



# TOWNSHIP OF MELANCTHON

## A G E N D A

Thursday, April 2, 2020 - 9:00 a.m.

1. **Call to Order**
2. **Announcements**
3. **Additions/Deletions/Approval of Agenda**
4. **Declaration of Pecuniary Interest and the General Nature Thereof**
5. **Approval of Draft Minutes - March 19, 2020**
6. **Business Arising from Minutes**
7. **Point of Privilege or Personal Privilege**
8. **Public Question Period (Please visit our website under Agendas and Minutes for information on Public Question Period)**
9. **Public Works**
  1. Accounts
  2. Other
10. **Planning**
  1. Applications to Permit
  2. Other
11. **Strategic Plan**
  1. Economic Stability - 4.3 - Support local farmers
12. **Climate Change Initiatives**
13. **Police Services Board**
14. **Committee Reports**
15. **Correspondence**

### **\*Board & Committee Minutes**

1. Mulmur-Melancthon Fire Board - January 13, 2020
2. NDCC - January 14, 2020
3. NDCC - January 21, 2020 Special Meeting
4. NDCC - February 12, 2020

### **\* Items for Information Purposes**

1. Email from Nancy Neale regarding Draft Regulations for the Development Charges Act and Planning Act (Community Benefits Charge Related)
2. Email from Nancy Neale regarding Extension of Comment Period on Draft Regulation for Bill 108
3. Resolution from Municipality of Callander Waive Restrictions on Electronic Participation in Council Meeting for duration of COVID-19
4. Letter from the Township of Amaranth to Honourable Doug Ford, Premier of Ontario regarding Seasonal Agricultural Work Program and the Temporary Foreign Workers
5. Dufferin County Press Release - Declaration of Emergency
6. Letter from Rod Phillips, Minister of Finance regarding response plan to COVID-19
7. Letter from Sylvia Jones, Solicitor General and Steve Clark, Ministry of Municipal Affairs

and Housing - Emergency Orders Due to COVID-19 with Questions and Answers for Enforcement Personnel

8. Letter from Keith White, NVCA Board Chair giving updates

**\* Items for Council Action**

1. Sponsorship request from Dundalk District Agricultural Society for Dundalk Fall Fair

**16. General Business**

1. Accounts
2. Notice of Intent to Pass By-laws
  1. To Amend By-law 2-2020, By-law to provide for the levy and collection of rates or levies required for the Township of Melancthon for the Interim Levy for the Year 2020 - to defer the May installment to June
  2. To Amend By-law 16-2015, By-law to Govern the Proceedings of Council - to allow Electronic Meetings
3. New/Other Business/Additions
  1. Fire Permit By-law 10-2007 - Revisions
4. Unfinished Business
  1. 2020 Budget - Draft #4 and Report from Wendy Atkinson, Treasurer
    1. Comments from Councillor Thwaites
  2. Notice of Intent to Pass By-law - By-law to Adopt the Emergency Management Program and Emergency Response Plan
  3. Cancellation of Public Meetings due to COVID-19 Pandemic (Melancthon Agri-Forum (April 22<sup>nd</sup>) and Joint Police Services Board Meeting (April 24<sup>th</sup> ))
  4. Mulmur and Melancthon Joint Meeting

**17. Delegations**

**18. Third Reading of By-laws**

**19. Notice of Motion**

**20. Confirmation By-law**

**21. Adjournment and Date of Next Meeting - Thursday, April 16, 2020 - 5:00 p.m.**

**22. On Sites**

**23. Correspondence on File at the Clerk's Office**

**APPLICATIONS TO PERMIT FOR APPROVAL**  
**April 2, 2020 COUNCIL MEETING**

<b>PROPERTY OWNER</b>	<b>PROPERTY DESCRIPTION</b>	<b>TYPE OF STRUCTURE</b>	<b>DOLLAR VALUE</b>	<b>D.C.'s</b>	<b>COMMENTS</b>
Josh Langridge	078010 7th Line SW Part Lot 22, Con 7 SW	Renovate Family Dwelling	\$70,000.00	NO	
Leo Blydorp	097358 4th Line SW Part Lot 15, Con 5 SW	Hay and Straw Storage		NO	
D&G Ferguson Farms Colleen Vander Zaag	518086 County Road 124 East Part Lot 22 & 23, Con 2 OS	Addition to Grading Room	\$1,000,000	NO	

PLAN# 1  
APR 02 2020



**MINUTES**  
**MULMUR-MELANCTHON FIRE BOARD**  
Monday January 13, 2020  
Fire Hall – 5:00 pm

**Present:** Member Earl Hawkins – Mulmur Township  
Member David Besley – Melancthon Township (5:32 pm)  
Member David Thwaites – Melancthon Township  
Member Ken Cufaro – Mulmur Township  
Fire Chief Scott Davison  
Deputy Chief Matt Waterfield  
Michelle Smibert - Secretary

**1. Call to order**

- 2. Appointments of Board Members** – due to the fact that David Besley was going to be late arriving to the meeting, it was decided that the Board appointments would be dealt with upon his arrival. For the interim, Earl Hawkins was appointed as the Acting Chair.

**a) Chairperson**

Motion by: David Besley and Ken Cufaro

THAT Earl Hawkins be appointed to the position of Chair. Carried

**b) Vice-Chairperson**

Motion by: Earl Hawkins and Ken Cufaro

THAT David Besley be appointed to the position of Vice-Chair. Carried

**c) Secretary**

Motion by: Ken Cufaro and David Thwaites

THAT Michelle Smibert be appointed to the position of Secretary. Carried

**Note: Mulmur Township Treasurer is the Treasurer of the Board as per Agreement**

- 3. Declaration of Pecuniary Interest-** none disclosed.

**4. Approval of Previous Meeting's Minutes – October 15, 2019**

Motion by David Thwaites and Ken Cufaro

THAT the Minutes dated October 15, 2019 be approved. Carried

**5. Fire Chief's Reports**

**a) Chief's Report**

The Fire Chief outlined the items contained in his report. He indicated that he is able to obtain 30 SCBA's from Clearview for \$13,000. There was discussion by Board members as the matter of the acquisition of the SCBA's had been addressed in the capital forecast

adopted by the Board in October 2019 (ie not until 2025) and due to the fact that there were concerns that the capital reserves did not have the funds.

The members provided the following feedback to the Chief regarding the Year End Report: types of calls/breakdown of Melancthon vs Mulmur/ staffing at calls/ vehicles responding (how much is the equipment is used).

While the members were supportive of the County donating a F150 service vehicle, the members had concerns about the insurance and maintenance costs which is unbudgeted in 2020.

Motion by David Thwaites and Ken Cufaro

THAT the Year to Date Fire Report dated January 3<sup>rd</sup>, 2020 be received and that the following be approved/and or direction provided: That the Treasurer attend the next Board meeting and that she provide a detailed "in and out" of expenses/transfers into the capital account and to also provide some options for consideration as it relates to the proposed purchase of the SCBA's and the air storage system. Carried

- b) **Transition to Alternative Dispatch Services** – Member Thwaites noted that the Shelburne Fire Chief and the Grand Valley Fire Chief seem to be taking the lead on the matter of dispatch services when he thinks that this should be a Board matter. Member Thwaites noted that the Fire Board has not yet received notification of termination of the dispatch agreement with the Orangeville Police Services Board and suggested that a letter be sent allowing the Police Service Board a total of 15 days to respond to our letter. Member Thwaites added that a review of the 2017 RFP is necessary and that our Board ask the other Boards to create a working group to address the dispatch matter. There was some discussion on the "working group" composition being members of the Chairs of the Fire Boards with information being provided by the Fire Chiefs. David said that he would draft the letter for Chair Hawkins to send to the Orangeville Police Board.
- c) **Referral of Mulmur Council motion, re Paul Mills request to have fees waived (see Fire Chief's report)**

The members reviewed the Chiefs report and there were some discussions as it related to the incident and the expectations laid out in the Fire By-Law. The Melancthon members felt that this matter is a Fire Board matter and not up to Mulmur Council to make a decision on. The Secretary noted that this doesn't follow the current practice of appeals being made to the Township Councils as the fees/by-laws are all approved by Council and not the Boards. Seeing that Melancthon members would not support the report going to Mulmur Council, there was a split as it related to how this matter moves forward. Mulmur indicated they would be talking the Chief's report to the next Mulmur Council meeting for a decision on the appeal. The Melancthon members took the position that the matter of fire billing and revenue is to be done by and for the benefit of the Fire Board.

## 6. Finance

### a) Accounts Payable

There was discussion on this matter and also the year to date budget vs actual report. Member Thwaites noted that many line items are over budget and he raised concern that a lot of spending had occurred at the end of the year without there being a meeting to approve the expenditures. Member Thwaites noted that he is trying to protect the Fire Chief to ensure that he doesn't run over budget. Member Thwaites noted his frustration

with the process in that the Board was being asked to approve the accounts after the payments have already been made despite some items being in excess of the budget.

Motion by Ken Cufaro and David Besley

THAT the accounts payable in the amount of \$ \$265,484.02 be approved.

**b) 2019 Year to Date Budget vs Actual as of January 13, 2020(note: additional invoices/expenses are expected)**

Member Thwaites noted his frustration in the comment that "additional invoices/expenses are expected" given he understood all expenses/wages had been paid by mid December and can't understand why all of the costs can't be included by December 31, 2019.

Members noted that they will be discussing this matter in more detail with the Treasurer at the next meeting and as such the year to date budget vs actual was not approved/received.

**c) Update on Vianet Tower (agreement attached)**

The Secretary provided the signed agreement to the members and member Thwaites asked who will be getting the \$100 rental fees each month. The secretary noted that the Township of Mulmur will retain the rental fees noting that there is an operational offset in that internet fees are now free for the fire department. Member Thwaites noted he disagrees with the decision of Mulmur.

**7. Correspondence**

**a) Letter from Mayor Horner, December 23, 2019, re Thank you**

**8. Adjournment**

Motion by Ken Cufaro and David Thwaites

THAT the meeting adjourn at 7:10 pm with the next meeting being scheduled for February 11 or the 18<sup>th</sup> (the Fire Chief will confirm which dates work). Carried

.....  
Chair

.....  
Secretary



**NORTH DUFFERIN COMMUNITY CENTRE BOARD OF  
MANAGEMENT  
MINUTES  
TUESDAY, JANUARY 14, 2020 – 7:00 P.M.  
NORTH DUFFERIN COMMUNITY CENTRE**



The North Dufferin Community Centre Board of Management known as “The Board” held its meeting on the 14<sup>th</sup> day of January, 2020 at 7:00 p.m., in the Norduff Room at The North Dufferin Community Centre. Those present:

*Those present:*

Chester Tupling, Chair, Mulmur  
Bert Tupling, Vice-Chair, Melancthon  
Keith Lowry, Mulmur  
Nancy Noble, Mulmur  
Clayton Rowbotham, Melancthon  
Patricia Clark, Councillor, Mulmur  
Dave Besley, Deputy Mayor, Melancthon  
Debbie Fawcett, Melancthon, Melancthon  
Donna Funston, NDCC Secretary, Melancthon  
Heather Boston, Mulmur, Treasurer

*Regrets:*

**#1 Call to Order by Chair**

Chair Tupling called the meeting to order at 7:06 p.m.

**#2 Additions/Deletions/Approval of Agenda**

-Moved by Fawcett, Seconded by Clark the Agenda be approved as circulated. Carried.

**#3 Declaration of Pecuniary Interest or Conflict of Interest**

None.

**#4 Approval of Draft Minutes**

-Moved by Besley, Seconded by Fawcett, that the minutes of the North Dufferin Community Centre Board of Management held on December 12, 2019 be approved as circulated. Carried.

**#5 Business Arising from the Minutes**

None.

## #6 Facility Manager's Report

James Woods was in attendance for the portion of the meeting.

James reports the Arena was closed due to power outage, the phone lines were down, no working computer and the Saturday bookings had to be cancelled.

The Arena had lots of rented ice time during the Christmas break.

There was a water leak from a drain in the canteen area. James removed the plywood and treated mold that was found on the drywall and wood, new plywood was then put back on.

A security light needs replaced in the Norduff emergency sign, James has contacted Bluewater Fire and Security regarding this.

The roll up door in the canteen is broken, to replace one side will be about \$1600. Currently one side is permanently open and one side is permanently closed. James was directed to get three quotes to replace.

The eye wash station liquid should be changed and James will look into getting this done.

New curtain rods have been ordered for the Norduff Room and the curtains will be washed and re-hung. Debbie Fawcett has offered to make new curtains for the dressing rooms.

Hot water was all programmed separately in mid December, this should make the hydro much less each month.

Currently the ice sits empty every Saturday night from 4PM on. Discussion about making the ice time of 4pm-8pm Saturday night only as non-prime time and try to possibly find another centre that would rent this time at the cheaper rate. Discussed creating a combo rate for special events like birthday parties, this rate would include ice rental and Norduff Room.

## #7 General Business

### 1. Financial

1. Accounts
2. YTD vs. Budget comparison
3. A/R update
4. 2020 Budget Draft #2

### 2. NDCC Board of Management

### 3. Other

### 4. Unfinished Business

1. Arena Manager and Part time staff Pay Grids

#1.1 Discussion around hydro bills and how to get them included in the accounts as soon as possible. Board would like to see them current and up to date. Suggestion was made to use the auto debit amount and include that in the accounts instead of waiting for the bill in the mail as there seems to always be delays. Board would like to see December invoice included in the December list of accounts instead of having two or three hydro bills included in one month.



-Moved by Tupling, Seconded by Noble, be it resolved that the accounts in the amount of \$56,206.40 be approved to be paid. Carried.

#1.2 Discussion around YTD figures, Board notes that in 2018 the Arena had a deficit of almost \$30,000 and now in 2019 it is possible to break even.

#1.3 -Moved by Rowbotham, Seconded by Fawcett be it resolved that The amount of \$180 owed by James and Allison Miller from 2018 be wrote off.  
Vice-Chair Tupling would like to know the full name of North Dufferin and Agricultural....  
Heather will get this information.

#1.4 Board will wait until February before approving budget for 2020.

#2 The meeting date in November will be the 10<sup>th</sup> all other dates were unchanged.

#4.1 Mulmur has a co-op student in their office which is working on collecting wage information for full-time and part-time Arena staff, this information should be available for the next meeting.

## #8 Information

Discussed the RJ Burnside Energy Efficient Plan and the Board would like to see the plan more up to date making the information more useful. Board needs to consider if doing any of the recommendations would there be enough of a savings over a 5 year period as the plan is to replace the front section in that time frame.

-Moved by Fawcett, Seconded by Lowry, be it resolved that items 8.1 and 8.2 be received as information. Carried.

## #9 Notice of Motion

-None

## #10 Confirmation Motion

-Moved by Tupling, Seconded by Noble be it resolved that: all actions of the Members and Officers of the North Dufferin Community Centre Board of Management with respect to every matter addressed and or adopted by the Board on the above date are hereby adopted, ratified and confirmed; and each motion, resolution and other actions taken by the Board Members and Officers at the meeting held on the above date are hereby adopted, ratified and confirmed. Carried.

**#11 Adjournment**

-Moved by Tupling, Seconded by Noble that we adjourn the North Dufferin Community Centre Board of Management meeting at 8:21 p.m. to meet again on Wednesday February 12, 2020 at 7:00 p.m. at the North Dufferin Community Centre or at the call of the Chair. Carried.

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**CHAIR**

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**SECRETARY**



**NORTH DUFFERIN COMMUNITY CENTRE BOARD OF  
MANAGEMENT  
MINUTES – SPECIAL MEETING  
TUESDAY, JANUARY 21, 2020 – 5:00 P.M.  
NORTH DUFFERIN COMMUNITY CENTRE**



The North Dufferin Community Centre Board of Management known as “The Board” held its meeting on the 21<sup>st</sup> day of January, 2020 at 5:00 p.m., in the Norduff Room at The North Dufferin Community Centre. Those present:

*Those present:*

Chester Tupling, Chair, Mulmur  
Bert Tupling, Vice-Chair, Melancthon  
Keith Lowry, Mulmur  
Clayton Rowbotham, Melancthon  
Patricia Clark, Councillor, Mulmur  
Dave Besley, Deputy Mayor, Melancthon  
Debbie Fawcett, Melancthon, Melancthon  
Donna Funston, NDCC Secretary, Melancthon  
Heather Boston, Mulmur, Treasurer  
Tracey Atkinson, Mulmur, CAO  
Denise Holmes, Melancthon, CAO

*Regrets:*

**#1 Call to Order by Chair**

The meeting starts at 4:55 p.m.

**#2 Additions/Deletions/Approval of Agenda**

-Moved by Besley, Seconded by Rowbotham the Agenda be approved as circulated. Carried.

**#3 Declaration of Pecuniary Interest or Conflict of Interest**

None.

**#4 Delegation**

1. 5:00 p.m. – Sierra Planning – NDCC Recreational Needs Study

Jonathan Hack, Director, Sierra Planning and Management and Richard Dabrus, Principal, WGD Architects Inc were in attendance for the meeting and previously had a full tour of the Arena. The Arena was built in 1965 after the original structure was lost due to fire. The Recreational Study has been broken down into Study A being NDCC and Study B being a Recreational Plan for

Mulmur Township. The survey has been posted online and to date 148 responses have been received. Hopes are to receive around 400 responses and when the survey is complete the Board will receive a copy of the results. The survey is set up so that each computer can only respond one time and the survey closes February 21, 2020.

A Workshop will be held at the Arena on February 4, 2020 that will be open to the public. Request was made that Mulmur email current users of the Facility to make them aware of the survey as well as the February 4<sup>th</sup> meeting. Also that a notice be put together and placed on the front door of the Arena and have some printed copies of the survey available to be filled out at the arena and placed in a box when completed and that box be collected when the survey has closed.

It was noted that extensive renovations would be needed to keep the current structure ex. washrooms, elevators, accessibility etc. to replace the ice surface alone would be roughly \$500,000 and need to consider the current size (is it big enough), the dressing rooms/showers are in very poor condition, need more girls dressing rooms, gender identity would need to be considered and the Arena needs to be made fully accessible.

The principal consideration should be on function of service the Board is aiming for when putting a plan together for renovation or complete re-build. Renovations can become close to or exceed the cost of a new build. Board needs to consider the fact that a renovation will take the next 20 years to pay, is it better to put the money into renovations now and then in 20 years re-evaluate that section or is it better to put the money into a new arena and pay that over the next 20 years.

Discussed the area around the Arena and that the Fire Hall is a new building and there are no concerns with it. The ball diamond is not used and can be taken out to allow more available space. If a new Arena is the chosen option the Board feels very strongly that the current arena remain in use while the new arena is being built.

The question was asked: why is a change being considered?

- The Arena is in constant need of repair due to age
- It has become a place that people want to be and would like to fill the place all year round not just the winter months.
- Public has a renewed drive to attend the Arena – minor hockey numbers have increased, figure skating has increased, Norduff Room usage has increased, women's league has more teams participating.
- Arena is an Emergency Shelter for Dufferin County

The Board feels there is great community support in the area and feels we could draw from close by Hamlets to increase users. The hope is for people to return to Honeywood that have left in the past to go to another center.

Rough estimate is \$390 per square foot to replace the Arena, a single pad would have 150-200 seats and it was mentioned that the operating costs of a new arena will be much higher than the capital costs.

Grants are available and the two Townships could apply jointly and have a higher success rate. The Energy Audit Group from Mulmur will connect with NDCC Board as they have grants to apply for as well to benefit the Arena.

Jonathan requests Tracey send him the Energy Audit for him to review.

6:10 p.m. Heather Boston leaves.

On February 4<sup>th</sup> at the workshop Jonathan requests that we set up round tables for groups of 10 to allow more involvement from the public.

**#9 Notice of Motion**

-None

**#10 Confirmation Motion**

-Moved by Rowbotham, Seconded by Besley be it resolved that: all actions of the Members and Officers of the North Dufferin Community Centre Board of Management with respect to every matter addressed and or adopted by the Board on the above date are hereby adopted, ratified and confirmed; and each motion, resolution and other actions taken by the Board Members and Officers at the meeting held on the above date are hereby adopted, ratified and confirmed. Carried.

**#11 Adjournment**

-Moved by Besley, Seconded by Rowbotham that we adjourn the North Dufferin Community Centre Board of Management Special meeting at 6:12 p.m. Carried.

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CHAIR

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SECRETARY



**NORTH DUFFERIN COMMUNITY CENTRE BOARD OF  
MANAGEMENT  
MINUTES**

**WEDNESDAY, FEBRUARY 12, 2020 – 7:00 P.M.  
NORTH DUFFERIN COMMUNITY CENTRE**



The North Dufferin Community Centre Board of Management known as "The Board" held its meeting on the 12<sup>th</sup> day of February, 2020 at 7:00 p.m., in the Norduff Room at The North Dufferin Community Centre. Those present:

*Those present:*

Chester Tupling, Chair, Mulmur  
Bert Tupling, Vice-Chair, Melancthon  
Nancy Noble, Mulmur  
Clayton Rowbotham, Melancthon  
Patricia Clark, Councillor, Mulmur  
Dave Besley, Deputy Mayor, Melancthon  
Debbie Fawcett, Melancthon, Melancthon  
Donna Funston, NDCC Secretary, Melancthon  
Heather Boston, Mulmur, Treasurer

*Regrets:*

Keith Lowry, Mulmur

**#1 Call to Order by Chair**

Chair Tupling called the meeting to order at 7:10 p.m.

**#2 Additions/Deletions/Approval of Agenda**

-Moved by Fawcett, Seconded by Clark the Agenda be approved as amended. Carried.

Member Fawcett added Strawberry Supper Update

**#3 Declaration of Pecuniary Interest or Conflict of Interest**

None.

**#4 Approval of Draft Minutes**

-Moved by Clark, Seconded by Fawcett, that the minutes of the North Dufferin Community Centre Board of Management held on January 14, 2020 be approved as circulated. Carried.

-Moved by Clark, Seconded by Fawcett, that the minutes of the North Dufferin Community Centre Board of Management held on January 21, 2020 as a Special Meeting be approved as circulated. Carried.

#### **#5 Business Arising from the Minutes**

Chair Tupling updated Member Noble on the special meeting with Sierra Consultants and the workshop that was held on February 4, 2020.

#### **#6 Facility Manager's Report**

James Woods was not in attendance for the meeting.

James had emailed his report to all Board members and the report is included in these minutes as it was not in the agenda package.

Member Fawcett noted that wi-fi is up and running free of charge at the Arena.

#### **#7 General Business**

1. Financial
  1. Accounts
  2. A/R update
  3. YTD vs. Budget comparison
  4. 2020 Budget Draft #4
2. Generator Switch for Mobile Generator
3. Other
4. Unfinished Business
  1. Arena Manager and Part time staff Pay Grids

#1.1 -Moved by Noble, Seconded by Rowbotham that the accounts in the amount of \$27,649.51 be approved to be paid. Carried.

#1.2 Discussion around A/R balances.

#1.3 Reviewed YTD numbers.

#1.4 Heather discussed the deficit from 2019 and how it impacts the 2020 budget. She noted the 2018 deficit was triple compared to the 2019 deficit but the Township Levy's would remain the same. Board deferred this section until after the closed session had been dealt with.

#2 It was suggested since the Arena is an emergency shelter a generator switch outside to hook up a mobile generator to run the front of the Arena would be beneficial. Chair

Tupling reports there is a switch at the back that powers the upstairs and he will check if the current switch will run the front section. This will be discussed at the next meeting. The Board is requesting Steve Murphy, Emergency Management & Communications Coordinator, Dufferin County, come to a meeting to tour the Arena and see the plugs that are currently there and then get his suggestions regarding a mobile generator.

#3 Addition: Strawberry Supper – Member Fawcett reports they met last week to start organizing their event. May have entertainment this year to draw more people to supper.

#### #8 Information

#### #9 Closed Session

-Moved by Tupling, Seconded by Noble that the NDCC Board of Management move into closed session at 7:41 p.m. Carried.

-Moved by Clark, Seconded by Fawcett that the NDCC Board of Management rise from closed session at 8:22 p.m. with report. Report being directives given in the meeting. Carried.

#### #7 General Business

1. Financial
  4. 2020 Budget Draft #4

-Moved by Tupling, Seconded by Noble that The Board of Management approve the 2020 Budget Draft #4 as amended. Carried.

#### #10 Notice of Motion

-None

#### #11 Confirmation Motion

-Moved by Tupling, Seconded by Noble be it resolved that: all actions of the Members and Officers of the North Dufferin Community Centre Board of Management with respect to every matter addressed and or adopted by the Board on the above date are hereby adopted, ratified and confirmed; and each motion, resolution and other actions taken by the Board Members and Officers at the meeting held on the above date are hereby adopted, ratified and confirmed. Carried.



**#12 Adjournment**

-Moved by Noble, Seconded by Rowbotham that we adjourn the North Dufferin Community Centre Board of Management meeting at 8:24 p.m. to meet again on Wednesday March 11, 2020 at 7:00 p.m. at the North Dufferin Community Centre or at the call of the Chair. Carried.

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**CHAIR**

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**SECRETARY**

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○ Managers Report

1.Sentry Doors quote on roll up door in Canteen.Programed remote for door to ice surface.

2.Workshop NDCC Efficiency Review.

3.Built Step for North East Seating Area

4.Monthly Inspecton of Building

5.Installed Wood in Front of Canteen and Painted

6.Complete Cleaning of Compressor Room

7.Delmar in to replace Old Lights in Room #4,Changed Ballast on Ice Surface Lights

8.HMH Triva Nite.

9. Playoffs Under Way

10. Repaired All Doors To Dressing Rooms

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## Denise Holmes

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**From:** Nancy Neale <neale@watsonecon.ca>  
**Sent:** Thursday, March 19, 2020 10:48 AM  
**To:** Denise Holmes; Wendy Atkinson  
**Subject:** Draft Regulations for the Development Charges Act and Planning Act (Community Benefits Charge Related)  
**Attachments:** Bill 108 Letter to Clients - DC CBC changes as of March 18 2020.pdf

Good morning:

We have included a letter that provides our further evaluation of the recently released draft regulations for development charges (D.C.) and community benefits charges (C.B.C.). If you have any questions regarding the draft legislation, we would be pleased to discuss this with you.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Nancy Neale, PLE  
Manager

neale@watsonecon.ca  
Office: 905-272-3600 ext. 234  
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Fax: 905-272-3602

watsonecon.ca



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March 18, 2020

To Our Development Charge Clients:

Re: Draft Regulations for the Development Charges Act and Planning Act  
(Community Benefits Charge Related)

On behalf of our many municipal clients, we are continuing to provide the most up-to-date information on the proposed changes to the *Development Charges Act* (D.C.A.) as proposed by Bill 108 (*More Homes, More Choice Act*). On February 28, 2020, the Province released its latest regulations proposed for the D.C.A. and the *Planning Act* (as it relates to the community benefits charge (C.B.C.)). These regulations are posted on the Environmental Registry of Ontario for public comment which is open until March 30, 2020. Comments may be made at the following website:

Community Benefits Charge Regulation – <https://ero.ontario.ca/notice/019-1406>.

As identified in our February 28, 2020 letter to you, our firm is providing an evaluation of the draft regulations. These comments will be included in our formal response to the Province. As the changes to the D.C.A. and the *Planning Act* have been evolving, we have summarized the proposed changes to the D.C.A. in the attached tables (Appendix A) so that our comments may be considered within the context of the latest changes.

## 1. Timing for Transition to the Community Benefits Charge

*The specified date for municipalities to transition to community benefits will be one year after the C.B.C authority is in effect.*

- Given the amount of time to undertake this regulatory change, it is beneficial to extend the deadline from January 1, 2021.
- A 12-month transition period may appear sufficient, however there are more than 200 municipalities in the Province with current development charges (D.C.) by-laws. It will take some time for municipalities to consider the new C.B.C. methodology, evaluate the approach to these studies, collect background data (e.g. property value information), carry out the study, assess the implications relative to maintaining the current parkland acquisition practice, undertake a public process and potentially pass a by-law. Based on our experience, the time frame is limited and should be extended to at least 18 months. This time period is consistent with major changes made in the past to the D.C.A. in 1989 and 1997.



## 2. Eligible D.C. Services

*The new draft regulations will also allow the following services to continue with the D.C.:*

- *Parks Development*
  - *Recreation*
  - *Public Libraries*
  - *Long-Term Care*
  - *Public Health*
- The continued inclusion of the above five services within the D.C.A. is a positive change. This provides a level of certainty for these services.

## 3. Mandatory 10% Deduction

*The new draft regulations will remove the mandatory 10% deduction for the services included in the C.B.C.*

- This is a positive amendment to the legislation. This will reduce the amount required to fund the growth-related capital infrastructure from property taxes.

## 4. Community Benefits Formula

*The C.B.C. will be limited to a maximum rate, set as a percentage of the market value of the land the day before building permit issuance. The proposed maximum rates for the C.B.C. are as follows:*

- *Single-tier municipalities: 15%*
  - *Lower-tier municipalities: 10%*
  - *Upper-tier municipalities: 5%*
- The maximum rates were not identified in prior draft regulations. It is unclear at this time whether the percentage amounts provided are adequate for all municipalities to recover the same amounts as allowed under prior legislation.
  - The legislation should allow for a maximum combined percentage of 15% within two-tier municipalities, i.e. if, for example, an upper-tier municipality does not use the maximum percentage, the upper-tier municipality should be allowed to transfer (by resolution) a portion of its percentage allocation to the lower tiers so as to maximize their recovery, if justification can be provided.
  - There should be different rates applied to residential and non-residential development. From preliminary analysis we have undertaken, the non-residential rate should be in the range of 3% to 5% based on benefits received, whereas the residential rate should be much higher. We would perceive that the proposed uniform rates would shift the costs burden from residential to non-residential development and may have a negative impact on commercial/ industrial development.



- How will the application of the charge apply to redevelopment (i.e. where buildings are demolished and replaced with another building – this could include conversions from residential to non-residential, vice versa, intensification, etc.)?
- Is there a prescribed planning horizon for calculating the C.B.C. – 10 years?
- Will municipalities be required to impose the C.B.C. as a percentage of land value, or will the percentage simply be used to determine if the applicable charge fits within the maximum percentage of land value? For example, a municipality could impose C.B.C.s as a charge per unit, based on the unit type, similar to how D.C.s are currently imposed. When a developer applies for a building permit, a determination would need to be made whether the charge payable based on the type of dwelling being developed exceeds the maximum permissible percentage of land value. Allowing C.B.C.s to be imposed as a charge per unit would provide for a tighter nexus between the charge and the increase in need for service resulting from the development, by reflecting underlying differences in occupancy levels between different unit types. If the C.B.C. is expressed as a percentage of value, then the C.B.C. would be more akin to a tax, since there is no clear relationship between land value and increase in need for service.

## 5. Community Benefits Strategy

*A C.B.C. strategy must be prepared to support the percentage to be imposed.*

*Elements of the strategy include:*

- *The C.B.C. strategy will have to set out the amount, type and location of growth*
  - *There will need to be a parks plan included. This plan will need to identify the amount of parkland needed for growth*
  - *The current level of service for parkland (i.e. parkland per person) must be calculated and indicated whether this will change in the future*
  - *The strategy will need to identify the anticipated increase in need for the service, as well as the capital costs*
  - *There will need to be deductions for excess capacity and benefit to existing*
  - *Grants, subsidies & other contributions will need to be deducted*
  - *C.B.C. appeal mechanism requires public notice of C.B.C. by-law passage*
  - *Interest rate for C.B.C. refunds upon successful LPAT appeal will be the Bank of Canada rate on the date the by-law comes into force or quarterly*
- Generally, most of the items noted above are consistent with the requirements of the D.C.A.; however, the requirement to prepare a parks plan is not. Section 42 (4.1) of the *Planning Act* provides that “*Before adopting the official plan policies described in subsection (4), the local municipality shall prepare and make available to the public a parks plan that examines the need for parkland in the municipality.*” At this time, most municipalities do not have a parks plan. Given the time frame for conformity to the C.B.C. legislation (one year after the C.B.C. authority is in effect), it does not appear that most municipalities would have enough time to complete this plan. As well, it is not clear whether this plan must



be adopted within the official plan policies of the municipality thus extending the implementation time even longer.

- Either this policy needs to have transitional policies to allow for municipalities to address interim policies or the C.B.C. transition timing must be extended.

## 6. Building Code Act Amendment

*Building Code Act will be amended to include a section to ensure C.B.C. payment must take place prior to building permit issuance.*

- This is a positive change as it allows municipalities to withhold permit issuance pending payment of the C.B.C.

## 7. Other Comments Previously Provided by Watson on the Act Amendments and Draft Regulations

### 7.1 Eligible Capital Costs for Community Benefits Charges

- What capital costs will be eligible as capital infrastructure for community services? The D.C.A. has an existing definition for capital costs which includes land, buildings, capital leases, furnishing and equipment, various types of studies and approvals, etc. Will these capital costs continue to be eligible as capital infrastructure under a C.B.C.?
- Will there be any limitation to capital costs for computer equipment or rolling stock with less than 7 years' useful life (present restrictions within the D.C.A.)?
- Will the cost of land appraisals, including annual appraisal studies, required for the C.B.C. be an eligible cost to be recovered through the C.B.C.?
- Will the cost of an appeal to LPAT to support the charge be eligible for funding from C.B.C. revenues?
- For parkland dedication, most municipalities have a local service policy that defines the minimum standard of development on which the land will be dedicated (e.g. graded, seeded, fenced, etc.). Will the local service policy be allowed to continue? If not, how will this matter be handled policy-wise or cost-wise?

### 7.2 Reporting on Community Benefits

*"The Minister is proposing to prescribe reporting requirements that are similar to existing reporting requirements for development charges and parkland under section 42 of the Planning Act. Municipalities would be required annually to prepare a report for the preceding year that would provide information about the amounts in the community benefits charge special account, such as:*

- *Opening and closing balances of the special account*
- *A description of the services funded through the special account*



- *Details on amounts allocated during the year*
- *The amount of any money borrowed from the special account, and the purpose for which it was borrowed*
- *The amount of interest accrued on money borrowed.*

With regard to the above:

- Confirm that “special account” and reserve fund have the same meaning. If they don’t, please provide a definition for “special account.”
- In regard to “amounts allocated,” within the context of the legislation where 60% of funds must be spent or allocated annually, can amounts be allocated to a capital account for future spending (e.g. childcare facility in year 5 of a forecast period) or are they to be allocated for immediate spending only?
- Similar to D.C. reserve funds, can the funds in the special account only be used for growth-related capital costs (i.e. cannot be used as an interim financing source for other capital expenditures)?

### 7.3 Reporting on Parkland

*“The amendments to the Planning Act in Schedule 12 of the More Homes, More Choice Act, 2019 provide that municipalities may continue using the current basic parkland provisions of the Planning Act if they are not collecting community benefits charges. Municipalities would be required annually to prepare a report for the preceding year that would provide information about the amounts in the special account, such as:*

- *Opening and closing balances of the special account*
- *A description of land and machinery acquired with funds from the special account*
- *Details on amounts allocated during the year*
- *The amount of any money borrowed from the special account, and the purpose for which it was borrowed.”*
- Regarding the amount of interest accrued on money borrowed, confirm that the “special account” and reserve fund have the same meaning.
- This section of the regulation is introduced to allow municipalities to continue using the current basic parkland provisions of the *Planning Act*. However, in contrast to the current reporting under s. 42 (15) of the *Planning Act* which allows funds to be used “for park or other public recreation purposes,” the scope in this regulation is for “land and machinery.” Confirm whether the scope of services has been limited or continues to be the same.





#### 7.4 Appraisals for Community Benefits

*It is proposed that,*

- *"If the owner of land is of the view that the amount of a community benefits charge exceeds the amount legislatively permitted and pays the charge under protest, the owner has 30 days to provide the municipality with an appraisal of the value of land.*
  - *If the municipality disputes the value of the land in the appraisal provided by the owner, the municipality has 45 days to provide the owner with an appraisal of the value of the land.*
  - *If the municipality's appraisal differs by more than 5 percent from the appraisal provided by the owner of the land, the owner can select an appraiser from the municipal list of appraisers, that appraiser's appraisal must be provided within 60 days."*
- Is the third appraisal binding? Can this appraisal be appealed to the LPAT?
  - Do all municipalities across the Province have a sufficient inventory of land appraisers (i.e. at least three) to meet the demands and turnaround times specified within the regulations?

#### 7.5 Other Matters

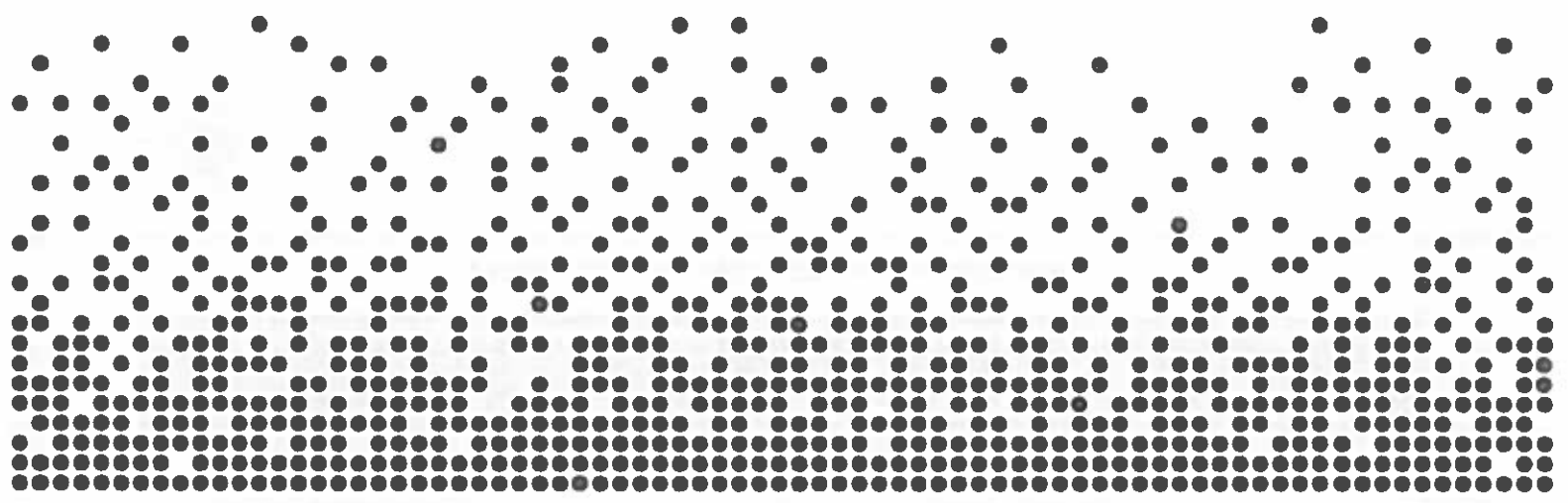
- How are mixed-use developments that include exempt development types to be handled? For example, exempt institutional uses are planned for the first floor of a high-rise commercial/residential building.
- Will ownership or use determine the ability to impose the C.B.C.?
- In situations where large industrial or commercial properties are purchased for long-term purposes and only small portions of the full site are initially developed, is the C.B.C. calculated for the entire property or only the portion being developed at that time (with lot coverage provisions)? As the property continues to develop, is the percentage applied to the existing and undeveloped portion of the land?
- D.C. by-laws must be revisited at least every five years. Is there a similar time period to be established for the community benefits strategy underlying the C.B.C.?

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Gary D. Scandlan, BA, PLE  
Director

Andrew Grunda, MBA, CPA, CMA  
Principal



# Appendix A

## Summary of Changes for Development Charges and Community Benefits Charges



**Development Charges Act Proposed Changes**

Item	Bill 108 and Ontario Regulation 019-0184	Bill 138	Ontario Regulation 019-1406
1. Transitional Timelines	Provides for transition to the community benefits charge (C.B.C.) authority during the period of January 1, 2020 to January 1, 2021.		Transitional timelines have been modified. The deadline will be one year after the C.B.C authority is in effect.
2. D.C. Payment Deferral  (note – definitions of development types also provided)	Provides for the deferral of D.C.s for: - rental housing development (6 payments) - non-profit housing (21 payments) - institutional (6 payments) - industrial (6 payments) - commercial (6 payments)	Commercial and industrial developments removed from deferral provision.	
3. D.C. Freeze for Site Plan and Zoning By-law Amendment	The D.C. quantum would be frozen “until two years from the date the site plan application is approved, or in the absence of the site plan application, two years from the date the zoning application was approved.”		
4. Maximum Interest Rates on D.C. Deferrals for Freeze	Minister is not proposing to prescribe a maximum interest rate that may be charged on D.C. amounts that are deferred or on D.C.s that are frozen.		



Item	Bill 108 and Ontario Regulation 019-0184	Bill 138	Ontario Regulation 019-1406
5a. Additional Dwelling Units – Existing Units	It is proposed that the present exemption within existing dwellings be expanded to allow “the creation of an additional dwelling in prescribed classes of residential buildings and ancillary structures does not trigger a D.C.”		
5b. Additional Dwelling Units – New Units	In new single, semi and row dwellings (including ancillary structures), one additional dwelling will be allowed without a D.C. payment. Lastly, it is proposed that, “within other existing residential buildings, the creation of additional units comprising 1% of existing units” would be exempted.		
6. Eligible D.C. Services  (note – the mandatory 10% deduction is removed for all eligible D.C. services – former services where this applied noted by “**”)	Removes many services to C.B.C. – only allows for: <ul style="list-style-type: none"> <li>- Water</li> <li>- Wastewater</li> <li>- Stormwater</li> <li>- Roads</li> <li>- Fire</li> <li>- Police</li> <li>- Ambulance*</li> <li>- Waste Diversion*</li> </ul>		Adds additional services back to the D.C.: <ul style="list-style-type: none"> <li>- Parks*</li> <li>- Recreation*</li> <li>- Public Libraries*</li> <li>- Long-term Care*</li> <li>- Public Health*</li> </ul>



**Planning Act Proposed Changes  
For Community Benefits Charges (C.B.C.)**

Item	Bill 108 and Ontario Regulation 019-0183	Bill 138	Ontario Regulation 019-1406
1. Transitional Timelines	Provides for transition to the community benefits charge (C.B.C.) authority during the period of January 1, 2020 to January 1, 2021.		Transitional timelines have been modified. The deadline will be one year after the C.B.C authority is in effect.
2. Eligible Services	<ul style="list-style-type: none"> <li>- Provides for all former D.C. services to be included in C.B.C. Note that former D.C. excluded services are not eligible (i.e. facilities for cultural/entertainment, tourism, general administration of municipality/local board, hospitals, landfill sites/thermal treatment of waste).</li> <li>- Parkland dedication.</li> <li>- Bonus zoning contributions.</li> </ul>		<p>Changes made to add eligible services back to D.C. (i.e. parks, recreation, libraries, long-term care and public health).</p> <ul style="list-style-type: none"> <li>- also, the 10% mandatory deduction formerly applied to D.C.s is removed for all services.</li> </ul>
3. Community Benefits Formula	The C.B.C. payable cannot exceed the amount determined by a formula involving the application of a prescribed percentage to the value of the development land. The value of land that is used is the value on the day before the building permit is issued to		<p>The C.B.C. will be imposed as a percentage based on the market value of the land the day before building permit issuance. The maximum percentages for the C.B.C. are as follows:</p> <ul style="list-style-type: none"> <li>- Single-tier municipalities: 15%</li> </ul>



Item	Bill 108 and Ontario Regulation 019-0183	Bill 138	Ontario Regulation 019-1406
	account for the necessary zoning to accommodate the development.		<ul style="list-style-type: none"> <li>- Lower-tier municipalities: 10%</li> <li>- Upper-tier municipalities: 5%</li> </ul>
4. Community Benefits Strategy	Before passing a C.B.C. by-law, the municipality shall prepare a C.B.C. strategy that, (a) identifies the facilities, services and matters that will be funded with C.B.C.s and (b) complies with any prescribed requirements.		<p>A C.B.C. strategy must be prepared to support the percentage to be imposed. Elements of the strategy include:</p> <ul style="list-style-type: none"> <li>- The C.B.C. strategy will have to set out the amount, type and location of growth</li> <li>- There will need to be a parks plan included. This plan will need to identify the amount of parkland needed for growth</li> <li>- The strategy will need to identify the anticipated increase in need for the service</li> <li>- There will need to be deductions for excess capacity</li> <li>- Grants, subsidies &amp; other contributions will need to be deducted</li> <li>- C.B.C. appeal mechanism requires public notice of C.B.C. by-law passage</li> <li>- Interest rate for C.B.C. refunds upon successful LPAT appeal will be the Bank of Canada rate</li> </ul>



Item	Bill 108 and Ontario Regulation 019-0183	Bill 138	Ontario Regulation 019-1406
			on the date the by-law comes into force or quarterly
5. Exemptions from Community Benefits Charges	<p>The Minister is proposing that the following types of developments be exempt from charges for community benefits under the <i>Planning Act</i>:</p> <ul style="list-style-type: none"> <li>- Long-term care homes</li> <li>- Retirement homes</li> <li>- Universities and colleges</li> <li>- Memorial homes, clubhouses or athletic grounds of the Royal Canadian Legion</li> <li>- Hospices</li> <li>- Non-profit housing.”</li> </ul>		
6. Reporting on Community Benefits Charges	<p>Municipalities would be required annually to prepare a report for the preceding year that would provide information about the amounts in the C.B.C. special account, such as:</p> <ul style="list-style-type: none"> <li>- Opening and closing balances of the special account</li> <li>- A description of the services funded through the special account</li> <li>- Details on amounts allocated during the year</li> </ul>		<p><i>Building Code Act</i> will be amended to include a section to ensure C.B.C. payment must take place prior to building permit issuance.</p>



Item	Bill 108 and Ontario Regulation 019-0183	Bill 138	Ontario Regulation 019-1406
	<ul style="list-style-type: none"> <li>- The amount of any money borrowed from the special account, and the purpose for which it was borrowed</li> <li>- The amount of interest accrued on money borrowed</li> <li>- If a municipality elects to not have a C.B.C. and wishes to continue collection of parkland under former <i>Planning Act</i> provisions, then similar reporting required as above.</li> </ul>		
7. Other Matters	<ul style="list-style-type: none"> <li>- For a municipality that elects to not have a C.B.C., they may continue collection of parkland under former <i>Planning Act</i> provisions</li> <li>- In each calendar year, a municipality shall spend or allocate at least 60 per cent of the monies that are in the special account at the beginning of the year.</li> <li>- Transitional provisions are set out regarding the D.C. reserve funds and D.C. credits</li> <li>- It is proposed that a C.B.C. by-law would</li> </ul>	Transitional provisions for by-laws requiring parkland as a condition of development or redevelopment or subdivision	





Item	Bill 108 and Ontario Regulation 019-0183	Bill 138	Ontario Regulation 019-1406
	not be available for use in areas within a municipality where a community planning permit system is in effect and specified community services are identified.		

## Denise Holmes

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**From:** Nancy Neale <neale@watsonecon.ca>  
**Sent:** Friday, March 20, 2020 1:00 PM  
**To:** Denise Holmes; Wendy Atkinson  
**Subject:** Extension of comment period on draft regulation for Bill 108

The province has extended the date for the public to provide comments on their most recent draft DC/CBC regulations. The response date has been moved from March 30, 2020 to April 20, 2020. The link to the provincial web page is provided below. We would encourage all municipalities to provide a response to the province on these matters.

<https://ero.ontario.ca/search?search=019-1406&date%5Bmin%5D=&date%5Bmax%5D=>

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[Proposed regulatory matters pertaining to community benefits authority under the Planning Act, the Development Charges Act, and the Building Code Act \(/notice/019-1406\)](/notice/019-1406)

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Notice type Regulation  
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Comment February 28, 2020 - April 20, 2020 (52 days) Open period

Last updated March 20, 2020

Proposed Regulatory Matters Pertaining to Community Benefits Authority Under the *Planning Act*, the *Development Charges Act*, and the *Building Code Act*.

# Proposed regulatory matters pertaining to community benefits authority under the Planning Act, the Development Charges Act, and the Building Code Act

ERO (Environmental Registry of Ontario) number	019-1406
Notice type	Regulation
Act	Planning Act, R.S.O. 1990
Posted by	Ministry of Municipal Affairs and Housing
Notice stage	Proposal Updated
Proposal posted	February 28, 2020
Comment period	February 28, 2020 - April 20, 2020 (52 days) Open
Last updated	March 20, 2020

This notice was originally published on February 28, 2020 for a 31 day comment period ending March 30, 2020. The notice was republished on March 20, 2020 to extend the deadline to submit comments to April 20, 2020.

March 20, 2020

This consultation closes at 11:59 p.m.

on:  
**April 20, 2020**

## Proposal summary

Proposed Regulatory Matters Pertaining to Community Benefits Authority Under the *Planning Act*, the *Development Charges Act*, and the *Building Code Act*.

# Proposal details

## Introduction

In May 2019, the Minister of Municipal Affairs and Housing released *More Homes, More Choice: Ontario's Housing Supply Action Plan*. In support of the Action Plan, the Minister of Municipal Affairs and Housing introduced the *More Homes, More Choice Act, 2019* (Bill 108) which received Royal Assent on June 6, 2019. Schedule 12 of the Act, once proclaimed, establishes a new authority under the *Planning Act* for municipalities to charge for community benefits with respect to land to be developed or redeveloped. Community benefits charges are intended to fund municipal infrastructure for community services, such as land for parks, affordable housing and child care facilities, that are needed to support new residents and businesses associated with new development.

On November 6, 2019, amendments to the community benefits charge provisions under the *Planning Act* were introduced through the *Plan to Build Ontario Together Act, 2019*. The Bill received Royal Assent on December 10, 2019. The amendments, set out under Schedule 31 of the Act, include new transition provisions for alternative parkland dedication and a mechanism to appeal a municipality's community benefits charge by-law to the Local Planning Appeal Tribunal.

The community benefits charge authority has not been proclaimed and is not in effect at this time.

This is the second regulatory proposal that the government has posted for public feedback on the proposed components of a new community benefits charge authority. The initial regulatory proposal was posted on the Environmental Registry of Ontario on June 21, 2019 ("Proposed new regulation pertaining to the community benefits authority under the Planning Act", ERO 019-0183).

This proposal outlines additional matters for public input to inform the further development of the community benefits charge authority and regulation under the *Planning Act*.

## Proposal for public comment

This proposal outlines several matters related to the community benefits charge authority under the *Planning Act*.

The changes made by the *More Homes, More Choice Act, 2019* will mean that municipalities will have two primary funding streams to pay for the increased need for services due to new development.

Development charges are a mechanism for municipalities to pay for the capital costs of infrastructure like roads and sewers associated with new development. The government is also seeking feedback in this proposal on changes to the types of services that could be funded through development charges. It is proposed that development charges could also pay for the capital costs of certain community services such as public libraries, parks development (other than acquiring land for parks) and recreational facilities (see Section #2).

The new community benefits charge would complement development charges by giving municipalities the flexibility to fund growth-related capital infrastructure costs of other community services. For example, funds generated through community benefits charges could be used to support community priorities such as acquiring land for parks, supporting affordable housing or building child care facilities which will be needed due to growth.

A municipality could choose to collect development charges to fund the development of new park facilities or enhance existing parks such as playgrounds and splash pads. To acquire the land needed to build new parks, a municipality would have the option of using one of the following tools under the *Planning Act*:

1. A municipality could apply the basic parkland dedication rate in which a maximum of either 5% (for example, for a residential development) or 2% (for a commercial or industrial development) of a proposed development is dedicated as parkland or cash-in-lieu is provided (section 42 "Conveyance of land for park purposes" and section 51.1 "Parkland" under the *Planning Act*).
2. Alternatively, a municipality could establish a community benefits charge by-law to collect funds to acquire land for parks as well as other community services such as affordable housing and child care. If both a developer and municipality agree, a developer could provide land for parks (rather than a payment). The agreed-upon value attributed to the in-kind parkland contribution would be applied toward the community benefits charge payable.

If a municipality has a community benefits charge by-law in place it cannot apply the basic parkland dedication provisions of the *Planning Act*.

To implement the new community benefits charge authority, the province is seeking feedback on the following regulatory matters under the *Planning Act*, the *Development Charges Act* and the *Building Code Act*:

1. Required content of a community benefits charge strategy
2. Services eligible to be funded through development charges
3. Percentage of land value for determining a maximum community benefits charge
4. Timeline to transition to the new community benefits charge regime
5. Community benefits charge by-law notice
6. Minimum interest rate for community benefits charge refunds where a by-law has been successfully appealed
7. Building code applicable law

## **1. Required content of a community benefits charge strategy**

Before passing a community benefits charge by-law, a municipality must prepare a community benefits charge strategy. The strategy must identify the items that a municipality intends to fund through community benefits charges. It must also comply with any requirements that may be prescribed in regulation regarding the mandatory content that a strategy should address. In preparing a community benefits charge strategy, a municipality must consult, but has the flexibility to determine their consultation approach.

### **Proposal**

To provide greater clarity about the components of a community benefits charge strategy, it is proposed that a municipality would need to include the following content in their strategy:

1. The anticipated type, amount and location of development or redevelopment that would be subject to a community benefits charge
2. The anticipated increase in the need for a specific community service (for example, the acquisition of land for parks, affordable housing, child care, etc.) resulting from new development or redevelopment
3. A parks plan that examines the need for parkland in the municipality
4. The amount of parkland per person currently being provided in the municipality, and if this is planned to increase, decrease or stay the same
5. The capital costs associated with the increased need for a specific community service resulting from new development or redevelopment



6. The excess capacity that exists in those specific services (for example, the extra capacity that exists in a service that is not currently being used)
7. Whether the increased provision of those specific services would also serve existing residents (for example, existing residents may also benefit from new child care facilities that are needed as a result of new development or redevelopment)
8. Any capital grants, subsidies, or contributions from other levels of government or other sources like donations that are anticipated to be made to support those specific services

## **2. Services eligible to be funded through development charges**

The *Development Charges Act* provides authority for municipalities to impose development charges to pay for the increased capital costs of specific services that are needed as a result of new growth.

The services that are eligible to be funded through development charges are listed under subsection 2(4) of the *Development Charges Act*. The list includes a provision for other services that may be prescribed in regulation. The *Planning Act* stipulates that services funded by development charges may not be funded by community benefits charges.

When proclaimed, the *More Homes, More Choices Act, 2019* will make waste diversion and ambulance services fully recoverable through development charges.

The government is proposing to prescribe additional services to be funded under the *Development Charges Act*, through regulation.

### **Proposal**

It is proposed that the following services would be identified in regulation under subsection 2(4) of the *Development Charges Act*:

1. Public libraries, including library materials for circulation, reference or information purposes
2. Long-term care
3. Parks development, such as playgrounds, splash pads, equipment and other park amenities (but not the acquisition of land for parks)
4. Public health
5. Recreation, such as community recreation centres and arenas

Development charges may be imposed to fully recover the capital costs related to the provision of these proposed services due to new growth. These proposed services would be ineligible to be funded through community benefits charges.

### **3. Percentage of land value for determining a maximum community benefits charge**

The community benefits charge authority established through the *More Homes, More Choice Act, 2019*, includes a mechanism to determine the maximum community benefits charge payable for any particular development. The community benefits charge payable cannot exceed the amount determined by applying a prescribed percentage to the value of the land under development.

The ministry is seeking feedback on the proposed prescribed percentages through this posting.

#### **Proposal**

The proposed percentages of land value that would be prescribed in regulation under the Planning Act would be structured as follows:

- single-tier municipalities: 15%
- lower-tier municipalities: 10%
- upper-tier municipalities: 5%

In any particular case, the community benefits charge levied by a municipality could not exceed the amount determined by applying the applicable proposed percentage to the value of the land that is subject to development. The land value would be calculated as of the valuation date, which is the day before the date the building permit is issued in respect of the development or redevelopment.

The community benefits charges levied by municipalities would support the growth-related capital costs of acquiring land for parks, and other community benefits required because of development, such as child care facilities, affordable housing, social services, parking and by-law enforcement. There would need to be a connection between the community benefits charge levied and the increased need for community services associated with new development.

Different percentages are being proposed for single, upper and lower-tier municipalities to reflect the varying service delivery requirements of each tier of municipality to service new growth with community amenities. This percentage structure ensures that the combined percentage for upper and lower-tier municipalities would be equal to the percentage for single tier municipalities.

#### **4. Timeline to transition to the new community benefits charge regime**

The date by which municipalities must transition to the community benefits charge authority, if they wish to collect funds for community benefits, would be prescribed in regulation under the Development Charges Act, 1997. The prescribed date would be the deadline for establishing a community benefits charge strategy and by-law in order to charge for the capital costs of services funded through community benefits charges.

The community benefits charge by-law would set out the charge payable in any particular instance, any municipal exemptions, and other details.

##### **Proposal**

It is proposed that the specified date for municipalities to transition to the community benefits charges regime would be one year after the date the proposed community benefits charge regulation comes into effect.

This transition period would allow municipalities to prepare community benefits charge strategies and pass by-laws if they choose to implement a community benefits charge regime.

#### **5. Community benefits charge by-law notice**

The *Plan to Build Ontario Together Act, 2019* amended the *Planning Act* to establish a mechanism by which a municipality's community benefits charge by-law could be appealed to the Local Planning Appeal Tribunal. A municipality would be required to provide notice to the public when it passes a community benefits charge by-law. To implement the by-law appeal mechanism, requirements associated with how to provide public notice would be prescribed in regulation.

##### **Proposal**

To implement the appeal mechanism, it is proposed that upon passage of a community benefits charge by-law, a municipality would be required to comply with the following notice provisions. These provisions are similar to the notice provisions under the *Development Charges Act* regarding the passage of a development charges by-law:

1. Notice would be required to be given through newspaper or to every land owner in the area covered by the by-law through personal service, fax, mail or email.
2. Notice would also be required to be provided by personal service, fax, mail or email to those individuals who specifically request notice, the clerk of the lower or upper-tier municipality (if and as applicable), and the secretary of every school board having jurisdiction in the area covered by the by-law.
3. In order to facilitate public awareness of the passage of a community benefits charge by-law, notice would include the following:
  - i. A statement that the council of the municipality has passed a community benefits charge by-law.
  - ii. A statement setting out when the by-law was passed.
  - iii. A statement that any person or public body may appeal the by-law to the Local Planning Appeal Tribunal by filing with the clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons supporting the objection.
  - iv. A statement setting out the last day for appealing the by-law.
  - v. An explanation of the charges imposed by the by-law.
  - vi. A description of the lands to which the by-law applies, a key map showing the lands to which the by-law applies, or an explanation why no description or key map is provided.
  - vii. An explanation of where and when persons may examine a copy of the by-law.

The date on which notice would be deemed to have been given would be:

- the newspaper publishing date if the notice is published by a newspaper
- the date the fax is sent, if the notice is faxed
- the date the email is sent, if the notice is emailed
- the date the notice is mailed, if the notice is sent by mail

## **6. Minimum interest rate for community benefits charge refunds where a by-law has been successfully appealed**

The mechanism to appeal a community benefits charge by-law includes a requirement for municipalities to provide full or partial refunds in the event of a successful appeal. The interest rate paid on amounts refunded must not be less than the prescribed minimum interest rate.

### **Proposal**

It is proposed that the minimum interest rate a municipality would be required to pay on amounts refunded after successful appeals would be the Bank of Canada rate on the date the by-law comes into force. Alternatively, if the municipality's by-law so provides, the minimum interest rate would be the Bank of Canada rate updated on the first business day of every January, April, July and October.

This proposal aligns with the prescribed minimum interest rate for refunds of development charges after successful appeals under the *Development Charge Act*.

## **7. Building Code applicable law**

The Building Code is a regulation under the *Building Code Act, 1992*. The Building Code sets out minimum administrative and technical requirements for the construction, renovation, demolition and change of use of buildings. It also establishes a list of applicable law that must be satisfied in order to receive a building permit. Municipalities enforce the Building Code and are responsible for issuing building permits for the construction, renovation, demolition or change of use of buildings.

### **Proposal**

It is proposed that the Building Code be amended to add the community benefits charge authority to the list of items under Division A - Article 1.4.1.3 Definition of Applicable Law. This amendment would establish a mechanism for ensuring the payment of community benefits charges prior to the issuance of a building permit.

## **Public comment**

Your feedback on the implementation of the community benefits charge authority will inform government decisions on the development of a new community benefits charge regulation under the *Planning Act* and amendments to regulations under the *Development Charges Act* and *Building Code Act*.

Submissions may be made online or provided via email to the contact below.

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## Supporting materials

### Related links

[Planning Act \(https://www.ontario.ca/laws/statute/90p13\)](https://www.ontario.ca/laws/statute/90p13)

[Development Charges Act, 1997 \(https://www.ontario.ca/laws/statute/97d27\)](https://www.ontario.ca/laws/statute/97d27)

[Building Code Act, 1992 \(https://www.ontario.ca/laws/statute/92b23\)](https://www.ontario.ca/laws/statute/92b23)

### Related ERO (Environmental Registry of Ontario) notices

[Proposed new regulation pertaining to the community benefits authority under the Planning Act \(/notice/019-0183\)](/notice/019-0183)

## View materials in person

Some supporting materials may not be available online. If this is the case, you can request to view the materials in person.

Get in touch with the office listed below to find out if materials are available.

Municipal Finance Policy Branch  
College Park 13th flr, 777 Bay St  
Toronto, ON  
M7A 2J3  
Canada

 [416-585-6111](tel:416-585-6111)

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## Comment

Let us know what you think of our proposal.

Have questions? Get in touch with the contact person below. Please include the ERO (Environmental Registry of Ontario) number for this notice in your email or letter to the contact.

[Read our commenting and privacy policies. \(/page/commenting-privacy\)](/page/commenting-privacy)

## Submit by mail

John Ballantine  
Municipal Finance Policy Branch  
College Park 13th flr, 777 Bay St  
Toronto, ON  
M7A 2J3  
Canada


---

## Connect with

JS

### Contact

John Ballantine

 [416-585-6348](tel:416-585-6348)

 [john.ballantine@ontario.ca](mailto:john.ballantine@ontario.ca)



MUNICIPALITY OF CALLANDER

Monday, March 16, 2020

Moved by Councillor

Seconded by Councillor

**RESOLUTION NO. 2020/03/ 84**

Whereas the World Health Organization has declared the COVID-19 Virus a world-wide pandemic; and

Whereas all levels of Government in Canada are taking precautionary measures to help protect their citizens and communities and slow the spread of this virus; and

Whereas these measures include social distancing and avoiding where possible public gatherings; and

Whereas the duration of these measures is unknown at this time; and

Whereas municipal governments need to continue to operate; and

Whereas the technology exists to allow Council members to participate in meetings electronically and for the public to be able to view the proceedings of Council electronically, thus allowing for increased social distancing without compromising accountability and transparency of Council decisions; and

Whereas the Municipal Act currently provides for Council Members to participate electronically in meetings, but only if a quorum is present in person and the meeting is open to the public; and

Whereas additional measures to control the COVID-19 pandemic could be employed if the Provincial Government waives the quorum and closed session restrictions to electronic participation in meetings by Council Members;

Now therefore, be it resolved that the Council of the Municipality of Callander petition the Provincial Government to waive the restrictions on electronic participation in Council Meetings, at least for the duration of the COVID-19 pandemic;

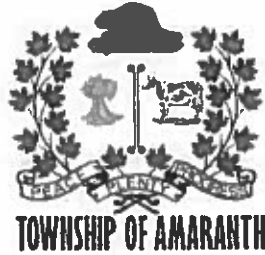
And further that copies of this motion be sent to the Premier of Ontario, the Minister of Municipal Affairs; our local MPP; and all Ontario Municipalities for support.

\_\_\_\_\_  
Mayor

CARRIED / DEFEATED / AMENDED / DEFERRED

WFO # 3  
APR 02 2020





374028 6TH LINE • AMARANTH ON • L9W 0M6

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March 20, 2020

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

Honourable Premier Ford,

**Re: Seasonal Agricultural Work Program and the Temporary Foreign Workers**

The Council of the Township of Amaranth at their regular meeting held on March 18, 2020 discussed the government closing the border to the Season Agricultural Work Program and the Temporary Foreign Workers Program. Council would like to express their concerns with the suspension of this program as it will have a drastic impact on our food supply in Canada.

As mentioned by the Honourable Diane Findley in a letter dated March 17, 2020, our farmers employ over 6,400 seasonal and temporary foreign workers. This workforce is needed for the rapidly approaching planting season, workers from these program are imperative to ensure that crops are planted, their efforts impact our entire country.

As a Council we understand the measures in place to combat COVID-19, but urge you to work to implement alternative measures that will allow for this program to continue and ensure the food industry is not negatively impacted.

Respectfully submitted,

Christine Hickey  
CAO/Clerk  
Enc.

C: Minister of Municipal Affairs and Housing  
Association of Municipalities of Ontario (AMO)  
Rural Ontario Municipal Association (ROMA)  
Association of Municipal Clerks and Treasurers of Ontario (AMCTO)  
Ontario Municipalities

INFO # 4  
APR 02 2020



## **PRESS RELEASE**

County of Dufferin  
55 Zina Street  
Orangeville, ON L9W 1E5

*For Immediate Release: Thursday, March 26, 2020 1600hrs*

### **DUFFERIN COUNTY-DECLARATION OF EMERGENCY**

**Dufferin – The County of Dufferin has Declared an Emergency in accordance with the Emergency Management and Civil Protection Act on Thursday, March 26, 2020.**

An emergency is defined under the Emergency Management and Civil Protection Act as “situation, or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise” [Section 1, definition of an emergency].

There are a number of criteria established by the Province of Ontario to guide municipalities when making a decision about declaring an emergency. The County of Dufferin is currently experiencing several of the criteria.

- Is the situation an extraordinary event requiring extraordinary measures?
- Does the situation require a response that exceeds or threatens to exceed the capabilities of the municipality for either resources or deployment of personnel?
- Does the situation create sufficient strain on the municipal response capability in areas within the municipality that may be impacted by a lack of services?
- Is it a consideration that the municipal response may be of such duration that additional personnel and resources may be required to maintain the continuity of operation?

“Due to the rapidly changing conditions, it has become necessary to declare an emergency so that we may be able to address resident needs in a more timely manner,” said Warden Darren White.

The emergency declaration does not change the rules and regulations that exist to ensure the County of Dufferin operates effectively. The County continues to provide essential services to the community. This includes, but is not limited to our Long-Term Care Home, income and community housing supports, waste and recycling pick-up, general maintenance of County roads, building permit applications and inspections.

**What You Can Do: Stay Safe. Stay Home.**

Acting decisively as a community can help maintain the safety and well-being of residents. Residents should follow the advice of our Public Health Unit to help alleviate pressures on the healthcare system, and best protect themselves and loved ones. Precautions to prevent transmission include:

- self-isolation,
- maintaining at least a 2 metre distance from others,
- avoiding all unnecessary travel,
- washing hands often, and
- regularly disinfecting high touch zones in shared spaces in your home.

For more information on precautions you should be taking, please consult [Wellington-Dufferin-Guelph Public Health](#).

**For more information, please contact:**

*Pam Hillock, Clerk*  
[phillock@dufferincounty.ca](mailto:phillock@dufferincounty.ca)  
519-941-2816 (2503)

*Sonya Pritchard, Chief Administrative Officer*  
[spritchard@dufferincounty.ca](mailto:spritchard@dufferincounty.ca)  
519-941-2816 (2502)



7<sup>th</sup> Floor, Frost Building South  
7 Queen's Park Crescent  
Toronto ON M7A 1Y7  
Telephone: 416-325-0400

7<sup>e</sup> étage, Édifice Frost Sud  
7 Queen's Park Crescent  
Toronto ON M7A 1Y7  
Téléphone: 416-325-0400

March 25, 2020

Dear Head of Council:

I want to take this opportunity to thank you for all the work you are doing as local leaders in protecting the health and well-being of your communities. I am also writing to provide an update on the government's plan to respond to COVID-19, and the actions that we will be taking to further protect Ontarians.

Today, I released *Ontario's Action Plan: Responding to COVID-19 (March 2020 Economic and Fiscal Update)*. The government's action plan is a first step in its response to COVID-19, and includes \$7 billion in additional resources for the health care system and direct support for people, jobs and employers. We will also make available \$10 billion in support for people and businesses through tax and other deferrals to improve their cash flow, protecting jobs and household budgets.

This \$17 billion response is a critical first step to ensure our health care system, communities and economy are positioned to weather the challenges ahead.

During this challenging time, I understand that municipal governments need to focus their attention on critical public health initiatives and other efforts to manage the local response to the COVID-19 outbreak.

The government has received input from municipal leaders, including AMO's president, that the reassessment should be delayed to provide much-needed stability to property owners and municipalities. That is why the government will also be postponing the property tax reassessment for 2021. This means that assessments for 2021 will continue to be based on the same valuation date that was in effect for 2020, providing stability for Ontario's property taxpayers and municipalities.

The Province recognizes that many residents and businesses are facing challenges in making their scheduled property tax payments. I understand that many municipalities are considering or have already announced plans to allow their residents and businesses to defer their property tax payments.

.../cont'd

In order to support and encourage these actions, the government is deferring the property tax payments that municipalities make to school boards by 90 days. This is consistent with requests that we have heard from a number of municipalities.

Deferring the upcoming quarterly (June 30) municipal remittance of education property tax to school boards by 90 days will provide municipalities the flexibility to, in turn, provide over \$1.8 billion in property tax deferrals to residents and businesses. In addition, the government is also deferring the following quarterly (September 30) municipal remittance of education property tax to school boards by 90 days.

As we work with our municipal partners to help stop the spread of COVID-19, we are providing nearly \$250 million of direct support that will assist municipalities in their efforts.

Further details on the property tax measures noted above will be provided to your municipal treasurers shortly through a letter from Allan Doheny, Assistant Deputy Minister, Provincial Local Finance Division.

The government is taking steps to lessen the burden for families, businesses and communities. I look forward to continuing to work in partnership with municipalities as we enhance our efforts to contain the spread of COVID-19, protect public health, support Ontario businesses and to weather the challenges ahead.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Phillips', with a long, sweeping underline that extends to the right.

Rod Phillips  
Minister of Finance

- c: The Honourable Steve Clark, Minister, Ministry of Municipal Affairs and Housing
- Greg Orenacsak, Deputy Minister, Ministry of Finance
- Kate Manson-Smith, Deputy Minister, Ministry of Municipal Affairs and Housing
- Allan Doheny, Assistant Deputy Minister, Provincial-Local Finance Division, Ministry of Finance

**Solicitor General**

Office of the Solicitor General

25 Grosvenor Street, 18<sup>th</sup> Floor  
Toronto ON M7A 1Y6  
Tel.: 416 325-0408  
MCSCS.Feedback@Ontario.ca

**Ministry of Municipal Affairs  
and Housing**

Office of the Minister

777 Bay Street, 17th Floor  
Toronto ON M7A 2J3  
Tel.: 416 585-7000

**Solliciteur général**

Bureau de la solliciteure générale

25, rue Grosvenor, 18<sup>e</sup> étage  
Toronto ON M7A 1Y6  
Tél.: 416 325-0408  
MCSCS.Feedback@Ontario.ca

**Ministère des Affaires municipales  
et du Logement**

Bureau du ministre

777, rue Bay, 17<sup>e</sup> étage  
Toronto ON M7A 2J3  
Tél.: 416 585-7000



March 27, 2020

Dear Head of Council:

On March 17, 2020, our government declared a provincial emergency through the authority granted under the *Emergency Management and Civil Protection Act* (EMCPA). Since this declaration, several emergency orders have been made under the Act to contain the spread of COVID-19 and to ensure that essential services continue to be provided and Ontarians are supported. To view Emergency Orders made by the government in response to COVID-19, please visit our ministry's Emergency Information webpage at: [ontario.ca/alert](http://ontario.ca/alert).

Previously, only police officers and constables who have been appointed under an Act have the ability to enforce orders made under the EMCPA. Due to COVID-19, police resources are being stretched and police services have made requests to have other enforcement personnel assist with enforcing the emergency orders being made by the province.

As a result, our government signed a ministerial designation under the *Provincial Offences Act* to authorize the following personnel to enforce EMCPA orders:

- All persons or classes of persons designated in writing by a minister of the Crown as provincial offences officers, notwithstanding the offence or class of offences of that designation;
- All municipal law enforcement officers referred to in subsection 101 (4) of the *Municipal Act, 2001*, or in subsection 79 (1) of the *City of Toronto Act, 2006*;
- All by-law enforcement officers of any municipality, or of any local board of any municipality; and
- All officers, employees or agents of any municipality or of any local board of any municipality whose responsibilities include the enforcement of a by-law, an Act or a regulation under an Act.

.../2

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No further provincial approvals or authorizations are needed for municipal law enforcement officers to enforce orders under the EMCPA. Municipalities are not required to, but may wish to consider whether, and how, to provide direction to their municipal law enforcement officers about the exercise of these powers (e.g., policies or by-laws regarding which officers are best positioned to exercise these powers given their existing training, knowledge and resources).

Municipalities should continue to consider the severity of each infraction in relation to the potential risk to public health and the spread of COVID-19 when taking enforcement action. Consistent with existing enforcement approaches, consideration should continue to be given to taking a graduated approach to compliance. This could include providing educational messaging or warnings to members of the public around the emergency orders and, if compliance is not obtained, the issuance of a ticket under the *Provincial Offences Act* or a summons under Part 3 of the Act.

To assist enforcement personnel, we are also establishing a dedicated 1-800 line to respond to questions related to enforcing these orders. This telephone number will be available to enforcement personnel and will not be for the general public. We will follow up with more information once the dedicated line is established.

Finally, to further support the implementation of this change, please see enclosed Frequently Asked Questions that can be shared with your enforcement staff. As specific operational questions arise please contact Zinzi De Silva, Standards Research Analyst with the Public Safety Division of the Ministry of the Solicitor General at 416-314-3079 or [Zinzi.DeSilva@ontario.ca](mailto:Zinzi.DeSilva@ontario.ca) for guidance as necessary.

Thank you for your continued cooperation on this matter.

Sincerely,



Sylvia Jones  
Solicitor General



Steve Clark  
Minister of Municipal Affairs and Housing

Enclosure

c: Chief Administrative Officers  
Municipal Clerks

**Qs and As for Enforcement Personnel**  
**March 27, 2020**

**General Questions**

1. **Are provincial offences officers and municipal law enforcement officers required to enforce emergency orders?**

The changes we are making do not require the use of provincial offences or municipal law enforcement officers to enforce emergency orders. It does provide the flexibility should there be a ministry or local need to increase enforcement.

2. **What emergency orders are provincial offences officers and municipal law enforcement officers authorized to enforce?**

Provincial offences officers and municipal law enforcement officers are now authorized to enforce all emergency orders made under the *Emergency Management and Civil Protection Act* (EMCPA).

3. **Who should officers contact for urgent matters?**

During the emergency declaration, if circumstances arise where a case under the EMCPA requires urgent attention, the prosecutor may work with the criminal court trial coordinator to bring the matter to the Local Administrative Judge or Regional Senior Judge for direction and potential scheduling.

Please contact Director of Crown Operations, Fred Braley, [fred.braley@ontario.ca](mailto:fred.braley@ontario.ca)  
416-553-1478.

**Available Charges**

4. **Is It an offence to fail to comply with an emergency order?**

Yes. It is an offence to fail to comply with an emergency order, or to obstruct any person acting pursuant to such an order.

The maximum punishment is one-year imprisonment or a fine of up to \$100,000 for an individual, \$500,000 for a director of a corporation, or \$10,000,000 for a corporation itself (EMCPA, s. 7.0.11(1)). If the defendant gained a financial benefit from their violation of an emergency order, the court may increase the maximum fine to match the benefit the defendant received (EMCPA, s. 7.0.11(3)).

Where violations occur on different dates, s.7.0.11(2) allows for a separate charge to be laid for each day an offence occurs or continues.

5. **What offences can be laid against persons and businesses who are found in violation of an order during a declared emergency?**

Officers have discretion to charge under Part I (Certificate of Offence) or Part III (Information). The following offences are available under the EMCPA for violations of Ontario's declaration of emergency.



- (1) Fail to comply with an order made during a declared emergency, contrary to section 7.0.11(1) of the EMCPA.
- (2) Obstruct any person exercising a power in accordance with an order made during a declared emergency, contrary to section 7.0.11(1) of the EMCPA.
- (3) Obstruct any person performing a duty in accordance with an order made during a declared emergency, contrary to section 7.0.11(1) of the EMCPA.

The limitation periods that normally apply under the *Provincial Offences Act* (POA) (whether Part I, II or III), have been suspended pursuant to an Order by the Ontario government under s. 7.1 of the EMCPA. The suspension is retroactive to Monday, March 16, 2020.

As a result of this suspension, Justices of the Peace are no longer receiving Part III Informations and municipal courts are no longer accepting the filing of Certificates of Offences.

Proceedings may be initiated once the declaration of provincial emergency is lifted by the provincial government. Once the declaration of provincial emergency is over, and normal court operations resume, these matters will be scheduled and heard in the POA courts in the ordinary course.

### **Bars and Other Public Establishments in Violation of the Declaration of Provincial Emergency**

#### **6. What can we do if a bar is open in contravention of Ontario Regulation 51/20?**

The following potential charges are available:

1. An individual patron could be charged either under Part I or Part III of the POA, with the offence of Fail to Comply with an order made during a declared emergency contrary to section 7.0.11(1)(a) of the EMCPA:

- If charged under Part I of the POA, a \$750.00 set fine applies
- If charged under Part III of the POA, a fine of not more than \$100,000 and a term of imprisonment of not more than one year could be imposed

2. An individual who is a director or officer of the corporate entity could be charged under Part I or Part III of the POA, with the offence of Fail to Comply with an order made during a declared emergency contrary to section 7.0.11(1)(b) of the EMCPA:

- If charged under Part I of the POA, a \$750.00 set fine applies
- If charged under Part III of the POA, a fine of not more than \$500,000 and a term of imprisonment of not more than one year could be imposed

3. The corporate entity could be charged under Part I or Part III of the POA, with the offence of Fail to Comply with an order made during a declared emergency contrary to section 7.0.11(c) of the EMCPA:

- If charged under Part I of the POA, a \$750.00 set fine applies

- If charged under Part III of the POA, a fine of not more than \$10,000,000 applies

Under this scenario, an officer could proceed under Part I of the POA in respect of the "individual" (the patron) and Part III in respect of the "individual who is a director or officer of the corporate entity" and the corporate entity.

### **Powers of Arrest**

#### **7. Can provincial offences officers or municipal law enforcement officers arrest individuals for violations of the EMCPA?**

No. The EMCPA does not include any arrest provisions for provincial offences officers or municipal law enforcement officers.

#### **8. When can officers rely on the Criminal Code for individuals who refuse to comply with an emergency order?**

Officers should first seek voluntary compliance with emergency orders. Officers should make it clear that people are required to comply with the orders and that failure to comply is an offence under s. 7.0.11 of the EMCPA.

If people refuse to comply and follow the officer's commands, officers can rely on s. 129 of the *Criminal Code*, which makes it any offence to resist or wilfully obstruct a public officer or peace officer in the execution of their duty. The *Criminal Code* sets out the powers of arrest and abilities to identify people.

#### **9. What if a business that has been ordered to close, refuses to close and people continue to gather inside?**

Officers may rely on ancillary powers to order that people leave a business and prevent others from entering. The basis is that the people are committing an offence by violating the emergency order. The intrusions on liberty are acceptable as reasonably necessary for the police to fulfill their duties. The police focus must be on removing people to the extent necessary for public health reasons, such as the need for people to maintain 6 feet of distance. For example, if the owner of a business is inside, and is committing an offence of failing to comply with an order during a declared emergency, but through police intervention, no customers or workers are allowed to enter, then recourse to ancillary powers would likely not be available to justify further intervention.

Officers have ancillary powers under the common law that are available where: (1) the officer's conduct falls within their general duties; and (2) the officer's conduct is reasonably necessary.

As the province has declared an emergency and has made certain orders as a result, the police are acting in the course of their duties to preserve the peace, protect the public, and save lives. These are the "principal duties" of the police at common law. As for the officer's conduct being reasonably necessary, this depends on what the officer seeks to do. The goal of the emergency orders is to keep people apart to combat the spread of COVID-19. The police duty is extremely important; interference of liberty will be necessary.

**10. How can individuals be removed from locations they are not allowed to be in?**

If people are congregating in public areas or businesses in violation of emergency orders, they may be trespassing. The common law arguably permits officers to use force to remove individuals illegally congregating in public areas or in businesses in violation of emergency orders. This same power may be used to remove trespassers provided that the trespasser has first been asked to leave and was afforded a reasonable opportunity to do so before they were removed. In addition, the officer must ensure that they have authority from the occupier to remove the trespasser, unless the occupier is also in breach of the emergency order.

**11. What search powers are available for violations of the EMCPA?**

If a business is operating in contravention of the emergency orders issued, there is no statutory authority to search the premises or forcibly enter absent a warrant.

Police can rely on their common law ancillary powers to enter premises if the entry is necessary as an emergency response to a pressing and clear health concern (e.g., extreme violations of the emergency order such as a COVID-19 party of a hundred people). This is akin to the police authority to enter residences when responding to 911 calls in order to locate the person under distress and offer aid as necessary. Officers also can search the home in the name of responding to that same imminent threat to public safety and seize illegal items found in plain view (e.g. guns, drugs). Caution must be exercised to ensure that the entry is for public safety purposes under the EMCPA, and not some other purpose such as a criminal investigation.

**12. Who will prosecute EMCPA charges?**

The prosecution of all charges laid alleging violations of the EMCPA will fall to the Criminal Law Division of the Ministry of the Attorney General. Any questions regarding prosecutions of these offences should be directed to Director of Crown Operations, Fred Braley, [fred.braley@ontario.ca](mailto:fred.braley@ontario.ca) 416-553-1478.



**Nottawasaga Valley  
Conservation Authority**

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March 30, 2020

Dear NVCA Municipalities and Counties,

On behalf of CAO Doug Hevenor, NVCA staff, Vice Chair McLeod, Past Chair Watson and myself, I sincerely hope that you, your families, municipalities & residents are keeping well during the challenges of the COVID-19 global pandemic.

Since my March 18<sup>th</sup> letter, Vice Chair McLeod and I continue to monitor and support the business operation of the NVCA. In fact I did visit the NVCA offices Friday March 20<sup>th</sup>, respecting all health recommendations including social distancing, to circulate and chat with our dedicated and valued staff.

As an update to my last letter, the NVCA continues to be closed to the public, however business is operating as usual. Staff are performing their work from home, at the office (a maximum of 5 people at any time) or a site (a few essential), and at times a blend of both. Our Senior Management Team is in rotation to attend the office Monday to Friday as required. Social distancing, heightened cleaning, and other recommended health standards are in place in the buildings and on the grounds.

At this time NVCA trails continue to be open to the public and a little under 1/3 of the 36 CAs (those in the Greater Golden Horseshoe & with higher population density) have their trails closed. The status of our trails will continue to be assessed, as fresh air and exercise (socially distanced) has been encouraged by health officials.

Further operational changes will be implemented & advised as required.

If you wish to email a staff member or leave them a voice mail message, visit our staff directory at <https://www.nvca.on.ca/Pages/StaffDirectory.aspx> for email addresses and phone extensions.

If you have a planning related inquiry, please email [planning@nvca.on.ca](mailto:planning@nvca.on.ca)

If you have a regulations related inquiry, please email [permits@nvca.on.ca](mailto:permits@nvca.on.ca)

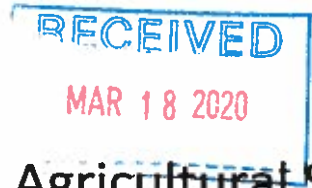
If you are unsure which staff member to contact, please email us at [admin@nvca.on.ca](mailto:admin@nvca.on.ca) and we will forward your message to the appropriate person.

Our next Board of Director's meeting is on **Friday, April 24<sup>th</sup> @ 9:00 AM - will be held electronically**. Our Director, Corporate Services, Sheryl Flannagan and her staff will be advising the methods for hosting the meeting.

Yours in conservation,

A handwritten signature in black ink, appearing to be "Keith White", written over a horizontal line.

Keith White  
NVCA Board Chair



**Dundalk District Agricultural Society**  
 PO Box 497, Dundalk, ON N0C 1B0

[facebook.com/Dundalkfairsociety](https://facebook.com/Dundalkfairsociety)  
[dundalkfair.com](http://dundalkfair.com)





March 5<sup>th</sup>, 2020

Dear Denise,

Our annual fall fair will take place on September 11 – 13, 2020 at the Dundalk fair grounds. Our theme this year is "Say Cheese!"

The Dundalk Agricultural Society has been supporting the community since 1855. We put on several other events throughout the year, but our fall fair is the highlight and by far the largest event of them all. The fair is a community-minded, not-for-profit event run by a group of dedicated volunteers who strive to host an entertaining and educational weekend for all ages. The Dundalk Fall Fair is the longest running annual event in our community. With over 20 classes of exhibitor categories, including special sections for kids, youth and seniors, everyone has the opportunity to display and exhibit a multitude of items from horticulture, field crops, arts and crafts, baking and sewing, and quilting. Other popular features of our fair include the 4-H club shows, the truck and tractor pull, the demolition derby, and the Fair Ambassador Program.

Please help us to maintain these traditions and enhance our fall fair experience. We welcome businesses and individuals to support our efforts through our sponsorship program. The cost of organizing and promoting successful events is forever increasing, thus, our reliance upon generous donations grows each year. We recognize that sponsors are the major contributors to the success and future of our fair. Your support and assistance are greatly appreciated. In return for your financial support, we provide as much promotion and reward as we possibly can. See the sponsorship levels below:

Recognition during sponsored event over P.A. system  Free vendor booth at the fair (Fri - Sun)  Name mentioned in Dundalk Herald  May supply and erect a sign at your sponsored event  4 Weekend Passes to this year's Dundalk Fall Fair  Name in our Fair Book and on our website <a href="http://dundalkfair.com">dundalkfair.com</a>  Name on our Sponsor Board  <b>\$1,000 +</b>	DIAMOND	 Name mentioned in Dundalk Herald  May supply and erect a sign at your sponsored event  2 Weekend Passes to this year's Dundalk Fall Fair  Name in our Fair Book and on our website <a href="http://dundalkfair.com">dundalkfair.com</a>  Name on our Sponsor Board  <b>\$999 - \$500</b>	SAPPHIRE	 Name mentioned in Dundalk Herald  May supply and erect a sign at your sponsored event  1 Weekend Pass to this year's Dundalk Fall Fair  Name in our Fair Book and on our website <a href="http://dundalkfair.com">dundalkfair.com</a>  Name on our Sponsor Board  <b>\$499 - \$250</b>	PLATINUM	 May supply and erect a sign at your sponsored event  1 Day Pass to this year's Dundalk Fall Fair  Name in our Fair Book and on our website <a href="http://dundalkfair.com">dundalkfair.com</a>  Name on our Sponsor Board  <b>\$249 - \$100</b>	GOLD	 1 Day Pass to this year's Dundalk Fall Fair  Name in our Fair Book and on our website <a href="http://dundalkfair.com">dundalkfair.com</a>  Name on our Sponsor Board  <b>\$99 - \$50</b>	SILVER	Name in our Fair Book and on our website <a href="http://dundalkfair.com">dundalkfair.com</a>  Name on our Sponsor Board  <b>\$49 &amp; under</b>	BRONZE
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With sincerest thanks,

The Dundalk Agricultural Society

Corey Wey  
 Dundalk District Agricultural Society President

ACT # 1  
 APR 07 2020

# 165<sup>th</sup> Dundalk Fall Fair

Dundalk Agricultural Society | September 11, 12 & 13, 2020

Please complete this form and return  
along with your cheque to the following address:

Dundalk Agricultural Society Attn: Sponsorship Committee  
PO Box 497, Dundalk, ON N0C 1B0



## 2020 SPONSORSHIP FORM

Company Name:

Name of Contact:

Address:

Business Telephone:  Cell:

Email:

### Please check your level of sponsorship:

- |                          |                          |                       |                          |
|--------------------------|--------------------------|-----------------------|--------------------------|
| Diamond (\$1,000+)       | <input type="checkbox"/> | Gold (\$100 - \$249)  | <input type="checkbox"/> |
| Sapphire (\$500 - \$999) | <input type="checkbox"/> | Silver (\$50 - \$99)  | <input type="checkbox"/> |
| Platinum (\$250 - \$499) | <input type="checkbox"/> | Bronze (\$49 or less) | <input type="checkbox"/> |

### Please specify how you would like your donation allocated:

General Fair \$  4-H Invitational \$  Ambassador Program \$

Horse Show \$  Other (please specify) \$

Yes, I will provide a sign/banner for the fair committee to erect on fair weekend

*(only applies to Diamond, Sapphire, Platinum and Gold sponsorship levels)*

- Sign must be dropped off to the Secretary's Office no later than 7pm Thursday Sept. 10, 2020

- Maximum sign/banner size 2.5'x6'

A cheque is enclosed for \$

Signature

Cheque payable to 'Dundalk Agricultural Society'

Date

*Thank you for your generous support!*

All sponsorships must be received by May 1, 2020 to be included in our fair book.

If you have any questions, please call Alexx Colley at 519-369-4716

For additional information, visit [dundalkfair.com](http://dundalkfair.com)

**CORPORATION OF THE TOWNSHIP OF MELANCTHON**

**BY-LAW NO. -2020**

Being a By-law to amend By-law No. 2-2020 passed in open Council on January 16, 2020.

**WHEREAS** the Council of the Corporation of the Township of Melancthon deems it expedient to amend By-law No. 2-2020, a By-law to provide for the levy and collection of rates or levies required for the Township of Melancthon for the Interim Levy for the Year 2020 and to provide for the mailing of notices demanding payment of taxes for the Interim Levy for the Year 2020.

**NOW THEREFORE** the Council of the Corporation of the Township of Melancthon enacts as follows:

That due to the COVID-19 Pandemic and the Provincial State of Emergency declared on March 17, 2020, the 2<sup>nd</sup> Instalment of the Interim Tax Bill, due on May 25, 2020, be deferred one month and be due on June 25, 2020.

This By-law shall take effect and come into force on the passing thereof.

By-law read a first and second time this 2<sup>nd</sup> day of April, 2020.

By-law read a third time and passed this 2<sup>nd</sup> day of April, 2020.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

ETB#16.2.1  
APR 02 2020



## Denise Holmes

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**From:** David Thwaites  
**Sent:** Friday, March 27, 2020 2:41 PM  
**To:** Denise Holmes  
**Subject:** Fire Bylaws

Denise

Further to our discussions re the Open Fire Bylaw I have determined the following:

- A. Bylaw 12-2012 section 5.2 addresses the liability and responsibility of a person " burning without a permit"
- B. The Open Fire Bylaw addresses the requirement for a permit to burn and imposes the responsibility for fire costs and damages and also creates an offence for burning without a permit.

Potential for confusion, yes.

I would think that our website and information to our residents should at the very least spell out the provisions of both bylaws. Might be better to review bylaws with a view to incorporating into one Bylaw.

Fire Permit Bylaw, as it currently stands, given the comments of Council at our Earlier meeting, needs to be amended by deleting 4.6(l).

In addition, the preamble incorrectly cites the Municipal Act, 1990 s 210 (35) as this legislation was usurped by the Municipal Act, 2001 which does NOT contain a like provision.

Further, para 4.7 as it reads needs change. The words "abide by the following" are redundant and unnecessary as are the initial words of each of sub paragraph a, b and c.

Further, Council needs to consider the provision of 4.7(b). As it reads there is full liability for any/all fire costs, not just costs flowing from non- compliance with the terms of the Fire Permit.

As to Bylaw 12-2012 it needs to be reviewed for content, clarity and scope. On the issue of Fire Cost recovery, this needs to be addressed separate from any issue re Fire Marque. On the issue of the quantum I am pursuing this discussion and seeking the information re the Fire Board, Mulmur Melancthon. On the issue of recovery, the protocol needs to be addressed BUT I know the Mayor has expressed an opinion ( which others may or may not agree with) whereas the intention and scope of the Bylaw are different.

Questions, let me know but otherwise feel free to append this memo to the Agenda together with copies of the Bylaws.

David

Sent from my iPad



THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

BY-LAW NUMBER 10-2007

BEING A BY-LAW TO REGULATE THE SETTING OF FIRES AND PREVENT  
THE SPREADING OF FIRES, ESTABLISH A FIRE PERMIT SYSTEM

WHEREAS Section 210 (35) of the Municipal Act, R.S.O. 1990 c. M45, as amended, empowers the councils of the local municipalities to pass By-laws prescribing for the whole or any part of the municipality, the times during which fires may be set in open air and the precautions to be observed by persons setting such fires.

AND WHEREAS the Ontario Fire Code, O. Reg 67/87 Clause 2.6.3.4 states "Open air burning shall not be permitted unless approved or unless such burning consists of small, confined fire, supervised at all times and used to cook food on a grill or barbecue".

AND WHEREAS Section 7.1 of the Fire Protection and Prevention Act, S.O. 2002, c.4, as amended, provides the Council of a Municipality may pass By-laws for regulating the prevention of the spreading of fires and the setting of open air fires including times during which they may be set.

AND WHEREAS it is deemed necessary and expedient to pass such a By-law, for the protection of persons and property, within the Township of Melancthon.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MELANCTHON HEREBY ENACTS AS FOLLOWS:

1. **INTRODUCTION**

1.1. Title and Scope

- (a) This is a By-law to regulate the setting, prohibiting and controlling of open fires within the Township of Melancthon. This By-law shall be known as "Open Fires By-law" of the Township of Melancthon.

1.2. Repeal of Former By-laws

- (a) By-law No. 7-2003 of The Corporation of the Township of Melancthon is hereby repealed.

1.3. Validity and Severability

- (a) Should any section, sub-section, clause, paragraph, or provision of this By-law be declared by a court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability or any other provisions of this By-law or the By-law as a whole.

1.4. Interpretation

- (a) Words used in the singular form shall include the plural form, the masculine gender shall include the feminine or neuter gender, and vice versa, as the context requires.
- (b) "May" shall be construed as permissive.
- (c) "Shall" shall be construed as imperative.

1.5. Force and Effect

- (a) This By-law shall come into force and take effect on the day that it receives the approval of the Council of the Township of Melancthon.

## **2. DEFINITIONS**

For the purposes of this By-law, the following words shall have the meaning ascribed herein:

- 2.1. "Council" means the Council of The Corporation of the Township of Melancthon.
- 2.2. "Environmentally Acceptable Waste" means clean wood and brush.
- 2.3. "Fire Ban Period" means a period of time during which the Fire Chief or his designate declares a total ban on open air burning.
- 2.4. "Fire Pit" means an area for an Open Air Fire, not exceeding one metre (3 feet) in diameter which is constructed of and created on non-combustible material containing combustible material not more than .5 metres (1.5 feet) in height, equipped with a grill and is being used for cooking of food.
- 2.5. "Hamlet Residential Property" means all property located within the boundaries of the hamlets of Riverview, Corbetton and Horning's Mills.
- 2.6. "Lot" shall mean a parcel of land to which title is capable of being legally conveyed, subject to the provisions of the Planning Act, as amended, and includes any of its parts, which are subject to a right-of-way or easement.
- 2.7. "Open Air Fire" means a fire that is not totally enclosed and controlled so as to prevent the spread of fire either directly or by sparks or embers originating from the fire.
- 2.8. "Owner" includes an assessed owner, tenant, or occupant or any person having an interest, whether equitable or legal, in the land.
- 2.9. "Permit" means a "Permit for Open Air Burning" issued by the Township.
- 2.10. "Person" means any human being, association, firm, partnership, private club, incorporated company, corporation, agent or trustee and the heirs, executors, or other legal representatives of a person to whom the context can apply according to the By-law.
- 2.11. "Rural Property" means all property located in the Township of Melancthon that is not included in "Hamlet Residential Property".
- 2.12. "Township" means The Corporation of the Township of Melancthon.

## **3. APPLICATION FOR PERMITS**

- 3.1. A person requiring a permit for an open-air fire shall file an application in writing on the form as approved by the Township as found in Schedule "A" to this By-law;
- 3.2. An applicant shall provide all of the information required to complete the application form including, but not limited to the exact address that the Open-Air Fire is to be located;
- 3.3. Every application filed shall:
  - (a) be accompanied by the payment of the \$10.00 fee;
  - (b) be made by the Owner of the land on which the proposed Open-Air Fire is to be burned or his or her authorized agent and be accompanied by a consent from the Owner or his or her authorized agent of the lands upon which the Open-Air Fire is to be burned.
- 3.4. Permits issued under this By-law shall be valid for the duration of the calendar year of issue with an annual permit fee of \$10.00.

## **4. FIRE CONTROL**

- 4.1. No Owner shall create or permit the creation, presence, maintenance or existence of any Open Air Fire within the Township of Melancthon.
- 4.2. Section 4.1 does not apply to any portable barbecue appliances.
- 4.3. Section 4.1 does not apply to small confined fires for the purpose of burning environmentally acceptable waste or fires used to cook food if they comply with the following conditions:
  - (a) Such fires shall be located no closer than 6 metres (20 feet) from any building, structure, hedge, fence, or overhead wire or obstruction of any kind;
  - (b) Such fires shall not exceed 1 metre (3 feet) in diameter or 1 metre (3 feet) in height;
  - (c) Sections 4.6.(b), 4.6.(f), 4.6.(g) shall not apply to fires burned pursuant to this section, all other subsections of Section 4.6 apply.
- 4.4. Section 4.1 does not apply to any Open-Air Fire for which a permit has been issued by the Township of Melancthon Municipal Office and the conditions as set out in Section 4.6 and Schedule "A" are being complied with.
- 4.5. The Permit described in Section 4.4 shall be produced upon request by the Fire Chief or his/her designate or a Municipal By-law Enforcement Officer for the Township of Melancthon.
- 4.6. No Owner who has been issued a Permit shall create or permit the creation, maintenance or existence of a fire unless all of the following conditions are being followed:
  - (a) The fire is under constant supervision and control from the time of lighting until it is totally extinguished;
  - (b) The fire is located no closer than 15 metres (50 feet) from any building, structure, hedge, fence, road or overhead wire or obstruction of any kind;
  - (c) There is a space free and clear of combustible material around the perimeter of such fire of at least 4.5 metres (15 feet);
  - (d) An Open Air Fire is not burned when a prohibition has been declared pursuant to Section 5.6 of this By-law;
  - (e) A fire is not burned when the wind velocity exceeds 16 km/hr (10 mph);
  - (f) The dimension of a fire does not exceed 3 metres (10 feet) in diameter or 2 metres (6 feet) in height for rural properties;
  - (g) The dimension of a fire does not exceed 1 metre (3 feet) in diameter or 1 metre (3 feet) in height for Hamlet Residential Properties;
  - (h) Fires will not be burned between the hours of 11:00 p.m. and 6:00 a.m.;
  - (i) The fire does not contain a tire or tires;
  - (j) The fire does not contain materials such as paint, asphalt material, and/or chemical wastes;
  - (k) No Open Air Fire will be burned when the conditions as such may cause any or all of the following:
    - (i) A decrease in visibility on any highway or other roadway;
    - (ii) Fire spread through grass, brush, forested area or other property that was not intended to be burned;

(iii) A contravention of other municipal By-law, provincial or federal legislation;

(l) The respective fire station will be advised of the date and time the fire is to be burned;

4.7. The Owner shall abide by the following:

(a) The Owner shall be completely responsible and liable for any damage resulting from said fire;

(b) The Owner shall be liable for the cost of any fire fighting equipment and personnel necessary and called in to extinguish the said fire;

(c) The Owner shall exercise due care and take the necessary precautions in connection therewith to avoid endangering persons and property in the vicinity thereof, and shall remain in constant attendance at such fire until the same is completely burned or extinguished.

## **5. ADMINISTRATION, ENFORCEMENT AND INSPECTION**

5.1. This By-law shall be administered by the Fire Chief of the Township or such other person or persons as Council may, by By-law, appoint and all such persons shall be considered inspectors under the terms of the By-law.

5.2. The Fire Chief, Deputy Fire Chief, Assistant Deputy Fire Chief or Municipal Law Enforcement Officer(s) or such other person or persons as the Council of the Township of Melancthon may by appoint are hereby authorized to enforce the provisions of this By-law pursuant to the Provincial Offences Act, R.S.O. 1990, as amended and all such persons shall be considered inspectors under the terms of this By-law.

5.3. The Fire Chief or his/her designate may revoke any Permit where:

(a) The holder of the Permit contravenes any conditions of said Permit;

(b) In the opinion of the Fire Chief the smoke formed from a fire or fires authorized by the Permit presents a nuisance to neighbouring inhabitants, or;

(c) For any other good and sufficient reason at the Fire Chief or his/her designate's sole discretion.

5.4. Where a Permit has been revoked under Section 5.3, the Fire Chief or his/her designate may refuse to issue another permit until he/she is satisfied that corrective actions have been or will be taken to prevent recurrence of the problem.

5.5. The Fire Chief or his/her designate is authorized to order any person to extinguish any fire or to cause such fire to be extinguished when there is a breach of any of the provisions of this By-law or where, in his/her opinion there is danger of such fire spreading or otherwise endangering life or property and the person shall comply with any such order.

5.6. The Fire Chief or his/her designate may declare a total prohibition against outdoor burning when in his/her opinion atmospheric conditions or local circumstances make such fires hazardous and every person shall comply with such prohibition.

5.7. An inspector under this By-law:

(a) Has the power to enter upon and examine any yards, vacant lots, or grounds at any reasonable time or times; and

(b) May be accompanied by such other person or persons, as they deem necessary to properly carry out their duties under this By-law.

5.8. In the event any owner proposes to start or set a fire which is larger than the maximum size provided in Section 4.6, such person shall contact the Fire Chief, or

his/her designate, to request a site inspection. If the Fire Chief or his/her designate deems it necessary to conduct an onsite inspection a fee as required by the Fire Chief in his/her sole discretion shall apply. The Fire Chief may or may not authorize the fire to be ignited, subject to such conditions as the Fire Chief or his/her designate may impose, issued in writing. The owner requesting permission for this authorization shall comply with all provisions of the permit.

6. OFFENCES

6.1. Every person who:

- (a) hinders, disturbs or obstructs any Inspector in carrying out their duties under this By-law, or;
- (b) contravenes the following provisions of this By-law: Sections 4.1, 4.5, 4.6, 5.5 is guilty of an offence and, upon conviction, is subject to a penalty as provided for in the Provincial Offences Act, R.S.O. 1990, as amended.

6.2. Each day that a situation as described in Section 6.1.(b) of this By-law is allowed to continue shall constitute a separate offence under this By-law and any Judge or Justice of the Peace adjudicating on such matter may assess a separate fine for each and every day that such situation has been allowed to continue.

6.3. Every person and an officer director, employee or agent of a corporation charged with committing an offence under this By-law is a party to the offence who;

- (a) actually commits it;
- (b) does or omits to do anything for the purposes of aiding any person to commit it, or
- (c) abets any person committing it. Where two or more persons form an intention in common to carry out an unlawful purpose, and to assist each other therein, each of those who knew or ought to have known that the commission of an offence under this By-law would be a probable consequence of carrying out the common purpose is a party to the offence.

7. ADDITIONAL REMEDY

7.1. Pursuant to the provisions of the Municipal Act, 2001, s. 446, as amended from time to time, the Township may cause any matter or thing be done upon the failure of the person being directed to do it, and the matter or thing shall be done at the person's expense.

7.2. For the purposes of the previous subsection, the Township may enter upon land at any reasonable time.

7.3. The Township may recover the costs of doing a matter or thing under this section from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

7.4. The Township shall not be liable for any damage caused by its actions under this by-law.

7.5. The Township shall not be liable to restore the property.

BY-LAW read a first and second time this 3<sup>rd</sup> day of May, 2007.

BY-LAW read a third time and passed this 3<sup>rd</sup> day of May, 2007.

D. G. Broderick  
Mayor

Denise S. Palmer  
Clerk



THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

Fire Permit No: \_\_\_\_\_

EXACT LOCATION (Including Emergency Locator Number):

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

ISSUED TO (Name):

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

MAILING ADDRESS:

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

PHONE NUMBER:

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

**APPLICATION FOR PERMITS**

A person requiring a permit for an open-air fire shall file an application in writing on this form.

An applicant shall provide all of the information required to complete the application form including, but not limited to the exact address that the Open-Air Fire is to be located;

Every application filed shall:

- a) be accompanied by the payment of the \$10.00 fee;
- b) be made by the Owner of the land on which the proposed Open-Air Fire is to be burned or his or her authorized agent and be accompanied by a consent from the Owner or his or her authorized agent of the lands upon which the Open-Air Fire is to be burned. Permits issued under this By-law shall be valid for the duration of the calendar year of issue with an annual permit fee of \$10.00.

**FIRE CONTROL**

No Owner shall create or permit the creation, presence, maintenance or existence of any Open Air Fire within the Township of Melancthon. The following exceptions apply:

- a) The above does not apply to any portable barbecue appliances;
- b) The above does not apply to small confined fires for the purpose of burning environmentally acceptable waste or fires used to cook food if they comply with the following conditions:
  - (i) Such fires shall be located no closer than 6 metres (20 feet) from any building, structure, hedge, fence, or overhead wire or obstruction of any kind;

- (ii) Such fires shall not exceed 1 metre (3 feet) in diameter or 1 metre (3 feet) in height;
- c) The above does not apply to any Open-Air Fire for which a permit has been issued by the Township of Melancthon Municipal Office and the conditions contained in the By-law are complied with.

The above permit shall be produced upon request by the Fire Chief or his/her designate or a Municipal By-law Enforcement Officer for the Township of Melancthon.

No Owner who has been issued a Permit shall create or permit the creation, maintenance or existence of a fire unless all of the following conditions are being followed:

- a) The fire is under constant supervision and control from the time of lighting until it is totally extinguished;
- b) The fire is located no closer than 15 metres (50 feet) from any building, structure, hedge, fence, road or overhead wire or obstruction of any kind;
- c) There is a space free and clear of combustible material around the perimeter of such fire of at least 4.5 metres (15 feet);
- d) An Open Air Fire is not burned when a prohibition has been declared by the Fire Chief;
- e) A fire is not burned when the wind velocity exceeds 16 km/hr (10 mph);
- f) The dimension of a fire does not exceed 3 metres (10 feet) in diameter or 2 metres (6 feet) in height for rural properties;
- g) The dimension of a fire does not exceed 1 metre (3 feet) in diameter or 1 metre (3 feet) in height for Hamlet Residential Properties;
- h) Fires will not be burned between the hours of 11:00 p.m. and 6:00 a.m.;
- i) The fire does not contain a tire or tires;
- j) The fire does not contain materials such as paint, asphalt material, and/or chemical wastes;
- k) No Open Air Fire will be burned when the conditions as such may cause any or all of the following:
  - i) A decrease in visibility on any highway or other roadway;
  - ii) Fire spread through grass, brush, forested area or other property that was not intended to be burned;
  - iii) A contravention of other municipal By-law, provincial or federal legislation;
- l) The respective fire station will be advised of the date and time the fire is to be burned;

The Owner shall abide by the following:

- a) The Owner shall be completely responsible and liable for any damage resulting from said fire;
- b) The Owner shall be liable for the cost of any fire fighting equipment and personnel necessary and called in to extinguish the said fire;

- c) The Owner shall exercise due care and take the necessary precautions in connection therewith to avoid endangering persons and property in the vicinity thereof, and shall remain in constant attendance at such fire until the same is completely burned or extinguished.

### **ADMINISTRATION, ENFORCEMENT AND INSPECTION**

This By-law shall be administered by the Fire Chief of the Township or such other person or persons as Council may, by By-law, appoint and all such persons shall be considered inspectors under the terms of the By-law.

The Fire Chief, Deputy Fire Chief, Assistant Deputy Fire Chief or Municipal Law Enforcement Officer(s) or such other person or persons as the Council of the Township of Melancthon may by appoint are hereby authorized to enforce the provisions of this By-law pursuant to the Provincial Offences Act, R.S.O. 1990, as amended and all such persons shall be considered inspectors under the terms of this By-law.

The Fire Chief or his/her designate may revoke any Permit where:

- a) The holder of the Permit contravenes any conditions of said Permit;
- b) In the opinion of the Fire Chief the smoke formed from a fire or fires authorized by the Permit presents a nuisance to neighbouring inhabitants, or;
- c) For any other good and sufficient reason at the Fire Chief or his/her designate's sole discretion.

Where a Permit has been revoked, the Fire Chief or his/her designate may refuse to issue another permit until he/she is satisfied that corrective actions have been or will be taken to prevent recurrence of the problem.

The Fire Chief or his/her designate is authorized to order any person to extinguish any fire or to cause such fire to be extinguished when there is a breach of any of the provisions of this By-law or where, in his/her opinion there is danger of such fire spreading or otherwise endangering life or property and the person shall comply with any such order.

The Fire Chief or his/her designate may declare a total prohibition against outdoor burning when in his/her opinion atmospheric conditions or local circumstances make such fires hazardous and every person shall comply with such prohibition.

An inspector under this By-law:

- a) Has the power to enter upon and examine any yards, vacant lots, or grounds at any reasonable time or times; and
- b) May be accompanied by such other person or persons, as they deem necessary to properly carry out their duties under this By-law.

In the event any owner proposes to start or set a fire which is larger than the maximum size provided in the by-law, such person shall contact the Fire Chief, or his/her designate, to request a site inspection. If the Fire Chief or his/her designate deems it necessary to conduct an onsite inspection a fee as required by the Fire Chief in his/her sole discretion shall apply. The Fire Chief may or may not authorize the fire to be ignited, subject to such conditions as the Fire Chief or his/her designate may impose, issued in writing. The owner requesting permission for this authorization shall comply with all provisions of the permit.

### **OFFENCES**

Every person who:

- a) hinders, disturbs or obstructs any Inspector in carrying out their duties under this By-law, or;



- b) contravenes the applicable provisions of this by-law is guilty of an offence and, upon conviction, is subject to a penalty as provided for in the *Provincial Offences Act*, R.S.O. 1990, as amended.

Each day that a situation as described above is allowed to continue shall constitute a separate offence under this By-law and any Judge or Justice of the Peace adjudicating on such matter may assess a separate fine for each and every day that such situation has been allowed to continue.

Every person and an officer director, employee or agent of a corporation charged with committing an offence under this By-law is a party to the offence who;

- a) actually commits it;
- b) does or omits to do anything for the purposes of aiding any person to commit it, or
- c) abets any person committing it. Where two or more persons form an intention in common to carry out an unlawful purpose, and to assist each other therein, each of those who knew or ought to have known that the commission of an offence under this By-law would be a probable consequence of carrying out the common purpose is a party to the offence.

**ADDITIONAL REMEDY**

Pursuant to the provisions of the Municipal Act, 2001, s. 446, as amended from time to time, the Township may cause any matter or thing be done upon the failure of the person being directed to do it, and the matter or thing shall be done at the person's expense.

For the purposes of the previous subsection, the Township may enter upon land at any reasonable time.

The Township may recover the costs of doing a matter or thing under this section from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

---

I/We have read all of the above and undertake to comply with the provisions of the by-law

APPLICANT'S SIGNATURE:

---

A permit is granted in accordance with and subject to the above conditions:

ISSUED BY:

DATE:

---

---

PAYMENT RECEIVED:

---

CLERK'S STAMP:

THIS PERMIT EXPIRES ON DECEMBER 31<sup>st</sup> OF THE YEAR OF ISSUANCE AND COSTS \$10.00 PER YEAR.

BURNING BANS are published in the local newspapers. Before you burn please call the Township Office at (519) 925-5525, Monday to Friday between 8:30 a.m. and 4:30 p.m. except holidays to verify if there is a burning ban imposed by the Fire Chief.

Administrative Numbers:

Shelburne Fire Department: (519) 925-5111

Mulmur-Melancthon Fire Department; (519) 925-6481

Dundalk Fire Department: (519) 923-2402

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON

BY-LAW NO. 12-2012

BEING A BY-LAW TO PROVIDE FOR ESTABLISHING TARIFF OF FEES  
FOR FIRE DEPARTMENT SERVICES AND REPEAL BY-LAWS  
22-2001 & 16-2004 & 9-2009

WHEREAS Section 391.1 of the Municipal Act, S.O. 2001, C.25, provides that the Council may impose fees or charges for services and activities provided or done by or on behalf of the Corporation of the Township of Melancthon.

AND WHEREAS it is expedient to impose fees for certain services provided by Fire Departments Servicing the Township of Melancthon.

NOW THEREFORE the Municipal Council of the Corporation of the Township of Melancthon enacts as follows:

Part 1

DEFINITIONS

1. **Definitions**

In this By-Law:

1.1 **Non-Resident - defined**

“Non-Resident” shall mean any person who does not reside in the Township of Melancthon or who is not the owner or tenant of land in the Township of Melancthon or who is not the spouse of an owner or tenant of land in the Township of Melancthon.

1.2 **Resident - defined**

“Resident” shall mean any person who does reside in the Township of Melancthon or who is the owner or tenant of land in the Township of Melancthon or who is the spouse of an owner or tenant of land in the Township of Melancthon.

1.3 **False Alarms - defined**

“False Alarms” shall mean a fire alarm when there is no fire.

1.4 **Owner - defined**

“Owner” shall include a mortgagee, lessee, tenant, occupant, a person entitled to a limited estate in land, a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator and a guardian.

1.5 **Council - defined**

“Council” means the Council of the Corporation of the Township of Melancthon.

**1.6 Corporation - defined**

“Corporation” means the Corporation of the Township of Melancthon.

**1.7 Municipality - defined**

“Municipality” means the Corporation of the Township of Melancthon.

**Part 2**

**VEHICLE ACCIDENT RESPONSE FEES**

- 2.1 On every occasion where the vehicles, equipment and personnel of the Shelburne and District Fire Department, the Mulmur Melancthon Fire Department and the Township of Southgate (Dundalk) Fire Department respond to a call or incident on any roadway in Melancthon Township and where such call or incident involves a motor vehicle owned by a resident or non-resident, such resident or non-resident motor vehicle owner will be charged the fee set forth in Schedule “A” which is attached hereto and forms part of this By-law.
- 2.2 On every occasion where the vehicles, equipment and personnel of the Shelburne and District Fire Department, the Mulmur Melancthon Fire Department and the Township of Southgate (Dundalk) Fire Department respond to a call or incident on any roadway in Melancthon Township under the jurisdiction of the Province of Ontario, and such call or incident involves a motor vehicle accident, a fee shall be charged to the Province of Ontario as set forth on Schedule “A” which is attached hereto and forms part of this By-law.
- 2.3 On every occasion where the vehicles, equipment and personnel of the Shelburne and District Fire Department, the Mulmur Melancthon Fire Department and the Township of Southgate (Dundalk) Fire Department respond to a call or incident on any roadway in Melancthon Township under the jurisdiction of the County of Dufferin, and such call or incident involves a motor vehicle accident, a fee shall be charged to the County of Dufferin as set forth on Schedule “A” which is attached hereto and forms part of this By-law.
- 2.4 On every occasion where the vehicles, equipment and personnel of the Shelburne and District Fire Department, the Mulmur Melancthon Fire Department and the Township of Southgate (Dundalk) Fire Department respond to a call or incident on any roadway in Melancthon Township, the Province of Ontario or the County of Dufferin where such call or incident involves Consumers Gas, Hydro One or Bell Canada, a fee shall be charged to the utility operation as set forth on Schedule “A” which is attached hereto and forms part of this By-law.
- 2.5 Fees charged under Section 2.1 to 2.4 shall be charged by the Secretary Treasurer of the Shelburne and District Fire Department or the Mulmur Melancthon Fire Department or the Treasurer of the Township of Melancthon. Fees collected by the Secretary Treasurer of the Shelburne and District Fire Department or the Mulmur Melancthon Fire Department shall be deposited in respective fire department accounts. Fees collected by the Treasurer of the Township of Melancthon shall be deposited in the General Account of the Township of Melancthon.

### Part 3

#### FALSE ALARMS RESPONSE FEES

##### 3.1 Notification Required - work on alarm system

No person shall undertake any work on any fire alarm system, without first notifying the applicable fire department.

##### 3.2 Fees - False Alarms - Frequent

When the vehicles, equipment and personnel of the Shelburne and District Fire Department, the Mulmur Melancthon Fire Department or the Township of Southgate (Dundalk) Fire Department respond to false alarms, described in Items 1 and 2 of Column 1 of Schedule "B" attached hereto, the owner of the property at which the false alarm has occurred will be charged the applicable false alarm response fee set out in Items 1 and 2 of Column 2 of Schedule "B" which is attached hereto and forms part of this By-law.

##### 3.3 Fees - Payable on or before due date

The Secretary Treasurer of the Shelburne and District Fire Department, the Mulmur Melancthon Fire Department and the Treasurer of the Township of Melancthon on behalf of Southgate (Dundalk) Fire Department shall mail or cause to be mailed no less than 60 days prior to the due date identified therein an invoice for the applicable false alarm response fee to the property owner of a property at which a false alarm occurred of the type set out in Schedule "B" which is attached hereto and forms part of this By-law.

##### 3.4 Fees - Non payment - Collected like taxes

A false alarm response fee imposed upon an owner under Sections 3.1 and 3.2 of this By-law is a lien and charge upon the property of the owner at which a false alarm occurred and if the fee or any part thereof remains unpaid after the due date, the amount unpaid may be collected by distress upon the goods and chattels of such owner, of the Township Clerk upon notice to the owner of the amount due, the person by whom it is due and the property upon which a lien is claimed, shall enter the same upon the collector's roll and the Tax Collector shall proceed to collect it in the same way as municipal taxes are collected.

##### 3.5 Fees - Non payment - Interest Penalty

The Tax Collector shall add to the amount of any false alarm response fee due and unpaid interest at the rate of 1.25 percent per month for each month from the month in which the payment of the false alarm response fee was due and payable until the said fee is paid.

### Part 4

#### INSPECTION AND MISCELLANEOUS FEES

- 4.1 Fees shall be charged for inspections and written responses to written requests relating to outstanding orders under the fire code or any act, regulation or fire services By-law(s).

- 4.2 Fees for services provided under Section 4.1 shall be in accordance with Schedule "B", Column 2, Item 3 which is attached hereto and forms part of this By-law.

## **Part 5**

### **FAILURE TO ACQUIRE BURNING PERMIT - FIRE RESPONSE CHARGES**

#### **5.1 Burning Permits**

No person shall light, ignite or start, or allow or cause to be lighted, ignited or started, a fire of any kind whatsoever in the open air without first having obtained a written permit to do so from the Clerk of the Township of Melancthon or member of staff of the Township of Melancthon.

#### **5.2 Charges - Failure to Obtain a Burning Permit**

Any person who lights, ignites or starts or allows or causes to be lighted, ignited or started, a fire of any kind whatsoever in the open air and who by his action causes the summons of a fire truck and fire brigade from the Shelburne and District Fire Department, the Mulmur Melancthon Fire Department or the Township of Southgate (Dundalk) Fire Department without a valid permit, shall be responsible to the Township of Melancthon for expenses thereby incurred.

#### **5.3 Charges - Payable on or before the Due Date**

The Treasurer of the Township of Melancthon, shall mail or cause to be mailed an invoice for the applicable charges to the owner of a property at which a call occurred.

#### **5.4 Charges - Non Payment - Collected like Taxes**

All charges incurred as a result of a call under Section 5.2 of this By-law is a lien and charge upon the property of the owner at which the call occurred and if the charge or any part thereof remains unpaid after the due date, the amount unpaid may be collected by distress upon the goods and chattels of such owner, of the Township Clerk upon notice to the owner of the amount due, the person by whom it is due and the property upon which a lien is claimed, shall enter the same upon the collector's roll and the Tax Collector shall proceed to collect it in the same way as municipal taxes are collected.

#### **5.5 Charges - Non Payment - Interest Penalty**

The Tax Collector shall add to the amount of any charge due and unpaid interest at the rate of 1.25 percent per month for each month from the month in which the payment of the charge was due and payable until the said charge is paid.

Part 6

ENACTMENT

This By-Law shall take effect and come into force on the passing thereof.  
By-laws 22-2001,16-2004 & 9-2009 are here by repealed in entirety.

BY-LAW READ A FIRST AND SECOND TIME THIS 5<sup>th</sup> day of April, 2012.  
BY-LAW READ A THIRD TIME AND PASSED THIS 5<sup>th</sup> day of April, 2012

Bill Hill  
MAYOR

Kendy Atherton  
CLERK (Acting)

CORPORATION OF THE TOWNSHIP OF MELANCTHON

BY-LAW NO. 12 -2012

SCHEDULE A - VEHICLE RESPONSE FEES

Fire Department

Service Fee

1. Shelburne and District Fire Department

\$665.00 per hour, per vehicle for the first hour  
\$332.50 each additional half hour per vehicle  
\$665.00 flat fee for calls where services not required.

2. Mulmur Melancthon Fire Department

\$618.00 per hour, per vehicle for the first hour  
\$309.00 each additional half hour per vehicle  
\$618.00 flat fee for calls where services not required.

3. Southgate Fire Department

\$665.00 per hour, per vehicle for the first hour  
\$332.50 each additional half hour per vehicle  
\$665.00 flat fee for calls where services not required.

*amended by  
39-2012*

**CORPORATION OF THE TOWNSHIP OF MELANCTHON**

**BY-LAW NO. 17-2012**

**SCHEDULE B - FALSE ALARM RESPONSE FEES**

<b>ITEM</b>	<b>COLUMN 1 Frequency of False Alarms</b>	<b>ITEM</b>	<b>COLUMN 2 False Alarm Fee</b>
1.	Two or more false fire alarms to the same building in any thirty day period	1.	\$300.00 flat fee for the second false fire alarm and for any subsequent false alarm in that thirty day period
2.	Four or more false fire alarms to the same building in any twelve month period	2.	\$300.00 flat fee for the fourth false fire alarm and subsequent false fire alarm in that twelve month period

**INSPECTION & MISCELLANEOUS FEES**

<b>ITEM</b>	<b>COLUMN 1 Description</b>	<b>ITEM</b>	<b>COLUMN 2 Fee</b>
1.	Residential Inspections	1.	\$100.00 each
2.	Commercial Inspections	2.	\$200.00 each
3.	Industrial Inspections	3.	\$200.00 each
4.	Apartments	4.	\$100.00 base price plus \$10/Apt.
5.	Requests for Fire Reports	5.	\$50.00 each
6.	Miscellaneous Requests	6.	\$50.00 each

*(For Inspections - Resident Requests are Excluded ~ only pertains to Insurance Companies, Lawyer Offices and Real Estate Transactions)*



CORPORATION OF THE TOWNSHIP OF MELANCTHON

BY-LAW NO. 39 2012

A BY-LAW TO AMEND BY-LAW NO. 12-2012 - BEING A BY-LAW TO PROVIDE FOR ESTABLISHING TARIFF OF FEES FOR FIRE DEPARTMENT SERVICES AND REPEAL BY-LAWS 22-2001 & 16-2004 & 9-2009

Being a By-law to amend By-law No. 12-2012 which was passed in open Council on April 5, 2012.

WHEREAS the Council of the Corporation of the Township of Melancthon deems it expedient to amend By-law No. 12-2012.

NOW THEREFORE be it resolved that the Council of the Corporation of the Township of Melancthon enacts as follows:

- 1. That Part 6 Enactment shall become Part 7 and a new Part 6 shall read as:

SPECIALTY EQUIPMENT SERVICE FEE

- 1. On every occasion where vehicles, equipment and personnel of the Township of Southgate (Dundalk) Fire Department responds to a call or incident in the Township of Melancthon, the Province of Ontario or the County of Dufferin where such a call or incident involves retaining a private contractor, renting leasing or purchasing special equipment not normally on a fire apparatus, if necessary to suppress or extinguish a fire, preserve property, prevent fire spread or otherwise eliminate an emergency or for the purpose of determining the origin, cause or circumstances of any fire or explosion, a fee shall be charged to the property owner's insurance company for payment of all costs incurred as set forth on Schedule B which is attached hereto and forms part of this By-law.

- 2. That Schedule A be amended as follows:

Vehicle Response Fees

Table with 2 columns: Fire Department (Southgate Fire Department) and Service Fee (\$410.00 per hour, per vehicle for the first hour; \$205.00 each additional half hour per vehicle; \$410.00 flat fee for calls where services not required).

- 3. That Schedule B be added to the By-law and read as follows:

Specialty Equipment Service Fees

Table with 2 columns: Response (Retaining a private contractor, renting, leasing or purchasing specialty equipment) and Service Fee (all costs incurred).

This amendment shall take effect and come into force on the passing thereof.

By-law read a first and second time this 6th day of December, 2012.

By-law read a third time and passed this 6th day of December, 2012.

Signature of Mayor: Bill Hitt

Signature of Clerk: Jennifer Jones

**CORPORATION OF THE TOWNSHIP OF MELANCTHON**

**BY-LAW NO. 39 -2012**

**SCHEDULE B**

**SPECIALTY EQUIPMENT SERVICE FEES**

**Response**

**Service Fee**

Retaining a private contractor, renting,  
leasing or purchasing specialty equipment

all costs incurred



The Corporation of

THE TOWNSHIP OF MELANCTHON

157101 Highway 10, Melancthon, Ontario, L9V 2E6

Telephone - (519) 925-5525

Fax No. - (519) 925-1110

Website: [www.melancthontownship.ca](http://www.melancthontownship.ca)

Email: [info@melancthontownship.ca](mailto:info@melancthontownship.ca)

Denise B. Holmes, AMCT  
CAO/Clerk

## REPORT TO COUNCIL

FROM: Wendy Atkinson, Treasurer

SUBJECT: Budget 2020 - Draft #4

DATE: April 2, 2020

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### Strategic Plan Alignment

Strategic Objective - Quality of Life - 1.1. Maintain and improve local infrastructure;  
Economic Stability - 4.1 Fiscal Responsibility, 4.4 Keep taxes reasonable

### Background and Discussion

The 3<sup>rd</sup> Draft of the 2020 Capital and Operating Budget was presented at the Council meeting held on March 19, 2020 with a 10.626% increase in the budget and a 4.05% increase to the Melancthon portion of the tax rate (residential). The tender for Culvert 2013 was awarded and staff were instructed to adjust the budget accordingly. It was also suggested to amend the amounts budgeted for conferences due to the current circumstances.

### Financial

The major capital expenses incorporated into the 2020 Budget are Culvert 2013 and 2<sup>nd</sup> Line SW Rehabilitation. The amount to be received from OCIF (formula base) is \$50,000.00 and this amount is included in the budget. Gas Tax Revenue in the amount of \$100,000.00 has been incorporated into the budget to offset a portion of the capital costs. \$100,000.00 has been transferred from the Roads Capital Reserve and the monies transferred by motion to the Working Capital Reserve (2019) have been included as a transfer back into the budget.

EB#16.4.1  
APR 02 2020

Based on the 4<sup>th</sup> draft budget the amount to be raised through taxation is \$2,781,420.62 - an increase of \$134,953.85 or 5.1% (for every \$26,465.00 raised equals a 1% increase). Factoring in the changes in assessment there would be a decrease to the Melancthon portion of the tax rate of 1.147% (residential).

Based on this budget the decrease for every \$100,000 assessment is \$5.66 for Melancthon's portion of the tax rate:

i.e. - 100,000 x 2020 rate 0.488209% = \$488.21  
- 100,000 x 2019 rate 0.493874% = \$493.87  
-\$ 5.66

Tax Scenario (Melancthon rate only)

2019 House Assessed at 411,750 x 0.493874% = \$2,033.53  
2020 House Assessed at 417,000 x 0.488209% = \$2,035.83

The increase in assessment is 1.28% and the increase in tax dollars is \$2.30 or 0.113%.

Based on the above scenario a house assessed at 411,750 with no change in assessment would see a decrease of \$23.33 per year (411,750 x 0.488209% = \$2,010.20) or - 1.147% (Melancthon residential rate only)

Respectfully submitted

Wendy Atkinson

**Corporation of the Township of Melancthon  
2020 Operating and Capital Budget - Draft**

\*2019 Actual - Unaudited

Acct No.	REVENUE	2019 Budget	2019 Actual	2020 Budget
	<b>Opening Surplus/(Deficit)</b>			
	<b>TAXATION</b>			
01-4001-0700	Supplementary Taxation	40,000.00	103,853.69	85,000.00
	<b>GRANTS</b>			
01-4003-0100	Payment in Lieu	1,100.00	1,084.05	1,100.00
01-4004-0150	OMPF	174,500.00	175,600.00	173,500.00
01-4004-0300	RIDE Grant	6,220.00	-0.16	6,640.00
01-4004-0172	Court Security & Prisoner Transportation	2,091.00	2,172.00	1,810.00
01-4004-0500	Library Grant	4,452.00	4,452.00	4,452.00
01-4004-0156	OCIF Funding (Formula Component)	50,000.00	50,000.00	50,000.00
01-4004-0161	MMAHO-Modernization		317,042.00	
01-4004-0700	Ontario Aggregate Lic. Fee	54,000.00	81,700.07	80,000.00
01-4030-0100	Drainage Superintendent	25,440.00	-0.01	17,500.00
01-4004-0550	OCLIF	5,000.00	10,000.00	
	<b>ADMINISTRATION</b>			
01-4010-0100	Tax Certificates	2,520.00	2,560.00	2,520.00
01-4010-0110	Tax Statement/Duplicate Tax Bill	350.00	665.00	500.00
01-4010-0115	Reminder/Overdue Notice Fee	2,200.00	2,830.00	2,600.00
01-4010-0200	Building Permit Approval	4,500.00	4,100.00	4,100.00
01-4010-0250	Site Alteration Permit Approval			
01-4010-0300	NSF Cheque Charge	140.00	175.00	140.00
01-4010-0400	Photocopies	35.00	46.00	35.00
01-4015-0100	Dog Licenses	15,000.00	15,019.75	15,000.00
01-4066-0000	Lottery Licenses	20.00	20.00	20.00
01-4040-0100	Livestock Claim Grants	4,000.00	316.50	1,000.00
01-4064-0000	Business Licenses	300.00	200.00	1,000.00
	<b>FIRE</b>			
01-4012-0100	Fire Revenue		665.00	
01-4012-0300	Fire Permit Fee	4,125.00	4,185.00	4,125.00
	<b>ROADS</b>			
01-4020-0110	Roads Misc Revenue		1,450.00	
01-4020-0125	Entrance Permits	1,200.00	1,100.00	1,100.00
01-4020-0130	Wide Load Permits	800.00	880.00	800.00
01-4020-0200	Culverts			
01-4020-0140	Bretton Estates Snow Plowing	900.00		900.00
01-4020-0500	Shelburne road Agreement	5,300.00		5,300.00
01-4020-0210	Road Crossings		1,000.00	
01-4004-0703	Transfer from Gas Tax	100,000.00	100,000.00	100,000.00
01-5005-5015	Transfer from Roads Capital Reserve			100,000.00
01-4060-0000	Transfer from Bridge Reserve	1,280.36	1,303.46	
01-3010-0100	Transfer from Working Capital Reserve			430,037.00
	<b>PLANNING</b>			
01-4035-0100	Official Plan Amendment		2,500.00	
01-4035-0310	Site Plan Application Fees		800.00	
01-4035-0350	Zoning By-law Amendment		10,250.00	10,000.00
01-4035-0300	Consent Applications	4,000.00	14,800.00	10,000.00
01-4035-0325	Minor Variance	800.00	800.00	800.00
01-4035-0200	Zoning Requests	935.00	2,175.00	1,200.00
01-4035-0360	Change of Use Certificate Applications		1,500.00	
01-4035-0375	Pre-Application Consultation		250.00	
01-4035-0500	Professional Services Reimbursement		514.46	
	<b>OTHER</b>			
01-4050-0100	Miscellaneous Revenue	500.00	8,685.83	500.00
01-4050-0125	CHD Community Contribution	309,000.00	309,000.00	309,000.00
01-4050-0130	Plateau Community Contribution	33,000.00	31,348.60	33,000.00
01-4050-0135	DWP Community Contribution	250,000.00	263,721.33	260,000.00
01-4050-0200	Penalties and Interest on Taxes	96,500.00	91,264.38	91,000.00
01-4050-0300	Interest on Deposits	30,000.00	49,332.48	49,000.00
01-4050-0400	POA	35,000.00	34,267.88	35,000.00
01-4025-0220	Electronic Recycling Revenue	100.00	46.20	50.00
01-4077-0000	Land Rental	2,550.00	2,550.00	2,550.00
01-4002-0100	Tile Drains		20,978.02	
01-4060-0000	Transfer from PSB Reserve	2,043.87	2,080.74	
01-4060-0000	Transfer from Mul-Mel Rec Capital Reserve	5,000.00	5,000.00	
01-4082-0104	Horning's Mill's Park (trsf frm MMAH-2019)			15,000.00
01-4082-0104	Horning's Mills Park (trs Main St Revitalization)			15,000.00
01-4082-0105	Corbetton Park (transfer from MMAH-2019)			15,000.00
01-4082-0105	Corbetton Park (transfer Main St Revitalization)			10,000.00
01-3020-0205	Transfer from MMAH-2019 (electronic signage)			20,000.00
01-3020-0205	Transfer from MMAH-2019 (solar speed signs)			7,500.00
01-4013-0200	Transfer frm Dev Charges (solar speed signs)			7,500.00
	<b>Sub-Total</b>	<b>1,274,902.23</b>	<b>1,734,284.27</b>	<b>1,981,279.00</b>
	<b>Expenditures</b>	<b>3,921,369.00</b>	<b>4,011,489.14</b>	<b>4,762,699.62</b>
	<b>Amount to be raised through Taxation</b>	<b>-2,646,466.77</b>	<b>-2,277,204.87</b>	<b>-2,781,420.62</b>

Taxation			
01-4001-0100	Residential		1,957,912.92
01-4001-0200	Farmland		246,535.19
01-4001-0300	Commercial and Industrial		431,031.08
01-4001-0500	Managed Forests		3,086.11
01-4001-0600	Pipeline		7,903.76
			<b>2,646,469.06</b>

## Schedule B

\*2019 Actual - Unaudited

Corporation of the Township of Melancthon  
2020 Operating and Capital Budget - Draft

Acct. No.	Budget Expenditures	2019 Budget	2019 Actual	2020 Budget
	<b>General Government</b>			
	<b>COUNCIL</b>			
01-5001-1010	Salaries, Meetings	68,000.00	72,838.92	75,000.00
01-5001-1022	Training	800.00	732.67	800.00
01-5001-1025	Receiver General	1,500.00	2,822.22	3,000.00
01-5001-1030	EHT	950.00	1,420.17	1,500.00
01-5001-1070	Mileage	1,800.00	1,825.15	1,900.00
01-5001-1080	Conferences/Conventions/Seminars	8,000.00	2,730.19	1,750.00
01-5001-1090	Meats	1,200.00	1,127.65	1,500.00
01-5001-2025	Council Furniture (speakers)			
01-5001-2190	Miscellaneous	600.00	540.27	650.00
	<b>Sub-total</b>	<b>82,850.00</b>	<b>84,037.24</b>	<b>86,100.00</b>
	<b>ADMINISTRATION</b>			
01-5002-1010	Wages, Vacation Pay, Unused Sick Pay	275,000.00	272,624.71	295,000.00
01-5002-1020	Benefits	22,000.00	22,523.73	25,000.00
01-5002-1022	Training	1,200.00	310.64	1,200.00
01-5002-1025	Receiver General	15,000.00	12,791.80	15,000.00
01-5002-1026	Meetings	1,500.00	1,198.68	1,500.00
01-5002-1030	EHT	5,500.00	5,318.83	5,500.00
01-5002-1040	WSIB	7,200.00	6,934.29	7,200.00
01-5002-1064	OMERS Township Contribution	27,000.00	27,329.80	29,000.00
01-5002-1070	Mileage	1,800.00	1,751.00	1,850.00
01-5002-1080	Conferences	4,500.00	1,544.98	
01-5002-2025	Office Furniture	2,000.00		1,000.00
01-5002-2010	Office Supplies	6,000.00	5,752.55	6,100.00
01-5002-2020	Postage	5,500.00	5,249.21	5,500.00
01-5002-2030	Office Equipment	3,800.00	3,382.94	4,000.00
01-5002-2035	Computer Program Updates & IT Services	15,000.00	8,768.20	10,000.00
01-5002-2036	Computers & Server		92.66	
01-5002-2037	ESRI Enterprise License Agreement	2,680.00	2,412.14	2,700.00
01-5002-2040	Advertising	2,000.00	1,396.14	2,000.00
01-5002-2050	Audit	18,000.00	15,015.36	17,000.00
01-5002-2060	Memberships	3,800.00	3,632.45	3,800.00
01-5002-2070	Heating	3,000.00	2,494.59	3,000.00
01-5002-2080	Hydro	5,000.00	3,453.33	4,500.00
01-5002-2090	Telephone	2,500.00	2,887.69	2,500.00
01-5002-2094	Internet	1,200.00	1,362.46	1,450.00
01-5002-2095	Website Maintenance	250.00	279.34	250.00
01-5002-2100	Professional Fees - Legal	15,000.00	5,193.83	15,000.00
01-5002-2102	Integrity Commissioner Services	3,000.00	839.52	2,000.00
01-5002-2103	Health and Safety Services	5,000.00	3,792.49	5,000.00
01-5002-2104	Municipal Emergency Readiness Fund		900.00	
01-5002-2107	Development Charges Study and By-law	27,170.00	28,167.64	
01-5002-2109	Employee Township Compensation Plan	1,000.00		
01-5002-2110	Insurance	34,000.00	34,000.00	37,000.00
01-5002-2162	Bldg Maintenance	12,000.00	8,742.56	5,500.00
01-5002-2163	Office Cleaning	1,800.00	1,424.82	2,040.00
01-5002-2164	Landscaping & Grass Cutting	300.00	245.04	300.00
01-5002-2165	Water Sampling	100.00	153.89	125.00
01-5002-2190	Other/Miscellaneous	2,000.00	2,047.16	2,200.00
01-5002-2193	MMAH-Modernization (Corbetton & HM Park, signage)		8,237.47	57,500.00
01-5002-2194	Main Street Revitalization (Corbetton & HM Park)		2,696.44	25,000.00
01-5002-2200	Petty Cash	500.00	155.77	500.00
01-5002-2300	Bretton Estates		7,243.61	
01-5002-4010	Tax Write-Offs	42,000.00	97,369.82	75,000.00
01-5002-4015	Penny Rounding		0.13	
01-5002-4030	Bank Charges	1,200.00	1,411.47	1,200.00
01-5002-6135	Grants to Others	2,500.00	1,500.00	2,500.00
01-5002-6136	Erskine Clinic	5,000.00	5,000.00	5,000.00
01-5002-7011	Loan for Municipal Expansion	13,057.00	13,056.66	13,057.00
	<b>Sub-total</b>	<b>597,057.00</b>	<b>630,685.84</b>	<b>694,972.00</b>
	<b>PROTECTION TO PERSONS/PROPERTY</b>			
01-5003-6010	Mulmur Melancthon FD	94,627.00	94,626.50	103,225.00
01-5003-6020	Shelburne and District FD	101,192.00	101,191.52	108,800.62
01-5003-6030	Township of Southgate FD - Operating	24,950.00	25,295.00	25,725.00
01-5003-6031	Township of Southgate FD - Capital	7,000.00	7,000.00	7,000.00
01-5004-3050	Policing (2019 Actual 404,847-Adjustment 2017	386,723.00	383,366.48	400,259.00
01-5004-3055	Policing - ESO	500.00	232.16	400.00
01-5004-3052	Policing - RIDE	6,220.00	(0.16)	6,640.00
01-5004-3054	Policing - Paid Duty			2,500.00
01-5004-3053	Police Services Board	1,200.00	273.33	1,000.00
01-5004-3056	OCLIF	5,000.00		
01-5004-6040	Nottawasaga Valley CA	12,216.00	12,216.01	12,568.00
01-5004-6050	Grand River CA	18,422.00	18,422.00	19,173.00
01-5004-6055	SWP		11,097.41	
01-5013-6140	Livestock Claims	5,000.00	346.50	1,000.00
01-5004-6150	Animal Control	3,000.00	620.83	3,000.00
01-5004-6155	By-law Enforcement	20,000.00	5,120.99	10,000.00
01-5006-3025	Street Lights LED	5,200.00	4,566.21	5,000.00
01-5006-3026	LED Street Light Repair	500.00	494.81	600.00
	<b>Sub-total</b>	<b>691,750.00</b>	<b>664,869.59</b>	<b>706,890.62</b>

	<b>ROADWAYS</b>				
	Road Budget	2,210,114.00	2,012,279.43	2,911,375.00	
	Transfer to Reserves				
	<b>Sub-total</b>	<b>2,210,114.00</b>	<b>2,012,279.43</b>	<b>2,911,375.00</b>	
	<b>ENVIRONMENTAL SERVICES</b>				
01-5007-2171	Levelling			7,500.00	
01-5007-2105	Landfill Study/Monitoring	22,693.00	22,692.48	22,693.00	
01-5007-7001	Rehabilitation Reserve	10,000.00	10,000.00	10,000.00	
	<b>Sub-total</b>	<b>32,693.00</b>	<b>32,692.48</b>	<b>40,193.00</b>	
	<b>RECREATION</b>				
01-5010-5055	Corbetton Park	2,500.00	2,500.00	2,500.00	
01-5010-6060	Horning's Mills Park	4,755.00	4,866.28	4,900.00	
01-5010-6065	Horning's Mills Community Hall	6,000.00	1,062.72	6,100.00	
01-5010-6066	Horning's Mills Heritage Project	300.00	75.40	300.00	
01-5010-6070	Centre Dufferin Recreation Complex	47,500.00	47,622.00	49,051.00	
01-5010-6080	Dundalk Community Centre	14,000.00	14,000.00	14,000.00	
01-5010-6100	North Dufferin Community Centre Bd of Management	55,303.00	55,023.65	53,651.00	
01-5010-7010	Mulmur-Melancthon Recreation Capital		(5,000.00)		
01-5016-8902	Horning's Mills Cemetery	12,500.00	183.17		
01-5016-8904	St. Paul's Cemetery	1,000.00	950.00		
	<b>Sub-total</b>	<b>143,858.00</b>	<b>121,283.22</b>	<b>130,502.00</b>	
	<b>LIBRARY</b>				
01-5011-6110	Shelburne Library	54,831.00	54,831.00	56,817.00	
01-5011-6120	Dundalk Library	8,216.00	8,216.00	8,350.00	
	<b>Sub-total</b>	<b>63,047.00</b>	<b>63,047.00</b>	<b>65,167.00</b>	
	<b>PLANNING &amp; DEVELOPMENT</b>				
01-5012-2100	Professional/Legal Fees	45,000.00	37,800.30	45,000.00	
01-5012-2103	Cannabis - NWN Scientific		5,965.28		
01-5012-2105	Melancthon Cannabis Regulation		3,081.29		
01-5012-2109	New Zoning By-law			10,000.00	
01-5012-2101	LPAT Appeals			25,000.00	
01-5012-2304	Strada OPA/ZBA		(5,453.68)		
	<b>Sub-total</b>	<b>45,000.00</b>	<b>41,393.19</b>	<b>80,000.00</b>	
	<b>DRAINAGE</b>				
01-5009-3060	Drainage Superintendent	50,000.00	18,181.13	35,000.00	
01-5015-0100	Tile Drainage Principal & Int Pymts		20,978.02		
	<b>Sub-Total</b>	<b>50,000.00</b>	<b>39,159.15</b>	<b>35,000.00</b>	
	<b>RESERVE</b>				
01-5002-5041	Tax Rate Stabilization		317,042.00		
01-5002-5042	Special Reserve Fund Emergency Relief	5,000.00	5,000.00	5,000.00	
01-5002-6200	Trsf frm Development Chgs (solar speed signs)			7,500.00	
	<b>TOTAL EXPENDITURES</b>	<b>3,921,369.00</b>	<b>4,011,489.14</b>	<b>4,762,699.62</b>	







## Denise Holmes

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**From:** David Thwaites  
**Sent:** Friday, March 20, 2020 8:31 AM  
**To:** Denise Holmes; Wendy Atkinson  
**Subject:** Budget questions

Ladies:

Further to last nite's Council meeting, here are some questions/ thoughts.

Revenue side- are any, and if so to what extent, Line items sensitive to economic reality?

Expenses - Council - 1010 - do we know why 2019 Actual was almost \$5k more than Budget? And is 2020 Budget a simple reflection of the 1.7% pay increase?

- 1022- ? Suggest could be zero

- 1080- ? What has been actually used so far this year? Suggest otherwise reduce to zero, including

AMO

- meals ? What has been actually used to date, otherwise the question would be why (we are all capable of eating at home or bagging snacks).

- Admin - up to your input but certainly conferences and training, Line 1080

- tax write off, Line 4010- are we okay with this item in light of discussions?

- Policing- Line 3054 could reduce to zero

- Line 3053- not sure what we allow for in this item, could look at.

- RIDE, Line 3052- ?

- Animal Control - not sure of history re \$3,000 versus actual.

- Recreation - recognize that some items are based on budgets/ levy of other Boards ( those Boards, including Library, should be revisiting Budgets and levy request) but I will be suggesting hard look/ reduce to "zero" Lines 5055, 6060, 6085, 6066. There is over \$30k in Hall Board bank account from which all requisite expenses can be paid in 2020.

- Roads - Line 2112- \$9k - ???

- Audit 2050 - \$10k - when one looks at Admin Audit of \$17k, how is that number arrived at? Are there some savings to be had through discussions with Auditor?

- services and Rent and Shop tools, Lines 3000 and 2192, not aware of history of budget versus actual.

Can we look at.

- Bldg maintenance, is the increase a reflection of concern for 'roof leak'?

Just some thoughts and questions.

Thanks

David

Sent from my iPad