

**Location:** Doubletree by Hilton, Toronto Airport, 655 Dixon Road, Toronto

**Ontario Association of Police Services Boards**  
10 Peel Centre Drive, Suite A, 1<sup>st</sup> Floor, Brampton, Ontario, L6T 4B9  
Tel. 905-458-1488 1-800-831-7727 Fax 905-458-2260  
E-Mail: [admin@oapsb.ca](mailto:admin@oapsb.ca) Website: [www.oapsb.ca](http://www.oapsb.ca)



## SECTION 10 Fall Seminar 2012

**Thursday, September 13th - Concurrent Session #1:**

### *"All About the OPP Contract"*

**Objective:** to create a common understanding of existing Section 10 contracts and associated concerns, among municipalities, police services boards, and the OPP.

**Target audience:**

- Section 10 police services board members and staff
- Other interested Section 10 municipal councillors and municipal staff
- Section 31 municipalities and police services boards considering Section 10
- Section 5 municipalities considering transition to Section 10 status
- OPP Municipal Policing Bureau, & Detachment leaders
- Ministry of Community Safety and Correctional Services staff

Time	Location	Activity
7:00 am - 4:30 pm	International Foyer	Registration
7:00 - 8:15 am	International C	Buffet Breakfast
8:15 - 8:30 am	International C	<b>Opening Address</b>
8:30 - 10:00 am	International B	<b>The Cost Estimate - Deployment Model Inputs &amp; Methodology</b>
10:00 - 10:30 am	International Foyer	Refreshment & Networking Break
10:30 - 12:00 pm	International B	<b>Sample Contracts - New Proposal and Renewal</b>
12:00 - 1:00 pm	International C	Buffet Lunch
1:00 - 2:30 pm	International B	<b>Contract Options, Limitations &amp; the Cost Recovery Process</b>
2:30 - 3:00 pm	International Foyer	Refreshment & Networking Break
3:00 - 4:30 pm	International B	<b>Questions, Concerns &amp; Answers</b>
4:30 - 5:30 pm		Free time
5:30 - 6:00 pm	International Foyer	Networking Reception and Cash Bar
6:00 - 8:30 pm	International C	Dinner; <b>Speaker TBA</b>



## SECTION 10 Fall Seminar 2012

**Thursday, September 13th - Concurrent Session #2:**

### *"Police Governance 'How To' Education"*

**Objective:** to provide a common understanding of Section 10 police governance responsibilities and best practices

**Target audience:**

- New Section 10 police services board members and staff
- Other interested Section 10 & 5 municipal councillors and staff
- OPP Detachment leaders
- Ministry of Community Safety and Correctional Services staff

<b>Time</b>	<b>Location</b>	<b>Activity</b>
7:00 am – 4:30 pm	International Foyer	Registration
7:00 – 8:15 am	International C	Buffet Breakfast
8:15 – 8:30 am	International C	<b>OPENING ADDRESS</b>
8:30 - 10:00 am	New York Room	<b>The Legislative Framework and Code of Conduct</b>
10:00 – 10:30 am	International Foyer	Refreshment & Networking Break
10:30 – 12:00 pm	New York Room	<b>Developing and Governing by Policy</b>
12:00 – 1:00 pm	International C	Buffet Lunch
1:00 - 2:30 pm	New York Room	<b>Relations with Council, and Setting Objectives &amp; Priorities</b>
2:30 – 3:00 pm	International Foyer	Refreshment & Networking Break
3:00 – 4:30 pm	New York Room	<b>Monitoring Performance</b>
4:30 – 5:30 pm		Free time
5:30 – 6:00 pm	International Foyer	Networking Reception and Cash Bar
6:00 – 8:30 pm	International C	Dinner; <b>Speaker TBA</b>



# Friday, September 14<sup>th</sup>

*"Improving the Section 10 Paradigm"*

## **FOR POLICE SERVICES BOARDS & MUNICIPALITIES ONLY**

**Objective:** to discuss Section 10 contracts, costs and governance concerns, with a view to identifying viable improvement suggestions that will form the basis for future advocacy efforts.

**Target audience:**

- Section 10 police services board members and staff
- Other interested Section 10 municipal councillors and staff
- Section 31 municipalities and police services boards considering Section 10
- Section 5 municipalities considering transition to Section 10 status

<b>Time</b>	<b>Location</b>	<b>Activity</b>
7:00 - 11:30 am	International Foyer	Registration
7:00 - 8:30 am	International C	Buffet Breakfast
8:30 - 9:30 am	International C	<b>Panel Discussion: Section 10 Contracts, Costs &amp; Governance</b> <b>OAPSB, AMO, Mayors' Coalition (invited)</b>
9:30 - 9:45am	International Foyer	Refreshment & Networking Break
9:45 - 11:15 am	International C	<b>Break-out Discussion Groups: cost models, funding strategies, council-board relations, etc.</b>
11:15 - 11:45 am	International C	<b>Discussion Groups Report Findings</b>
11:45 - 11:50 am	International C	<b>Closing remarks</b>



## SECTION 10 Fall Seminar 2012

<i>REGISTRATION FEE</i>	<b>Early Bird Registration on or before July 27 2012</b>	<b>Registration as of July 28 2012</b>
Delegate Rate (Thursday only) <b>“All About the OPP Contract”</b>	\$265 + \$34.45 (HST) = \$299.45	\$290 + \$37.70 (HST) = \$327.70
Delegate Rate (Thursday only) <b>“Police Governance ‘How To’ Education”</b>	\$190 + \$24.70 (HST) = \$214.70	\$215 + \$27.95 (HST) = \$242.95
Delegate Rate (Thursday & Friday) - <b>“All About the OPP Contract” and “Improving the Section 10 Paradigm”</b>	\$415 + \$53.95 (HST) = \$468.95	\$440 + \$57.20 (HST) = \$497.20
Delegate Rate (Thursday & Friday) - <b>“Police Governance ‘How To’ Education” and “Improving the Section 10 Paradigm”</b>	\$340 + \$44.20 (HST) = \$384.20	\$365 + \$47.45 (HST) = \$412.45



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**ATTN:** All Ontario Municipalities

**RE:** SOURCE WATER PROTECTION PLANNING CONSULTATION PROCESS - COMMENTS BY DURHAM REGION IN RESPONSE TO DRAFT PROPOSED SOURCE PROTECTION POLICIES FOR TRENT CONSERVATION COALITION (TCC) SOURCE PROTECTION REGION

CORRESPONDENCE DATED MARCH 19, 2012, TRENT CONSERVATION COALITION SOURCE PROTECTION REGION NOTICE OF CONSULTATION – DRAFT, FROM JIM HUNT, CHAIR, TRENT CONSERVATION COALITION SOURCE PROTECTION COMMITTEE (TCC SPC) AND JENNIFER STEPHENS, PROJECT MANAGER (2012-J-12)  
(OUR FILE NO.: E02-41)

Please be advised the Joint Finance & Administration, Health & Social Services, Planning & Economic Development and Works Committees of Regional Council considered the above matter and Council adopted the following recommendations of the Joint Committee:

- "a) THAT Joint Report No. 2012-J-12 be endorsed and submitted as Durham Region's response to the Trent Conservation Coalition Source Protection Committee, including the following recommendations to improve the Trent Conservation Coalition draft proposed source protection policies:
  - i) The critical need for province-wide clarity and consistency in definitions of existing and future threats;
  - ii) The need for a consistent province-wide transition policy;
  - iii) The need for the Province to reduce source protection plan (SPP) costs and duplication of effort province-wide by:
    - A) The Ministry of the Environment (MOE) developing and disseminating education and outreach materials for use and distribution by municipalities delivering source protection plan education and outreach programs;
    - B) Extending the *Nutrient Management Act* (NMA) to all farms in significant threat areas and creating an integrated farm risk management plan delivered by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and enforced by the Ministry of the Environment as the most effective approach to managing agricultural threats, including pesticides and Non-Agricultural Source Materials (NASMs);
    - C) Engaging other provincial ministries and agencies such as the Ministry of Transportation (MTO) and the Technical Standards and Services Authority (TSSA) to play lead roles in managing significant drinking water threats related to their mandates;
  - iv) The Ministry of the Environment should request the Agrichemical Warehousing and Standards Association to add wellhead protection areas and intake protection zones as locations to be avoided for pesticide storage facilities; and
  - v) For properties affected by a Section 58 policy, the legal requirement for a risk management plan (RMP) should be registered on the title of the property;

- b) THAT the Minister of the Environment be requested to lengthen the timeframes available for consultation on the proposed source protection plans by extending the current deadline for source protection plan submission (August 20, 2012) by 90 days;
- c) THAT if the requested extension is not granted, Regional staff be authorized to submit comments to the Trent Conservation Coalition Source Protection Committee on the final proposed version of the source protection plan (SPP) during the upcoming June/July public consultation period, after Regional Council is recessed for the summer break;
- d) THAT the Province establish definitions of existing and future threats for use in the source protection plans and a transition policy to deal with applications in process as of the date of source protection plan approval for use province-wide;
- e) THAT the Province exempt from appeal to the Ontario Municipal Board (OMB) or Environmental Review Tribunal (ERT) amendments made to municipal Official Plans to bring them into compliance with source protection plans;
- f) THAT the cost of this program and legislation is downloading that is not appropriate and we ask that the Province fund the cost of this program;
- g) THAT the Association of Municipalities of Ontario be asked to bring Source Protection Plan (SPP) cost implications to the Memorandum of Understanding (MOU) table prior to approval of the Plans by the Province;
- h) THAT a copy of Joint Report No. 2012-J-12 be forwarded to the Minister of the Environment, the Ministry of the Environment (Source Protection Programs Branch), the Association of Municipalities of Ontario, the three Durham source protection committees, the Region's conservation authorities, and the Municipality of Clarington and the Townships of Brock, Scugog and Uxbridge for their information; and
- i) THAT a copy of this resolution along with an internet link to Report No. 2012-J-12 be forwarded to the Premier of Ontario, the Ministry of Municipal Affairs and Housing, the Leaders of the Provincial Opposition Parties, Durham's MPPs, All Ontario Municipalities, and the Great Lakes and St. Lawrence Cities Initiative."

For your information Joint Report #2012-J-12 is available on our website at [www.durham.ca](http://www.durham.ca) in the 'Highlights' section.

**DISCLAIMER**

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**ATTN:** All Ontario Municipalities

**RE:** SOURCE WATER PROTECTION PLANNING CONSULTATION PROCESS - COMMENTS BY DURHAM REGION IN RESPONSE TO DRAFT PROPOSED SOURCE PROTECTION PLAN FOR CREDIT-TORONTO-CLOCA (CTC) SOURCE PROTECTION REGION

STANDING COMMITTEE CORRESPONDENCE #SC-2012-55  
DATED MARCH 14, 2012, CTC SOURCE PROTECTION REGION NOTICE OF PUBLIC CONSULTATION ON THE CTC DRAFT PROPOSED SOURCE PROTECTION PLAN FROM SUSAN SELF, CHAIR, CTC SOURCE PROTECTION COMMITTEE (2012-J-13) (OUR FILE NO.: E02-41)

Please be advised the Joint Finance & Administration, Health & Social Services, Planning & Economic Development and Works Committees of Regional Council considered the above matter and Council adopted the following recommendations of the Joint Committee:

- "a) THAT Joint Report No. 2012-J-13 be endorsed and submitted as Durham Region's response to the Credit Valley-Toronto and Region-Central Lake Ontario Source Protection Committee, including the following recommendations to improve the Credit Valley-Toronto and Region-Central Lake Ontario draft proposed source protection policies:
  - i) The critical need for province-wide clarity and consistency in definitions of existing and future threats;
  - ii) The need for a consistent province-wide transition policy;
  - iii) The need for the Province to reduce source protection plan (SPP) costs and duplication of effort province-wide by:
    - A) Extending the *Nutrient Management Act* (NMA) to all farms in significant threat areas and creating an integrated farm risk management plan delivered by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and enforced by Ministry of the Environment as the most effective approach to managing agricultural threats, including pesticides and Non-Agricultural Source Materials (NASMs); and
    - B) Engaging other provincial ministries and agencies such as Ministry of Transportation (MTO) and the Technical Standards and Services Authority (TSSA) to play lead roles in managing significant drinking water threats related to their mandates;
  - iv) The Ministry of the Environment should request the Agrichemical Warehousing and Standards Association to add wellhead protection areas and intake protection zones as locations to be avoided for pesticide storage facilities; and
  - v) For properties affected by a Section 58 policy, the legal requirement for a risk management plan (RMP) should be registered on the title of the property;
- b) THAT the Minister of Environment be requested to lengthen the timeframes available for consultation on the proposed source protection plans by extending the current deadline of August 20, 2012 for source protection plan submission by 90 days;



- c) THAT if the requested extension is not granted, Regional staff be authorized to submit comments to the Credit Valley-Toronto and Region-Central Lake Ontario Source Protection Committee on the final proposed version of the source protection plan (SPP) during the upcoming June/July public consultation period, after Regional Council is recessed for the summer break;
- d) THAT the Province establish definitions of existing and future threats for use in the source protection plans and a transition policy to deal with applications in process as of the date of source protection plan approval for use province-wide;
- e) THAT the Province exempt from appeal to the Ontario Municipal Board (OMB) or Environmental Review Tribunal (ERT) amendments made to municipal Official Plans to bring them into compliance with source protection plans;
- f) THAT the Province make an effort and investment, comparable to the groundwater work completed since the Walkerton tragedy, in studies and modelling to understand the hydrodynamic factors and threat activities affecting water quality in Lake Ontario;
- g) THAT the cost of this program and legislation is downloading that is not appropriate and we ask that the Province fund the cost of this program;
- h) THAT the Association of Municipalities of Ontario be asked to bring Source Protection Plan (SPP) cost implications to the Memorandum of Understanding (MOU) table prior to approval of the Plans by the Province;
- i) THAT a copy of Joint Report No. 2012-J-13 be forwarded to the Minister of the Environment, Ministry of the Environment (Source Protection Programs Branch), the Association of Municipalities of Ontario, the three Durham source protection committees, the Region's conservation authorities, and the cities of Oshawa and Pickering, the Municipality of Clarington, the towns of Ajax and Whitby, and the townships of Scugog and Uxbridge for their information; and
- j) THAT a copy of this resolution along with an internet link to Report No. 2012-J-13 be forwarded to the Premier of Ontario, the Ministry of Municipal Affairs and Housing, the Leaders of the Provincial Opposition Parties, Durham's MPPs, All Ontario Municipalities, and the Great Lakes and St. Lawrence Cities Initiative."

For your information Joint Report #2012-J-13 is available on our website at [www.durham.ca](http://www.durham.ca) in the 'Highlights' section.

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JUN 12 2012  
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June 6<sup>th</sup>, 2012

The Honourable James J. Bradley  
Minister of the Environment  
77 Wellesley Street West  
11<sup>th</sup> Floor, Ferguson Block  
Toronto, ON M7A 2T5

Dear Sir:

RE: SOURCE WATER PROTECTION PROGRAM

At a meeting held on June 4, 2012, the Council of the Town of Minto approved the following Resolution # 140-12:

**WHEREAS** the Province of Ontario initiated the Source Water Protection Program in 2007 with a view to developing policies to protect sources of drinking water and since then economic and regulatory conditions have changed considerably;

**AND WHEREAS** municipalities have implemented extensive changes to water treatment processes from top to bottom through the Drinking Water Quality Management System to ensure a consistent and safe water supply for all users;

**AND WHEREAS** in the course of four years detailed technical assessments have been completed for 40 Source Protection Areas governed by 19 Committees with local representation and that public information and outreach has been considerable yet public understanding of the impact of the regulatory approach is minimal;

**AND WHEREAS** Source Protection Plans have been prepared in draft form and provided for agency review often with a confusing array of policies, options and references to existing legislation in some cases where processes and approvals are already in place, and that approach will lead to less than effective implementation and duplication;

**AND WHEREAS** in some cases small rural municipalities may have more than one Source Protection Plan to implement which adds to the complexity of implementation and most smaller municipalities do not currently have resources or expertise on staff to effectively review the policies or to act as

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Risk Management Officials, and the cost of such will be added to the cost of water users;


NOW THEREFORE the Council of the Town of Minto respectfully requests the Minister of Environment consider the following actions:

1. Receive the Source Protection Plans from the 40 Source Protection Areas and forward them to the Minister of Municipal Affairs for inclusion in the Five Year Review of the Provincial Policy Statement.
2. Once the updated Provincial Policy is approved, require all municipalities' to amend official plan and zoning by-laws within three years so as to be consistent with Provincial Policy and to protect the most vulnerable areas identified in the applicable Source Water Protection Plan from future land uses that pose a threat to the drinking water.
3. Require municipalities to develop by 2015 educational materials based on templates to be supplied by the Province for landowners, farmers, businesses, developers and others to consider when using lands within vulnerable areas identified in the Source Protection Plan.
4. That the Province works with municipalities over the next three years to develop a cost effective strategy to implement streamlined risk management plans to protect vulnerable areas around municipal water systems keeping in mind resources and expertise available and the anticipated cost to water users and further;

THAT the resolution be sent to the Premier of Ontario, Minister of Environment, Minister of Municipal Affairs and Housing, MPP Randy Pettapiece and municipalities across Ontario.

Thank you for your attention to this matter.

Yours truly,



Bill White  
CAO/Clerk

BW/am

cc The Honourable Dalton McGuinty, Premier of Ontario  
The Honourable Kathleen Wynne, Minister of Municipal Affairs & Housing  
Randy Pettapiece, M.P.P., Perth Wellington  
Saugeen, Grey Sauble, Northern Bruce Peninsula Drinking Water  
Source Protection  
Ausable Bayfield Maitland Valley Drinking Water Source Protection  
All Municipalities across the Province of Ontario  
Mayor and Council of the Town of Minto

8



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***Bill 55, An Act to  
implement Budget  
measures and to enact  
and amend various  
Acts***

***AMO's Post Budget  
Submission to the Standing  
Committee on Finance and  
Economic Affairs***

***June 12, 2012***

Association of  
Municipalities  
of Ontario

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Toronto, ON M5H 3C6 Canada  
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My name is Gary McNamara and I am the President of the Association of Municipalities of Ontario and the Mayor of Tecumseh and am pleased to attend this Committee. Thank you for this opportunity to represent municipal government interests with respect to Bill 55.

As I scan the fiscal horizon and digest the related policy initiatives, I find myself returning to a consistent municipal position. The position is simple - no new responsibilities unless they come with a dedicated and full funding source. In the language of provincial-municipal relations - no new downloads, no new costs. Our hands are more than full.

Let us all remember that for every tax dollar collected in this province, municipal governments receive just 9 cents while the federal and provincial governments collect the remaining 91 cents.

Much is expected of those 9 municipal cents – those pennies are the municipal share that builds roads, bridges, and transit. They also provide police, fire and ambulance services. They offer childcare, housing, and immigrant settlement services and much more.

Municipal property tax dollars deliver infrastructure and service investments that are critical to the success of Ontario's economy. In fact, these investments derive more tax return to the province and federal government through corporate taxes, income tax and sales tax than municipal governments see through new business or residential growth.

With just those 9 precious pennies, sustaining our existing responsibilities is our number one priority. It is also our number one challenge within the current provincial-municipal fiscal framework.

The uploading of the social assistance costs have been incredibly important for us. Provincial taxes are now funding most of the income redistribution social programs. This is how it should be. We applaud the government for taking this big step forward several years ago.

At the same time, municipal governments hold the fiscal responsibility for all social housing – there is a significant exposure given the condition of stock as well as the end of federal operating and funding agreements beginning in 2014. On top of this is the ever increasing housing wait lists and the pressure to develop new affordable housing. This is the time for the three orders of government to come together to build a long term approach. Those 9 cents that we receive will not solve this particular problem.

So now is not the time for what some are saying is backdoor downloads. The Budget Bill does not amend any legislation to directly transfer services to us. However, some of the expense management measures in the Budget's Addendum are creating program changes that will likely put pressure on municipal governments.

Delivering a package of program changes to us does not serve our common taxpayer. Not when we collect just 9 cents of every dollar and not when Ontarians still pay the highest property taxes in the country. Let me give a couple of examples.

The program changes to social assistance include a capping of health and non-health related discretionary benefit; eliminating the Community Start up and Maintenance (CSUM) Benefit within a new consolidated housing program, and cancelling the home repairs program.

These changes may negatively affect the people living in our communities - our neighbours who for a variety of reasons find themselves in need of simple things; like a transit ticket to look for work or emergency food or dental care.

We are told that flexibility within a revamped, hard capped health and non-health discretionary benefit is workable. We are told the same when it comes to the housing/ CSUM program.

Assuming amounts and caseloads stay the same one year to the next, let me give you an idea of the change in funding - The City of Hamilton, \$1.8 million; the Region of Waterloo, \$ 3.8 million.

From where we sit, it is difficult to accept that the program changes will not result in less support for individuals and families in the human service support system. But the province says it is doable.

Our message has and will continue to be – province, do not expect municipal governments to make up any difference should that not be the result, because our hands are full.

A similar concern can be expressed about the elimination of the Bear Wise program. MNR's bear relocation program trapped and removed nuisance bears away from urban areas across Ontario. The program is to be eliminated. Ontarians are to call 911 for police assistance. Instead of provincially paid wildlife officers, highly paid police officers will be deployed to do that job – municipal forces and contract OPP.

Ironically, this change occurs at the very same time that the Ministry of Community Safety and Correctional Services is holding consultations about police services and costs; about core and non-core police duties. Wildlife control is not a core police function. Creating a gap and relying on others to fill it doesn't address the problem.

On the issue of labour relations, AMO is encouraged by some of the steps the government has taken in the Bill related to interest arbitration. However, it has stopped short of achieving a balanced system – one that is truly transparent and accountable – for all parties including arbitrators, and particularly for taxpayers.

One of the major challenges with the current legislation is the 'ability to pay' criteria. The Bill must be amended to reflect that an arbitrator is required to take into account criteria reflective of the current economic state in a municipality. The criteria needs to include factors such as: the total compensation costing of the entire settlement including present and future liabilities and the employer's ability to pay in light of its fiscal situation with considerations of a council's service priorities, among other matters. The Drummond Commission also advised the government to put a stronger fiscal lens in the criteria. I ask that you study the Appendix to this submission, which highlights all the requested amendments related to interest arbitration. I urge you to bring them forward as part of your deliberations.

Earlier I mentioned the positive upload of \$1.5 billion of social service costs to the province by 2018. We are pleased to see it unaltered. It means for some municipalities that they have some revenue room to help with growing operational costs, such as salary and benefits, and also with capital improvements. For some, it means reducing Ontario Municipal Partnership Funds. Some understand that the social program grants component would go down as the upload progresses – that makes sense.

What is of grave concern is the possible change to the Funds of its other three grant components. For many municipalities, their property tax base does not provide the financial capacity to raise property taxes or introduce services fees to make up for any significant loss.

The government is reviewing the OMPF formula as part of the \$75 million proposed reduction over the next three years – reaching about \$500 million in 2016. How this will be undertaken and the impact to the over 350 affected municipalities is not yet known. We are anxious about this and we are providing our best input to this provincial decision.

This brings me to infrastructure. We asked for a permanent road and bridge program, particularly for smaller municipalities without the tax base to finance these assets. We understand the one year delay given the province's fiscal circumstances. Yet people who work and live in rural and northern Ontario are in as great a need for adequate transportation as people who live in urban areas.

So we will be patient for a bit longer. But at the same time, we know that the economy is stimulated when we make infrastructure investments. We know no order of government has the fiscal capacity, even in good times, to help municipal governments with their \$6 billion annual need. But we also know what happens when we do nothing – things just get more expensive to fix.

In summary, we understand the provincial fiscal challenges. Municipal governments have their own. We are facing stalled or declining growth. Closed factories and shuttered sawmills limit property tax revenues.



No new responsibilities, no new costs. This is our ask. With just those 9 precious pennies, sustaining our existing responsibilities is our number one priority. Our hands are full doing what it is that we do now.

However let me close with one more important thought. Municipalities are open to having discussions on coordinating activities that deliver a clear benefit to the Ontario taxpayer and the municipal taxpayer. This includes the fiscal revenue framework. To solve our common challenges requires new thinking, new ideas, and a commitment to open and candid consultation with municipalities. I look forward to that ongoing discussion. Thank you.

## **Appendix: Proposed Interest Arbitration Amendments**

These proposed Interest Arbitration amendments were developed by the Emergency Services Steering Committee (ESSC) and can be found in their Bill 55 submission as they did not have the opportunity to present to the Standing Committee on Finance today.

ESSC membership is comprised of Chief Administrative Officers, human resources and legal staff from member municipalities as well as representatives from municipal liaison groups and the Ontario Association of Police Services Boards. The mandate of the ESSC is to facilitate a coordinated, strategic approach to collective bargaining and other issues which significantly increase emergency services costs. The ESSC provides a municipal employer forum for collaboration and strategic discussion on all issues relating to emergency services labour costs.

The ESSC submission is with respect to the following schedules of Bill 55, *An Act to implement Budget measures and to enact and amend various Acts*:

Schedule 1 – *Ambulance Services Collective Bargaining Act, 2001*

Schedule 22 – *Fire Protection and Prevention Act, 1997*

Schedule 30 – *Hospital Labour Dispute Arbitration Act*

Schedule 52 – *Ontario Provincial Police Collective Bargaining Act, 2006*

Schedule 56 – *Police Services Act*

Schedule 68 - *Toronto Transit Commission Labour Disputes Resolution, 2011*

The ESSC proposes amendments to these schedules in four areas: (A) Arbitrator's Criteria; (B) Bargaining Committee (*Police Services Act*); (C) Written Submissions; and (D) Arbitration Board Executive Sessions.

**(A) Arbitrator's Criteria**

The interest arbitration provisions of the above-noted statutes set out the factors which arbitrators and boards of arbitration are to consider. These factors are similar but not identical across these six statutes. Amending the criteria to provide identical factors in all of these statutes would create more consistency in awards.

**Recommendation #1**

**The criteria in each of the following dispute resolution statutes be amended such that identical factors apply in all statutes:**

- *Fire Protection and Promotion Act (Schedule 22)*
- *Police Services Act (Schedule 56)*
- *Ambulance Services Collective Bargaining Act (Schedule 1)*
- *Ontario Provincial Police Collective Bargaining Act, 2006 (Schedule 52)*
- *Hospital Labour Dispute Arbitration Act (Schedule 30)*
- *Toronto Transit Commission Labour Disputes Resolution Act, 2011 (Schedule 68)*

**Note: Section 21(2) (7) of the *Ambulance Services Collective Bargaining Act* should be preserved. This section is required given that many ambulance services in Ontario are operated on a contracted out basis.**

The arbitration criteria provides guidance to arbitrators and boards of arbitration in rendering their awards. Despite the criteria, arbitrators generally rely on comparative wage and benefits data from other emergency services without regard to local factors and comparators, and little consideration is given to the overall costs of awards to the emergency service and the municipality. Interest arbitration awards should focus on the overall compensation of union and non-union employees in the local impact of the award of increases in wages and benefits to the municipality and its taxpayers.

### **Recommendation #2**

The criteria listed in the interest arbitration provisions of above-noted six statutes be amended as noted in bold below to ensure that the arbitrator or board of arbitration is required to take into account the following:

- the total compensation costing of the entire settlement including present and future liabilities
- the employer's ability to pay in light of its fiscal situation with considerations given to and consistent with the Municipal Council's service priorities
- the extent to which municipal service levels may have to be reduced to implement the arbitrator's decision if the current funding and taxation levels are not increased
- the economic situation in Ontario and in the municipality including private sector settlements
- a comparison as between the (police/firefighters/paramedics) and other municipal groups/employees within that municipality of terms and conditions of employment and the nature of the work performed; and
- the employer's ability to attract and retain qualified employees

Bill 55 proposes that arbitrators and boards of arbitration must provide written reasons upon the request of either party, and the written reasons must "clearly demonstrate that the arbitrator has given proper consideration to the factors set out [in the Act]". The term "proper consideration" should be defined or clarified to give effect to the purpose of this provision. It may be difficult to enact a precise definition but a generic policy statement may be sufficient. The legislation should also require that "proper consideration" include consideration of the submissions of the parties on each of the factors.

### **Recommendation #3**

**"Proper consideration" shall be satisfied where, on the face of the award, it is clear that the arbitration board has considered each specific criteria in light of the written and oral submissions of the parties. Written reasons addressing the relevant arguments and an explanation of the arbitration board's rationale process and evaluation of the respective submissions shall satisfy this requirement.**

**(B) Bargaining Committee**

The *Police Services Act* prescribes the composition of the employer's bargaining committee. This restriction is not found in any other sector or in the police sector in other jurisdictions. Police employers are unfairly prejudiced by this provision, and should have the same right as the union to determine the composition of its bargaining committee.

**Recommendation # 1**

**Amend the *Police Services Act* by deleting section 120(1) and (2).**

**(C) Timing for Submissions of the Parties**

**Recommendation #1**

Amend the relevant dispute resolution provisions of interest arbitration legislation to include the following type of amendment in recognition of the need to expedite and streamline the interest arbitration process:

**1. Upon confirmation of the date of the arbitration hearing, the arbitration board shall confirm the following pre-hearing process for the exchange of written submissions:**

- (a) the parties shall exchange any written submissions on their respective issues that they intend to submit to the arbitration board three (3) weeks prior to the arbitration hearing or such other time as the arbitration board, in consultation with the parties, determines is appropriate in light of the issues in dispute;**
  
- (b) the parties shall then exchange any written submissions in response to the other party's submissions one (1) week prior to the arbitration hearing or such other time as the arbitration board, in consultation with the parties, determines is appropriate in light of the issues in dispute;**

- 2. Nothing in the foregoing shall prevent the parties, through mutual agreement, from agreeing to an alternative pre-hearing disclosure process provided that any written submissions are provided to the arbitration board no later than five (5) days prior to the arbitration hearing.**
- 3. Notwithstanding section 2 above, any pre-hearing disclosure process and timeframe shall be enforceable by the arbitration board as an order of the arbitration board pursuant to section 4 below.**
- 4. In enforcing the pre-hearing disclosure obligations set out herein, the arbitration shall have the power to:**

  - (i) exclude from consideration in fashioning its final arbitration award any submissions made outside of the pre-determined and ordered submission timeframes;**
  - (ii) award compensation to the non-offending party as the board of arbitration may determine is appropriate in consultation with the parties, recognizing both the relevant costs associated with delay and the need to encourage parties to ensure timely submissions; and**
  - (iii) any other remedy that the board of arbitration may determine is appropriate in the circumstances of the case.**
- 5. An arbitration board shall only accept submissions made outside the parameters set out in section 1 above in extenuating circumstances beyond the control of the parties.**
- 6. The submissions of the parties, and all corresponding and necessary evidence, shall be completed at the arbitration hearing without the need for post-hearing submissions. A party shall not be entitled to advance any submissions or evidence post-hearing that would have been properly the subject of pre-hearing submissions either in the party's primary submissions or in response to submissions made by the opposite party or through oral submissions at the arbitration hearing.**

7. Where a party advances a novel argument or submission at the arbitration hearing not previously advanced through the written submission process, the opposing party shall be afforded the opportunity to make written submissions on such issues as the board of arbitration determines is appropriate in the circumstances. Any such submissions shall be made within three (3) weeks of the conclusion of the last day of interest arbitration.

8. Notwithstanding the foregoing, at the request of the arbitration board, where further submissions or evidence is required following the conclusion of the arbitration hearing, such submissions or evidence shall be provided to the arbitration board and opposing party no later than three (3) weeks following the final arbitration hearing date.

**D) Arbitration Board Executive Sessions:**

**Recommendation #1**

Delay within the interest arbitration often occurs as a result of the availability of the arbitration board members to meet in executive sessions to discuss the issues in dispute to fashion its award. A potential mechanism to reduce this inherent delay would be to require the members of the arbitration board to schedule its initial executive session at the time that the arbitration date is confirmed and to confirm this date with the parties with the goal being to have the executive session within one (1) month of the conclusion of the arbitration hearing so as to have a final award within the expected timeframes pursuant to the relevant legislative provisions (i.e. 90 days under the FPPA).

9



**CITY COUNCIL**

**RESOLUTION**

**No. 2012-102**

**Date 2012-03-27**

WHEREAS Alzheimer's disease and other dementias are progressive, degenerative diseases of the brain that cause thinking and memory to become seriously impaired;

AND WHEREAS Alzheimer's disease and other dementias most often occur in people over the age of 65 but can strike adults at any age;

AND WHEREAS Alzheimer's disease and other dementias affect more than 500,000 Canadians currently and that this figure is projected to reach 1.1 million within a generation;

AND WHEREAS Alzheimer's disease and other dementias also take their toll on hundreds of thousands of families and care partners;

AND WHEREAS an estimated further three million Canadians face the burden and challenges of providing care for those suffering with Alzheimer's disease and other dementias;

AND WHEREAS there is no known cause or cure for this devastating illness;

AND WHEREAS the cost related to the health care system is in the billions and only going to increase, at a time when our health care system is already facing enormous financial challenges;

AND WHEREAS Canada, unlike many countries, does not have a national dementia strategy;

AND WHEREAS there is an urgent need to plan and raise awareness and understanding about Alzheimer's disease and other dementias for the sake of improving the quality of life of the people it touches;

AND WHEREAS Claude Gravelle, MP, Nickel Belt has introduced Bill C-356, An Act respecting a National Strategy for Dementia, as he works for broad, all party and non partisan support for an issue that touches us all. His legislation calls for a national plan that includes the development of strategies in primary health care, in health promotion and prevention of illness, in community development, in building community capacity and care partner engagement, investments in research and other (advisory board, objectives, investment in research, and caregivers and more);

NOW THEREFORE BE IT RESOLVED THAT the City of Greater Sudbury call on all levels of government and the Federation of Municipalities to adopt a national dementia strategy, and urge all citizens of our communities to become more aware and engaged concerning the far-reaching effects of this devastating disease.

**DISCLAIMER**

This material is provided under contract as a paid service by the originating organization and does not necessarily reflect the view or positions of the Association of Municipalities of Ontario (AMO), its subsidiary companies, officers, directors or agents.





# Mayors Coalition for Affordable Sustainable Accountable Policing

Mayors Coalition  
c/o John Lessif  
Town of Tillsonburg  
200 Broadway  
Tillsonburg, ON  
N4G 5A7

May 10, 2012

Good day Reeve Stewart,

The Mayors Coalition is gaining fast ground on this extremely important topic. Beyond the Policing taskforce that was developed two months ago, we now see the following new committees being formed: The Future of Policing Advisory Committee, this committee is designed to provide a forum for the follow up on key issues and in particular, the review of police services. The Committee will also oversee six different subcommittees which will review: crime prevention, law enforcement, assistance to victims of crime, public order maintenance, emergency response, and administration and infrastructure. And secondly, an OPP Costing Project Team has been created. This team is dedicated to improving the transparency and accountability of municipal costs in communities policed by the OPP. All of these things are a result of the fact that the High Cost of Policing topic, while difficult, perhaps unpalatable for some, had to occur and must continue to occur.

The above activities will certainly allow us to better understand our police bills, and that is important, however the conversation still needs to turn to how we reduce those policing bills and the Mayors Coalition remains focussed on the financial aspect.

## **What is it we are looking to achieve?**

It is one of two things, a true partnership with the Province or if not, have the Province take on 100% of the taxation for OPP Policing services.

To understand in which direction we are headed we are asking the following:

1. Is the Province interested in a true partnership where municipalities have some control over our costs?
2. If yes, can we develop a working group to delve into the weeds with our new municipal control and make changes?
3. If not, will you take collection for services right out of the municipal levy where it no longer belongs?

Why are we pursuing this in light of the Ministries task force in which AMO is participating? Simply put, the task force is not allowed to speak to the items of true and meaningful significance. The Minister has clearly stated they cannot speak to or address:

- The province-wide model for developing municipal police costs;
- The adequacy standards and/or other legislative or regulatory requirements for policing;
- The policy or practice for collective bargaining with the OPPA.

As elected municipal officials we are fiscally accountable to our citizens and accountable to look after all levels of our community. We need to protect Seniors and the less fortunate in our communities from the over burdening taxation, we need to deliver 100% of mandated services, at affordable price points,

we need to protect our local business and industries from undue taxation causing them to close their doors or layoff our citizens, we need to deliver programs for our youth. Our ability to deliver these programs are crippled by the rising costs of Policing.

To accomplish the above we have a 3 phase plan that would see the following unfold:

### **Phase One**

- Develop a comprehensive stakeholder map
- Prepare key messages for meetings with stakeholders
- Canvass key stakeholders
- Gather intelligence at Queen's Park
- Analyze primary information
- Deliver report assessing the prospects for achieving needed changes and the most approach for moving forward.

### **Phase Two**

- Continue to gather intelligence and interact with government and opposition members
- Continue to conduct government outreach and meetings

If we choose to go with a more public campaign,

- Develop key messages for public education campaign
- Outreach to key decision makers
- Develop 'constituency of supporters'
- Designate priority targets for engagement based on Phase One activity
- Designate key regional spokespeople
- Design a consistent narrative for use with media
- Create opportunities to engage with Queen's Park influencers and policymakers
- Creation of materials, media lists, stakeholder list, fact sheets and construct a bilingual media toolkit

- Deliver a report measuring and assessing the impact of the public campaign against our stated goals, along with recommendations for future action

### **Phase Three**

- Continue to communicate with stakeholders and influencers
- Continue to monitor media
- Provide stakeholders with updated information

We trust you share our vision and commitment. Please consider supporting our effort in one of two ways:

1. Financial support of \$1,000 (recognizing tight times, less is acceptable)
2. Moral support via joining the coalition as registered member of the Mayors Coalition for Affordable, Sustainable, Accountable Provincial Policing.

Please find attached a coalition membership form and invoice for your convenience,

Thank you so much for your ongoing support,

### **Mayors Coalition Steering Committee**

Cochrane Mayor Peter Politis  
Arnprior Mayor David Reid  
Penetanguishene Mayor Gerry Marshall  
Parry Sound Mayor Jamie McGarvey  
Norfolk Mayor Dennis Travale  
Tillsonburg Mayor John Lessif

**Mayors Coalition for Affordable  
Sustainable  
Accountable  
Policing**

Mayors Coalition  
c/o John Lessif  
Town of Tillsonburg  
200 Broadway  
Tillsonburg, ON  
N4G 5A7

**Membership Form**

NAME: Reeve Tammy-Lea Stewart

MUNICIPALITY ADDRESS:

Townships of Head, Clara and Maria\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Mayors Coalition  
c/o Town of Tillsonburg  
200 Broadway  
Tillsonburg, ON  
N4G 5A7

**Mayors Coalition for Affordable  
Sustainable  
Accountable  
Policing**

Mayors Coalition  
c/o John Lessif  
Town of Tillsonburg  
200 Broadway  
Tillsonburg, ON  
N4G 5A7

May 10, 2012

Reeve Tammy-Lea Stewart  
Townships of Head, Clara and Maria

Quantity	Description	Unit Price	Total
1	Fee to assist in operating costs as describe in correspondence dated May 10 ,2012	\$1000.00	\$1000.00
			<b><u>\$1000.00</u></b>

Please submit payment to:

Director of Finance  
Town of Tillsonburg  
200 Broadway  
Tillsonburg, ON  
N4G 5A7

**Ministry of  
Municipal Affairs  
and Housing**

Office of the Minister  
777 Bay Street, 17<sup>th</sup> Floor  
Toronto ON M5G 2E5  
Tel. 416 585 7000  
Fax 416 585 6470  
[www.ontario.ca/MAH](http://www.ontario.ca/MAH)

**Ministère des  
Affaires municipales  
et du Logement**

Bureau du ministre  
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Toronto ON M5G 2E5  
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Télééc. 416 585 6470  
[www.ontario.ca/MAH](http://www.ontario.ca/MAH)



12-4242

June 22, 2012

Dear Mayor/Regional Chair:

I wanted to take this opportunity to bring you up to speed on some important changes to the *Strong Action for Ontario Act (Budget Measures), 2012* that were supported by both Opposition parties in the Ontario legislature. These changes could have significant financial impacts for municipalities as you work to negotiate new contracts with employees designated as essential services.

As I am sure you are aware, the Budget Measures Act, that was introduced on March 27, 2012, would have made a number of changes to the interest arbitration system in Ontario. The purpose of our proposed amendments was to introduce a focused and balanced package of reforms that would increase accountability, transparency and timeliness within the interest arbitration system, while preserving the independence of the decision-making process.

Under our original proposed law, there would have been a legislative requirement for interest arbitrators, upon the request of either party, to provide written reasons demonstrating that they have given proper consideration to the statutory criteria. Parties would also have been required to provide submissions on these criteria. These proposed changes would have added transparency to the process and address concerns that have been expressed by the parties that arbitrators' awards sometimes fail to demonstrate proper consideration of the factors set out in legislation.

The proposal would have also introduced a realistic deadline for an arbitration decision and set out the consequences for failing to meet that deadline. If the arbitrator failed to issue an award within the required time frame, the matter would be transferred to the Ontario Labour Relations Board for a quick resolution.

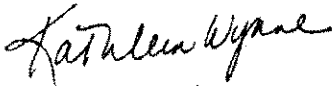
Don Drummond concluded in his report, *Public Services for Ontarians: A Path to Sustainability and Excellence*, that the arbitration system is not broken. Mr. Drummond went on to say that, "compensation increases must be highly constrained over the next several years. That will only happen if the public-sector employers adopt tough, but fair, stances in negotiations. The pattern will then likely be reflected in arbitration." In Mr. Drummond's estimation, more moderate negotiated settlements will encourage more moderate arbitration decisions.

Mayor/Regional Chair

Our Strong Budget Plan passed its final vote in the legislature. Unfortunately, opposition members at the Standing Committee on Finance and Economic Affairs joined together to remove sections of the Budget Bill that contained these important interest arbitration reforms. The changes to the Budget Bill are disappointing and surprising, considering the Leader of the Official Opposition has repeatedly committed to the same reforms.

Premier McGuinty has publicly committed to reintroducing the deleted interest arbitration reforms in new legislation next fall. These reforms are a joint priority. Our front-line workers provide vital services and it's in our shared interest to ensure those services continue to operate sustainably. I encourage you to have these conversations with your Member(s) of Provincial Parliament to ensure passage of the legislation in the fall.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen Wynne".

Kathleen Wynne  
Minister



The Municipality of Lambton Shores

Mayor and Council  
Municipalities of the Province of Ontario

Dear Sirs and Madams:

The Municipality of Lambton Shores has been receiving calls, emails, and Council delegations from citizens concerned with the health concerns regarding Electromagnetic Radiation (EMR) from close proximity to cellular towers.

At the most recent meeting of Council, a resolution was passed, recommending changes to Federal guidelines for Telecommunication (cellular) Towers, and staff were directed to forward a copy of the resolution to all municipalities in Ontario and all Members of Parliament.

A copy of the resolution that was passed is attached for your reference and support.

Thanking you in advance for your consideration.

Yours truly,

A handwritten signature in cursive script that reads "Carol McKenzie".

Carol McKenzie  
Clerk



A Resolution recommending changes to Federal guidelines on health, siting requirements and municipal protocols for Telecommunication (cellular) Towers-

Whereas the siting of cellular towers is under Government of Canada jurisdiction, the siting impacts municipal land use and social planning;

And whereas: cellular service providers claim that they propose new towers to establish a high grade of service for cellular phones; the reality is the proposals are about building a comprehensive network for high data delivery to portable devices which in turn require broadcasting stronger radio frequency than for cellular phone service alone;

And whereas: many citizens have brought forward their health concerns about Electro-sensitivity based on close proximity to cellular towers emitting stronger Electromagnetic Radiation (EMR) to Municipal Councils and Members of Parliament;

And whereas: these health concerns have been given credence by International studies and reports on the possible carcinogenic results of longer term exposure to EMR as result of close proximity;

And whereas: a Parliamentary Committee's examination of these health risks recommended immediate funding to studies by suggesting that there is not a clear consensus on the science;

And whereas: the Precautionary Principle (PP) addresses the non-consensus by stating:

Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost effective measures to prevent environmental degradation;

And whereas: other nations have used the (PP) as a basis for adopting more stringent guidelines for the siting of cellular towers on the early evidence long term EMR exposure;

And whereas: Safety Code 6, Industry Canada's guideline for exposure is based on 6 minutes exposure, is outdated and does not take into account long term exposure;

And whereas: Municipal protocols enacted under Industry Canada guidelines to address local concerns are routinely ignored or overturned by an Industry Canada bureaucracy;

And whereas: the exclusion of any public scrutiny to the siting of towers under 15m gives cellular providers a convenient tool that undermines any semblance of Municipal or citizen public input to the whole process;

And whereas: it is important for all governments to put the welfare of its citizens first before corporate interests;

And whereas: no Industry Canada regulation exists to enable Municipalities to enact Exclusionary Zones for Electromagnetic radiation.

Therefore: be it resolved that the Council of the Municipality of Lambton Shores petitions the Government of Canada to employ the Precautionary Principle in addressing Health Concerns around the siting of cellular towers by:

Adopting regulatory standards that reflect current international standards for Electromagnetic Radiation long term exposure and proximity to cellular towers.

Funding and completing the necessary studies that would give assurances to citizens that EMR is a Health Canada priority.

Recommending to cellular providers, that as good corporate citizens, voluntary withdrawal of all applications for new cellular tower siting in the system be done as a show of good faith while the new regulations take effect.

Recommending to cellular providers, that as good corporate citizens, they prepare a nationwide plan to relocate all cellular towers that are within 200 m. of houses, apartments, daycare centres, healthcare centres and schools with government assistance.

Partnering with municipalities to prepare a new protocol template to be used in the Industry Canada siting process that reflects good Health guidelines, International standards for EMR and practical land use standards and that this protocol be given full power of law.

Adopting standard procedures for public process in the siting of any cellular towers under 15m.

Adopting standard procedures and enabling legislation for Municipalities to enact Exclusionary Zones within their Official Plans and Zoning Bylaws for Electromagnetic Radiation;

And that this resolution be forwarded to all Municipalities and Members of Parliament for their support.

Passed by the Municipality of Lambton Shores Council on the 18<sup>th</sup> day of June, 2012:

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Text Size A A A

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Print

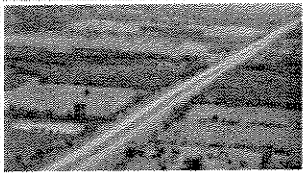
Sympatico.ca

## Bar owners charged in alleged drunk-driving deaths

27/06/2012 8:23:00 AM

**In a potentially precedent-setting case, the co-owners of an eastern Ontario bar are facing manslaughter charges after a person left their establishment and caused a highway crash that left two people dead.**

CTVNews.ca Staff



In this June 2007 file photo, a stretch of the Highway 401 between Belleville and Napanee, Ont. is seen deserted during a protest. (CP PHOTO/Jonathan Hayward)

When Korin Howes left the Angry Beaver Bar and Grill in Belleville, Ont. last February, she drove her car the wrong way in the eastbound fast lanes of Highway 401 and slammed head-on into a car driven by Shaina Harrison.

Both of the 23-year-old drivers were pronounced dead at the scene.

It is alleged Howes was drunk when she left the bar.

The bar owners David Stoll and Philip Szejnmler now face two counts each of manslaughter, as well as liquor license violations including permitting the use of narcotics, serving alcohol outside business hours, providing alcohol to someone who is already intoxicated and giving alcohol away for free.

Criminal defence lawyer Norm Boxall says other bar owners and employees have good reason to be interested in the outcome of this case.

"This will send a ripple effect through persons in the hospitality industry, and perhaps even homeowners, for concern that if they serve persons to excess and those persons operate a vehicle that they wouldn't just be responsible civilly ... but they could be charged criminally and potentially go to jail," Boxall told CTV Ottawa.

After all, Boxall said, there's no insurance policy against being found guilty in a court of law.

"If you're found responsible criminally you can't insure yourself against that. You're going to jail," he said.

In order to prove its case, the Crown will have to establish that the accused knew, or should have known, that what they were doing would cause serious bodily harm or death.

Stoll and Szejnmler have been released pending their scheduled appearance in a Belleville court on July 26.

Since the crash, the Angry Beaver Bar and Grill had its liquor licence permanently revoked and the premises have been closed.

With files from CTV Ottawa's Katie Griffin

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June 27, 2012

Mr. Toby Barrett  
MPP, Haldimand-Norfolk  
toby.barrett@pc.ola.org

Dear Mr. Toby Barrett,

Re: Request Support for Bill 11 –  
Establish the South Western Ontario Development Fund

Please be advised of the following resolution which was passed by Norfolk County Council to request your support of Bill 11:

"THAT WHEREAS Bill 11 to establish a \$20 million per year investment fund for South Western Ontario is presently before the Ontario legislature and its passage is being delayed and obstructed;

AND WHEREAS the intent of the South Western Ontario Development Fund is very similar to the recently concluded Sand Plains Development Fund (i.e. comprised of "patient pay-back loans" not "grants" or as some call it corporate welfare);

AND WHEREAS through broad consultation, much effort by municipal representatives across Ontario has been put forward to frame the program design and this investment program is desperately needed and will play a major role in assisting the hard hit economy of rural and small town Ontario;

NOW THEREFORE BE IT RESOLVED THAT Norfolk County Council requests our elected representative, Mr. Toby Barrett, MPP, Haldimand-Norfolk to support the Bill that would establish the South Western Ontario Development Fund which is a vitally needed investment program for rural and small town Ontario, and we ask that he encourage his peers in the Ontario Progressive Conservative Party to do likewise. "

Trusting you will give this serious consideration.



Beverley D. Wood, AMCT, CMC, CMMIII  
Clerk/Manager of Council Services  
519-426-5870, Ext. 1228  
519-426-8573 - Fax  
[bev.wood@norfolkcounty.ca](mailto:bev.wood@norfolkcounty.ca) – Email

c.c.: AMCTO – all Municipalities  
Mr. Toby Barrett, MPP, 39 Norfolk St. N. Simcoe N3Y 3N7  
Premier Dalton McGuinty, [dmcguinty.mpp.co@liberal.ola.org](mailto:dmcguinty.mpp.co@liberal.ola.org)  
Honourable Brad Duguid, Minister Economic Development and Innovation  
[bduguid.mpp@liberal.ola.org](mailto:bduguid.mpp@liberal.ola.org)

**REPORT: AMO Board Meeting – Summer, 2012**

**/S. Freeman, County Caucus**

Board Meeting

- Ontario Budget has passed, AMO President and staff worked continuously throughout the process to maintain the uploads. Not all municipalities benefit from OPMF but all benefit from the uploads.
- Potential arbitration was unfortunately dropped from the budget (they needed NDP support), this was one of our municipal concerns.
- But, unforeseen downloads are happening as Ministries cutback and services are curtailed e.g. MNR no longer looks after stray or rogue bears, thus Police have to assume, under public safety, the problem of dealing with problem bears and thus they are shooting them as they do not have the resources for capture and release as MNR did. Who pays for police – we do! So look out for more cases like this. AMO monitoring the budget implications on our behalf too.
- 421 municipalities are paid up members of AMO out of the 444 in the province.
- The bylaw review continues with recommendations coming to the AGM in August as to attendance at Board meetings, allowance for technology based meetings, and candidacy for Caucus Chairs; and Candidacy for Political Parties that recommends AMO Board Members resign if they declare their intension to run for a political party. All changes will need a 2/3 vote at the conference.
- At the AMO Conference – Ottawa - August 19-22, there will be elections in the County Caucus (*I am running and ask for your vote!*), Large Urban Caucus, Small Urban Caucus and Rural Caucus. The President elect is Russ Powers who is a councillor in the City of Hamilton.
- The new AMO website will have an “ideas” button where you can post your good ideas as to how provincial programs can be improved.
- The Board heard an update on the continuing policy initiatives around OPMF, Police costing, Energy (FIT inc), Housing, Municipal Fiscal framework, Infrastructure, Pensions, Social Services & Waste Diversion (more on the AMO website).
- LAS is providing an energy efficiency service to assist LAS municipalities with energy retrofit plans. Enquire if you are interested.
- AMO is working re. communications around municipal participation in the revised FIT program. Also they are looking at the emergency response, site abandonment, site remediation issues in the program as well as best practices in terms of hosting renewable energy programs (community vibrancy funds).
- The energy sector and pricing is a mess, we’re using less and paying much more to compensate for wind/solar producers to stop producing! This has a huge impact on businesses as we are now losing more businesses to other jurisdictions especially Quebec who energy costs are much lower than Ontario. The impact on taxpayers and municipalities is expected to grow significantly.

- Add that to the fact that the government has set up a “Local Distribution Sector Panel” to see if there is interest in consolidating local hydro producers into one (guess the one). AMO’s analysis shows that Ontario Hydro is the least efficient in all areas compared to the local distributors.
- We had a presentation on a draft Study of Optimization of Blue Box materials processing systems across Ontario. It looks at a hub and spoke system to try and reduce transportation costs. The study uses GIS work to map out the MRF’s and potential MRFs. Watch for this report when it is finalized and comes to you for comment. AMO is planning a full or half day webcast for municipal staff in July 24<sup>th</sup> or 25<sup>th</sup>. The concept is that no one should be a looser in efficiencies to the system.
- Concern has been voiced by a couple of my colleagues as to the MOE’s proposed changes specifically that the ministry’s municipal wastewater and storm water, and private drinking water wells compliance programs will be transferring from the ministry’s Operations Division (OD) to the Drinking Water Management Division (DWMD). The ministry has already started work on this internal reorganization of responsibilities, with the full transition expected to be completed by April 1, 2013. If you too are concerned with the implications of these changes and the added cost to municipalities, please let me know.
- See you at the AMO conference!



June 29, 2012

The Right Hon. Stephen Harper, P.C., M.P.  
Prime Minister of Canada  
Langevin Building  
80 Wellington Street  
Ottawa ON K1A 0A6

Dear Prime Minister:

**Re: Emergency Preparedness**

The tragic events of this past week in the Town of Elliot Lake and the tragic experience last summer in the Town of Goderich and other near misses of tornados and massive flooding, not only in Ontario but across the country in recent years, speaks to the importance of well trained, emergency response with timely access to appropriate equipment and other emergency resources, including rescue teams. Communities helping communities in times of need is part of that fabric, but in the end, specialized equipment and training generally available in the urban areas of Canada need to be available to remote and rural communities early in any disaster.

The Federal Government has, through the Joint Emergency Preparedness Program (JEPP), provided a valuable source of funding to municipalities across Canada. This is not the program that the Federal Government should cut. The Federal Government needs to continue its leadership in this area – the funding program and its coordinated training role.

On behalf of the 400 plus municipalities in Ontario, I strongly encourage you to reconsider your government's decision and keep the JEPP program, so communities across Ontario and Canada are equipped to respond to local emergencies and disasters.

Yours sincerely,

Gary McNamara  
President

cc: Hon. Dalton McGuinty, Premier of Ontario  
Hon. Vic Toews, Minister of Public Safety, Government of Canada  
Hon. Madeleine Meilleur, Minister of Community Safety and Correctional Services





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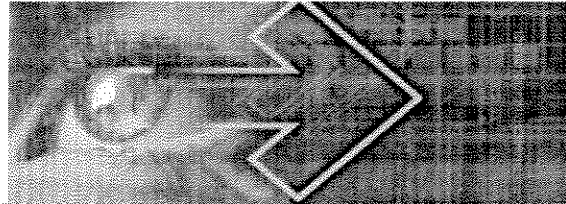


Guest  
Column:

June 28,  
2012


 Association of  
Municipalities of Ontario

## Watch File



Matthew  
Mendelsohn  
Director  
Mowat  
Centre  
School of  
Public Policy  
&  
Governance  
University of  
Toronto

### Fiscal Federalism: Why Municipal Leaders Should Care

All those who follow public policy in Ontario are familiar with the main thrust of Don Drummond's report on Ontario's fiscal situation, released earlier this year. But few policy wonks have spent much time with Chapter 20, which may be the most important part of the report.

This chapter on Intergovernmental Relations provides devastating, evidence-based confirmation that a good portion of the blame for Ontario's fiscal woes is on the steps of the federal government. Drummond begins by noting that in 2009-10, with 39 per cent of the Canadian population, Ontario contributed 39 per cent to federal revenues, but benefited from only 34 per cent of federal spending – a gap worth about \$12.3 billion or 2.1 per cent of Ontario's GDP. The report concludes that this, among other factors, demonstrates the "perverse structure of Canadian fiscal federalism."

It is not a coincidence that the size of the federal fiscal drain from Ontario and the size of the Ontario deficit are very similar. A drain of fiscal resources from Ontario may have at one time been justified. It was the burden of prosperity that Ontarians gladly paid in the 1970s and '80s.

Today, Ontario's fiscal capacity is below the national average due to surging oil prices. However, despite receiving equalization this year, Ontario, along with Alberta and B.C., are the only net fiscal contributors to the federation.

This is no longer sustainable. The operation of fiscal federalism and federal spending decisions that take money out of Ontario at a time when its fiscal capacity is below average is indeed "perverse" and should offend Canadians' sense of fairness.

Over the past decade, the federal government has diverted two to four per cent per year of Ontario's GDP for the purpose of regional redistribution. We are now seeing the long-term impact of federal policy on Ontario's economy.

Ontario has the largest deficit in the country. This is not because of higher than average spending. In fact, Ontario spends less per capita than any other province. In 2009, Ontario spent just \$9,030 per capita, well below B.C., which spent \$9,689. Newfoundland and Labrador (\$13,466) and Saskatchewan (\$11,848) were the biggest spenders, and despite surging resource royalties and above-average fiscal capacity, both continue to be significant beneficiaries of federal spending. With resource revenues and generous federal spending decisions, it is not surprising that they spend more than other provinces.

The Finance Canada data presented in the Drummond report is clear: Ontario has less ability to deliver the same level of public services as other provinces because of federal decisions.

The impact from federal policies that drain funds from Ontario will be felt in municipalities, with more pressure in Ontario than in other provinces for downloading to municipal governments. The Ontario government, more so than others, will be squeezed when it comes to paying for public transit, waste water infrastructure, social services – or just about anything else.

Policies, cultural habits in Ottawa and allocation formulas established long ago are no longer justifiable – and they are doing long-term damage to Ontario's economy and municipalities. The data in the Drummond report makes this increasingly clear.

I suspect that most Ontarians would be genuinely surprised to find out that federal transfers continue to redistribute money away from Ontario, rather than toward it. The fact that Ontario receives a small equalization cheque probably leads some to mistakenly conclude that Ontario now benefits from federal transfers. But we don't – Ontario's taxpayers continue to spend way more on equalization than they get back.

The Drummond report makes a pointed case for federal action. Without this key ingredient, Ontario faces an even steeper climb out of its fiscal hole – and municipalities in Ontario will have to carry a larger burden than in other provinces.

Municipal leaders, often the most trusted and credible public officials in their communities, have to put the case to their federal counterparts. The federal government may be ready to act – but they may need a little prodding at the local level first.

Matthew Mendelsohn is the Director of the Mowat Centre in the School of Public Policy & Governance at the University of Toronto and a former Ontario deputy minister.



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**The Corporation of the Town of Tillsonburg**

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June 28, 2012

Honourable Dalton McGuinty  
Premier of Ontario  
Room 281, Main Legislative Building,  
Toronto, ON M7A 1Z8

**RE: COUNCIL Resolution – Business Tax Capping Reform**

At the Tillsonburg Town Council Meeting of June 25, 2012, Council passed the following resolution:

Whereas the Province of Ontario first introduced mandatory "business tax capping" for the commercial, industrial and multi-residential property classes as a temporary reform mitigation program for the 1998, 1999 and 2000 taxation years;

And whereas this "temporary" and "transitional" measure was succeeded by a permanent business tax capping program for the 2001 and subsequent taxation years;

And whereas the 2012 taxation year will represent the fifteenth taxation cycle for which mandatory business tax capping has applied;

And whereas the overall business tax capping scheme was introduced as a means of assisting taxpayers manage tax shifts related to Provincial Assessment and Property Tax reforms introduced for the 1998 taxation year;

And whereas it has become evident over time that the protection provided under this program has been less related to the original impacts of reform and more so due to the ongoing impacts of subsequent assessment base updates;

And whereas this program must now be seen as a redundant measure in light of the Province's successful four-year assessment phase-in program, which more effectively and equitably addresses assessment increases for all properties;

And whereas this program now has only a marginal impact on a very limited number of taxpayers due to the County's careful and deliberate application of optional parameter and exclusion tools, and yet it remains a significant burden on the financial and administrative resources of both the County and local municipalities;

Therefore be it resolved that the Town of Tillsonburg calls on the Government of the Province of Ontario to Amend Part IX of the Municipal Act, 2001 and supporting regulatory provisions so as to make the entirety of that Part (Business Tax Capping) optional at the discretion of each upper and single tier jurisdiction; and

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**CORPORATE OFFICE**

200 Broadway, 2<sup>nd</sup> Floor, Tillsonburg, Ontario, N4G 5A7, Telephone (519) 688-3009, Fax (519) 842-9431  
www.tillsonburg.ca

That the Town of Tillsonburg calls on the Government of the Province of Ontario to make these changes and amendments effective for the 2013 taxation year to coincide with the pending reassessment and related four-year assessment cycle; and

That the discussion paper "Allowing Municipalities to Opt Out of Business Tax Capping" prepared by Municipal Tax Equity (MTE) Consulting Inc., which speaks directly to this subject matter, and which addresses many of this Council's concerns, interests and preferences, shall be attached to, and shall form a part of this motion; and

That copies of this motion, along with the above mentioned attachment, are to be sent to:  
Premier Dalton McGuinty;  
The Honourable Dwight Duncan, Minister of Finance;  
Honourable Kathleen O'Wynne, Minister of Municipal Affairs and Housing;  
Ernie Hardeman, MPP Oxford;  
Gary McNamara, President, Association of Municipalities of Ontario (AMO);  
Allan Doheny, Assistant Deputy Minister - Provincial Local Finance Division (Acting);  
Janet Mason, Assistant Deputy Minister - Local Government and Planning Policy Division,  
Minister of Municipal Affairs and Housing,  
The County of Oxford,  
Western and Eastern Warden groups,  
and all Municipalities in the province of Ontario.

If you have any questions, please do not hesitate to contact me at 688-3009 Ext. 3224

Regards,



Donna Wilson  
Clerk  
Development & Communication Services  
Town of Tillsonburg  
200 Broadway, 2nd Floor, Suite 204  
Tillsonburg, ON N4G 5A7  
Phone: 519-688-3009 Ext. 3224

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**CORPORATE OFFICE**

200 Broadway, 2<sup>nd</sup> Floor, Tillsonburg, Ontario, N4G 5A7, Telephone (519) 688-3009, Fax (519) 842-9431  
[www.tillsonburg.ca](http://www.tillsonburg.ca)

**Discussion Paper**

**Allowing Municipalities to Opt Out of Business Tax Capping**

Prepared by:

**Municipal Tax Equity (MTE) Consultants Inc.**

12005 Steeles Avenue, RR #3

Georgetown, Ontario

L7G 4S6

June 1, 2012

### Disclaimer and Caution

The information, views, data and discussions in this document and related material are provided for general reference purposes only.

Regulatory and statutory references are, in many instances, not directly quoted excerpts and the reader should refer to the relevant provisions of the legislation and regulations for complete information.

The discussion and commentary contained in this report do not constitute legal advice or the provision of legal services as defined by the *Law Society Act*, any other Act, or Regulation. If legal advice is required or if legal rights are, or may be an issue, the reader must obtain an independent legal opinion.

Decisions should not be made in the sole consideration of or reliance on the information and discussions contained in this report. It is the responsibility of each individual in either of a decision-making or advisory capacity to acquire all relevant and pertinent information required to make an informed and appropriate decision with regards to any matter under consideration concerning municipal finance issues.

MTE is not responsible to the municipality, nor to any other party for damages arising based on incorrect data or due to the misuse of the information contained in this study, including without limitation, any related, indirect, special or consequential damages.

## Introduction and Purpose

Leading into 1998, sweeping reforms to the property assessment and taxation system were introduced by the Harris Government under the auspices of a number of key goals. Primary among these was ensuring that the assessment of real property and taxation practices across Ontario would be more fair, consistent, and understandable for taxpayers. Despite this original conviction, when faced with widespread criticism of their initial efforts the Government of the day quickly introduced a mandatory tax capping program for business class properties for the 1998 through 2000 tax cycles, which became known as the 10-5-5, in a laudable attempt to ease the transition to the new property tax regime.

Since these early days of reform, a variety of modified tax capping protection regimes have been implemented, replacing earlier successors with more permanent forms of relief. This tradition has created a long legacy of inequity within the multi-residential, commercial and industrial tax classes, which has effectively undermined the original goals of a stable, fair, transparent, and easily administered assessment and property tax system in the Province of Ontario.

Since the initial implementation of business tax capping in Ontario, Municipal Tax Equity (MTE) Consultants Inc. has worked intently with property tax professionals and municipalities across the Province to meet the policy and administrative challenges of these demanding and complicated tax protection programs. MTE's involvement with capping has ranged from the development of critical educational materials and seminars, to the provision of ad-hoc expert assistance, to the development and management of our full service stand-alone capping program.

To ensure that MTE's clients and the municipal community at large have had access to the most current and highest quality information and support, MTE has invested the time and resources required at every stage to ensure that our capping expertise evolved in-step with the program itself. This evolution has been deliberate in terms of capping program and calculation mechanics, the options available to municipalities, and the changing patterns of capping outcomes.

From MTE's unique vantage point over the capping landscape, it has been possible to observe the history of capping unfold and have experienced its evolution at every stage. What has become particularly evident since the advent of CVA exclusion options in 2009 is that currently in many jurisdictions the actual impact of capping on the taxpayers' final liabilities has become marginal or non-existent. The capping program has diminished dramatically in importance, and is proving to have a material impact on fewer properties each year. The concern remains, however, that despite the limited number and magnitude of capping adjustments now being applied, the program as a whole continues to require significant time and resources to administer and manage.

In light of the fact that so many municipal councils have adopted policy schemes aimed at minimizing the impact of capping to the greatest degree possible, it seems obvious that the next change to Ontario's capping policy, as currently set out under Part IX of the *Municipal Act, 2001*, is for the Province to give municipalities the ability to *Opt Out* of the program in its entirety. Further, it may also be argued that 2013 is the most appropriate and opportune time for this change to be made.

The following discussion has been prepared to explore this issue in a systematic fashion. Ideally, it will ultimately serve to crystallize, summarize and articulate the municipal perspective. To this end, tax practitioners, decision makers and taxpayers are asked to carefully consider the comments and general themes set out below. Other insights to ensure that this policy option can be comprehensively analyzed and evaluated are both welcome and invited; this will ensure that the vast array of stakeholder interests in the property tax process are carefully considered and captured before any new policy scheme is developed and implemented.

### **Overview of Business Tax Capping**

Legislation creating the mandatory "10-5-5" tax capping program was originally presented as a transitional measure to provide temporary tax protection for the 1998 through 2000 tax cycles. In 2001, however, the Province introduced additional property tax reforms that served to reinforce the prescriptive nature of the property tax policy environment in Ontario. At this time, tax capping became a permanent feature of the property tax landscape as the original, temporary 10-5-5 program was replaced on a Province-wide basis with a modified model known as the "5% limit on increases".

In response to concerns about the mechanics and prescriptive nature of the business tax capping program, the McGuinty Government announced a series of reforms for 2005 and subsequent taxation years. These reforms introduced a number of capping options to be used at the discretion of single and upper-tier municipalities. The initial range of optional tools included: 1) the ability to increase the annual cap from 5% of the previous year's final capped taxes up to 10%; 2) setting a second limit for annual increases of up to 5% of the previous year's annualized CVA taxes; and/or 3) the establishment of dollar thresholds of up to \$250 whereby properties with nominal capping adjustments could be moved directly to their CVA tax liability in any given year. The 2005 reform package attempted to balance the interests of those in favour of maintaining property tax capping against the call to give municipalities the flexibility to accelerate movement towards full CVA taxation for all classes of property where this was the local preference.

The 2009 taxation year represented another in a long series of reform and reassessment cycles. In addition to a number of fundamental changes to the assessment system, which included the introduction of a four-year reassessment cycle coupled with a program to phase-in assessment increases, the Province gave municipalities the option to begin permanently excluding individual properties from capping by utilizing "stay at CVA tax" and "cross-over CVA tax" tools.

### **Challenges at the Municipal Level**

Municipalities throughout the Province have devoted significant resources to ensure compliant and appropriate implementation of the mandatory tax capping program since its inception. The capping program has proven to be an administrative and budgetary burden because of the increased complexity it has added to the annual tax billing exercise and the management of any in-year tax adjustments required in response to assessment appeals, tax rebates or other events that demand that taxes be recalculated.



Despite the burdens posed by the business tax capping regime, Ontario's municipalities have accepted the associated challenges and have demonstrated a high degree of local responsibility with respect to the shape and outcomes of this program as it applies to taxpayers. Since the original introduction of optional capping tools in 2005, municipal staff and decision makers have in the vast majority of cases shown a keen interest and willingness to capitalize on the various options provided by the Province in order to optimize local capping regimes and accelerate the greatest number of properties to their full CVA tax liability.

In addition to the application of the core capping calculation options, municipalities have widely utilized the "new construction" constraint options, which ensures new or significantly improved capped class properties are subject to CVA tax.

Based on our observations, the majority of municipalities across the Province have strategically and deliberately employed the mix of optional capping tools in each taxation year that proved to be the most effective in meeting their local capping objectives. For most, this has meant a marked decrease in the annual cost of capping protection being provided and a striking increase in the number of properties being taxed at their full CVA tax level (i.e. CVA multiplied by Applicable Tax Rates). This not only means that more tax bills are being issued without capping adjustments, it also means that when in-year adjustments are required, the end tax adjustment is most likely to be made in direct proportion to any change in assessed value. This is not the case for properties subject to either a cap or claw-back adjustment.

### **Case for Capping "Opt-Out" Policy**

The increasing range of capping options provided by the Province since 2005 has been a welcome change from the more prescriptive environment, which characterized 2004 and previous years. Notwithstanding the current flexibility offered to municipalities to tailor their local capping programs, we believe that there is a significant consensus within the municipal community that it is time for municipalities to be given the ability to opt out of business tax capping entirely.

The McGuinty Government has proven it values policies that place the responsibility for local property tax decisions with the level of government most directly responsible for levying the tax itself. The Government's policy changes surrounding capping options, tax ratio movement, and levy restriction rules (hard-capping), have all provided municipalities with greater autonomy to craft local tax regimes that truly reflect local priorities and objectives within a common set of Province-wide standards and criteria. The Government must now show its commitment to this trajectory, thereby making decisions with respect to the future of capping in our communities local responsibilities.

It should also be noted that the case for giving municipalities the ability to opt out of business tax capping is based on factors that go far beyond the argument for local autonomy; it is also strongly rooted in the fact that this specific program is outdated, redundant, inherently inequitable, administratively cumbersome and confusing to the taxpayer. The most relevant and critical of the concerns and issues raised by this program are explored below. In sum, it is MTE's view that they create an overwhelming argument for the Government to make the continuation of capping a local choice.

### *Capping has been made Redundant by the Four-Year Phase-In Program*

In its original incarnation, the tax capping program was introduced as a means to provide business tax payers with temporary relief as they became acclimated to the Province's new property tax and assessment system. In subsequent years, however, the protection provided to taxpayers has been less related to the original impacts of reform and more so due to the ongoing impacts of subsequent assessment base updates. While prior arguments could suggest that its continuation was necessary so as not to remove or deny protection, this program must now be seen as a redundant measure in light of the Province's successful four-year assessment phase-in program, which more effectively and equitably addresses assessment increases for all properties.

### *Capping Creates Inequitable Tax Treatment*

One of the central tenets of Ontario's property assessment and taxation system is that all properties are subject to a uniform valuation date, and that similar properties are to be assessed in a similar manner across the entire Province. While tax rates do fluctuate by jurisdiction and property class, the overall structure of the system is intended to ensure that properties that are similar in nature, value and use carry a similar portion of the overall tax burden. The marked exception from this goal is the mandatory tax capping program for business class properties.

Under this system, two properties in the same municipality, assessed at the same value, can be subject to very different tax liabilities. While one may enjoy a large capping credit, the other could be forced to fund the cap with a tax liability in excess of what its CVA and prevailing tax rates would otherwise suggest. In another instance, one property may be eligible for capping protection going into the 2013 reassessment, while another, with the same 2012 and 2013 assessment might be excluded. There are endless combinations and examples that could be provided, but the critical point is that the capping program creates inequities by distorting the tax liability of each property subject to an adjustment, which results in similar properties paying disparate taxes. Ultimately, this undermines the intention of the property tax system to treat similar properties in a similar manner by breaking the link between one's assessment, the tax rates and the final taxes owing.

Capping also creates more subjective and global inequities in our property tax system. For example, in many jurisdictions, we see that the capping protection that is still being provided is concentrated to the benefit of a very few taxpayers. Those still captured by the capping rules are generally the very small minority, and it can be easily argued that it is unfair and inappropriate for a large number of business owners to be funding special treatment for a small sub-set of taxpayers. It should also be noted that in jurisdictions where the application of the claw-back option is not possible, or is insufficient to cover the costs of capping, the costs of protection for these small groups of business taxpayers must be funded by all other taxpayers. This concern is further amplified by the fact that the current system is designed to ensure that those receiving the greatest protection will continue to benefit with no specific end in sight.

### *Capping is Administratively Cumbersome and Complex*

There are also a number of practical considerations beyond the program's utility that remain relevant regardless of how many or how few capping adjustments, if any, are required in any

given jurisdiction. The capping program has proven to be very time-consuming, cumbersome and costly to administer. Simply undertaking the calculations, applying adjustments to specific properties and managing affected tax accounts requires an abundance of internal resources. Municipalities continue to devote considerable human and budgetary resources each year to ensure that tax bills and adjustments are accurate, compliant and timely. These resources could be more effectively and strategically deployed to other more productive ends, such as improving the delivery of other services, if not for the demands of capping.

Once adjusted bills are issued, the complicated and intricate nature of the capping calculations themselves make them very difficult for the lay person, business owner, and even many tax professionals to understand. This coupled with the often counter-intuitive outcomes revealed on tax bills and tax adjustments, result in an ongoing demand for explanations from taxpayers and their agents.

This confusion and the awkwardness of the calculations has also had an impact beyond just the taxpayer. The Municipal Property Assessment Corporation (MPAC), the Assessment Review Board (ARB), and even Provincial courts have struggled with the capping implications of decisions and adjustments since the inception of the original program. Again, this confusion is often confounded by the potential for counter-intuitive results. For example, it is not uncommon for a property owner to spend time and money seeking a reduction in their assessment only to find out later that the reduction does not result in any change to their final "capped" tax liability.

For municipalities, this all means that intensive resources must be dedicated to the on-going management and maintenance of the capping program; for the taxpayer it often appears that their tax liability is arbitrary and incomprehensible.

### **Next Steps and Weighing In**

2012 represents the fifteenth taxation cycle that has been impacted by mandatory tax capping in Ontario. It is MTE's view that in light of the more effective, equitable and predictable protection provided by the ongoing assessment phase-in program, it is timely for an exit strategy option to be put in place. MTE is also of the opinion that it would be ideal to make this option available in conjunction with the next general reassessment. This would allow municipalities to carefully consider and evaluate the tax impacts and shifts associated with the 2013 reassessment campaign both with and without capping in place. Such insight would allow interested municipalities to make informed decisions about whether or not to continue with this form of tax protection into the future.

To provide municipalities with the flexibility needed to address their current priorities and circumstances with respect to mandatory tax capping protection, it is strongly recommended that the Minister of Finance and the Province of Ontario be requested to amend the contents of the *Municipal Act, 2001* to allow upper and single-tier municipalities to opt out of the business tax capping program set out in Part IX of that Act for the 2013 taxation year and future tax cycles.

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# MUNICIPALITY OF GREY HIGHLANDS

Date: 14 May 2012 No: 12-234

Moved By: [Signature] Seconded By: [Signature]

THAT The Council of the Municipality of Grey Highlands has an uneasy feeling that the legal investment made and the resultant lack of success of this process of trying to convince the current Provincial government that the loss of authority over Municipal road allowances (other than those given to Hydro one) is an unexpected removal of Municipal powers.

THAT Council and its legal counsel read the Green Energy Act and could see no mention of the loss of Municipal authority over road allowances. This was further clarified as an issue when International Power Corporation offered up a Road Use Agreement to the Municipality that offered up \$50,000 per year for twenty years to waive its rights to the control of road allowances.

THAT Council at the time did not want to succumb to what was considered an attempt to sell off Municipal powers and rejected the offer.

THAT Council felt justified in not entering into this type of agreement and was surprised when the Ontario Energy Board gave a ruling that the Municipality had no control over its road allowances. IPC could proceed to use the road allowances without Municipal permission. The OEB gave them the same powers as Hydro One.

THAT Council proceeded to challenge this OEB ruling. The OEB rejected the legal challenge and a subsequent appeal was sought from Divisional Court for a fair resolution.

THAT the Divisional Court did not support the assertion of the Municipality and imposed legal costs of \$20,000 to the Municipality.

THAT the Provincial Government has allowed Municipal powers to be removed without a clear notice, direction or policy.

BE IT RESOLVED THAT the Municipality of Grey Highlands ask the Province of Ontario to reimburse the taxpayers of this Municipality for funds (\$20,000) paid to the Courts for the legal challenges that were made to clarify what was unwritten in the Green Energy Act concerning the loss of Municipal rights over the control of road allowances.

THAT this resolution and its preamble be forwarded to the office of the Premier for payment and be circulated to all Municipalities for their education and support. This should also be circulated to all MPP's and the Association of Municipalities of Ontario.

Recorded Vote Requested by:

	Yea	Nay
Allen, Paul	_____	_____
Orke, Dave	_____	_____
Fitzgerald, Wayne	_____	_____
Halliday, Stewart	_____	_____
Kell, David	_____	_____
McQueen, Paul	_____	_____
Silverton, Lynn	_____	_____

[Signature]

**MAYOR**

Deferred \_\_\_\_\_ Tabled \_\_\_\_\_ Lost \_\_\_\_\_ Carried

Declaration of Pecuniary Interest:

Disclosed his/her/their interest(s), vacated he/her/their seat(s), abstained from discussion and did not vote

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June 27, 2012

Mr. Toby Barrett  
MPP, Haldimand-Norfolk  
[toby.barrett@pc.ola.org](mailto:toby.barrett@pc.ola.org)

Dear Mr. Toby Barrett,

**Re: Policing costs and service levels and delivery methods**

Please be advised of the following resolution which was passed by Norfolk County Council to request your support:

"WHEREAS the cost of policing in Norfolk, in Ontario, in Canada and indeed around the world is not sustainable; the process in Ontario for determining the cost for policing is not transparent, can no longer be supported by those who are forced to pay the bill and it leaves Council unable to be held accountable to the taxpayers of Norfolk for the money being spent on policing;

AND WHEREAS The Mayors' Coalition, of which Norfolk is a member, has been seeking the support of the Minister of Community Safety and Correctional Services for inclusion into the current discussions centered on police services and the Coalition has met twice with the Minister in the past week and we have high expectations that she will agree with our position of having a "SAY for PAY" and accept our offer to join in partnership to seek remedies and solutions;

NOW THEREFORE BE IT RESOLVED THAT Norfolk County Council officially request that, Mr. Toby Barrett, MPP, Haldimand-Norfolk, as our elected representative support his constituents on this matter and support Norfolk County and the Mayor's Coalition in demanding "Say for Pay" and inclusion in all present and future deliberations between the Ontario government and the Ontario Provincial Police pertaining to the cost of policing, and to the process of determining local police service levels and delivery methods."

Trusting you will give this serious consideration.



Beverley D. Wood, AMCT, CMC, CMMIII  
Clerk/Manager of Council Services  
519-426-5870, Ext. 1228  
519-426-8573 - Fax  
[bev.wood@norfolkcounty.ca](mailto:bev.wood@norfolkcounty.ca) – Email

c.c.: AMCTO – all Municipalities  
Honourable Vic Toews, Minister of Public Safety, [vic.toews@parl.gc.ca](mailto:vic.toews@parl.gc.ca)  
Honourable John Gerretsen, Attorney General, [attorneygeneral@ontario.ca](mailto:attorneygeneral@ontario.ca)

# ONTARIO PROPERTY AND ENVIRONMENTAL RIGHTS ALLIANCE

Unit A, 135 Church Street, North, Mount Forest, Ontario, N0G 1R0  
Phone: 519-323-2308 / Fax: 519-323-0289 / E-Mail: [opera@bmts.com](mailto:opera@bmts.com) / Web Page: [www.bmts.com/~opera/](http://www.bmts.com/~opera/)

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**MEMO TO:** Ontario Municipal Councils

**FROM:** R.A. Fowler  
OPERA Secretary

**DATE:** July 6, 2012

**NO. OF PAGES:** One (1) including cover sheet **RE:** Endangered Species Information Bulletin

Composed in 2005-06 by a cartel of five professional lobbyists (Sierra Club, Ontario Nature, David Suzuki Foundation, Canadian Wilderness Society and Environmental Defense) Ontario's current Endangered Species Act (ESA 2007) was presented and legislated as a Ministry of Natural Resources invention a year later. Since that time the identification, location, defined habitat and enforced protection of a growing list of allegedly endangered plants, animals, fish, birds and bugs have occupied a good deal of provincial government time and attention, not to mention millions of dollars in undisclosed costs, cozy consultant contracts and ballooning bureaucracy.

ESA 2007 core objectives are commendable and widely supported. Unfortunately, their implementation and enforcement reveal disturbing concerns for affected municipalities and their constituents. Some examples:

- (1) The Act encourages voluntary participation of all stakeholders but denies right of appeal and/or compensation when penalties for non-compliance, however innocent or accidental, are levied by provincial authorities.
- (2) The need for public consultation of species administration, while often acknowledged, is routinely diluted in a profusion of Internet pages offering convoluted data permanently hidden from citizens without a computer.
- (3) The Act provides for severe punishment, both monetary and judicial, on conviction for non-compliance of species/habitat protection but scope and extent of these measures are seldom published in detail.
- (4) SARA implementation/enforcement is assigned to Ontario's 36 Conservation Authorities whose escalating municipal levies presumably include policing costs of species protection thus adding to local taxpayer expense.
- (5) Endangered species/habitat identification is left to the Committee on the Status of Species at Risk in Ontario (COSSARO), a provincial tribunal where oral municipal/citizen participation is explicitly denied.
- (6) SARA transforms affected citizens into unpaid custodians of resident and migrant wildlife and, in the process, reduces use, mortgage worth and market value of their property by regulation.

Thanks to heavy provincial reliance on Internet communication, undoubted benefits as well as unintended consequences of wildlife legislation (i.e. hay harvesting restrictions are claimed essential for bird habitat protection) are not well understood by Ontario taxpayers. Hence OPERA has long advocated municipal distribution of a Species Fact Sheet as follows:

- MNR annually prints required quantities of synopsis of designated species at risk for each area in Ontario.
- This document to provide brief, up-dated commentary re: species/habitat identification and protection.
- ESA 2007 enforcement by Conservation Authorities and non-compliance penalties to be fully explained.
- Species Fact Sheet enclosed with annual municipal property tax assessment and covering municipal note.

**This Information Bulletin, a voluntary public service initiative of the Ontario Property & Environmental Rights Alliance, has been forwarded to over 450 municipalities across Ontario.**

*"Seeking government transparency and accountability"*

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Minister  
of Natural Resources



Ministre  
des Ressources naturelles

Ottawa, Canada K1A 0E4

MAY - 1 2012

RECEIVED  
MAY 04 2012  
AS.

Reeve Tammy-Lea Stewart  
The Corporation of the United Townships of  
Head, Clara & Maria  
15 Township Hall Road  
Stonecliffe, Ontario K0J 2K0

Dear Ms. Stewart:

Thank you for your letter of March 27, 2012, in which you expressed your support for Atomic Energy of Canada Limited's (AECL) Nuclear Laboratories (the Laboratories).

As you may know, the first phase of the restructuring of AECL ended in October 2011 with the sale of the assets of the former CANDU Reactor Division to Candu Energy Inc., a wholly-owned subsidiary of SNC-Lavalin. The Government is now turning its attention to the second phase of the restructuring of AECL focused on the Laboratories.

The forthcoming decision on the path forward will not be taken lightly. The restructuring of the Laboratories is being conducted in the context of the overall government approach to fiscal responsibility amid challenging domestic and international developments. It is a critical step to further strengthen Canada's nuclear industry while reducing taxpayers' exposure to risk. We are focusing on establishing the most appropriate long-term mandate, governance and investment for the Laboratories.

Again, thank you for writing and for your interest in the restructuring of the Laboratories.

Yours sincerely,

The Honourable Joe Oliver, P.C., M.P.



**Environment and Land Tribunals  
Ontario**

655 Bay Street, Suite 1500  
Toronto ON M5G 1E5  
Telephone: (416) 326-5376  
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**Tribunaux de l'environnement et de  
l'aménagement du territoire Ontario**

655 rue Bay, suite 1500  
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Télécopieur: (416) 326-3934



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**By E-Mail Only**

June 28, 2012

Mr. Angus MacKay  
Lawyer  
City of Toronto Legal Services Division/Litigation Section  
26th Floor, Metro Hall, 55 John Street  
Toronto, ON M5V 3C6

Dear Mr. MacKay:

Thank you for your email and letter of June 5, 2012 requesting a practice direction relating to the Assessment Review Board (ARB) Costs Rule providing that if a municipality has not participated in a hearing, costs will not be awarded against it.

Each request for costs will be considered on its own facts and within the specific jurisdiction provided to tribunals under the Statutory Powers Procedure Act and in the new ARB Rules. It would not be appropriate for me to attempt to fetter the discretion of an adjudicator with such a practice direction.

In order to address any concerns respecting non participation of municipalities, a municipality can take steps itself to address any risk of a costs award. It would certainly be open to a municipality, for instance, to formally waive their right to participate in a particular matter before the ARB, or provide the ARB with a blanket waiver of notice.

Thank you for raising this concern.

Yours truly,

A handwritten signature in cursive script, appearing to read "Lynda Tanaka".

Lynda Tanaka  
Executive Chair

cc: Clerks/Treasurers of Municipalities  
City Solicitors, GTA Municipalities  
Participants of Fall 2011 ARB Stakeholders Consultation