



TOWNSHIP OF MELANCTHON ELECTRONIC MEETING AGENDA - THURSDAY, JULY 16, 2020 - 5:00 P.M.

(For information on how to join the meeting, please go to the Council Meetings page on the Township Website to find the link, Meeting ID and Password)

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 - June 18, 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. Report from Kaitlin Chessell - Recommendations from Roads Sub-Committee Meeting July 8, 2020
 3. Letter from Gord Feniak, Executive Vice President, Public Sector, RJ Burnside & Associates - Review of Submission from NWN Scientific Inc
 4. Letter from Jeremy Humphrey, Project Planner, WSP - Re-submission for NWN Scientific Inc addressing Gord Feniak's comments
 5. Open Quotes received for 2020/2021 Winter Sand
 6. Report on the progress of the Corbetton Park - Requested by Roads Sub-Committee
 6. Other
10. **Planning**
 1. Applications to Permit
 2. Patio Expansion for Shelburne Golf Course
 3. News Release: Ontario Supporting Restaurants as Province Safely Reopens
 4. Alcohol and Gaming Commission of Ontario - Licensees allowed to temporarily extend their premises
 5. Report from Chris Jones, Township Planner regarding Application for TZBA - West Half Lot 13, Concession 3 O.S. (Strada Pit 1)
 6. Other
11. **Strategic Plan**
 1. Staff recommendation - Defer to August meeting
12. **Climate Change Initiatives**
 1. Dufferin County Climate Change Collaborative (DC4) Minutes
 2. Other
13. **Police Services Board**
 1. Report from Denise Holmes, CAO/Clerk - Proposed Tow Truck By-law
 2. Other
14. **Committee Reports**

15. Correspondence

* Items for Information Purposes

1. AMO Policy Update - Federal Economic Statement and Initial Analysis of Ontario Omnibus COVID-19 Recovery Legislation
2. Municipal Finance Officers Association of Ontario - Bill 197, COVID-19 Economic Recovery Act, 2020
3. Ministry of Municipal Affairs and Housing - COVID-19 Economic Recovery Act, 2020 and Bill 197 that addresses three critical needs Ontario faces
4. Letter from the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks regarding Environmental Assessment modernization
5. Dufferin County Forest Operating Plan Review
6. A message from Minister Steve Clark and Proposed Amendment 1 to A Place to Grow
7. Town of Shelburne Drinking Water possible upgrades
8. Grey Highlands Notice of Public Meeting fro Zoning By-law Amendment - Monday July 27, 2020 5:00 p.m. - 453053 Grey Road 2
9. NVCA Board Meeting Highlights June 26, 2020
10. GRCA General Membership Attendance as of June 26, 2020
11. Report from Watson & Associates Economists Ltd - Proposed Amendment 1 to A Place to Grow
12. Puslinch Resolution regarding MPAC assessment system for all aggregate resource properties
13. Report from Nancy Neale, PLE, Watson & Associates Economists Ltd regarding Bill 197, COVID Economic Recovery Act - Changes to the DCA and Planning Act (CBCs)
14. Ministry of Agriculture, Food and Rural Affairs - Notification of NASM Plan Approval

* Items for Council Action

1. Email from Karisa Downey, County Economic Development Officer requesting a meeting to review the Melancthon Agriculture and Food BR+E Data
2. Email from Ilona Feldmann regarding Melancthon representation on the Implementation Working Group currently represented by the GRCA

16. General Business

1. Accounts
2. New/Other Business/Additions
 1. Request from Sarah Harrison that donations made to Horning's Mills Cemetery in memory of Jeff Wilson be used to purchase sign for the Cemetery
 2. Township of Melancthon Flag Raising Protocol - Discussion - Deputy Mayor Besley and Councillor Hannon
 1. Purchase of New Flag Pole in front of Administration Building - Mayor White
 3. 2020 Fall/Winter Draft Township Newsletter
 4. Notice of Motion from June 18, 2020 Council meeting - Moved by Mercer - Be it resolved that: That the current Horning's Mills Hall Board (of this current term of council), resume their responsibilities as soon as possible, with a newly-constituted member of council (as per Township of Melancthon protocols), further to the reopening of facilities post pandemic, and based on the exemplary work of the existing volunteer board members to not only successfully manage, but also bring the hall to profitability.
 5. County of Dufferin Service Delivery Review - Interim Report - Update - Mayor White and/or Denise Holmes
 6. Other
 7. Addition(s)
3. Unfinished Business
 1. AMO - Main Street Revitalization Funding - Completion Date for Projects is October 31, 2020 - Unspent Funds to be returned to OMAFRA - Discussion on ideas from Members of Council

17. Delegations

1. **5:30 p.m.** - Norman Martin, Public Meeting for a Proposed Zoning By-law Amendment on Part of Lots 262-265, Concession 1 S.W. and Part of Lot 261, Concession 2 S.W.
2. **6:30 p.m.** - Michelle Steele CPA, CA Principal - RLB Chartered Professional Accountants - Presentation of the 2019 Financial Statements

- 18. Closed Session**
 1. Approval of Draft Minutes - June 18, 2020
 2. Business Arising from Minutes
 3. Personal matters about an identifiable individual, including municipal or local board employees - Property Standards Complaint - Horning's Mills - Update
 4. Litigation or potential litigation, including matters before administrative tribunal, affecting the local board - Re: Notice of Application - Information Update
 5. Rise With or Without Report from Closed Session

- 19. Third Reading of By-laws**

- 20. Notice of Motion**

- 21. Confirmation By-law**

- 22. Adjournment and Date of Next Meeting - Thursday, August 13, 2020 - 5:00 p.m.**

- 23. On Sites**

- 24. Correspondence on File at the Clerk's Office**



The Corporation of

THE TOWNSHIP OF MELANCTHON

157101 Hwy. 10, Melancthon, Ontario, L9V 2E6

Telephone - (519) 925-5525

Fax No. - (519) 925-1110

Website: www.melancthontownship.ca

Email: info@melancthontownship.ca

CORPORATION OF THE TOWNSHIP OF MELANCTHON

MEMORANDUM

TO: MAYOR WHITE AND MEMBERS OF COUNCIL

FROM: KAITLIN CHESSELL, SECRETARY ROADS SUB-COMMITTEE

SUBJECT: RECOMMENDATIONS FROM ROADS SUB-COMMITTEE MEETING JULY 8, 2020

DATE: JULY 8, 2020

8 - 10:00a.m. - Karisa Downey, County of Dufferin - Discussion about Cycling Routes connecting the Town of Shelburne and the Township of Mulmur using Township of Melancthon Roads

Karisa Downey from the County of Dufferin joined the meeting and discussed how the Town of Shelburne and Township of Mulmur are using the County Economic Development Grant to create cycling routes through Shelburne and Mulmur and plan on hitting key locations such as Cemetery's and General Stores. They will be using a GPS tracking system to connect these routes to an app that will allow cyclists to follow these routes. Some of the routes that they are proposing will run on Melancthon roads and will feature the Horning's Mills Store as a key location on one of the routes. The Roads Sub-Committee commented on who the liability would fall too and how they would accommodate these routes when road work is taking place.

Recommendations:

The Roads Sub-Committee recommends to Council that we support the Cycling Route Proposal from the County of Dufferin, Town of Shelburne and the Township of Mulmur.

PW# 9.2

111 16 2020

Denise Holmes

From: Gord Feniak <Gord.Feniak@rjburnside.com>
Sent: Monday, June 15, 2020 11:13 AM
To: Chris Jones
Cc: Denise Holmes; Roads
Subject: NWN Letter
Attachments: 050618_NWN Scientific.pdf

Hi Chris - my comments are attached....gf



Gord Feniak
Executive Vice President, Public Sector

R.J. Burnside & Associates Limited
292 Speedvale Avenue West, Unit 20, Guelph, Ontario N1H 1C4
Office: +1 800-265-9662 Direct: +1 519-938-3076
www.rjburnside.com

COVID 19: We remain open for business

The health and safety of our employees and clients is of paramount importance. Most of our staff are working remotely and continue to serve clients using our well established collaborative technology platforms. For our full COVID 19 response please [click here](#).

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PW# 9.3
JUL 16 2020



BURNSIDE

[THE DIFFERENCE IS OUR PEOPLE]

June 15, 2020

Via: Email

Chris Jones
Municipal Planning Services

Dear Chris:

**Re: NWN Scientific Inc.
Project No.: 300050618.0000**

We have completed our review of the submission that was received on June 2, 2020 and have the following comments:

1. As noted in previous correspondence the site straddles two drainage sheds: one running east and the other west. (Some people might say "south and north" but I am following the terminology of the report). The current proposal inexplicably discharges both areas to the east (south). The underlying concept should be that each watershed is left as close as possible to the pre-development condition so the design will need to be revised, keeping each outlet within its own watershed.
2. A pumping system is proposed for discharge of the West Pond. The effect of such pumping is to take all of the predevelopment run-off and to concentrate it in one location, which is proposed to be the roadside ditch. This is simply unacceptable. I have discussed the proposal with the Township Public Works Superintendent and he concurs. The pump discharge should be rerouted to outlet into the Municipal Drain located further west. I have also discussed this with the Township's Drainage Engineer, Tom Pridham and he agrees as well.
3. The pump discharges at a very high rate, yet no provisions were made for erosion control. The re-located outlet should be properly protected. Design calculations for the discharge should be provided.
4. The design calculations are premised on the low level pump shutting off when the high level pump is in operation. In other words the designer has not considered both pumps working together. This is unusual and would require a higher complexity of controls. If this is the intention, then the control design should be provided. If not, then the larger pump should be downsized by the amount of the smaller pump.
5. In my discussion with Public Works Superintendent he noted that the applicants installed a culvert last winter that is not at the proper elevation. It should be reset, and the grading plans should rely on the proper elevation.

Please let me know if any further explanation is required.

Yours truly,

R.J. Burnside & Associates Limited

A handwritten signature in black ink, appearing to read 'Gord Feniak', with a stylized, sweeping flourish at the end.

Gord Feniak
GF:js

cc: Denis Holmes, Township of Melancthon
Craig Mick, Township of Melancthon

050618_NWN Scientific
15/06/2020 11:07 AM

Denise Holmes

From: Humphrey, Jeremy <Jeremy.Humphrey@wsp.com>
Sent: Friday, June 26, 2020 1:50 AM
To: Denise Holmes
Cc: Chris Jones; Gord Feniak; John-Baptiste, Chad; de Sousa, Philip; cgogan (cgogan@devcapinternational.com)
Subject: 117287 2nd Line SW - SPA Engineering Resubmission
Attachments: Cover Letter - June 26, 2020.pdf

Good morning Denise,

Please find attached a cover letter for submission to address the engineering comments received from RJ Burnside on June 15, 2020.

As before, the digital materials have been uploaded to an FTP site, and I will be coordinating the delivery of hardcopy materials early next week.

Chris – I will make sure that the Township set includes a USB.

Thank you for your time,

Jeremy Humphrey
Project Planner
Planning, Landscape Architecture and Urban Design



T+ 1 647-730-7116

119 Spadina Avenue, Suite 500
Toronto, Ontario
M5V 2L1 Canada

wsp.com

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June 26, 2020

Denise Holmes, AMCT
CAO/Clerk
Township of Melancthon
157101 Highway 10
Melancthon, ON L9V 2E6

**Subject: Resubmission - Amendment to Site Plan Control Agreement - 117287
2nd Line SW, Township of Melancthon, ON**

Dear Ms. Holmes:

WSP is pleased to provide the enclosed resubmission of this development application on behalf of our client - 2690044 Ontario Inc. This submission is to address engineering comments received from RJ Burnside on June 15, 2020. A comment response table is attached to this submission that details the responses to RJ Burnside, and highlights the revisions made.

In addition to the revised engineering plans, the project team is awaiting structural engineering approval and stamped plans that will be submitted to the County as part of the building permit package for the hoop-houses. The project team has been in contact with the Dufferin County Chief Building Official and intend to submit a building permit at the earliest opportunity.

SUBMISSION MATERIALS

This engineering resubmission contains digital copies of the following plans. Two sets of hardcopy plans are being coordinated and will be couriered to the Township and RJ Burnside offices.

1. Engineering Plans – Prepared by WSP – Dated June 2020 – Revised June 24, 2020
 - i. NT-1 – General Notes and Details
 - ii. SG1-A – Site Grading Plan Temporary Condition
 - iii. SG1-B – Site Grading Plan
 - iv. SS1-A – Site Servicing Plan Temporary Condition

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F: +1 416 260-3028
wsp.com



- v. SS1-B – Site Servicing Plan
- vi. ESC1-A – Erosion and Sedimentation Control Plan Temporary Condition
- vii. ESC1-B – Erosion and Sedimentation Control Plan

2. Stormwater Management Report – Prepared by WSP – Dated June 24, 2020

DIGITAL SUBMISSION

To access the materials, please use the following credential to access the FTP site.

<https://share-ca.wspgroup.com:444/EFTClient/Account/Login.htm>

User Name: 22_05_2020_user_01

Password : 3eLwptOo

Should you have any issues accessing the materials, please let me know.

Thank you for your time and consideration in reviewing the enclosed materials, and we look forward to working with Township staff and consultants towards a revised Agreement.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeremy Humphrey', is located below the 'Sincerely,' text.

Jeremy Humphrey
Project Planner

cc: Conor Gogan; Nate Nienhuis

WSP ref.: 19M-00524-00



COMMENT RESPONSE TABLE

ENGINEERING COMMENTS RECEIVED JUNE 15, 2020

RJ BURNSIDE COMMENT

WSP ENGINEERING RESPONSE

1.	<p>As noted in previous correspondence the site straddles two drainage sheds: one running east and the other west. The current proposal inexplicably discharges both areas to the east. The underlying concept should be that each watershed is left as close as possible to the pre-development condition so the design will need to be revised, keeping each outlet within its own watershed.</p>	<p>Due to site grading constraints in the original single-pond design, WSP proposed directing flows from the west portion of the site to the east, and outletting into the existing roadside swale (as discussed and agreed to in a meeting with the Township on January 8th 2020). Given that the design has changed, WSP agrees to match the existing drainage condition with the use of two ponds; one that drains and flows east (south), and one that drains and flows west (north). We agree that a connection to the west would be preferred to maintain the existing drainage paths. The design has been revised to accommodate this.</p>
2.	<p>A pumping system is proposed for discharge of the West Pond. The effect of such pumping is to take all of the predevelopment run-off and concentrate it in one location which is proposed to be the roadside ditch. This is simply unacceptable. I have discussed the proposal with the Township Public Works Superintendent and he concurs. The pump discharge should be rerouted to outlet into the Municipal Drain located further west. I have also discussed this with the Township's Drainage Engineer, Tom Pridham and he agrees as well.</p>	<p>The outlet has been revised to discharge towards the Municipal drain to the west.</p>
3.	<p>The pump discharges at a very high rate, yet no provisions were made for erosion control. The re-located outlet should be properly protected. Design calculations for the discharge should be provided.</p>	<p>Erosion control measures have been provided for the revised outlet configuration. Please refer to the standard pond outlet detail on the revised drawings.</p>

4.	<p>The design calculations are premised on the low level pump shutting off when the high level pump is in operation. In other words, the designer has not considered both pumps working together. This is unusual and would require a higher complexity of controls. If this is the intention, then the control design should be provided. If not, then the larger pump should be downsized by the amount of the smaller pump.</p>	<p>The pump has been removed from the western pond making this comment obsolete.</p>
5.	<p>In my discussion with the Public Works Superintendent he noted that the applicants installed a culvert last winter that is not at the proper elevation. It should be reset, and the grading plans should rely on the proper elevation.</p>	<p>Following field verification, the culvert will be adjusted to the appropriate elevation.</p>

**APPLICATIONS TO PERMIT FOR APPROVAL
July 16, 2020 COUNCIL MEETING**

PROPERTY OWNER	PROPERTY DESCRIPTION	TYPE OF STRUCTURE	DOLLAR VALUE	D.C.'s	COMMENTS
John Esteves	585121 County Road 17 Part Lot 11 RP7R5229 Part 1 Con 4 OS	pool house	\$25,000	NO	
Cedarside Enterprises - Norman Martin Applicant: Simon Martin Mar-Bros Construction	199261 2nd Line NE Lot 38, Con 3 NE	feed storage for cattle	\$40,000	NO	
Rachel Martin applicant: Eli Sherk - EMS Construction	198071 2nd Line NE Lot 18, Con 3 NE	single family dwelling	\$200,000	NO	has applied for demoktion permit
Jeanette Atkinson	438527 4th Line OS West Part Lot 29, Con 3 OS	2 decks	\$12,000	NO	

PLAN# 10.
JUL 16 2020

Denise Holmes

From: Kaitlin Chessell
Sent: Friday, June 12, 2020 2:48 PM
To: Chris Jones
Cc: Denise Holmes
Subject: FW: Patio Expansion
Attachments: Schematic - Melancthon.jpg

This is what Megan from Shelburne Golf Course has provided me with.

Thank you.

Kaitlin Chessell



Kaitlin Chessell | Administration and Finance Assistant | Township of Melancthon |

kchessell@melancthontownship.ca | PH: 519-925-5525 ext 104 | FX: 519-925-1110 | www.melancthontownship.ca |

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Please note: Effective 10:00 a.m. on March 17, 2020, the Township of Melancthon Municipal Office will be closed to the Public until further notice. Some of our services are available online (tax payments, planning applications, fire permits) or Staff will be available by phone at 519-925-5525 to assist.

From: info@shelburnegolf.com <info@shelburnegolf.com>
Sent: Friday, June 12, 2020 2:45 PM
To: Kaitlin Chessell <kchessell@melancthontownship.ca>
Subject: RE: Patio Expansion

Hi Kaitlin,
Please see attached. It's not formal, but measurements and basic concept is there.
Have a nice weekend.
~Megan

From: Kaitlin Chessell <kchessell@melancthontownship.ca>
Sent: June 12, 2020 11:59 AM
To: info@shelburnegolf.com
Subject: Patio Expansion

Hi Megan,

As per our phone conversation can you please provide the planner with a sketch indicating the location of the expanded patio, dimensions and the numbers of seats.

Thank you.

Kaitlin Chessell



Kaitlin Chessell | Administration and Finance Assistant | Township of Melancthon |

kchessell@melancthontownship.ca | PH: 519-925-5525 ext 104 | FX: 519-925-1110 | www.melancthontownship.ca |

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Clubhouse 13.41 metres

24" x 22

528 inches

114048 inches square

5.49 metres

24" x 9

216 inches

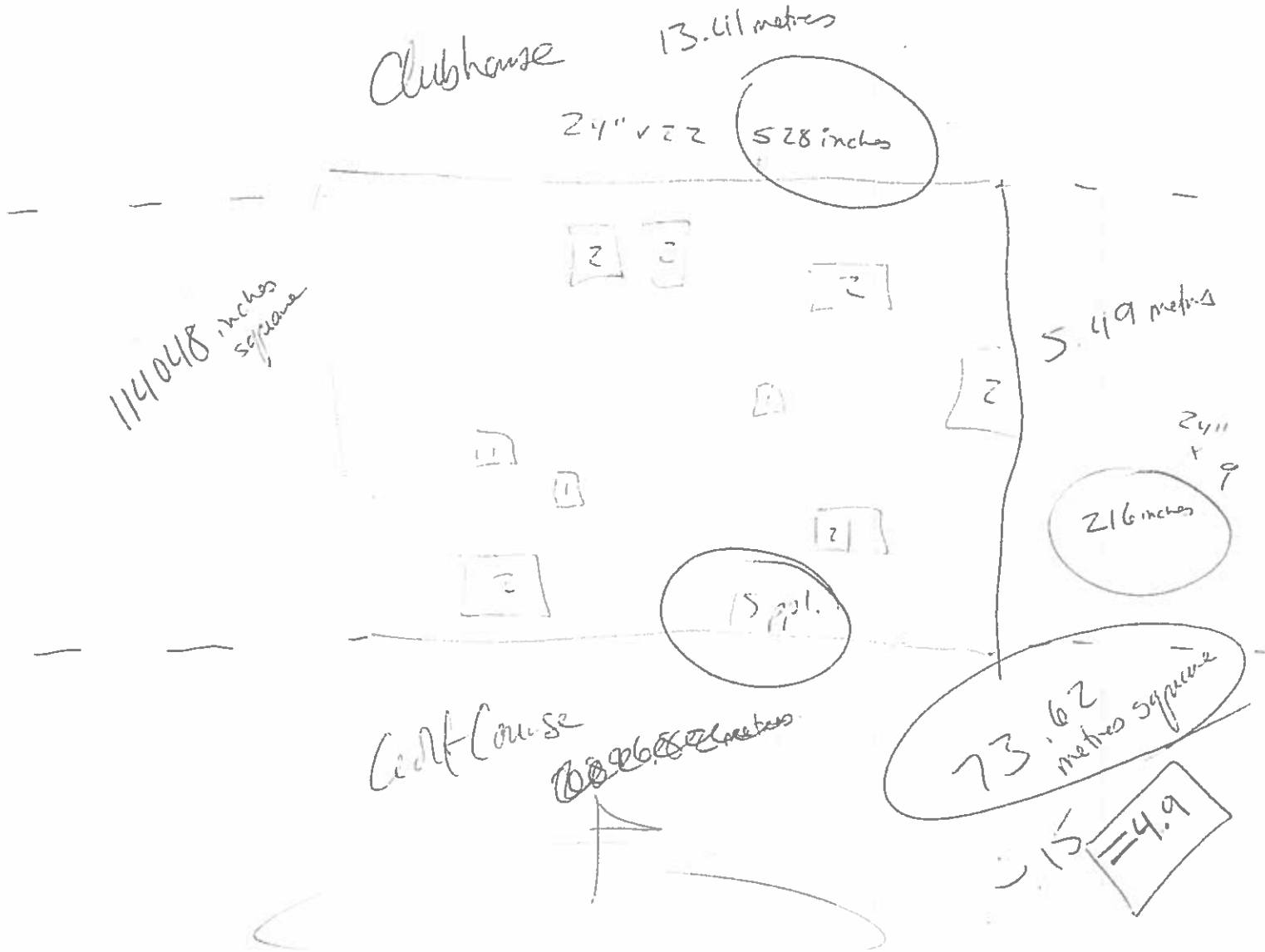
15 ppl.

73.62 metres square

Ceaf Course

~~200~~ 26.82 metres

15 = 4.9



Denise Holmes

From: Shantz, Tyler (MMAH) <Tyler.Shantz@ontario.ca>
Sent: Friday, July 3, 2020 2:07 PM
To: bcplwi@brucecounty.on.ca; rholiday@brockton.ca; KVanMyall@brucecounty.on.ca; mfarrell@huronkinloss.com; cbo@kincardine.ca; cbo@northernbruce.ca; jay.pausner@saugeenshores.ca; cbo@town.southbruce.on.ca; bcplwi@brucecounty.on.ca; info@amaranth.ca; spritchard@dufferincounty.ca; cgevrais@eastgarafraxa.ca; mkluge@townofgrandvalley.ca; Denise Holmes; david.trotman@townofmono.com; tatkinson@mulmur.ca; gdickson@orangeville.ca; swever@gspgroup.ca; fgarardo@amherstburg.ca; RBelanger@countyofessex.ca; rjabbour@essex.ca; lchadwick@essex.ca; rbrown@kingsville.ca; tryall@lakeshore.ca; kdarroch@lakeshore.ca; lsilani@lasalle.ca; pbarnable@leamington.ca; sjamshidi@leamington.ca; mlelas@leamington.ca; bhillman@tecumseh.ca; cjeffery@tecumseh.ca; planning@chatsworth.ca; jburnett@georgianbluffs.on.ca; randy.scherzer@grey.ca; planning@greyhighlands.ca; dtedford@hanover.ca; rarmstrong@meaford.ca; pcoulter@owensound.ca; cstredwick@southgate.ca; lgreen@southgate.ca; directorplanningdevelopment@thebluemountains.ca; mturner@westgrey.com; rob.nesbitt@county-lambton.on.ca; ezio.nadalin@county-lambton.on.ca; rob.nesbitt@county-lambton.on.ca; ben.puzanov@county-lambton.on.ca; wnywening@lambtonshores.ca; ezio.nadalin@county-lambton.on.ca; rob.nesbitt@county-lambton.on.ca; will.nywening@county-lambton.on.ca; jburns@villageofpointedward.com; stacey.forfar@sarnia.ca; ezio.nadalin@county-lambton.on.ca; rob.nesbitt@county-lambton.on.ca; info@guelph.ca; janice.hensel@pelee.ca; thunt@city.windsor.on.ca; mcooke@city.windsor.on.ca; nrobertson@city.windsor.on.ca; bsalmon@centrewellington.ca; Mlglesias@centrewellington.ca; planning@erin.ca; gkruse@get.on.ca; acripps@mapleton.ca; terry@town.minto.on.ca; lbanks@puslinch.ca; aldos@wellington.ca; markv@wellington.ca; sweber@huroncounty.ca; smcmullen@perthcounty.ca; jmccartney@town.stmarys.on.ca; JLeunissen@stratford.ca
Cc: Knieriem, Michelle (MMAH)
Subject: News Release: Ontario Supporting Restaurants as Province Safely Reopens

Good afternoon,

The Ontario government has issued a new emergency order and has amended another under s.7.0.2 (4) of the *Emergency Management and Civil Protection Act*, which will allow municipalities to quickly pass temporary bylaws for the creation and extension of patios and allow covered outdoor dining areas to serve customers.

The following is a link to the news release: https://news.ontario.ca/opo/en/2020/07/ontario-supporting-restaurants-as-province-safely-reopens.html?utm_source=ondemand&utm_medium=email&utm_campaign=o

Please let me know if you have any questions.

Kind regards,

Tyler Shantz, RPP, MCIP, BES
Planner



Ministry of Municipal Affairs and Housing
Municipal Services Office – Western Ontario
659 Exeter Road, 2nd Floor
London ON N6E 1L3
Cell: 519 851-3954
E-mail: Tyler.Shantz@Ontario.ca

: COVID-19: Get the latest updates or take a self-assessment.

Ontario Supporting Restaurants as Province Safely Reopens

New and Amended Emergency Orders Will Help Establishments Expand Patios Faster

July 3, 2020 7:00 A.M. | [Office of the Premier](#)

TORONTO — The Ontario government is helping restaurant and bar owners reopen and safely serve more customers by issuing a new emergency order and amending another under s.7.0.2 (4) of the *Emergency Management and Civil Protection Act*, which will allow municipalities to quickly pass temporary bylaws for the creation and extension of patios and allow covered outdoor dining areas to serve customers.

This decision was made in consultation with the Chief Medical Officer of Health to keep the people of Ontario safe as the province continues to recover and resume activities as part of [Ontario's Framework for Reopening the Province](#).

"Businesses across the province are demonstrating that we can still enjoy our beautiful Ontario summer while protecting the health and safety of their patrons," said Premier Ford. "Restaurants and bars are an important part of our economy, and a great driver of employment. I am proud to say that we will continue to support them as our province reopens and recovers."

Under the *Planning Act*, the process to pass temporary use bylaws to create or extend a patio could take several weeks or more. As restaurants are currently only permitted to host dine-in guests on outdoor patios under Stage 2, this exemption under the emergency order will cut red tape and reduce the process time for passing these bylaws to a matter of days. Municipalities would still be responsible for compliance activities and ensuring proper health and safety practices, like proper physical distancing.

The government also amended an emergency order to clarify that outdoor dining areas can open if they have a roof, canopy, tent, awning or other covering. At least two full sides of the outdoor dining area must be open to the outdoors and must not be substantially blocked in any way. If the outdoor dining area has a retractable roof, the roof must be fully open and at least one full side must be open to the outdoors and must not be substantially blocked in any way.

Most of Ontario has moved into Stage 2 recovery, except for the Municipality of Leamington and the Town of Kingsville, which remain in Stage 1.

On June 24, Ontario announced the extension of the Declaration of Emergency to July 15, allowing the province to continue to make or amend emergency orders under the *Emergency Management and Civil Protection Act*. The government continues to review all these emergency orders to determine when and if it is safe to amend or lift them as restrictions are eased and more places in the province reopen in a safe and measured way.

A full list of emergency orders can be found on the [e-Laws website](#) under the *Emergency Management and Civil Protection Act* and at [Ontario.ca/alert](https://ontario.ca/alert).

: COVID-19: Get the **latest updates** or take a **self-assessment**.

- See how [your organization can help fight COVID-19](#).
- Information and advice to [help your business navigate the economy during COVID-19](#).
- Visit [Ontario's website](#) to learn more about how the province continues to protect Ontarians from COVID-19.

Media Contacts

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Alexandra.Hilkene@ontario.ca

Denise Holmes

From: do-not-reply <do-not-reply@agco.ca>
Sent: Friday, June 19, 2020 4:46 PM
To: Denise Holmes
Subject: "By the Glass" licensees allowed to temporarily extend their premises



AGCO

Alcohol and Gaming
Commission of Ontario

Alcohol and Gaming
Commission of Ontario
90 Sheppard Avenue East
Suite 200
Toronto ON M2N 0A4

Jun 19, 2020

(La version française suit la version anglaise)

AGCO amends its policy to provide "By the Glass" licensees the same flexibility as other liquor sales licensees to temporarily extend their premises

On June 8th, 2020, the AGCO announced temporary measures to allow liquor sales licensees to increase the size of their patios or add a new patio once they are again permitted to welcome patrons on-site.

To support additional businesses to reopen safely, the AGCO is amending its policy to authorize manufacturers (i.e. wineries, breweries and distilleries) with a Limited Liquor Sales Licence (commonly referred to as a "By the Glass" licence) to temporarily extend their outdoor licensed premises or to add a new outdoor licensed premises. "By the Glass" licensees who meet the eligibility criteria and requirements are not required to apply to the AGCO for a temporary extension of premises or pay any fee.

These measures will be in effect until January 1, 2021 at 3:00 a.m. Licensees who wish to maintain the patio extension beyond that time must apply for a permanent modification through iAGCO and must meet all applicable requirements.

Please read additional details, including a list of all required criteria, in the Information Bulletin.

Below are some FAQs to provide additional information. Please note that with the exception of questions 1, 2, and 7, these FAQs and information are the same as previously provided for liquor sales licensees.

1. What are the requirements for a temporary patio extension for "By the Glass" licensees under these new temporary measures?

The AGCO has amended its policy to allow holders of a Manufacturer's Limited Liquor Sales Licence (commonly known as a "By the Glass" Licence) to temporarily extend their physical premises provided they have municipal approval and meet certain requirements.

In order to be eligible for a temporary patio extension, licensees must have a valid "By the Glass" licence and be permitted to open and welcome patrons on-site under the province's phased reopening process. In addition, the following requirements must be met:

1. The physical extension of the premises is adjacent to the licensed premises under the "By the Glass" licence;
2. The municipality in which the premises is situated has indicated it does not object to an extension;
3. The licensee is able to demonstrate sufficient control over the physical extension of the premises;
4. There is no condition on the "By the Glass" licence prohibiting a patio;
5. The capacity of any new patio, or extended patio space where the licensee has an existing licensed patio, does not exceed 1.11 square metres per person; and
6. The sale and service of the wine, beer and/or spirits manufactured by the manufacturer within the physical extension of the premises is primarily aimed at promoting the manufacturer's product and either providing an enhanced tourist experience or fulfilling an educational purpose.

2. What role do municipalities currently play in the temporary extension of premises application process and what has changed under the new temporary measures?

Prior to the AGCO's policy change, "By the Glass" licensees were not permitted to apply for a temporary extension of their licensed premise.

With the AGCO's policy change, and for the duration of 2020, licensees do not need to notify or submit an application to the AGCO for a temporary extension of premises, provided that they meet all the eligibility criteria and applicable requirements. One of the criteria is that the municipality in which the establishment is located does not object to an extension. This non-objection or approval can take a variety of forms. While licensees are not required to submit any documentation to the AGCO to demonstrate compliance with this requirement, licensees are required to produce such documentation, if requested by the AGCO.

3. Is there a certain document that municipalities are required to use to confirm they do not object to a patio extension?

The AGCO does not require a specific format for municipal non-objection. Municipalities have flexibility to determine how best to approve patio extensions. This might be by blanket resolution, by application process, by letter from the City Manager, or any other suitable format. Municipalities are not required to send their non-objection to the AGCO. Licensees are required to produce documentation demonstrating municipal approval, if requested by the AGCO.

4. Can patios be extended onto municipal sidewalks or roadways?

Municipalities have the flexibility to determine how best to permit temporary patio extensions on municipal property. The temporary physical extension of the premises must be adjacent to the premises to which the licence to sell liquor applies.

In accordance with section 48 of Regulation 719 under the LLA, the licensee or its employees may carry liquor between two licensed areas across an unlicensed area (e.g. from the establishment and across the sidewalk, in the case where the patio extension is on a

roadway). However, patrons may only carry liquor across the area not under the licensee's control if it is in a closed container.

5. Are licensed establishments who do not currently have a patio space eligible under these temporary measures?

Provided that they have municipal approval and meet all other requirements, temporary new licensed patios are also permitted under this temporary measure. Licensees who wish to maintain the patio extension beyond January 1, 2021 must apply through iAGCO and must meet all applicable requirements and pay the required fees.

The capacity for a temporary new patio is 1.11 square metres per person, which is the maximum capacity of premises to which neither the *Building Code Act*, 1992 nor the *Fire Protection and Prevention Act*, 1997 applies. Please see this webpage for more information on calculating the dimensions of a proposed extended licensed area.

6. If a licensee with an existing patio now has an extended space, can they accommodate more patrons than their current maximum capacity as stated on their licence?

The maximum capacity for all existing patios continues to apply for the existing patio space. The licensee may accommodate patrons over and above their capacity as long as the capacity of any extended patio space allows for a minimum of 1.11 square metres per person. All physical distancing requirements, as well as any other requirements imposed by any level of government, continue to apply regardless of maximum capacity, and will likely mean that patios will operate at well below maximum capacity.

7. Can a licensee who does not meet the requirements for a patio extension under these temporary measures still be approved for a temporary patio extension?

Licensees that do not meet requirements under this temporary measure should contact AGCO Customer Service who will be able to direct you to the appropriate AGCO Eligibility Officer.

8. How do I get more information?

The requirements for a temporary patio extension under this temporary measure and other helpful information can be found within the Information Bulletin. Municipalities may also email municipal@agco.ca with additional questions.



CAJO

Commission des alcools
et des jeux de l'Ontario

19 juin 2020

La CAJO modifie sa politique afin d'offrir aux titulaires de permis de vente « au verre » la même souplesse que les autres titulaires de permis de vente d'alcool pour l'agrandissement temporaire de leurs locaux.

Le 8 juin 2020, la CAJO a annoncé des mesures temporaires pour permettre aux titulaires de permis de vente d'alcool d'augmenter la taille de leurs terrasses ou d'en ajouter une nouvelle lorsqu'ils seront à nouveau autorisés à accueillir des clients sur place.

Afin de permettre à d'autres entreprises de rouvrir en toute sécurité, la CAJO modifie sa politique afin d'autoriser les fabricants (c'est-à-dire les établissements vinicoles, les brasseries et les distilleries) titulaires d'un permis restreint de vente d'alcool (communément appelée permis de vente « au verre ») à agrandir temporairement leurs locaux extérieurs sous permis ou à en ajouter un nouveau. Les titulaires d'un permis de vente « au verre » qui remplissent les critères d'admissibilité et les exigences ne sont pas tenus de demander à la CAJO un agrandissement temporaire de leurs locaux ou de payer une quelconque redevance.

Ces mesures seront en vigueur jusqu'au 1^{er} janvier 2021 à 3 heures du matin. Les titulaires de permis qui souhaitent maintenir l'agrandissement de la terrasse au-delà de cette date doivent demander une modification permanente par l'intermédiaire de la CAJO et doivent satisfaire à toutes les exigences applicables.

Veuillez lire les détails supplémentaires, y compris une liste de tous les critères requis, dans le bulletin d'information

Vous trouverez une FAQ ci-dessous pour des informations supplémentaires. Veuillez noter qu'à l'exception des questions 1, 2 et 7, l'information dans cette FAQ est la même que celle fournie précédemment concernant les titulaires de permis de vente d'alcool.

1. Quelles sont les exigences pour un agrandissement temporaire de la terrasse pour les titulaires de permis de vente « au verre » dans le cadre de ces nouvelles mesures temporaires ?

La CAJO a modifié sa politique pour permettre aux titulaires d'un permis restreint de vente d'alcool par le fabricant (communément appelé permis de vente « au verre ») d'agrandir temporairement leurs locaux physiques à condition qu'ils aient l'autorisation de la municipalité et qu'ils remplissent certaines conditions.

Pour pouvoir bénéficier d'un agrandissement temporaire, les titulaires de permis doivent posséder un permis de vente « au verre » valide et être autorisés à ouvrir et à accueillir les clients sur place dans le cadre du processus de réouverture progressive de la province. En outre, les exigences suivantes doivent être respectées :

1. un permis de vente « au verre »;
2. la municipalité dans laquelle le local est situé a indiqué qu'elle ne s'oppose pas à un agrandissement;
3. le titulaire du permis est en mesure de démontrer un contrôle suffisant sur l'agrandissement physique des locaux;
4. le permis de vente « au verre » n'est assorti d'aucune condition interdisant l'aménagement d'une terrasse;
5. la capacité de toute nouvelle terrasse, ou de tout espace de terrasse agrandi lorsque le titulaire du permis possède une terrasse autorisée existante, ne dépasse pas 1,11 mètre carré par personne; et
6. La vente et le service du vin, de la bière ou des spiritueux fabriqués par le fabricant dans l'agrandissement physique des locaux visent principalement à promouvoir le

produit du fabricant, soit à offrir une expérience touristique améliorée, soit à remplir un objectif éducatif.

2. Quel rôle les municipalités jouent-elles actuellement dans le processus de demande d'agrandissement temporaire des locaux et qu'est-ce qui a changé dans le cadre des nouvelles mesures temporaires ?

Avant le changement de politique de la CAJO, les titulaires de permis de vente « au verre » n'étaient pas autorisés à demander un agrandissement temporaire de leurs locaux sous permis.

Avec le changement de politique de la CAJO et pour la durée de 2020, les titulaires de permis n'ont pas besoin de notifier ou de soumettre une demande à la CAJO pour un agrandissement temporaire des locaux, à condition qu'ils remplissent tous les critères d'admissibilité et les exigences applicables. L'un des critères est que la municipalité dans laquelle l'établissement est situé ne s'oppose pas à un agrandissement. Cette non-objection ou approbation peut prendre différentes formes. Bien que les titulaires de permis ne soient pas tenus de présenter à la CAJO des documents prouvant le respect de cette exigence, ils sont tenus de produire ces documents, si la CAJO le leur demande.

3. Existe-t-il un certain document que les municipalités doivent utiliser pour confirmer qu'elles ne s'opposent pas à l'agrandissement d'une terrasse ?

La CAJO n'exige pas de format spécifique pour la non-objection municipale. Les municipalités ont toute latitude pour déterminer la meilleure façon d'approuver les agrandissements de terrasse. Cela peut se faire par une résolution générale, par un processus de demande, par une lettre du directeur municipal ou par tout autre moyen approprié. Les municipalités ne sont pas tenues d'envoyer leur non-objection à la CAJO. Les titulaires de permis sont tenus de produire des documents prouvant l'approbation municipale, si la CAJO les leur demande.

4. Les terrasses peuvent-ils être agrandies sur les trottoirs ou les routes municipales ?

Les municipalités ont la possibilité de déterminer la meilleure façon d'autoriser l'agrandissement temporaire des terrasses sur les terrains municipaux. L'agrandissement physique temporaire des locaux doit être adjacent aux locaux auxquels s'applique le permis de vente d'alcool.

Conformément à l'article 48 du règlement 719 de la LPA, le titulaire du permis ou ses employés peuvent transporter de l'alcool entre deux zones autorisées à travers une zone non autorisée (par exemple depuis l'établissement et à travers le trottoir, dans le cas où l'agrandissement de la terrasse se trouve sur une chaussée). Toutefois, les clients ne peuvent transporter de l'alcool à travers la zone non contrôlée par le titulaire du permis que s'il se trouve dans un récipient fermé.

5. Les établissements titulaires d'un permis qui ne disposent pas actuellement d'un espace de terrasse sont-ils admissibles à ces mesures temporaires ?

Pour autant qu'ils aient l'approbation de la municipalité et qu'ils répondent à toutes les autres exigences, les nouvelles terrasses temporaires sous permis sont également autorisées dans le cadre de cette mesure temporaire. Les titulaires de permis qui souhaitent maintenir l'agrandissement de la terrasse au-delà du 1^{er} janvier 2021 doivent en faire la demande par l'intermédiaire d'iCAJO et doivent satisfaire à toutes les exigences applicables et payer les droits requis.

La capacité d'une nouvelle terrasse temporaire est de 1,11 mètre carré par personne, ce qui correspond à la capacité maximale des locaux auxquels ne s'appliquent ni la *Loi de 1992 sur le code du bâtiment* ni la *Loi de 1997 sur la prévention et la protection contre l'incendie*. Veuillez consulter cette page web pour plus d'informations sur le calcul des dimensions d'une proposition d'agrandissement de la zone autorisée.

6. Si un titulaire de permis disposant d'une terrasse existante dispose maintenant d'un espace plus grand, peut-il accueillir plus de clients que sa capacité maximale actuelle indiquée sur sa licence ?

La capacité maximale de toutes les terrasses existantes continue de s'appliquer à l'espace de terrasse existant. Le titulaire du permis peut accueillir des clients en plus de sa capacité sous permis, à condition que la capacité de tout espace de terrasse agrandi permet un minimum de 1,11 mètre carré par personne. Toutes les exigences d'éloignement physique, ainsi que toute autre exigence imposée par un ordre de gouvernement, continuent à s'appliquer quelle que soit la capacité maximale, et signifieront probablement que les terrasses fonctionneront à une capacité bien inférieure à la capacité maximale.

7. Un titulaire de permis qui ne remplit pas les conditions requises pour un agrandissement de terrasse dans le cadre de ces mesures temporaires peut-il quand même être approuvé pour un agrandissement de terrasse temporaire ?

Les titulaires de permis qui ne répondent pas aux exigences de cette mesure temporaire doivent contacter le service à la clientèle de la CAJO, qui pourra vous orienter vers le responsable de l'admissibilité compétent à la CAJO.

8. Comment obtenir plus d'informations ?

Les exigences relatives à l'agrandissement temporaire d'une terrasse dans le cadre de cette mesure temporaire et d'autres informations utiles peuvent être consultées dans le bulletin d'information. Les municipalités peuvent également envoyer un courriel à municipal@agco.ca pour toute question supplémentaire.

AGCO |
Association of Gaming
Commissionaires of Ontario

CAJO |
Commission des alcools
et des jeux de l'Ontario

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• Municipal Planning Services Ltd. •

MEMORANDUM

To: Mayor White and Members of Council
Copy: Ms. Denise Holmes, CAO
From: Chris Jones MCIP, RPP
Date: July 9, 2020
Re: Application for TZBA – West Half Lot 13, Concession 3 O.S. (Strada)

On June 18, 2020, the Township held a public meeting for a temporary use zoning amendment for lands located at 437159 4th Line in the West Half of Lot 13, Concession 3 O.S. The subject lands have a lot area of 40.7 hectares (100 acres) and are currently licensed and zoned for mineral aggregate extraction.

The subject lands are referred to as Strada Pit 1. They were approved for mineral extraction in 2002 and are the subject of an agreement with the Township signed in 2003 addressing various operational matters. According to the applicant, the pit is substantially depleted but continues to be an area utilized for processing and stockpiling.

The applicant has applied for a temporary use zoning amendment to permit the parking of truck trailers. The application seeks to rezone 10 acres for a three-year period to accommodate up to 400 trailers at a single time. According to the applicant the need for the storage site stems from inactivity of the trailers resulting from the Covid pandemic.

THE PUBLIC MEETING

Mr. Grant Horan attended the virtual public meeting on behalf of the applicant. No other member of the public attended the public meeting. There were no comments or written submissions received in opposition to the proposal.

OFFICIAL PLAN

The subject lands are designated Extractive Industrial. The purpose of the Extractive Industrial designation is to provide policies governing both the establishment of new and expanded mineral aggregate operations and the ongoing operations of such uses.

The subject lands also have frontage along a designated haul route (4th Line). It is noted the haul route is the subject of an agreement with the applicant to undertake certain improvements as a result of an approval in 2018 to expand mineral aggregate extraction to lands adjacent to Pit 1. These improvements have not yet been

completed.

Section 5.5.3 x) of the Official Plan provides a number of site-specific policies for the subject lands, which are paraphrased below. These policies were incorporated from an earlier official plan amendment to the Township's former Official Plan.

- i. *Subject lands may be used for extractive industrial purposes and shall be subject to a site plan authorized by the Aggregate Resources Act;*
- ii. *A well interference protocol shall be included in the site plan;*
- iii. *A groundwater monitoring program shall be included in the site plan and annual reports shall be provided to the Township;*
- iv. *A spill contingency program shall be required as a prescribed license condition;*
- v. *A Stage 2 Archaeological Study shall be completed;*
- vi. *Any use of the site subsequent to rehabilitation other than for agriculture shall require an amendment to the Official Plan;*
- vii. *The owner shall enter into an agreement concerning the haul route.*

The Township's Official Plan permits the consideration of temporary use zoning amendments subject to consideration of criteria listed in Section 7.9 c) of the Plan and outlined below:

- i. *The proposed use is clearly temporary in nature;*
- ii. *The proposed use is compatible with adjacent uses particularly in terms of nuisance effects such as noise and dust and, where necessary, suitable buffering is, or can be provided to minimize or eliminate any incompatibility or nuisance effects;*
- iii. *Sufficient road capacity exists and sufficient on-site parking can be provided;*
- iv. *The size of the lot and/or building is appropriate for the proposed use; and,*
- v. *Services such as water supply, sewage disposal and site drainage are sufficient.*

ANALYSIS

Given that the lands are designated, zoned and licensed for aggregate extraction, the extraction and processing of aggregate is the principle use of the subject lands. In terms of after-use, given that the lands are located in a prime agricultural area, the direction of Provincial and local planning policy is that rehabilitation to an agricultural condition should be the next priority in the evolution of land use at this site.

In consideration of the Township policy criteria related to temporary use, I offer the following analysis:

i. The proposed use is clearly temporary in nature;

The proposed use does not involve the construction of buildings or capital investment which lends itself to being temporary in nature. At the same time the location is attractive to a large trucking company seeking out a site for trailer storage, which suggests there is a need for an appropriate storage site in the area to address the longer-term needs of the company.

ii. The proposed use is compatible with adjacent uses particularly in terms of nuisance effects such as noise and dust and, where necessary, suitable buffering is, or can be provided to minimize or eliminate any incompatibility or nuisance effects;

The scale of the proposed use is not modest, notwithstanding I do not believe a truck storage yard would be incompatible with the surrounding aggregate operations nor do I believe the noise and dust associated with trailer parking would be any different than the noise and dust associated with the truck traffic related to a mineral aggregate operation.

iii. Sufficient road capacity exists and sufficient on-site parking can be provided;

As Council is aware 4th Line O.S is a designated haul route given its location amongst several licensed pits. The road has been upgraded, and an agreement and funds are in place to maintain its condition as a functional haul route. That said, the intent of designating haul routes in the Official Plan is to accommodate the transportation requirements of the resource. It could be counter-productive to expose a designated haul route to additional truck traffic unrelated to the transportation of the resource.

iv. The size of the lot and/or building is appropriate for the proposed use; and,

The subject lands are clearly capable of accommodating trailer storage, not unlike hundreds of other large agricultural and rural parcels in the Township.

v. Services such as water supply, sewage disposal and site drainage are sufficient.

This criteria is not really applicable to the proposed use.

In my opinion the direction of provincial and local planning policies when it comes to depleted aggregate areas is rehabilitation. If a depleted pit was located in a rural area or the greenfield of a settlement area, I believe temporary uses to permit interim uses that otherwise are suited to or permitted in such areas would be a reasonable consideration. In this case however, rehabilitation to an agricultural condition is the priority as agricultural uses are the only permissible after-use for these lands and on this basis I find the proposed temporary use amendment difficult to support.

• Municipal Planning Services Ltd. •

51 Churchill Drive, Unit 1

Barrie, Ontario

(705) 725-8133

On a more philosophical perspective, I have considered the issue of accommodating this use in the context of the revised Growth Plan for the Greater Golden Horseshoe. As I indicated earlier in this report, the fact the applicant applied for this use demonstrates there is a need for this use in this particular area of the County and Greater Golden Horseshoe. Under the PPS (2020) a use like this could potentially be accommodated on rural lands (i.e. outside of the prime agricultural area). However, subsequent to the upper-tier implementation of the new Growth Plan, the Township of Melancthon and for that matter most of north-west Dufferin County will cease to have a rural area where such uses could even be considered by virtue of the Growth Plan's agricultural lands mapping.

RECOMMENDATION

If Council is in agreement with the analysis of this report, it is recommended the application be refused.

If Council in their discretion considers the application to have merit and to conform with the policy criteria of Section 7.9 c) of the Official Plan, it is recommended that Council give direction to staff to prepare the requisite amending by-law for consideration at the next Council meeting.

Respectfully Submitted,



Chris Jones MCIP, RPP

DUFFERIN COUNTY CLIMATE CHANGE COLLABORATIVE

DUFFERIN COUNTY CLIMATE CHANGE

COLLABORATIVE (DC4) MINUTES

Tuesday, June 16, 2020 at 3:00 p.m.

Video Conference

Members Present: Alethia O'Hara-Stephenson (Member at Large)
Sasha Kutuzyan (Young Adult Member)
Mark Kluge (Town of Grand Valley)
Jen Dougherty (CVC)
Patti Hossie (Town of Shelburne)
Lynn Codd (Headwaters Communities in Action)
Alex Perry (Member at Large)
Tracey Ryan (GRCA)
Lisa Ashton (Town of Mono)
Jason Choy (TRCA)
Rob Koekkoek (Orangeville Hydro)
Kaitlin Chessell (Melancthon Township)
Sharon Lam (Ontario Climate Consortium)
Kyle Trostenko (UGDSB)
Chris Cosack (Member at Large – Insurance Industry)
Theresa Sauren (Member at Large)
Abbey Faris (Brock University)
Tracy Atkinson (Mulmur Township)

Members Absent: Bo Cheyne (WDG Public Health)
Brandon Ward (Town of Orangeville)
Susan Stone (East Garafraxa Township)
Mel Luymes (Farmer)
Bernie McIntyre (TRCA)
Elaine O'Sullivan (Farmer)

Staff Present: Sara Wicks, Climate Change Coordinator
Allison Myles, Climate Change Coordinator (Town of Orangeville)
Kylie-Anne Grube, Climate Change Research and Engagement
Laura Camilleri, Archivist and Climate Change Research

DUFFERIN COUNTY CLIMATE CHANGE COLLABORATIVE

Chair Sara Wicks called the meeting to order at 3:00 p.m.

1. DC4 – June 16, 2020 – ITEM #1
Introduction & Overview

Chair Sara Wicks welcomed all to the meeting with roundtable introductions – noting that still looking for a few members from the industry sector and Enbridge and requested that the DC4 share any contacts they may have in those sectors.

- Overview of agenda
- Guidelines for engagement
- Dufferin County's Climate commitment - in May 2018 the County of Dufferin joined the Partner's for Climate Protection (PCP) Program, a network of +350 municipal governments that have committed to reducing GHGs and acting on climate change.
- Milestone framework used to guide and galvanize local emission reduction efforts as the DC4 develops their action plan
- Climate goals for both the Corporation and the Community

2. DC4 – June 16, 2020 – ITEM #2
Presentation: Presentation on climate change in Dufferin County

A presentation from Kylie-Anne Grube, Climate Change Research and Engagement Assistant - County of Dufferin, regarding what climate change is, the drivers behind it and its impacts.

Poll #1 to DC4 members - How would you describe your knowledge of climate change?

Results: very knowledgeable (16%), somewhat knowledgeable (47%), slightly knowledgeable (32%)

Kylie-Anne reviewed the climate data and projections noting an upward trend in temperature and increasing precipitation in the form of rain and more extreme rain events.

DUFFERIN COUNTY CLIMATE CHANGE COLLABORATIVE

Poll #2 to DC4 members - In the last 5 years, have you experienced any of the following climate-related events within Dufferin County?

Extreme rainfall	58%
Extreme heat	58%
Freezing rain	79%
Severe Storms	74%
Other	5%

Poll #3 to DC4 members - Have any of these events impacted your operations in your professional role or you personally (i.e. basement flooding)?

Yes	74%
No	26%

She highlighted some of the sectors that are impacted by climate change and how we will see the effects, including:

- Environment
- Public Health and Safety
- Agriculture and Food Systems – emphasized an important sector for DC4
- Economy and Infrastructure
- Social and Cultural

She noted that our systems will become unstable and vulnerable with climate change

3. DC4 – June 16, 2020 – ITEM #3

Presentation: Community Climate Action Plan: Goals and Approaches

A presentation from Sara Wicks, Climate Change Coordinator for Dufferin County (DC4 Chair), summarizing the goals and contents of standard community climate action plans (shared samples). Discussion of the two guiding frameworks for the Dufferin County Community Action Plan - Low-carbon resilience (and co-benefits) and Equity Lenses. She shared some samples of community action plans.

DUFFERIN COUNTY CLIMATE CHANGE COLLABORATIVE

Sara emphasized it is the role of the DC4 group and the end result of creating actionable goals and targets.

4. DC4 – June 16, 2020 – ITEM #4
Task Forces

Overview of the purpose of the task forces for Energy and Resilience.

List of Task Force group members presented– Sara will Chair Energy Task Force and Allison Myles will Chair Resilience Task Force

5. DC4 – June 16, 2020 – ITEM #5
Presentation: Low-Carbon Resilience

A presentation from Allison Myles, Climate Change Coordinator with the Town of Orangeville, summarizing the alignment of the mitigation and adaptation goals – Low Carbon resilience – and how these are interconnected.

6. DC4 – June 16, 2020 – ITEM #6
Discussions and Questions

Patti Hossie-Town of Shelburne: Is there a timeline as to when you would like the plan completed by?

Yes – Planning for October 2020

Discussion - Does anyone have experience with climate planning – what went well/areas for improvement?

- Sharon Lam commented – important to engage both internally and externally and to have both streams running at same time is fruitful. Approved of using the Equity and Justice Lens
- Tracey Ryan commented – interested in the approach we are taking. Also assisting with Wellington county and the Ag. Advisory group where it very quickly became all about the numbers and it is harder to go about it that way. Here are the negative impacts but do not forget about the positive impacts of agriculture eg. carbon sequestering.

DUFFERIN COUNTY CLIMATE CHANGE COLLABORATIVE

Discussion - In your own sector and/or life, do you have any climate plans/practices in place?

- Jen Dougherty – CVC – climate change strategy includes 6 main objectives and looking at the long-term monitoring data to see exactly how their local environments are changing to understand the next steps.
- Patti Hossie-Town of Shelburne: We are putting in a community garden - COVID-19 put a halt on the project
- Rob Koekkoek – discussion of programs offered through Orangeville Hydro
 - o Save-ON energy and industrial programs – but save-on cancelled in 2019
 - o Home Assistance Program (HAP) for low income users to assist with different stages of low-energy upgrades and retrofits
 - o Solar energy panels and their preparation for connecting renewable energy sources to the grid.
 - o the move to an electric fleet vehicle (Kia Soul) and the installation of a charging station to determine the impact on energy infrastructure

Discussion - What challenges or barriers do you see in the County as a whole or in your specific sector that will impact climate planning?

- Funding is a concern

Alethia – is there a levy, tax or incentive that can be put on the builders so that they are putting back into the environment in some shape or form?

Sara – green building standards can be implemented here

Jen Dougherty - CVC : From the municipal energy side - where would the carbon demand from all the equipment that is used by the municipality fall (building vs transportation) (e.g. lawn mowers)?

Offroad Transportation of the Corporate Inventory

Sasha - young adult member : How much collaboration/coordination will there be between the two focus groups of the DC4?

Yes – all information will be available in the google docs and the groups will work collaboratively

DUFFERIN COUNTY CLIMATE CHANGE COLLABORATIVE

7. DC4 – June 16, 2020 – ITEM #7 Close & Next Steps

Chair Sara Wicks advised there would be a google doc prepared for everyone and they would speak to the two people who do not have gmail access to help get them the documents. Members should complete their profiles in MURAL. Members asked to complete the evaluation at link sent in video conference chat: <https://www.surveymonkey.com/r/CYZ67BN>

Poll #3 to DC4 members – Which time of day best fits your schedule?

9:00 – 12:00	31%
12:00 – 5:00	56%
5:00 – 9:00	13%

The meeting adjourned at 4:30pm

Next meeting: Tuesday, July 21, 2020 @ 3:00p.m. (TBC)
Video Conference



The Corporation of

THE TOWNSHIP OF MELANCTHON

157101 Hwy. 10, Melancthon, Ontario, L9V 2E6

Telephone - (519) 925-5525

Fax No. - (519) 925-1110

Website: www.melancthontownship.ca

Email: info@melancthontownship.ca

CORPORATION OF THE TOWNSHIP OF MELANCTHON

MEMORANDUM

TO: MAYOR WHITE AND MEMBERS OF COUNCIL

FROM: DENISE HOLMES, CAO/CLERK

SUBJECT: PROPOSED TOW TRUCK BY-LAW

DATE: JULY 9, 2020

On July 8, 2020, Alan Blundell, Chair of the Melancthon Township Police Services Board, and I participated in a Teleconference with several representatives from the Joint 10 PSB's, and Representatives from the OPP, including Dufferin OPP Staff Sgt. Nicol Randall, to discuss a proposed Tow Truck By-law for Dufferin County.

Attached are copies of By-laws from other jurisdictions who are successfully enforcing the By-law, as the OPP are able to lay a Part 1 Ticket charge, Provincial news releases regarding a task force to look at improving the towing industry (which I have provided for information) and other items of interest.

It was asked by Staff Sgt. Randall that each municipality review the information on the By-laws and bring back comments to a follow-up meeting at the end of July. As the Township does not have a Police Services Board meeting scheduled until September, Chair Alan Blundell will attend the meeting on July 16th to be part of the discussion and we can provide further information on the teleconference held on July 8th.

For your information, there are approximately 24 tow operators in Dufferin County, with 16 of them coming from the Town of Orangeville.

PSB # 13.1

JUL 16 2020

Denise Holmes

From: Randall, Nicol (OPP) <Nicol.Randall@opp.ca>
Sent: Monday, June 22, 2020 5:39 PM
To: Deputy Clerk of Amaranth; Denise Holmes; Meghan Townsend; Christine Hickey; Cheyanne Hancock; Susan Stone
Subject: Tow Truck operation Dufferin County

Hello Ladies! I hope everyone is well, and staying safe and cool. I have a message for your Police Service Board Chairs, (and Denise if you could, I don't know who would receive this on behalf of Warden White I'd like to invite him too) could you please pass this on for me?

Good Afternoon Everyone,

I hope this note finds you all well.

Over the past two years, since the towing by law was repealed towing issues have remained consistent, with some officers reporting it can be like the wild west, and others reporting no issues. We have laid a number of charges and suspended a couple of companies from towing from OPP crashes for short periods of time. With the concerns flowing from the Toronto area towing turf war, the deaths and destruction of property we feel that it would be very constructive to have some kind of enforceable bylaw related to in appropriate towing behaviours.

Sgt Beaton and I have researched neighbouring detachments and have a proposal that might be a workable solution for all municipalities and the County. We had hoped to present this at the last Joint Police Service Board meeting, however as we know this meeting has been adjourned to October.

Would each of you be amenable to meeting in an electronic format to discuss this matter and the options available? Because Sgt Beaton is away working in the far North, I propose July 8 or 9, or the following week. If you are amenable I will work with your clerks on a mutually acceptable day to meet.

Best Regards and stay safe,

Nikki

Staff Sergeant N.D. (Nikki) Randall
Detachment Commander, Dufferin OPP
416 453 6191
519 925 3838

Denise Holmes

From: Randall, Nicol (OPP) <Nicol.Randall@opp.ca>
Sent: Wednesday, July 8, 2020 2:56 PM
To: Darren White; Denise Holmes; Susan Stone; Cheyanne Hancock; Christine Hickey; Ken Cufaro; Tracey Atkinson; Mike Walker; John Creelman; Wayne Evans; ggardhouse@dufferincounty.ca; Jeff Sedgwick; Josh Hoskin; Meghan Townsend; Beaton, Paul A. (OPP); ssoloman@townofgrandvalley.ca
Subject: By-laws and links
Attachments: ESSA TOWNSHIP TOWING BY-LAW.PDF; Accident Scene Solicitation By-Law Charge.pdf; Accident Solicitation By-Law 5245-11.pdf; Bylaw 5245-11 COW.PDF

Please find attached either the by law or the link to the bylaws discussed today, for your review.

https://www.caledon.ca/uploads/14/Doc_637203078119542163.pdf?ts=637298158064395161

this is the link to the Town of Caledon by law

I will contact the town of Essa later today to get the information and contact person for anyone wishing to contact them directly.

Nikki

ED-1
Version
Code
Code
d'implémentation
de l'AD

GUELPH
4660

Offence
Number
N°
d'infraction

1199558B

Form 1, Provincial Offences Act, Ontario Court of Justice, O. Reg. 196/11
Formulaire 1, Loi sur les infractions provinciales, Cour de justice de l'Ontario, Règl. de l'Ont. 196/11

Certificate of Offence / Procès-verbal d'infraction



By/Le soussigné(e) OFFICER JOE

Believe and certify that on the day of
Croyez et atteste que le
2 0 13 12 20 4:00 P M
Name
Nom
DOE
JOHN

Address
Adresse
123 MAIN ST
TOWNSHIP MINTO ON NOB KJO

Driver's licence No./Numéro de permis de conduire
D12345678912345

Birthdate/Date de naissance
1 9 89 02 05 M
SEX
Sexe
M/F
Motor Vehicle Involved/Véhicule impliqué
Collision Involved/Collision
Witnesses/Témoins
Y/N

AVIA
COUNTY RD #22 AND
COUNTY RD #26
TOWNSHIP OF GUELPH/ERASMUS

Did commit the offence of:
A commis l'infraction de:
OFFERING TOW-TRUCK
SERVICES WITHIN 200 m OF
ACCIDENT OR APPARENT
ACCIDENT

Contrary to:
Contrairement à:
COUNTY OF WELLINGTON
BY-LAW

Sect./Art. 5245-11

Plate number / N° de plaque d'immatriculation
ABCD 123
Commercial / Utilitaire
Y/N
CVOR/HUVU
Y/N
NSC/CNS
Y/N
Code

And I further certify that I served an offence notice personally upon the person charged on the offence date.
J'atteste également qu'à la date de l'infraction, j'ai signifié, en mains propres, un avis d'infraction à la personne accusée.

Signature of issuing Provincial Offences Officer
Signature de l'agent des infractions provinciales
Officer No. / N° de l'agent
12345 X
Station / Poste
Unit / Unité

Set fine of / Amende fixée de \$ 250.00
Total payable / Montant total exigible \$ 305.00
Total payable includes set fine, applicable victim fine surcharge and costs.
Le montant total exigible comprend l'amende fixée, la suramende compensatoire applicable et les frais.

Summons issued. You are required to appear in court on
Assignation. Vous êtes tenu(e) de comparaître devant le tribunal le
2 0
at the Ontario Court of Justice P.O.A. Office at / à la Cour de justice de l'Ontario, Bureau des infractions provinciales au
59 Carden Street, Guelph, Ontario / 59, rue Carden, Guelph (Ontario)

Recorded and to be dispensed under s. 9(1)(a) of the Provincial Offences Act. Set fine imposed.
Révisé et pas contraire l'ordonnance aux termes de l'article 9(1)(a) de la Loi sur les infractions provinciales. Amende fixe imposée.

2 0

POA 6000 v.1 rev. 03/12

THE HONOURABLE KATHLEEN E. MCGOWAN
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
WEST REGION

80 DUNDAS STREET, 10th FLOOR, UNIT L
LONDON, ONTARIO N6A 6A8



L'HONORABLE KATHLEEN E. MCGOWAN
JUGE PRINCIPALE RÉGIONALE
COUR DE JUSTICE DE L'ONTARIO
RÉGION DE L'OUEST

80, RUE DUNDAS, 10^e ÉTAGE, UNITÉ L
LONDON (ONTARIO) N6A 6A8

TELEPHONE/TÉLÉPHONE (519) 660-2292
FAX/TÉLÉCOPIEUR (519) 660-3138

FACSIMILE TRANSMITTAL SHEET

DATE:

JUN 16 2011

FROM:

- Regional Senior Justice Kathleen McGowan
- Elaine Cudmore, Manager Judicial Support
- Paula Patterson, Administrative Assistant
- Evelyn Steedman, Administrative Support Clerk

TO: *Mrs. Sumita Pillay-Dason*

OFFICE: *c/o Dason Law Office*

FAX NUMBER: *519-824-2023* NUMBER OF PAGES: *6*

RE: *By-law 5245-11*

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

The attached by-law(s) has/have been processed.

The Provincial Offences Office is in receipt of the original paperwork

Your original copies will be mailed to you following the postal strike.

THE HONOURABLE KATHLEEN E. MCGOWAN
REGIONAL SENIOR JUSTICE
ONTARIO COURT OF JUSTICE
WEST REGION



L'HONORABLE KATHLEEN E. MCGOWAN
JUGE PRINCIPALE RÉGIONALE
COUR DE JUSTICE DE L'ONTARIO
RÉGION DE L'OUEST

80 DUNDAS STREET, 10th FLOOR, UNIT L
LONDON, ONTARIO N6A 6A8

80, RUE DUNDAS, 10^e ÉTAGE, UNITÉ L
LONDON (ONTARIO) N6A 6A8

TELEPHONE/TÉLÉPHONE (519) 660-2292
FAX/TÉLÉCOPIEUR (519) 660-3138

June 11, 2011

Ms. Sumita Pillay-Dason
Dason Law Office
59 Woolwich Street
Guelph, Ontario N1H 3V1

Dear Ms. Pillay-Dason:


Re: Set Fines - Provincial Offences Act - Parts I and II
By-law Number 5245-11, of the County of Wellington

Enclosed herewith are copies of Orders, and copies of the schedules of the set fines for the above referenced By-Law, indicated in the schedule.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

I have forwarded the copies of the Orders and the schedules of the set fines to the Provincial Offences Court in Guelph together with a certified copy of the By-law.

Yours truly,


Kathleen E. McGowan
Regional Senior Justice
West Region

Enclosures

/pp

cc: Manager, Provincial Offences

ONTARIO COURT OF JUSTICE**PROVINCIAL OFFENCES ACT****PART I**

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 5245-11, of the County of Wellington attached hereto are the set fines for those offences. This Order is to take effect June 11, 2011.

Dated at London this 11th day of June 2011



Kathleen E. McGowan
Regional Senior Justice
West Region

**COUNTY OF WELLINGTON
BY-LAW 5245-11
ACCIDENT SCENE SOLICITATION**

Part I Provincial Offences Act

Item	Short Form Wording	Provision Creating or Defining Offence (Section No.)	Set Fine
1	Offering tow-truck services within 200 m of accident or apparent accident	Section 2.1	\$250
2	Offering tow-truck services within 200m of vehicle involved in accident	Section 2.1	\$250

**Note: The general penalty provision for the offences listed above is section 3 of
bylaw 5245-11, a certified copy of which has been filed and s. 61 of the
Provincial Offences Act, R.S.O. 1990, c.P.33.**

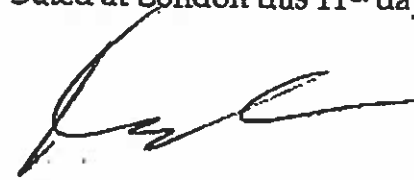
ONTARIO COURT OF JUSTICE

PROVINCIAL OFFENCES ACT

PART II

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court of Justice that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-law No. 5245-11, of the County of Wellington attached hereto are the set fines for those offences. This Order is to take effect June 11, 2011.

Dated at London this 11th day of June 2011



Kathleen E. McGowan
Regional Senior Justice
West Region

**COUNTY OF WELLINGTON
BY-LAW 5245-11
ACCIDENT SCENE SOLICITATION**

Part II Provincial Offences Act

Item	Short Form Wording	Provision Creating or Defining Offence (Section No.)	Set fine
1.	Parking tow-truck within 200m of accident or apparent accident—sufficient tow-trucks available	Section 2.2	\$250
2.	Stopping tow-truck within 200m of accident or apparent accident—sufficient tow-trucks available	Section 2.2	\$250
3.	Stopping tow-truck within 200m of vehicle involved in accident – sufficient tow-trucks available	Section 2.2	\$250

Note: The general penalty provision for the offences listed above is section 3 of bylaw 5245-11, a certified copy of which has been filed and s. 61 of the *Provincial Offences Act*, R.S.O. 1990, c.P.33.

Denise Holmes

From: Randall, Nicol (OPP) <Nicol.Randall@opp.ca>
Sent: Tuesday, July 7, 2020 4:00 PM
To: Denise Holmes; Cheyanne Hancock; Christine Hickey; Meghan Townsend; Susan Stone; Deputy Clerk of Amaranth; Beaton, Paul A. (OPP)
Cc: Alan Blundell; blundellsja@gmail.com; Darren White; Josh Hoskin; Ken Cufaro; Tracey Atkinson; Jeff Sedgwick; Paul Beaton
Subject: Updated time for meeting. Discussion around resolutions/management solutions for tow truck concerns in Dufferin County
Attachments: Accident Scene Solicitation.pdf; ESSA TOWNSHIP TOWING BY-LAW.pdf

Good afternoon,

Please find attached two different by laws one from Essa Twp. and one from Wellington County that was adopted by Minto for your review.

Chat with you all tomorrow,

Staff Sergeant N.D. (Nikki) Randall
Detachment Commander, Dufferin OPP
416 453 6191
519 925 3838

SCHEDULE "9"

TOW TRUCK LICENSING PROVISIONS

1. DEFINITIONS

For the purposes of this By-law:

"absorbent material" means material to be used that absorbs fluids that could have been leaked onto a highway and/or ground surface from a motor vehicle but does not include dirt, gravel, grass or soil;

"applicant" means an individual, sole proprietorship, partnership, unincorporated association, unincorporated syndicate, unincorporated organization, trust, body corporate, and a natural person in his capacity as trustee, executor, administrator, or other legal representative applying for a Licence under this By-law;

"clerk" means the Clerk appointed by the Township of Essa under the authority of the *Municipal Act, 2001*;

"collision" means the contact resulting from the motion of a motor vehicle or its load that produces property damage, injury or death;

"collision towing" means the towing of a vehicle disabled as the result of a reportable collision as defined in the Highway Traffic Act. The presence of a police officer at the scene of a tow does not define or classify the towing as "collision towing";

"Council" means the elected Council of The Corporation of the Township of Essa;

"Council Hearing Committee" means a committee comprised of members of Council of the municipality, appointed by Council to conduct hearings under this By-law;

"CVOR certificate" means a Commercial Vehicle Operator's Registration Certificate issued under Section 17 of *The Ontario Highway Traffic Act, R.S.O. 1990, Chapter H.8*;

"defect" means a vehicle or Tow Truck that is in an unsafe or dangerous condition to be operated;

"devices" includes equipment attached to the vehicle and personal protective equipment;

"dolly" means a four-wheeled carriage used in towing to support the trailing end of the towed vehicle;

"driver" means any person who is licensed by the municipality to drive or operate a Tow Truck for the purpose of collision towing, towing for the Vehicle Impoundment Program or towing services;

"drop fee" means a fee or commission paid to the Owner or Driver of a Tow Truck in return for the towing or otherwise conveying of a vehicle to a particular place;

"fire service" means the municipal fire department;

"flatbed carrier" means a platform body with a winch for loading;

"gross vehicle axle rating (GVAR)" means the maximum weight that the axle of the vehicle was designed to carry by the chassis manufacturer;

"gross vehicle weight rating (GVWR)" means the maximum total vehicle rated capacity, measured at the tire ground interface, as rated by the chassis manufacturer;

"heavy towing" means any vehicle with a registered gross vehicle weight rating (GVWR) of at least 15,000 kilograms (33,000 pounds) or greater;

"highway" means a common and public highway which is intended for or used by the general public for the passage of vehicles as defined in the *Ontario Highway Traffic Act*; R.S.O. 1990, Chapter H.8;

"Highway Traffic Act" means *The Ontario Highway Traffic Act*, R.S.O. 1990, Chapter H.8, as amended and any successor legislation thereto;

"hirer" means the registered owner of a vehicle to be towed or being towed, his/her agent or any person lawfully in the care and control of the vehicle to be towed or being towed;

"incident scene" means the general location or place where an incident occurred and includes a two hundred (200) metre (approximately 656 foot) radius of the location or place of the incident;

"incompetence" means the inability to do something successfully;

"inefficiency" means the state of not achieving maximum productivity; failure to make the best use of time or resources;

"incident commander" means the person responsible for all aspects of an emergency response, including quickly developing incident objectives, managing all incident operations, application of resources as well as responsibility for all persons involved;

"inspection" means an Officer conducts a process that ensures the Tow Truck and/or vehicle storage compound meets the requirements set out by this By-law;

"licence" means a licence issued under this By-law;

"licencee" means any person licensed under this By-law;

"licence issuer" means the person(s) authorized to issue licences by the municipality;

"Manufacturers Label" means a printed notice or sign for display which carries information regarding the vehicle or Tow Truck as per the manufacture of that vehicle;

"municipal law enforcement officer" means a member of the Ontario Provincial Police, and an employee of the municipality appointed with the enforcement of non-criminal municipal by-laws, and regulations enacted by the municipality;

"municipal tow licence" means the tow licence issued by the municipality to the owner as proof of licensing under this By-law;

"municipality" means The Corporation of the Township of Essa;

"nuisance" means any activity or action which disturbs or is likely to disturb any individual;

"Occupational Health and Safety Act" means *The Occupational Health and Safety Act*, R.S.O. 1990, Chapter O.1 as amended and any successor legislation thereto;

"officer" means a Police Officer, Municipal Law Enforcement Officer, an Officer of the Ontario Ministry of Transportation and a Tobacco Enforcement Officer;

"owner" means the owner of a Tow Truck used for the purpose of collision towing, towing for the Vehicle Impoundment Program or towing services on public property and the holder of the plate portion of the permit for the Tow Truck issued by the Ministry of Transportation pursuant to the *Highway Traffic Act*;

"park" or "parking" when prohibited, means the standing of a vehicle, whether occupied or not, except when standing temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers, as per *The Ontario Highway Traffic Act*, R.S.O. 1990, Chapter H.8;

"police" or "police officer" means a sworn member of the Ontario Provincial Police;

"private property" means land owned by a person or group and kept for their exclusive use and includes property where an open invitation is expressed;

"public property" means roads, streets and highways or other public properties as defined under the Criminal Code of Canada;

"service area" means the area serviced by the Nottawasaga Detachment of the Ontario Provincial Police being the municipalities of the Township of Adjala-Tosorontio, Township of Essa and Town of New Tecumseth and its bordering highways;

"solicit" means when a person attempts to obtain business by offering their services without an individual willing seeking such services on their own accord;

"stop" or "stopping" when prohibited, means the halting of a vehicle, even momentarily, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or of a traffic control sign or signal, as per *The Ontario Highway Traffic Act*, R.S.O. 1990, Chapter H.8;

"tow truck" means a vehicle: (a) that is equipped to remove from the highway, a vehicle that is damaged, disabled or inoperative, whether by hoisting it, towing it, or by loading it and carrying it away; (b) provide service or minor repairs on a highway to a motor vehicle that is damaged, disabled or inoperative;

"tows" includes the towing of a vehicle as a result of a collision, mechanical failure, road side assistance, a police involvement, a vehicle fire not involving a collision, or other similar cause which originate on public property. Tows originating from private property do not qualify under this By-law;

"underlift/wheel lift/sling" means a device affixed to a motor vehicle used for towing vehicles by lifting one end of the towed vehicle from under the axle or structural member of the towed vehicle;

"vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle, and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or a street car as per *The Ontario Highway Traffic Act*, R.S.O. 1990, Chapter H.8;

"Vehicle Impoundment Program (V.I.P.)" means a program managed by the Ministry of Transportation which requires police to impound a vehicle found in contravention of an Act on private and/or on public property;

"vehicle storage compound" means a secure lot or portion thereof used for the temporary storage and impounding of vehicles taken from a collision scene or towed as part of the Vehicle Impoundment Program.

2. GENERAL TOW TRUCK LICENSING PROVISIONS

- 2.1 A word interpreted in the singular has a corresponding meaning when used in the plural.
- 2.2 A reference in this By-law to "he" and "she" or "his" and "her" or "they" shall be interpreted to be gender neutral and the provisions of this By-law shall be interpreted to apply equally to both male and female persons.
- 2.3 For the purposes of this By-law a person shall be acting as the Owner or Driver of a Tow Truck and subject to the provisions of this By-law if that person conveys or seeks to convey for hire, or holds himself out, by his actions or words, as being available to convey for hire, a vehicle from a point within the Service Area to either a point also within the Service Area or to any point beyond its limits for the purpose of collision towing, towing required for the Vehicle Impoundment Program or towing services on public property.
- 2.4 In the absence of any evidence to the contrary, collision towing, towing required for the Vehicle Impoundment Program, or towing services on public property will be deemed to have originated within the Municipality.

3. LICENCE REQUIREMENTS FOR OWNERS

- 3.1 No person shall own a Tow Truck used for collision towing, towing for the Vehicle Impoundment Program, or for towing services on public property within the Service Area without a Licence to do so issued by the Township of Essa, subject to the exemption set out in Section 5.
- 3.2 Prior to being licensed as an Owner, every Applicant shall:
- (1) complete and submit to the Licence Issuer an application in the form provided, along with the appropriate documentation and an annual fee as set out in the Fees & Charges By-law;
 - (2) provide the Licence Issuer a copy of the certificate of insurance for the Tow Truck for which the Applicant is the Owner including but not necessarily restricted to the following coverages and naming the Municipality as a co-insured where applicable:
 - (a) in respect to any one claim, in the amount of at least \$2,000,000 exclusive of interest and costs, against liability resulting from bodily injury to or the death of one or more persons and loss or damage to property;
 - (b) in respect of any one claim, in the amount of at least \$100,000 against liability for damage to a customer's motor vehicle while in his/her care, custody or control and caused by collision, upset, fire, lightning, theft or attempt theft, malicious mischief, windstorm, hail, explosion, riot, civil commotion or rising water; and
 - (c) in respect of any one claim, cargo liability insurance in the amount of at least \$50,000 to indemnify the applicant against loss by reason of his/her legal liability indirect physical loss or damage to vehicles and other items of property accepted by the applicant for towing or conveyance.

- (3) subject to Section 3.2(4) below, operate or have a lease for the exclusive use of an enclosed vehicle storage compound, which is maintained in good repair, located within the Municipality and is in compliance with the local municipal's Zoning By-law. The vehicle storage compound shall be secured by one of the following means:
 - (a) a minimum 1.8 metre (6 foot) high chain link fence,
 - (b) a minimum 1.8 metre (6 foot) high solid board fence,
 - (c) a minimum 1.8 metre (6 foot) high steel sheet fence, or
 - (d) a building with locking front doors or entrance gate.
 - (4) existing Owners with a vehicle storage compound located outside of the Municipality shall be grandfathered and permitted to continue operating within the Service Area for no more than five (5) years from the passing of this original By-law (passed in 2014) provided that the vehicle storage compound:
 - (a) is within 10 kilometers of the Municipality's boundary;
 - (b) has been in existence and used by the Owner as a vehicle storage compound for more than five years prior to the passing of this By-law;
 - (c) has been operated uninterrupted by the Owner at that location; and
 - (d) meets the remaining criteria set out in section 3.2(3) above.
 - (5) acknowledge in writing to the Licence Issuer that the Owner does not share the vehicle storage compound with any other towing company at the same municipal address.
 - (6) acknowledge in writing to the Licence Issuer that the Owner is in compliance with the Ontario Occupational Health and Safety Act and has ensured that each Tow Truck operator is properly equipped and has been trained in the use of all devices.
 - (7) acknowledge in writing to the Licence Issuer that the Owner has ensured that all Drivers licensed to operate their Tow Truck(s) are compliant with the provisions of this By-law.
 - (8) complete and submit to the Licence Issuer a current list of Drivers hired to drive on their behalf and verify that each of such Drivers are licenced by the Township of Essa within seven (7) days.
 - (9) provide to the Licence Issuer a copy of a Safety Standards Certificate or, alternatively, a valid Ontario Ministry of Transportation Annual Inspection Certificate issued under the *Highway Traffic Act*, dated no more than ten (10) days after acquiring the certificate.
- 3.3 Applications for Tow Truck Owner's Licences received after January 1st will be required to pay one half of the annual amount of the Owner's Licence Fee as set out in the Fees & Charges By-law and the said Licence will expire on May 31st of the same year and renewable thereafter at the full amount as set out in the Fees & Charges By-law.
- 3.4 No applicant who is under eighteen (18) years of age shall be granted a Tow Truck Owner's Licence under the By-law.

3.5 A Tow Truck Owner's Licence is non-transferable.

4. LICENCE REQUIREMENTS FOR DRIVERS

4.1 No person shall operate or drive a Tow Truck used for collision towing, towing for the Vehicle Impoundment Program, or for towing services within the Service Area without a Licence to do so issued by the Township of Essa, subject to the exemption set out in Section 5.

4.2 Prior to being licensed as a Driver, every applicant shall provide to the Licence Issuer:

- (1) proof of a valid Ontario Driver's Licence with a minimum Class G, issued to them pursuant to the provisions of the *Highway Traffic Act*;
- (2) a copy of his/her current driving abstract issued by the Ontario Ministry of Transportation no more than thirty (30) days before the date of application for a licence to drive a Tow Truck under the authority of this By-law.
- (3) a copy of his/her current Criminal Record Check issued by the police no more than thirty (30) days before the date of application for a licence to drive a Tow Truck under the authority of this By-law.

4.3 Applications for Tow Truck Driver's Licences received after January 1st will be required to pay one half of the annual amount of the Owner's Licence Fee as set out in the Fees & Charges By-law and the said Licence will expire on May 31st of the same year and renewable thereafter at the full amount as set out in the Fees & Charges By-law.

4.4 A Tow Truck Driver's Licence is non-transferable.

5. EXEMPTION

5.1 Owners and Drivers licensed by the Township of Adjala-Tosorontio or the Town of New Tecumseth are exempt from the requirements of this By-law.

5.2 Heavy towing as defined herein is exempt from the requirements of this By-law.

6. EXCEPTIONS

6.1 This By-law does not apply to the following:

- (1) an owner, operator or driver of a Tow Truck where the Tow Truck is used for the purpose of towing a vehicle as a result of mechanical failure, a vehicle fire not involving a collision or other similar cause from private property.
- (2) an owner, operator or driver of a Tow Truck where the owner, operator or driver is in the process of towing a vehicle for the purpose of collision towing or towing required for the Vehicle Impoundment Program where that service originated outside the Service Area.

7. LICENCES

7.1 The Clerk may refuse to issue or renew a licence or may revoke or suspend a licence on the following grounds:

- (1) the past conduct of the Applicant, Licensee or Driver, or where a corporation, an officer and/or director of the corporation, affords reasonable grounds for the belief that the Applicant or Licensee will not carry on the activity for which he is to be licensed in accordance with this By-law with integrity and honesty;
- (2) there are reasonable grounds to believe that an application or other documents provided to the Licence Issuer by or on behalf of the Applicant, Licensee or Driver contains a false statement; or
- (3) the Applicant, Licensee or Driver has failed to provide all of the information or documentation required by this By-law, or has failed to meet and comply with all other licensing prerequisites as set forth in this By-law.

7.2 Any Licence issued under this By-law shall expire annually on the 31st day of May.

7.3 Any Applicant, Licensee or Driver applying for a renewal of any Licence under this By-law must produce to the Licence Issuer a current criminal record check by their local police services at the expense of the applicant.

7.4 No Licensee shall enjoy a vested right in the continuance of a Licence.

8. APPEAL PROCESS

8.1 Notwithstanding the appeal process contained in Business Licensing By-law No. 2011-20, the following appeal process shall apply to Tow Truck Licensing.

- (1) **Recommendation – Council Hearing Committee– Refuse to issue, refuse to renew, suspension, place conditions, revocation – notice – hearing request**

Where the Clerk intends to recommend to the Council Hearing Committee that it refuse to issue, refuse to renew, place conditions, revoke or suspend a licence, he/she shall give notice of his/her intended recommendation to the applicant or licence holder, together with the reason for his/her intended recommendation, as well as to such other persons, civic departments, boards, commissions, authorities or agencies as appear to have an interest in the recommendation.

- (2) **Suspension - interim - pending - during meeting**

The Clerk, without holding a hearing, may suspend a licence for not more than two weeks if the licensee has been convicted of a criminal offence, provided that the suspension is made within thirty days of the conviction, and notwithstanding that an appeal of the conviction has been commenced.

- (3) **Refusal - suspension - revocation – notice of hearing – content**

- (a) Where the Clerk has recommended to the Council Hearing Committee that a licence not be issued or renewed or that a licence be suspended, revoked or conditions imposed on the licence, the Clerk shall refer the application and his/her reasons for her/his recommendation to the Council Hearing Committee and shall give the Applicant notice, in writing, of such action, said notice to be served personally or by registered mail to the Applicant at the address shown on the application.

- (b) The notice of the hearing shall:
- (i) contain a reference to section 150 of the *Municipal Act*, under which the hearing will be held;
 - (ii) contain a reason or reasons for the proposed refusal, suspension or revocation;
 - (iii) specify the time, place and purpose of the hearing at which the proposed refusal, suspension or revocation will be considered;
 - (iv) inform the affected Applicant or the affected holder of the licence that he is entitled to attend the hearing and make submissions regarding the proposal and that, in his absence, the Council Hearing Committee may proceed to consider the proposal, and the Applicant or affected holder of the licence will not be entitled to any further notice in the proceeding;
 - (v) afford the affected Applicant or the affected holder of the licence a reasonable opportunity, before the hearing, to show or achieve compliance with all lawful requirements for the retention of the licence; and
 - (vi) be given at least 7 days notice prior to the date of the Hearing.

(4) Refusal - suspension - revocation - by Council Hearing Committee – hearing

- (a) At the hearing, the Council Hearing Committee may suspend, revoke or refuse to issue any licence under this By-law:
- (i) for any reason that would disentitle the holder to a licence if he/she were an Applicant;
 - (ii) where the holder of the licence or Applicant is in breach of a condition of the licence or of this By-law;
 - (iii) if there are reasonable grounds to believe that the statements on the licence application are false;
 - (iv) if a report is filed subsequent to the date of the issuance of the licence by any department or agency which provided its approval originally to the issuance of the licence which indicates that a licensed premise no longer complies with any of the provisions of this By-law;
 - (v) upon such grounds as are set out in this By-law;
 - (vi) if the Applicant has outstanding fines or penalties owing to the municipality or has not paid the required licence application fee;
 - (vii) if the conduct or character of the Applicant or Licensee affords reasonable cause to believe that the Applicant or Licensee will not carry on or engage in the business in accordance with the law or with honesty and integrity;

- (viii) if the geographic location of the business does not meet land use requirements;
- (ix) if, in the case of a corporate Applicant or Licensee, the conduct of its officers, directors, employees or agents affords reasonable cause to believe that the business will not be engaged in or carried on in accordance with the law or with honesty and integrity; or
- (x) if issuing a licence is not in the public interest.

(5) Council Hearing Committee - proceedings

(a) At a hearing, the Council Hearing Committee:

- (i) shall afford the affected Applicant or the holder of the licence an opportunity to make submissions in respect of the matter that is the subject of the Council Hearing Committee's proceedings;
- (ii) shall afford any person, civic department, board, commission, authority or agency given notice under this By-law and in attendance at the hearing, or any other person, in the discretion of the Council Hearing Committee, an opportunity to make submissions in respect of the matter that is the subject of the Council's proceedings;
- (iii) the hearing shall be open to the public but the Council Hearing Committee may close a portion of the hearing for the purposes of receiving confidential legal information pertaining to the affected Applicant or licence holder;
- (iv) the hearing shall be open to the public but the Council Hearing Committee may close all or a portion of the hearing to the public if the Committee is of the opinion that intimate financial or personal matters may be disclosed of such a nature, having regards to the circumstances, that the desirability of avoiding disclosure thereof in the interests of any person affected or in the public interest, outweighs the desirability of adhering to the principle that the hearing be open to the public;
- (v) shall give due consideration to the submissions made to it;
- (vi) shall take such action to refuse, suspend or revoke the application or licence, or not to refuse, suspend or revoke the application or licence, as the Council Hearing Committee considers proper in the circumstances; and
- (vii) the Hearing Committee's decision shall be delivered by the Clerk to the Applicant or to the licence holder, and to any person, civic department, board, commission, authority or agency in attendance at the hearing, together with the reasons for its decision.

(6) Council Hearing Committee – decision – immediate effect – notice of decision

- (a) A decision of the Council Hearing Committee refusing, suspending or revoking an application or licence takes effect upon the rendering of such decision by the Council Hearing Committee. No Licensee shall operate or

carry on the activity for which the licence was issued while his licence is under suspension.

- (b) The decision of the Council Hearing Committee shall be given within seven (7) days of the hearing.
- (c) The Clerk shall forthwith notify the Applicant in writing of such decision by serving a copy personally or by registered mail to the Applicant at his/her address as shown on his application. Where a notice is sent by registered mail, the date of service upon the person to whom it is sent will be deemed to be the day next following the date of mailing.
- (d) Upon receipt of a notice of the decision of the Council Hearing Committee suspending or revoking a licence, the Licensee shall, within twenty-four (24) hours of service of notice by certified mail or immediately if the notice is personally served, return the licence to the Clerk or Licence Issuer and any plates issued with a reference to the licence and the Clerk or Licence Issuer shall have access to any premises, vehicles or other property of the licensee for the purpose of receiving or taking the same.
- (e) No person shall refuse to deliver the licence and any plates relative to a suspended or revoked licence to the Clerk or Licence Issuer or shall in any way prevent or hinder the Clerk or Licence Issuer from receiving or taking the same.
- (f) Where a licence is revoked, the licensee is entitled to a refund of a part of the licence fee proportionate to the unexpired part of the term for which it was granted, such refund to be prorated on a monthly basis.

(7) Council Hearing Committee - Decision – Complete Licensing

Where the Council Hearing Committee renders a decision granting the Applicant the licence applied for, the licence shall be issued upon the Applicant complying with the terms of this By-law and the conditions of the licence, if any, and the Applicant shall, within fourteen (14) days of the service upon him/her of a copy of the decision of the Council Hearing Committee complete his application.

(8) Hearing Committee

The Hearing Committee of Council shall be comprised of four (4) members of Council.

- (9) The decision of the Hearing Committee is final.

9. INSPECTION

9.1 For the purposes of Sections 9 and 10, an Officer means a Police Officer, Municipal Law Enforcement Officer, an Officer of the Ontario Ministry of Transportation or a Tobacco Enforcement Officer.

9.2 An Officer may require an Owner to submit his/her Tow Truck for inspection at any time and at an appointed place and the Owner shall submit each licensed Tow Truck for inspection when required to do so by an Officer.

- 9.3 When a Tow Truck and its equipment have been examined by an Officer or licensed mechanic and the Tow Truck or its equipment is found to be mechanically defective, neither the Owner nor the Driver shall operate the Tow Truck and the Owner shall not permit the Tow Truck to be operated, until the Tow Truck has been re-inspected and approved by an Officer and a licensed mechanic.
- 9.4 When a Tow Truck is examined by an Officer and a licensed mechanic and a report states that the Tow Truck or equipment is dangerous or unsafe, the Owner or Driver shall remove and return to the Licence Issuer the municipal tow licence to be held until the Owner delivers to the Licence Issuer either an Annual Inspection Certificate or a Safety Standards Certificate and the Tow Truck and the equipment are certified to be safe by an Officer and licensed mechanic.
- 9.5 When an Owner is unable to obtain a Safety Standards Certificate or an Annual Inspection Certificate issued under the *Highway Traffic Act* for the Tow Truck following an inspection, the Owner shall remove and return to the Licence Issuer the municipal tow licence and the Owner shall not operate the Tow Truck or permit the Tow Truck to be operated until he obtains and produces a Safety Standards Certificate and an Annual Inspection Certificate and the Tow Truck and equipment are certified to be safe by an Officer and licensed mechanic.
- 9.6 Where the provisions of this By-law require an Owner or Driver of a Tow Truck to remove and deliver a licence and/or municipal tow licence to a Licence Issuer and the Owner or Driver fails to do so, an Officer shall remove the licence and/or municipal tow licence.
- 9.7 Where an Officer has removed the permit and/or number plate issued by the Ontario Ministry of Transportation in respect of a Tow Truck, the Officer shall remove the municipal tow licence.
- 9.8 When a municipal tow licence that was issued by a municipality has been removed by an Officer, the owner shall make a new application for a new municipal tow licence for said truck.
- 9.9 An Officer shall at any time enter upon and inspect the business premises or vehicles of any licensee to ensure that the provisions of this By-law have been complied with and an Officer on completion of an inspection shall complete a written report on the inspection.
- 9.10 An Officer may be accompanied by such other person or persons as deemed necessary to properly carry out their duties under this By-law.
- 9.11 Upon an inspection, the Officer is entitled access to the invoices, daily records or like documents of the Licensee being inspected provided such documents are relevant for the purposes of the inspection and the Officer may remove any of the aforementioned documents for the purpose of photocopying provided a receipt is given to the Licensee and the documents are returned to the Licensee within seventy-two (72) hours of removal.
- 10. OBSTRUCTION**
- 10.1 Failure to comply with a request to inspect the business premises or vehicles of any Licensee may result in the suspension of the respective licence(s) until such time as the inspection has been completed.

10.2 No person shall hinder, disturb or obstruct any Officer in the carrying out of their duties as defined in Section 426(1) of the *Municipal Act, 2001, c.25*, as amended or contravenes any provision of this By-law unless otherwise provided herein is guilty of an offence and, upon conviction, is liable to a fine pursuant to the *Provincial Offences Act*.

11. OWNER DUTIES

11.1 A licensed Owner shall:

- (1) charge the rates for services permitted by the provisions of this By-law;
- (2) keep in the Tow Truck and show to the hirer a copy of towing rates in accordance with this By-law, and also showing, if applicable that the hirer may be charged additional fees for storage by the operator of any vehicle storage compound or business to which the hirer's vehicle is to be towed;
- (3) keep a permanent daily record of work performed by the Tow Truck owned or operated by a driver either in a continuous log sheet or by consecutively numbered bills or invoices showing:
 - (a) the name and address of every hirer;
 - (b) a description of the vehicle towed or conveyed including the Provincial Motor Vehicle Permit number of any such vehicle;
 - (c) the rate charged;
 - (d) the total fee collected; and,
 - (e) the name of the licenced tow truck driver.
- (4) keep every Tow Truck and its equipment clean, in good repair, free from exterior body damage and with a well maintained exterior paint finish;
- (5) present to the hirer, before demanding payment for services, an itemized bill for the services setting out the cost of all services and equipment provided based on the rate set out in Appendix "A" under this By-law, such bill to be clearly legible and include the Owner's business name and address;
- (6) have attached to or painted on both sides of the body of the Tow Truck in a location approved by the Licence Issuer, in letters and figures not less than eight (8) centimeters (approximately three (3) inches) in height the name and telephone number of the business as shown on the Owner's licence, and where the owner owns more than one truck a number identifying each Tow Truck;
- (7) only use the service of a Tow Truck Driver who is licensed as a Driver under this By-law;
- (8) have affixed to the Tow Truck in a location approved by a Licence Issuer the municipal tow licence issued for that Tow Truck;
- (9) give written notice of the sale or other disposition of a Tow Truck to the Licence Issuer forthwith of any such sale or disposition;
- (10) ensure that all information and requirements of this By-law are made known to and adhered to by any Driver or other employee of the Owner;
- (11) accept full responsibility for the acts and omissions of any Driver or other employee to the extent that any such acts or omissions do not comply with the provisions of this By-law.

12. OWNER PROHIBITION

- 12.1 A licensed Owner shall not permit any municipal tow licence issued to him/her under this By-law to be affixed to any Tow Truck, other than the Tow Truck for which the licence was issued under this By-law.
- 12.2 No person shall operate a tow truck at any time where such vehicle is being operated as a tow truck does not meet, or put to an inspection, could not pass the safety standards established pursuant to the Highway Traffic Act.
- 12.3 No person shall use or permit to be used a tow truck which has been found to be unsafe or defective after inspection as pursuant to this By-law.
- 12.4 No person shall operate or allow to operate a tow truck that exceeds the manufacture gross vehicle axle rate (G.V.A.R.)

13. DRIVER'S DUTIES

13.1 A licensed Driver shall:

- (1) drive the Tow Truck which is towing for the purposes under this By-law or otherwise conveying a vehicle by the most direct route to the destination requested by the hirer;
- (2) take due care of all vehicles and property delivered or entrusted to him/her for towing;
- (3) comply with all reasonable instructions from the hirer;
- (4) be civil and behave courteously in a professional and respectful manner.
- (5) wear a reflective safety vest as defined under the Occupational Health and Safety Act when working on a highway;
- (6) clean up any debris, fragments of glass, vehicle parts or other materials, excluding loads or any hazardous material dumped during the collision, and which may be a danger to the public from any highway or roadway prior to towing the vehicle from the collision scene;
- (7) be properly dressed in identifiable company attire, display municipally issued photo identification and wear CSA approved footwear;
- (8) comply with all health and safety regulations as defined under the Occupational Health and Safety Act;
- (9) shall not smoke within 200 metres of a collision scene;
- (10)
 - (a) retain all Towing Authorization Forms for at least ninety (90) days from the tow date indicated on the Towing Authorization Form and make them available for inspection upon request by an officer or Licence Issuer;
 - (b) where the hirer refuses to sign the Towing Authorization Form, the Driver must indicate such on the form and retain this form for at least ninety (90) days from the tow date indicated on the Towing Authorization Form and make it available for inspection upon request by an officer or Licence Issuer.

14. DRIVER PROHIBITION

14.1 A licensed Driver shall not:

- (1) commence to tow or otherwise convey or move any vehicle, or hook, lift or connect the vehicle to the Tow Truck, or perform any other services unless first requested to do so by a hirer, the Incident Commander, an officer and/or any person authorized by law to direct the removal of the vehicle from private or public property;
- (2) remove any vehicle from an Incident Scene or immediate vicinity of an Incident Scene of which a report is required by law to be made to a Police Officer, until such report has been made and the investigating Police Officer has completed his/her investigation in respect of such vehicle, or has stated that the presence of such vehicle is no longer required for the investigation;
- (3) alter the towing rates without written consent of the hirer;
- (4) stop, or park within two hundred (200) metres (approximately 656 feet) of an incident scene;
- (5) solicit a person to obtain business by offering their services without an individual willing to seek such services on their own accord within 200 metres of a collision scene;
- (6) tow or otherwise convey or move any vehicle which is to be towed outside the Service Area unless requested by the hirer or by one of the persons referred to in subsection (1);
- (7) remain at the scene of a tow after the Officer at the scene has requested that the Driver leave the scene immediately;
- (8) charge wait time;
- (9) charge mileage to the Owner's vehicle storage compound outside of the parameters as listed on Appendix "A";
- (10) where the use of a dolly is required, leave the scene until the vehicle to be towed is secured using the appropriate safety device including but not limited to safety chains or straps;
- (11) cause or permit passengers to occupy the vehicle to be towed while connected to the Tow Truck.

15. OWNER AND DRIVER PROHIBITIONS

15.1 A licensed Owner or Driver shall not:

- (1) interfere with any contract for hiring of a Tow Truck where a person has hired or has indicated his/her intention to hire a Tow Truck;
- (2) induce any person to employ or hire a Tow Truck by making any false representation to any person, including representations regarding the location of, or distance to, any place;
- (3) use, or permit to be used, a Tow Truck which has been found to be unsafe or defective after examination and inspection as required under this By-law;

- (4) demand or request payment for his/her services other than in accordance with the schedule of rates set out in Appendix "A" under this By-law;
 - (5) demand, request or receive a drop fee or administration fee;
 - (6) charge a hirer for time lost through defects or inefficiency of the Tow Truck, or the incompetence of the Tow Truck Owner or Driver;
 - (7) suggest or recommend to any hirer that any motor vehicle in respect of which tow truck services are to be given or requested, be towed, conveyed, driven or delivered to any particular salvage yard, body shop, storage yard or any other public garage, building or place, unless the Driver has been requested to do so by the hirer;
 - (8) permit a person to be a passenger in a Tow Truck, except under the following circumstances:
 - (a) the passenger is the hirer of the Tow Truck;
 - (b) the passenger is the spouse, son, daughter, parent or similar relation by law of the Tow Truck Driver;
 - (c) the passenger is receiving instructions on driver training as to the operation of a Tow Truck while a passenger.
 - (9) make representation in any form that the towing company, Tow Truck Owner or Tow Truck Driver has the endorsement of the municipality, the Ontario Provincial Police or any other government agency except with written permission from the municipality, the Ontario Provincial Police or any other government agency;
 - (10) no person shall make any loud noise or disturbance or use any abusive language, and/or insult any person whatsoever;
 - (11) no person shall park, stop or otherwise stand the tow truck contrary to any Township By-law except while actually engaged in providing towing services to a vehicle;
 - (12) no person shall alter a municipal issued photo identification card;
 - (13) no person shall alter a municipal issued truck licence;
 - (14) no person shall transfer a municipal issued truck licence from one vehicle to another.
- 15.2 Every licensed Owner or Driver shall only operate or permit to be operated a Tow Truck with a Gross Vehicle Weight Rating of at least 4,536 kilograms (10,000 pounds) as per the manufacture's specifications listed on the driver's door Manufacturers Label, and a wrecker body that is registered with the Ministry of Transportation as a Tow Truck or Flat Bed.

16. VEHICLE REQUIREMENTS

- 16.1 Every licensed Owner or Driver shall operate or permit to be operated only a Tow Truck that clearly displays the company name which has all of the following equipment in a good state of repair:

- (1) a winching or hoisting device of sufficient capacity to lift safely the vehicle to be towed;
- (2) wheel lift, underlift or sling equipped and maintained in a manner to ensure the safe lifting and conveying of a vehicle to be towed;
- (3) one (1) device for securing the steering wheel of a vehicle;
- (4) one (1) charged, dry chemical fire extinguisher having an effective total rating equivalent to at least ABC, and weighing at least 2.27 kilograms (approximately 5 pounds);
- (5) a minimum of two (2) devices used for securing a vehicle such as chains or straps having a minimum length of 2.7432 metres (approximately 9 feet). All such devices must have working load limit tags;
- (6) four (4) safety pylons, reflector kits or four (4) thirty (30) minute flares;
- (7) an intermittent amber warning light system consisting of at least one light which would be clearly visible in all directions for a distance of at least 100 metres (approximately 328 feet);
- (8) a broom;
- (9) a shovel;
- (10) a first aid kit in accordance with the Occupational Health and Safety Act;
- (11) a crowbar/pry bar at least 152.4 centimetres (60 inches) in length;
- (12) at least two (2) wheel blocks;
- (13) wheel wrenches;
- (14) light bar/tow lights for a rear extension carrier;
- (15) a reverse warning system;
- (16) a dolly, including tie-down strap;
- (17) one 2 kg bag or container of absorbent material;
- (18) any other equipment as may be required under the *Highway Traffic Act*;
- (19) the vehicle must comply and follow the standards and regulations as per the CVOR;
- (20) all tow trucks must follow standards as set out by the Province of Ontario.

17. SCHEDULE OF RATES

- 17.1 Collision Tow Rates, Vehicle Impoundment Program Rates, or for towing services shall be charged in accordance with Appendix "A" attached hereto and the Owner and Driver shall not charge any other service fee except applicable federal and provincial taxes.

18. PENALTY

18.1 Every person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act* in accordance with Appendix "B" attached hereto.

19. COMPLAINT

19.1 Any hirer who is not satisfied with the service provided or who believes a tow company has contravened any section of this By-law shall submit the complaint in writing to the municipality that issued the licence for investigation and response.

20. SEVERABILITY

20.1 Should any section, subsection, clause, paragraph or provision of this By-law, including any part of schedules be declared by a court of competent jurisdiction to be ultra vires, invalid or illegal for any reason, the same shall not affect the validity of the By-law as a whole.

APPENDIX "A"

TOWING RATES

1.	Where the vehicle is towed to an Owner's vehicle storage compound, an Owner or Driver of a Tow Truck hired to tow a passenger vehicle, light van or truck not exceeding 3,000 kilograms (approximately 6,000 pounds) in towing weight, including dollies, for collision towing or Vehicle Impoundment Towing, including all clean-up of collision scene, shall charge:	\$350.00 to the vehicle storage compound
2.	Where a hirer requests the vehicle to be towed to a location other than the Owner's vehicle storage compound, the Owner or Driver shall charge the following towing fee and mileage charges, being the standard rate accepted by insurance companies, CAA or Roadside Assistance providers;	\$350.00 plus \$3.00/kilometer for any distance towed in excess of distance to the Owner's vehicle storage compound
3.	Where the vehicle to be towed is off the traveled portion of the roadway and off the shoulder and is located within fifteen (15) meters (50 feet) of same, the Owner or Driver of a Tow Truck may charge an additional fee of:	\$120.00
4.	Where the vehicle to be towed is not on the traveled portion of the roadway or shoulder and recorded measurement evidences that it is in excess of 15 metres (50 feet) of same, the Owner or Driver of a Tow Truck may charge an additional fee of:	\$6.00 per metre (3.28 feet)
5.	Where it is necessary to have a second Tow Truck to assist in removing the vehicle as determined by a police officer, the Owner or Driver of the Tow Truck may charge an additional fee of:	\$150.00
6.	Upright overturned vehicle	\$200.00
7.	Impound/storage fees where the vehicle is involved in a collision or is impounded under the VIP program: a) Up to and including seven (7) days not to exceed b) After seven (7) days not to exceed unless VIP impound.	\$60.00 per day \$30.00 per day
8.	Towing services not including collision or VIP including dollies or flatbed tow truck Where clean-up is required	\$150.00 plus \$3.00/kilometer \$75.00

TOWNSHIP OF ESSA
 BY-LAW 2011-20 – BUSINESS LICENSING AND REGULATIONS BY-LAW, AS AMENDED
 Being a By-law to License and Regulate Various Businesses

Item	Column 1 Short Form Wording	Column 2 Provision Creating Or Defining Offence	Column 3 Set Fine
1.	Fail to obtain a tow truck owner's license	Sch. 9, 3.1	\$400.00
2.	Fail to provide certificate of insurance for tow truck	Sch. 9, 3.2(2)	\$400.00
3.	Fail to ensure vehicle storage compound is secured	Sch. 9, 3.2(3)	\$400.00
4.	Fail to acknowledge in writing that the owner does not share a compound	Sch. 9, 3.2(5)	\$400.00
5.	Fail to acknowledge in writing that the owner is compliant with health and safety regulations and Tow Truck operator is properly trained	Sch. 9, 3.2(6)	\$400.00
6.	Fail to acknowledge in writing that all drivers are compliant with provisions of by-law	Sch. 9, 3.2(7)	\$400.00
7.	Fail to submit current list of drivers hired	Sch. 9, 3.2(8)	\$400.00
8.	Fail to provide copy of Safety Standards Certificate	Sch. 9, 3.2(9)	\$400.00
9.	Operate a tow truck used for collision towing, towing for Vehicle Impound Program or for towing services without a licence	Sch. 9, 4.1	\$400.00
10.	Fail to provide all of the information or documentation required	Sch. 9, 7.1(3)	\$400.00
11.	Fail to submit licensed tow truck for inspection	Sch. 9, 9.2	\$400.00
12.	Operate a tow truck that has been found to be mechanically defective	Sch. 9, 9.3	\$400.00
13.	Fail to return Owner's tow truck plate	Sch. 9, 9.4	\$400.00

NOTE: The penalty provisions for offences listed above are Section 8 of By-law 2011-20, as amended, certified copy of which has been filed.

TOWNSHIP OF ESSA
 BY-LAW 2011-20 – BUSINESS LICENSING AND REGULATIONS BY-LAW, AS AMENDED
 Being a By-law to License and Regulate Various Businesses

Item	Column 1 Short Form Wording	Column 2 Provision Creating Or Defining Offence	Column 3 Set Fine
14.	Hinder, disturb, obstruct any Officer	Sch. 9, 10.2	\$400.00
15.	Fail to charge rates for services permitted by the by-law	Sch. 9, 11.1(1)	\$400.00
16.	Fail to show the hirer a copy of towing rates	Sch. 9, 11.1(2)	\$400.00
17.	Fail to keep a permanent daily record of work performed	Sch. 9, 11.1(3)	\$400.00
18.	Fail to keep tow truck and its equipment clean and in good repair	Sch. 9, 11.1(4)	\$400.00
19.	Fail to provide itemized bill for services	Sch. 9, 11.1(5)	\$400.00
20.	Fail to identify each truck	Sch. 9, 11.1(6)	\$400.00
21.	Fail to use a licensed Tow Truck Driver	Sch. 9, 11.1(7)	\$400.00
22.	Fail to affix municipal tow licence to truck	Sch. 9, 11.1(8)	\$400.00
23.	Fail to give written notice of sale or other disposition of a tow truck	Sch. 9, 11.1(9)	\$400.00
24.	Fail to ensure information and requirements of By-law are made known to all drivers/employees	Sch. 9, 11.1(10)	\$400.00
25.	Affix Tow Truck Owner's plate to vehicle other than the tow truck for which it was issued	Sch. 9, 12.1	\$400.00
26.	Operate a tow truck at any time where the truck could not pass safety standards pursuant to the Highway Traffic Act	Sch. 9, 12.2	\$400.00

NOTE: The penalty provisions for offences listed above are Section 8 of By-law 2011-20, as amended, certified copy of which has been filed.

TOWNSHIP OF ESSA
 BY-LAW 2011-20 – BUSINESS LICENSING AND REGULATIONS BY-LAW, AS AMENDED
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Item	Column 1 Short Form Wording	Column 2 Provision Creating Or Defining Offence	Column 3 Set Fine
27.	Operate a tow truck which has been found to be unsafe or defective	Sch. 9, 12.3	\$400.00
28.	Operate or allow to operate a tow truck that exceeds the GVAR	Sch. 9, 12.4	\$400.00
29.	Fail to convey a vehicle by the most direct route to the destination	Sch. 9, 13.1(1)	\$400.00
30.	Fail to take due care of vehicles and property	Sch. 9, 13.1(2)	\$400.00
31.	Fail to comply with reasonable instructions from hirer	Sch. 9, 13.1(3)	\$400.00
32.	Fail to be civil and behave courteously in a professional and respectful manner	Sch. 9, 13.1(4)	\$400.00
33.	Fail to wear reflective safety vest	Sch. 9, 13.1(5)	\$400.00
34.	Fail to clean up	Sch. 9, 13.1(6)	\$400.00
35.	Fail to be dressed in identifiable company attire	Sch. 9, 13.1(7)	\$400.00
36.	Fail to display municipally issued photo identification	Sch. 9, 13.1(7)	\$400.00
37.	Fail to wear CSA approved footwear	Sch. 9, 13.1(7)	\$400.00
38.	Fail to comply with Health and Safety Regulations	Sch. 9, 13.1(8)	\$400.00
39.	Smoke within 200 metres of collision scene	Sch. 9, 13.1(9)	\$400.00
40.	Fail to retain Towing Authorization Forms	Sch. 9, 13.1(10)(a)	\$400.00

NOTE: The penalty provisions for offences listed above are Section 8 of By-law 2011-20, as amended, certified copy of which has been filed.

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 Being a By-law to License and Regulate Various Businesses

Item	Column 1 Short Form Wording	Column 2 Provision Creating Or Defining Offence	Column 3 Set Fine
41.	Commence to tow a vehicle without being requested	Sch. 9, 14.1(1)	\$400.00
42.	Remove vehicle from scene before report has been completed by Police Officer	Sch. 9, 14.1(2)	\$400.00
43.	Alter Towing Rates	Sch. 9, 14.1(3)	\$400.00
44.	Stop or park within 200 metres of a collision scene	Sch. 9, 14.1(4)	\$400.00
45.	Solicit within 200 metres of a collision scene	Sch. 9, 14.1(5)	\$400.00
46.	Tow outside of service area	Sch. 9, 14.1(6)	\$400.00
47.	Remain at scene after being asked to leave	Sch. 9, 14.1(7)	\$400.00
48.	Charge wait time charges	Sch. 9, 14.1(8)	\$400.00
49.	Charge mileage to the Owner's vehicle storage compound	Sch. 9, 14.1(9)	\$400.00
50.	Leave the scene before vehicle is secured	Sch. 9, 14.1(10)	\$400.00
51.	Cause or permit passengers to occupy the vehicle while connected	Sch. 9, 14.1(11)	\$400.00
52.	Interfere with any contract for hiring	Sch. 9, 15.1(1)	\$400.00
53.	Induce a person to employ or hire a tow truck	Sch. 9, 15.1(2)	\$400.00
54.	Use or permit to be used, an unsafe tow truck	Sch. 9, 15.1(3)	\$400.00

NOTE: The penalty provisions for offences listed above are Section 8 of By-law 2011-20, as amended, certified copy of which has been filed.

TOWNSHIP OF ESSA
 BY-LAW 2011-20 – BUSINESS LICENSING AND REGULATIONS BY-LAW, AS AMENDED
 Being a By-law to License and Regulate Various Businesses

Item	Column 1 Short Form Wording	Column 2 Provision Creating Or Defining Offence	Column 3 Set Fine
55.	Demand or request payment for services other than in accordance with rates as set out in Appendix "A" under the By-law	Sch. 9, 15.1(4)	\$400.00
56.	Demand, request or receive a drop or administration fee	Sch. 9, 15.1(5)	\$400.00
57.	Charge hirer for lost time through defects, inefficiency of tow truck or incompetence of owner/driver	Sch. 9, 15.1(6)	\$400.00
58.	Suggest or recommend motor vehicle be towed to a particular salvage yard, public garage, building or place	Sch. 9, 15.1(7)	\$400.00
59.	Permit an unauthorized person to be a passenger	Sch. 9, 15.1(8)	\$400.00
60.	Make representation that Tow Truck Owner/Driver has endorsement of Municipality or OPP	Sch. 9, 15.1(9)	\$400.00
61.	Make loud noise or disturbance or use any abusive language, and/or Insult any person	Sch. 9, 15.1(10)	\$400.00
62.	Park, stop or otherwise stand the tow truck contrary to Township By-law	Sch. 9, 15.1(11)	\$400.00
63.	Alter a municipal issued photo identification card	Sch. 9, 15.1(12)	\$400.00
64.	Alter a municipal issued truck licence	Sch. 9, 15.1(13)	\$400.00
65.	Transfer a municipal issued truck licence from one vehicle to another	Sch. 9, 15.1(14)	\$400.00

NOTE: The penalty provisions for offences listed above are Section 8 of By-law 2011-20, as amended, certified copy of which has been filed.

TOWNSHIP OF ESSA
 BY-LAW 2011-20 – BUSINESS LICENSING AND REGULATIONS BY-LAW, AS AMENDED
 Being a By-law to License and Regulate Various Businesses

Item	Column 1 Short Form Wording	Column 2 Provision Creating Or Defining Offence	Column 3 Set Fine
66.	Operate or permit to be operated a tow truck with a Gross Vehicle Weight Rating of at least 4,536 kilograms (10,000 pounds)	Sch. 9, 15.2	\$400.00
67.	Fail to clearly display name of the company	Sch. 9, 16.1	\$400.00
68.	Fail to keep winching or hoisting device in good state of repair	Sch. 9, 16.1(1)	\$400.00
69.	Fail to keep wheel lift, underlift or sling equipment in a good state of repair	Sch. 9, 16.1(2)	\$400.00
70.	Fail to keep one (1) device for securing the steering wheel of a vehicle in a good state of repair	Sch. 9, 16.1(3)	\$400.00
71.	Fail to keep one (1) charged dry chemical fire extinguisher in a good state of repair	Sch. 9, 16.1(4)	\$400.00
72.	Fail to keep minimum of two (2) devices for securing a vehicle in a good state of repair	Sch. 9, 16.1(5)	\$400.00
73.	Fail to keep four (4) safety pylons, reflector kits or four (4) thirty (30) minute flares;	Sch. 9, 16.1(6)	\$400.00
74.	Fail to keep an intermittent amber warning light system in a good state of repair	Sch. 9, 16.1(7)	\$400.00
75.	Fail to keep a broom in a good state of repair	Sch. 9, 16.1(8)	\$400.00
76.	Fail to keep a shovel in a good state of repair	Sch. 9, 16.1(9)	\$400.00

NOTE: The penalty provisions for offences listed above are Section 8 of By-law 2011-20, as amended, certified copy of which has been filed.

TOWNSHIP OF ESSA
 BY-LAW 2011-20 – BUSINESS LICENSING AND REGULATIONS BY-LAW, AS AMENDED
 Being a By-law to License and Regulate Various Businesses

Item	Column 1 Short Form Wording	Column 2 Provision Creating Or Defining Offence	Column 3 Set Fine
77.	Fail to keep a first aid kit in a good state of repair	Sch. 9, 16.1(10)	\$400.00
78.	Fail to keep a crowbar/pry bar in a good state of repair	Sch. 9, 16.1(11)	\$400.00
79.	Fail to keep at least two (2) wheel blocks in a good state of repair	Sch. 9, 16.1(12)	\$400.00
80.	Fail to keep wheel wrenches in a good state of repair	Sch. 9, 16.1(13)	\$400.00
81.	Fail to keep light bar/tow lights in a good state of repair	Sch. 9, 16.1(14)	\$400.00
82.	Fail to keep reverse warning system in a good state of repair	Sch. 9, 16.1(15)	\$400.00
83.	Fail to keep a dolly, including tie-down strap in a good state of repair	Sch. 9, 16.1(16)	\$400.00
84.	Fail to keep a 2 kg bag of absorbent materials	Sch. 9, 16.1(17)	\$400.00
85.	Fail to keep any other equipment as required under the Highway Traffic Act	Sch. 9, 16.1(18)	\$400.00
86.	Fail to have vehicle comply and follow the standards and regulations as per the CVOR	Sch. 9, 16.1(19)	\$400.00
87.	Fail to have vehicle follow standards as set out by the Province of Ontario	Sch. 9, 16.1(20)	\$400.00

NOTE: The penalty provisions for offences listed above are Section 8 of By-law 2011-20, as amended, certified copy of which has been filed.



May 24, 2011

County of Wellington
Donna Bryce, Clerk
74 Woolwich Street
2nd Floor
Guelph, ON
N1H 3T9

Re: Accident Scene Solicitation By-law

Dear Donna:

Please find enclosed an amended copy of the Accident Scene Solicitation By-law 5245-11. Any further questions, please contact Bill White, CAO/Clerk at 519-338-2511 Ext. 222.

Sincerely,

Peg Schieck
Clerk's Assistant

Enclosure.

cc. R. S. Smith, Inspector, County of Wellington Detachment
Bill White

5941 Highway #89
Harriston, Ontario
N0G 1Z0

tel: 519-338-2511
fax: 519-338-2005

www.town.minto.on.ca

RECEIVED
MAY 31 2011
COUNTY OF WELLINGTON
OFFICE OF THE
COUNTY CLERK

CORPORATION OF THE TOWN OF MINTO

BY-LAW 5245-11

A BY-LAW TO PROHIBIT ACCIDENT SCENE SOLICITATION WITHIN THE TOWN OF MINTO

WHEREAS Section 27 of the *Municipal Act, 2001*, S.O. 2001, c-25, as amended from time to time, authorizes a municipality to pass by-laws in respect of highways within that municipality's jurisdiction;

AND WHEREAS Council deems it in the public interest, specifically in consideration of health and safety of the inhabitants of the municipality and as well concerns regarding consumer protection, to protect persons involved in or apparently involved in motor vehicle accidents on public property and/or on highways within the jurisdiction of the municipality and to ensure that highways are kept free of obstructions and impedances at accident scenes for emergency vehicles and emergency personnel;

AND WHEREAS Council wishes to ensure its regulatory by-law is consistent with other municipal by-laws in Wellington County

NOW THEREFORE the Council of the Corporation of the Town of Minto hereby enacts as follows:

1. DEFINITIONS: In this by-law:

- a. "Council" means the Council of the Corporation of the Town of Minto.
- b. "Emergency Personnel" means the operator, driver, attendant, or personnel of an emergency vehicle.
- c. "Emergency Vehicle" means an Ambulance, Fire Department vehicle, Police Department vehicle, Public Emergency vehicle, or a Ministry of Transportation vehicle operated by an officer appointed to carry out the *Highway Traffic Act* R.S.O. 1990, c. H-8, or the *Public Vehicles Act*, R.S.O. 1990, c. P-54, while the officer is in the course of his or her employment.
- d. "Firefighter" means a firefighter as defined in Section 1 (1) of the *Fire Protection and Prevention Act*, 1997, S. O. 1997 c. 4.
- e. "Highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
- f. "Officer" means a police officer, a municipal law enforcement officer, a *Firefighter*, or an officer appointed for the carrying out of the provisions of the *Highway Traffic Act of Ontario*, or the *Public Vehicles Act*, or the provisions of this by-law.
- g. "Police Officer" means any Police Officer in the Province of Ontario as defined in Section 2 of the *Police Services Act of Ontario*, R.S.O. 1990, c. P-15.
- h. "Motor Vehicle" means a motor vehicle as defined in Section 1 (1) of the *Highway Traffic Act of Ontario*.
- i. "The Municipality" means the geographic area whose inhabitants comprise the County of Wellington.
- j. "Tow-Truck" means a motor vehicle which is designed, modified, or used for pulling, towing, carrying, or lifting of other motor vehicles be they damaged, disabled, abandoned, or otherwise, with or without the assistance or use of lifts, winches, dollies, trailers, or any like equipment.

- k. "**Tow-Truck Services**" means the provision or use of a tow-truck including the assistance of the owner, operator, driver, or any passenger through the use of any equipment on or used in conjunction with the tow-truck for the pulling, towing, carrying, or lifting of a motor vehicle at any place within *The Municipality*.

2. PROHIBITIONS:

- 2.1 No person shall solicit, make, or convey an offer of services of a *Tow-Truck* while that person is within 200 meters of,
1. the scene of an accident or apparent accident; or
 2. a vehicle involved in an accident
on any *Highway*.

- 2.2 No person shall park or stop or stand a *Tow-Truck* on any *Highway* within 200 meters of:
1. the scene of an accident or apparent accident; or
 2. a vehicle involved in an accident

if there is a sufficient number of tow trucks already at the scene to deal with all vehicles that apparently require the services of a tow truck.

- 2.3 Sections 2.1 and 2.2 do not apply to a person who is at the scene of an accident at the direction of a *Police Officer*, a *Firefighter*, a person engaged in the carrying out of the provisions of the *Highway Traffic Act of Ontario*, a person engaged in *Highway* maintenance or a person involved in the accident.

- 2.4 Any person operating any *Tow-Truck* or other *Motor Vehicle* parked, stopped or standing within 200 meters of the scene of an accident or apparent accident or a vehicle involved in an accident shall, immediately on the direction of any *Officer*, move their *Tow-Truck* or *Motor Vehicle* to a location more than 200 meters from the accident or apparent accident or vehicle involved in an accident or to any other location as directed by the *Officer*.

3. OFFENCES:

- 3.1 Every person who contravenes Section 2.1 or 2.2 of this by-law is guilty of an offence and on conviction is liable to a penalty not to exceed \$5,000.00 pursuant to Section 61 of the *Provincial Offences Act* R.S.O. 1990, c. P-33, as amended from time to time.
- 3.2 Every person who, within 24 months of being convicted of an offence under Section 3.1 commits a second offence under either Section 2.1 or 2.2 of this by-law is guilty of a subsequent offence and is liable to a minimum penalty of \$2,000.00 but not to exceed \$5,000.00, pursuant to Section 61 of the *Provincial Offences Act* R.S.O. 1990, c. P-33, as amended from time to time.
- 3.3 Every person who, within 24 months of being convicted of an offence under Section 3.2 commits a third or any further offence under this by-law is liable to a minimum penalty of \$5,000.00 pursuant to Section 61 of the *Provincial Offences Act* R.S.O. 1990, c. P-33, as amended from time to time.
- 3.4 Every person who fails to move a *Tow-Truck* or other *Motor Vehicle* immediately upon being directed by an *Officer* pursuant to Section 2.4 of this by-law shall be deemed to be obstructing that *Officer* from exercising a power or performing a duty under this by-law and is thereby guilty of an offence and upon conviction is liable to a penalty not to exceed \$5,000.00 pursuant to Section 61 of the *Provincial Offences Act* R.S.O. 1990, c. P-33, as amended from time to time.
- 3.5 Every person who in any manner hinders or obstructs, or attempts to hinder or obstruct, any person exercising a power or performing a duty under this by-law is guilty of an offence and on conviction is liable to a penalty not to exceed \$5,000.00 pursuant to Section 61 of the *Provincial Offences Act* R.S.O. 1990, c. P-33, as amended from time to time.

4. POWERS TO SEIZE AND REMOVE VEHICLES:

4.1 A *Police Officer*, a municipal law enforcement officer, or an *Officer* appointed for the carrying out of the provisions of this by-law, upon discovery of any *Tow-Truck* or other *Motor Vehicle* parked, stopped or standing in contravention of this by-law, may cause it to be moved, taken to and placed or stored in a suitable place pursuant to subsection 170 (15) of the *Highway Traffic Act of Ontario* and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the *Repair and Storage Liens Act* R.S.O. 1990 c. R-25.

5. SEVERABILITY

5.1 Should a Court of competent jurisdiction declare that any part or the whole of any provision of this by-law is invalid, of no force and effect, or ultra vires the power of Council to enact, such provision or parts thereof shall be deemed to be severable and all other provisions or parts thereof of this by-law shall be deemed to be separate and independent there from and continue in full force and effect and it is the intention of Council that the remainder of this by-law survive and be applied and enforced in accordance with its terms to the fullest extent possible under the law.

6. SHORT-TITLE:

6.1 This by-law may be referred to as the Town of Minto "Accident Scene Solicitation By-Law".


7. COMING INTO FORCE:

7.1 This by-law shall come into force immediately upon being enacted by Council.

8. REPEAL

8.1. By-law 2011 -31 is hereby repealed.

Read a first, second and third time and passed in open Council this 17th day of May, 2011



Mayor George A. Bridge

SEAL



CAO/Clerk Bill White



THE CORPORATION OF THE COUNTY OF WELLINGTON

BY-LAW NUMBER 5245-11

A by-law to prohibit Accident Scene Solicitation within the County of Wellington.

WHEREAS Section 27 of the Municipal Act, 2001, S.O. 2001, c-25, as amended from time to time, authorizes a municipality to pass by-laws in respect of highways within that municipality's jurisdiction;

AND WHEREAS Council deems it in the public interest, specifically in consideration of health and safety of the inhabitants of the municipality and as well concerns regarding consumer protection, to protect persons involved in or apparently involved in motor vehicle accidents on public property and/or on highways within the jurisdiction of the municipality and to ensure that highways are kept free of obstructions and impedances at accident scenes for emergency vehicles and emergency personnel;

NOW THEREFORE the Council of the Corporation of the County of Wellington hereby enacts as follows:

1. DEFINITIONS: In this by-law:

- a. "Council" means the Council of the Corporation of the County of Wellington.
- b. "Emergency Personnel" means the operator, driver, attendant, or personnel of an emergency vehicle.
- c. "Emergency Vehicle" means an Ambulance, Fire Department vehicle, Police Department vehicle, Public Emergency vehicle, or a Ministry of Transportation vehicle operated by an officer appointed to carry out the Highway Traffic Act R.S.O. 1990, c. H-8, or the Public Vehicles Act, R.S.O. 1990, c. P-54, while the officer is in the course of his or her employment.
- d. "Firefighter" means a firefighter as defined in Section 1 (1) of the Fire Protection and Prevention Act, 1997, S. O. 1997 c. 4.
- e. "Highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.
- f. "Officer" means a police officer, a municipal law enforcement officer, a Firefighter, or an officer appointed for the carrying out of the provisions of the Highway Traffic Act of Ontario, or the Public Vehicles Act, or the provisions of this by-law.
- g. "Police Officer" means any Police Officer in the Province of Ontario as defined in Section 2 of the Police Services Act of Ontario, R.S.O. 1990, c. P-15.

- h. **"Motor Vehicle"** means a motor vehicle as defined in Section 1 (1) of the Highway Traffic Act of Ontario.
- i. **"The Municipality"** means the geographic area whose inhabitants comprise the County of Wellington.
- j. **"Tow-Truck"** means a motor vehicle which is designed, modified, or used for pulling, towing, carrying, or lifting of other motor vehicles be they damaged, disabled, abandoned, or otherwise, with or without the assistance or use of lifts, winches, dollies, trailers, or any like equipment.
- k. **"Tow-Truck Services"** means the provision or use of a tow-truck including the assistance of the owner, operator, driver, or any passenger through the use of any equipment on or used in conjunction with the tow-truck for the pulling, towing, carrying, or lifting of a motor vehicle at any place within The Municipality.

2. PROHIBITIONS:

- 2.1 No person shall solicit, make, or convey an offer of services of a Tow-Truck while that person is within 200 meters of,
 - 1. the scene of an accident or apparent accident; or
 - 2. a vehicle involved in an accident
 on any Highway.

Idem

- 2.2 No person shall park or stop or stand a Tow-Truck on any Highway within 200 meters of:
 - 1. the scene of an accident or apparent accident; or
 - 2. a vehicle involved in an accident

if there is a sufficient number of tow trucks already at the scene to deal with all vehicles that apparently require the services of a tow truck.

- 2.3 Sections 2.1 and 2.2 do not apply to a person who is at the scene of an accident at the direction of a Police Officer, a Firefighter, a person engaged in the carrying out of the provisions of the Highway Traffic Act of Ontario, a person engaged in Highway maintenance or a person involved in the accident.
- 2.4 Any person operating any Tow-Truck or other Motor Vehicle parked, stopped or standing within 200 meters of the scene of an accident or apparent accident or a vehicle involved in an accident shall, immediately on the direction of any Officer, move their Tow-Truck or Motor Vehicle to a location more than 200 meters from the accident or apparent accident or vehicle involved in an accident or to any other location as directed by the Officer.

3. OFFENCES:

- 3.1 Every person who contravenes Section 2.1 or 2.2 of this by-law is guilty of an offence and on conviction is liable to a penalty not to exceed \$5,000.00 pursuant to Section 61 of the Provincial Offences Act R.S.O. 1990, c. P-33, as amended from time to time.

- 3.2 Every person who, within 24 months of being convicted of an offence under Section 3.1 commits a second offence under either Section 2.1 or 2.2 of this by-law is guilty of a subsequent offence and is liable to a minimum penalty of \$2,000.00 but not to exceed \$5,000.00, pursuant to Section 61 of the Provincial Offences Act R.S.O. 1990, c. P-33, as amended from time to time.
- 3.3 Every person who, within 24 months of being convicted of an offence under Section 3.2 commits a third or any further offence under this by-law is liable to a minimum penalty of \$5,000.00 pursuant to Section 61 of the Provincial Offences Act R.S.O. 1990, c. P-33, as amended from time to time.
- 3.4 Every person who fails to move a Tow-Truck or other Motor Vehicle immediately upon being directed by an Officer pursuant to Section 2.4 of this by-law shall be deemed to be obstructing that Officer from exercising a power or performing a duty under this by-law and is thereby guilty of an offence and upon conviction is liable to a penalty not to exceed \$5,000.00 pursuant to Section 61 of the Provincial Offences Act R.S.O. 1990, c. P-33, as amended from time to time.
- 3.5 Every person who in any manner hinders or obstructs, or attempts to hinder or obstruct, any person exercising a power or performing a duty under this by-law is guilty of an offence and on conviction is liable to a penalty not to exceed \$5,000.00 pursuant to Section 61 of the Provincial Offences Act R.S.O. 1990, c. P-33, as amended from time to time.

4. POWERS TO SEIZE AND REMOVE VEHICLES:

- 4.1 A Police Officer, a municipal law enforcement officer, or an Officer appointed for the carrying out of the provisions of this by-law, upon discovery of any Tow-Truck or other Motor Vehicle parked, stopped or standing in contravention of this by-law, may cause it to be moved, taken to and placed or stored in a suitable place pursuant to subsection 170 (15) of the Highway Traffic Act of Ontario and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the Repair and Storage Liens Act R.S.O. 1990 c. R-25.

5. SEVERABILITY

- 5.1 Should a Court of competent jurisdiction declare that any part or the whole of any provision of this by-law is invalid, of no force and effect, or ultra vires the power of Council to enact, such provision or parts thereof shall be deemed to be severable and all other provisions or parts thereof of this by-law shall be deemed to be separate and independent therefrom and continue in full force and effect and it is the intention of Council that the remainder of this by-law survive and be applied and enforced in accordance with its terms to the fullest extent possible under the law.

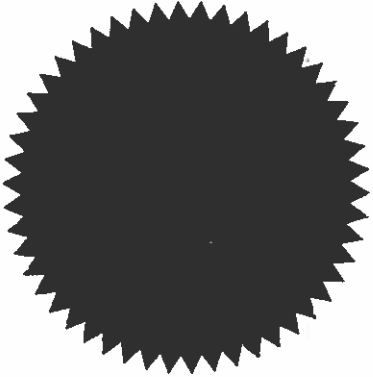
6. SHORT-TITLE:

- 6.1 This by-law may be referred to as the County of Wellington "Accident Scene Solicitation By-Law".

7. COMING INTO FORCE:

7.1 This by-law shall come into force immediately upon being enacted by Council.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 26TH DAY
OF MAY, 2011**



CHRIS WHITE, WARDEN

DONNA BRYCE, COUNTY CLERK

OFFICE CONSOLIDATION

This is a consolidation of the Town's by-law to provide for the licensing and regulation of various businesses in the Town of Caledon being By-law Number 2013-127 as amended by By-law numbers 2014-091, 2015-007, 2016-112, 2017-30 and 2018-31 prepared for reference and information purposes only. The following consolidation is an electronic reproduction made available for information only. It is not an official version of the by-law. Official versions of all by-laws can be obtained from the Town Clerk by calling (905) 584-2272. If there are any discrepancies between this consolidation and By-laws 2013-127, 2014-091, 2015-007, 2016-112, 2017-30 and 2018-31 shall prevail.

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NO. BL-2013-127

A by-law to provide for the licensing and regulation of various Businesses in the Town of Caledon and to repeal certain by-laws

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes Councils of municipalities to pass by-laws respecting business licensing, and to provide for a system of licences with respect to a business, including any business wholly or partly carried on within the municipality;

[By-law 2016-112 effective Jan 1/17] AND WHEREAS Section 446 of the *Municipal Act 2001*, S.O. 2001, c.25 authorizes a municipality to require a person to do a matter or thing and in default of it being done by the person directed or required to do it, the matter or thing shall be done at the owners expense and add the cost of the tax roll;

AND WHEREAS the Council of The Corporation of the Town of Caledon deems it desirable to enact a by-law to provide for a system of licences;

AND WHEREAS the Council of The Corporation of the Town of Caledon deems it necessary to repeal existing licensing by-laws;

NOW THEREFORE the Council of The Corporation of the Town of Caledon hereby enacts as follows:

DEFINITIONS

1. For the purposes of this by-law:

"applicant" means a person applying for a Licence under this by-law;

"business" includes a trade or occupation;

"Committee" means Council or a committee or tribunal established by the Council of The Corporation of the Town of Caledon to conduct one or more hearings under the provisions of this by-law;

"driver" means a person who is licensed to drive a Vehicle pursuant to this by-law;

"highway" has the same meaning as defined by the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended;

"issuance" means issuance of a Licence pursuant to this by-law and shall include renewal of a Licence;

"licence" means an authorization under this by-law to carry on the Business specified therein and the document providing evidence of such authorization, as the context may allow;

"licensee" means the holder of a Licence;

"licence issuer" means the person or persons appointed by by-law to issue Licences and to perform any of the powers or duties of the Licence Issuer under this by-law;

"licensed premises" includes premises for which a Licence application has been issued;

"Medical Officer of Health" means the Medical Officer of Health for The Regional Municipality of Peel, duly appointed under the *Health Protection and Promotion Act*, R.S.O. 1990, c. H.7, as amended, and includes his or her designate or an inspector acting on his or her behalf;

"officer" includes a municipal by-law enforcement officer, public health inspector, fire safety officer, police officer, Ministry of Transportation Enforcement Officer, building inspectors or other person that Council for the Town may designate by by-law;

"operator" means an individual Person, other than an Owner, who, alone or with others, operates, manages, supervises, runs or directs a Business on an ongoing basis or from time to time, or who exercises control over an Business on behalf of the Owner and includes a Driver;

"owner" means a person who alone or with others has the right to possess or occupy a Business or actually does possess or occupy a Business and includes a lessee of a Business or Premises upon which a Business is located;

"owner's plate" means a number plate issued to an owner of a Vehicle licensed under this by-law;

"passenger" means any person other than a Driver or Operator in any Vehicle that is licensed in accordance with this by-law.

"permit" means the Licence or certificate issued pursuant to provincial or other government legislation;

"person" includes an individual, partnership, corporation, company, firm, association and includes the successors, assigns, heirs, executors, administrators, or other legal representative of a Person according to the context;

"premises" means land including any and all buildings or structures thereon;

"registered owner" means the person shown to be the owner a motor vehicle according to the records maintained by the Registrar of Motor Vehicles for the Province of Ontario;

"roadway" means that part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder;

"Town" means The Corporation of the Town of Caledon;

"Town Hall" means the Town of Caledon Administrative Office located at 6311 Old Church Road in Caledon East;

"vehicle" has the same meaning as defined in the *Highway Traffic Act*;

GENERAL REGULATIONS

2. (1) No Person shall conduct, operate or maintain within the Town of Caledon any Business listed in Schedule "A" of this by-law, unless he/she has obtained from the Town a Licence authorizing him/her to carry on the Business.
 - (2) This by-law shall apply to any Business operating within the Town of Caledon even if carried on from a location outside the boundaries of the Town.
 - (3) No Licensee shall advertise or promote or carry on Business under any name other than the name endorsed upon the Licence issued by the Town.
 - (4) No Person shall publish or cause to be published any representation that the Person is licensed under this by-law if the Person is not so licensed.
 - (5) The issuance of a Licence pursuant to this by-law shall not relieve any Person from the necessity of acquiring any other licence, Permit or approval required for such activity by any governmental or public authority.
 - (6) Every Person engaging in a Business for which a Licence is required under the terms of this by-law shall comply with all applicable statutes, regulations and by-laws.
-

ADMINISTRATION

3. The Licence Issuer shall, subject to the provisions of this by-law:
 - (1) receive and process all applications for Licences and renewal of Licences to be issued in accordance with this by-law;
 - (2) circulate each application to any relevant agency or authority as well as municipal and provincial police services for comment;
 - (3) make such inquiries and inspections and obtain and review such information and documents relevant to the application, as the Licence Issuer considers necessary for the proper processing of the application and to determine whether an Applicant meets the requirements of this by-law and all other applicable laws;
 - (4) renew the Licences of Persons who meet the requirements of this by-law; and
 - (5) perform all other duties and responsibilities and exercise all powers imposed or conferred upon him or her by this by-law.

APPLICATION REQUIREMENTS

4.
 - (1) Every Person licensed under this by-law must be entitled to work in Canada.
 - (2) The provisions of Subsection 4(1) do not apply to a Corporation.
5. Every application form shall include a requirement that the Applicant provide at least the following information:
 - (1) the name and address of the Applicant;
 - (2) the address of the Applicant and of the intended Licensee to whom the Town or its licensing section may send or deliver any notice or other document required or authorized by law;
 - (3) the municipal address of the Premises or place in respect of which a Licence is sought where a Business licensed or required to be licensed is or is intended to be carried on;
 - (4) the name and address of the Owner of any Premises or place in which any such Business is carried on or is to be carried on;
 - (5) any trade or Business name or description used or to be used in relation to the Business; and
 - (6) the telephone number of such Business and/or the e-mail address of such Business.
6. If the Applicant is not an individual, the application form shall be completed and updated from time to time as this by-law requires, by an individual duly authorized by the Applicant to execute such form on behalf of the Applicant and binding upon it, and the individual completing such form shall sign the form, certifying the truth and completeness of the information provided therein.
7. Every Person at the time of making application for a Licence shall attend in person at Town Hall and provide:
 - (1) a completed application form in the form approved by the Licence Issuer;
 - (2) the fee set out in the Town's Municipal Act Fees By-law;
 - (3) Business name registration, if applicable;
 - (4) if a corporate Applicant, a certified copy of a Corporate Profile Report dated within 60 days of application; and
 - (5) if the Applicant is a registered partnership, a copy of the registered declaration of partnership.
8. Acceptance of the application and the Licence fee by the Town shall not represent approval of the application for the Issuance of a Licence nor shall it obligate the Town to issue such Licence.

INSURANCE

9. Every Applicant and Licensee shall obtain and maintain the appropriate insurance throughout the term of the Licence, in accordance with the specific requirements set out in the schedule to this by-law applicable to the type of Licence.
10. A Certificate of Insurance, in a form approved by the Licence Issuer, shall be provided at the time application is submitted and from time to time upon request of the Licence Issuer as evidence of the required insurance coverage and naming The Corporation of the Town of Caledon as an additional insured.
11. The Licensee shall give the Town at least twenty (20) days' prior written notice of the cancellation or variation of the policy.
12. A Licensee shall file the renewal insurance policy with the Licence Issuer at least five days prior to the expiry date of the current insurance policy.
13. When a Licensee cancels his current insurance policy before the expiry date of the policy, the Owner must produce a Certificate of Insurance indicating the newly acquired insurance, properly endorsed in accordance with the provisions of this by-law, or return the Licence to the Licence Issuer on the date and time of the cancellation.
14. When a licensed Owner of a Vehicle ceases to have a current and valid Ontario Standard Automobile Insurance Policy in good standing and properly endorsed in accordance with the provisions of this by-law, the Licence shall be deemed to be suspended as of the date of the expiry of the insurance policy, and the Licence shall only be reinstated upon delivery to the Licence Issuer written proof of insurance in accordance with the provisions of this by-law.

PREMISES

15. The Owner of Premises within the Town of Caledon that are used or intended to be used for a Business shall meet the requirements of the applicable Zoning By-law.

LICENCES RELATED TO VEHICLES

16. Every Applicant for a Driver or Operator Licence, except an operator of a non-motorized Vehicle, shall hold a current valid Driver's Licence which is in good standing and of an appropriate class for the vehicle to be driven.
17. In addition to the requirements of Section 16, the Licence Issuer may at any time require an Applicant or Licensee of a Driver or Operator Licence to provide to the Licence Issuer the original of a current Driver's abstract, dated within sixty (60) Days of the date of the application for a Driver's Licence or the request of the Licence Issuer made under this by-law.
18. Every Driver or Operator, if not the registered owner of the licensed Vehicle to be driven must provide the Licence Issuer with a letter from the registered Owner or lessee stating that the Owner or, where applicable, the lessee consents to the Driver operating his/her licensed Vehicle.
19. Every Applicant for Owner Licence in respect of a Vehicle Licence shall provide current, valid proof of ownership of the Vehicle(s) to be licensed and in the case of a leased Vehicle(s), the Applicant shall provide the Licence Issuer with a copy of a lease agreement between himself and the Vehicle's Owner.

TERM OF LICENCE

20. A Licence is valid until it expires or is revoked, suspended or cancelled.

CALCULATION OF FEE

21. When an initial application for a Licence for a new Business is received during the Licence term:
 - (1) a pro-rated fee may be calculated for every month remaining in the term of a Licence until the expiry date but a minimum payment of one quarter of the yearly fee shall apply;
 - (2) a part of a month shall count as a full month; and
 - (3) every Licence renewed or issued thereafter shall be subject to the full annual fee as prescribed in the Town's Municipal Act Fees By-law.
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NOTIFICATION OF CHANGE

22. A Licensee shall notify the Licence Issuer within seven (7) days of any change of name, address or any other information related to the Licence and obtain an amended Licence.
23. Where the Licensee is a corporation or partnership, the Licensee shall notify the Licence Issuer of any change in the names and addresses of partners, officers and directors, the location of the corporate head office, and the name under which the Business operates within seven (7) days of the change, and if necessary, the Licence shall be returned immediately to the Licence Issuer for amendment.

LICENCE NON-TRANSFERABLE

24. A Licence issued by the Town is not transferable and the application fee is non-refundable.
25. Every Licence shall remain at all times the property of the Town and no Person shall enjoy a vested right in any Licence or the continuance of any Licence.
26. Unless provided otherwise in this by-law a Person who is the Owner of more than one Vehicle or Premise shall take out a separate Licence for each Vehicle or Premise owned by him that is to be licensed in accordance with the provisions of this by-law.
27. The plate issued to an Owner for a Vehicle shall only be affixed to the Vehicle to which the plate was assigned.

RENEWAL OF LICENCE

28. The Applicant for a renewal of a Licence shall deliver the renewal to the Licence Issuer before the expiry date of the current Licence.
29. The provisions of this by-law relating to an application for a Licence shall apply, with necessary modifications, to an application for the renewal of a Licence or to amend a Licence or a condition of such Licence, except that where the applicant notifies a Licence Issuer that the information on file has not changed, the applicant shall not be required to complete a new application form or amendment thereto in respect of an application for renewal.
30. In respect of an application for renewal of a Licence, the Licensee shall return the Licence from the previous year and, when required by a Licence Issuer, the Owner's Plate from the previous year shall be returned to a Licence Issuer.
31. The Licence Issuer shall issue a renewal Licence to the Applicant where the Applicant has met all of the applicable requirements of this by-law.
32. Any Licence renewed more than sixty (60) Days after the date upon which it expires shall be subject to a late fee if an inspection is required for renewal.

POSTING OF LICENCE

33. (1) Every Licensee shall post its Licence issued pursuant to this by-law in a conspicuous place on the Licensed Premises or in a licensed vehicle clearly visible to the public.
(2) Where the Licence does not pertain to particular Premises, the Licensee shall keep the Licence with him at all times while carrying out the Licensed Business and shall produce the said Licence to any Person who requests it.
34. Every Person licensed under this by-law, when requested by the Licence Issuer or an Officer, shall immediately produce the Licence issued under this by-law and other relevant documents required under this by-law.

RESPONSIBILITY OF LICENSEE

35. When a Licence or Owner's Plate is defaced, destroyed or lost, the Licensee shall apply to the Licence Issuer for a replacement and, on payment of the appropriate fee under the Town's Municipal Act Fees By-law, a Licence Issuer shall issue a replacement Licence indicating that it is a duplicate Licence or Owner's Plate as required.

ADMINISTRATIVE SUSPENSIONS

36. An administrative suspension of a Licence without a hearing may be imposed for up to fourteen (14) days if the Licence Issuer is satisfied that the continuation of the Business poses an immediate danger to health or safety of any Person or to any property.
37. Before any administrative suspension is imposed, the Licence Issuer shall provide written notice to the Licensee by personal delivery, registered mail, e-mail or facsimile of:
- (1) the reasons for the suspension;
 - (2) the proposed start date of the suspension; and
 - (3) the proposed length of time of the suspension; and
- shall provide the Licensee with an opportunity to respond to the notice of suspension in writing to the Licence Issuer within three (3) business days of the service of the notice.
38. A Licence Issuer may impose conditions on the administrative suspension as the Licence Issuer considers appropriate.
39. The Licence Issuer shall reinstate any Licence which has been suspended upon satisfactory proof that the requirements stated in the written notice of administrative suspension have been met.

GROUND FOR REFUSAL, SUSPENSION OR PLACING OF CONDITIONS UPON A LICENCE

40. The Licence Issuer may refuse to grant a Licence or, to grant a renewal of a Licence, or may suspend or revoke a Licence upon one or more of the following grounds:
- (1) there are reasonable grounds to believe that an application or other document provided to the Licence Issuer by or on behalf of an Applicant contains a false statement or provides false information;
 - (2) the past or present conduct of the Applicant, or of any partner, in the case of an Applicant which is a partnership, or of any director or officer of the corporation, if the Applicant is a corporation, affords reasonable grounds to believe that the Business in respect of which the application is made will not be carried on in accordance with the law and with integrity and honesty;
 - (3) there are reasonable grounds to believe that the carrying on of the said Business will result in a breach of this by-law or any other law, including any applicable Zoning By-law requirements;
 - (4) the financial position or history of the Applicant or any one or more of the persons referred to in Subsection 40(2) affords reasonable grounds to believe that the Business will not be carried on in a financially responsible manner;
 - (5) there are reasonable grounds to believe that the application does not meet all the requirements of this by-law, or that the Business is carried on or intended to be carried on in an area of Town of Caledon where such Business is prohibited by law from being carried on, or in respect of which the issuing of a Licence in respect of the Business is not permitted by this by-law;
 - (6) there are reasonable grounds to believe that the building, Premises, place or Vehicle in which the Business is carried on or intended to be carried on does not comply with the provisions of this by-law, or with any other law, including any applicable building requirements, or is dangerous or unsafe;
 - (7) the past or present conduct of the Applicant or of any one or more of the persons referred to in Subsection 40(2) affords reasonable grounds to believe that the carrying on of the Business in respect of which the Licence is sought would infringe the rights, or endanger the health or safety, of one or more members of the public;
 - (8) the fee payable in respect of the Licence applied for has not been paid;
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- (9) where information provided to the Town by or on behalf of the Applicant or Licensee, whether oral or in writing, has ceased to be accurate, and the Applicant or Licensee has not provided up-to-date accurate information to the Licence Issuer sufficient to allow the Licence Issuer to conclude that the Licence should be granted or maintained as valid and subsisting;
 - (10) the Applicant does not comply or ensure compliance with any condition imposed under this by-law upon the Business or upon the Licensee, as a requirement of obtaining, continuing to hold or renewing a Licence;
 - (11) where the records required by this by-law and its schedules are not maintained;
 - (12) where the grounds for an administrative suspension have not been rectified within fourteen (14) days;
 - (13) where any Licence has been under suspension for a period in excess of 120 days;
 - (14) where no valid applicable provincial or federal licence required to operate the Business is in place;
 - (15) an applicant or licensee has failed to pay any outstanding fines previously imposed under this by-law;
 - (16) where the Owner or Operator has failed to maintain the insurance set out in this by-law for the Business being licensed; or
 - (17) two substantiated complaints have been received by the Licence Issuer in one a one year period regarding the Owner, Operator or Broker applying for a Licence or Licence renewal.
41. In making a decision to refuse to grant or renew a licence or to suspend or revoke a licence, the Licence Issuer may be guided by the policy set out in Appendix A to this by-law.

RIGHT TO A HEARING

42. If the Licence Issuer refuses to issue or renew any Licence, or revokes or suspends any Licence, or imposes conditions on a Licence, the Licence Issuer shall notify the Applicant or Licensee that he may request that the Licence Issuer's decision be reviewed by Committee.
43. The Licence Issuer shall serve notice upon the Applicant or Licensee by personal delivery, registered mail, e-mail or facsimile to the Applicant's or Licensee's last known information filed with the Licence Issuer and the notice shall:
- (1) contain sufficient information to specify the nature of, or reason for, the Licence Issuer's decision;
 - (2) inform the Applicant or Licensee of his entitlement to a hearing before Committee if a request in writing for a hearing is returned to the Licence Issuer within thirty (30) days after the date of service of the notice; and
 - (3) inform the Applicant or Licensee that if no written request is received, the application for a Licence or renewal of a Licence may not be granted, conditions may be imposed, or the Licence may be suspended or revoked and the Applicant/Licensee will not be entitled to any further notice with respect to the matter.
44. On receipt of a written request for a hearing from an Applicant or Licensee the Licence Issuer shall schedule:
- (1) a hearing before Committee; and
 - (2) shall give the Applicant or Licensee notice of the hearing at least twenty (20) days prior to the hearing date.
45. Where a Licence Issuer does not receive notice from an Applicant requesting a hearing, a Licence Issuer need not process the application further, and no further notice is required to be served upon the Applicant.

46. The provisions of the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22, as amended, shall apply to all hearings conducted under this by-law.
47. When an Applicant or Licensee who has been given written notice of the hearing does not attend at the appointed time and place, Council or a Committee may proceed with the hearing in his absence, make a decision and give notice of the decision to the Applicant or Licensee.
48. At a hearing, Council or a Committee may:
 - (1) issue or deny the Licence;
 - (2) issue the Licence with conditions;
 - (3) revoke a Licence;
 - (4) suspend a Licence; or
 - (5) cancel a Licence.
49. The Licence Issuer shall send written notice of the decision of Council or a Committee by registered mail, personal delivery, e-mail or facsimile to the Applicant or Licensee within five (5) days of such decision.

SUSPENSION OR REVOCATION OF LICENCE

50. (1) When Committee has revoked, suspended, or cancelled a Licence, the Licensee shall return the Licence to the Licence Issuer within two (2) days of service of the notice of decision of Committee.
 - (2) No Person whose Licence has been revoked or suspended shall refuse to deliver the Licence to the Licence Issuer or in any way obstruct or prevent the Licence Issuer or Officer from receiving or taking the same.
 - (3) The Licence Issuer or Officer may enter upon the Licensed Premises of the Licensee for the purpose of receiving, taking or removing the said Licence.
51. A suspension shall remain in force until such time as the Licensee has satisfied the Licence Issuer as to the Licensee's compliance with this by-law.
52. Where a Licence has been revoked or suspended, the Licence Issuer shall not refund of any fee paid under this by-law.
53. No Person shall engage in or continue to conduct, or permit any Person to engage in or continue to conduct any Business for which a Licence is required under the terms of this by-law, while such Licence is suspended or revoked.

NOTICE

54. Any notice required to be given by the Town under this by-law shall be deemed to be sufficiently given if delivered personally, sent by registered mail, facsimile transmission or e-mail addressed to the Person to whom the delivery is required to be made at the last address for delivery appearing on the records of the Licence Issuer. Notice given by registered mail shall be conclusively deemed to have been given and received on the seventh (7th) day after the date upon which it was mailed. Notice delivered personally, by facsimile or by e-mail shall be conclusively be deemed to have been given and received at the time of such delivery.

TERMS AND CONDITIONS ON LICENCE

55. The Licence Issuer may impose conditions as a requirement of obtaining, continuing to hold or renewing a Licence under this by-law.
 56. The Licence Issuer may also impose special conditions on a Business in a class as a requirement of obtaining, continuing to hold or renewing a Licence under this by-law that have not been imposed on all of the Businesses in that class, upon such grounds as are set out in Section 57 of this by-law.
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57. The Licence Issuer may impose conditions, including special conditions, on the following grounds:
- (1) the Licensee has failed to comply with any provision of this by-law;
 - (2) it is determined to be in the public interest to impose such conditions, including, but not limited to, public health and safety reasons; and
 - (3) it is determined that the conduct of any Person, including the officers, directors, employees or agents of a corporation, affords reasonable cause to believe that the Person will not carry on or engage in the Business in accordance with the law or with honesty and integrity.

TERM OF LICENCE

58. (1) Every licence issued in accordance with this by-law shall expire on the corresponding date noted in Schedule "A" to this by-law following the date that the Licence was issued, in respect of the type of licence issued.
- (2) Notwithstanding the provisions of Subsection 58(1), a Licence may be issued to an Applicant at a time when the Applicant has been charged with an offence under the provisions of this by-law or other applicable law and when the Applicant has not yet been convicted or exhausted any appeals permitted by law, except that any such Licence shall expire on the day that any such conviction is final when such conviction occurs during the licensing year.

INSPECTION OF VEHICLES

59. The Licence Issuer or Officer shall give notice to the licensed Owner of one mandatory inspection a year for each Vehicle that is licensed to ensure that the provisions of this by-law have been complied with, and, on completion of such inspection, shall complete and file a written report on the inspection.
60. The Licence Issuer or Officer may require that the Owner submit the Vehicle for a random inspection at a time and place specified by the Licence Issuer to verify compliance with the requirements of this by-law.
61. (1) If the Driver does not attend a mandatory inspection, or a random inspection, the Owner shall pay the missed inspection fee as set out in the Town's Municipal Act Fees By-law, as amended.
- (2) The Officer or Licence Issuer shall suspend the Owner's Licence until the fee is paid and the Vehicle has passed the mandatory inspection or random inspection.
62. For the purpose of an inspection required under this by-law, the Owner shall submit the Vehicle for inspection by the Officer during normal business hours.

POWERS OF ENTRY

63. An Officer may enter on Licensed Premises or Vehicles at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are complied with:
- (1) the provisions of this by-law;
 - (2) a direction or order made under this by-law;
 - (3) a condition of a Licence issued under this by-law;
 - (4) an order made pursuant to Section 431 of the *Municipal Act, 2001*, as amended.
64. For the purposes of an inspection, an Officer may:
- (1) require the production for inspection of documents or things relevant to the inspection;
 - (2) inspect and remove documents or things relevant to the inspection for the purposes of making copies or extracts;
 - (3) require information from any Person concerning a matter related to the inspection; or

- (4) alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
65. Upon an inspection, the Licence Issuer or Officer is entitled to access the Business records of the Licensee including but not limited to invoices, vouchers, appointment books or trip sheets or like documents of the Person being inspected provided such documents are relevant for the purposes of the inspection and the Licence Issuer or Officer may remove any of the aforementioned documents for the purpose of photocopying provided a receipt is given to the Licensee and the documents are returned to the Licensee within forty-eight (48) hours of removal.
66. Upon completion of an inspection, the Licence Issuer or Officer shall complete a written report on the inspection.

ORDERS

67. If an Officer finds that a contravention of the by-law has occurred, the Officer may issue:
 - (1) an order requiring the owner of land, the occupier of the land, the contravener or any person who permitted or caused the contravention to cease and discontinue the activity within the time specified in the order;
 - (2) an order requiring the owner of land, the occupier of the land, the contravener or any person who permitted or caused the contravention to do work to rectify the contravention within the time specified in the order; or
 - (3) both an order to discontinue the activity and an order to rectify the contravention to the owner of land, the occupier of the land, the contravener or any person who permitted or caused the contravention.
68. Every Person to whom an order is issued under this by-law shall comply with the order.

SERVICE OF ORDERS

69.
 - (1) An order under this by-law shall be serviced on the owner of land, the occupier of the land, the contravener or any person who permitted or caused the contravention, as applicable.
 - (2) An order required to be service under this by-law may be served personally or by registered mail sent to the last known address of the person upon whom the order is to be serviced or to that person's agent for service.
 - (3) If the order is to be served by registered mail, the service shall be deemed to have been made on the fifth day after the day of mailing unless the person to whom the order is given or that person's agent for service establishes that, acting in good faith, through absence, accident, illness or other unintentional cause the order was not received until a later date.
 - (4)
 - (a) If the order cannot be serviced personally, by registered mail or by service on the person's agent for service, an Officer may post a copy of the order in a conspicuous place on the land and may enter on the land for this purpose.
 - (b) The posting of the order shall be deemed to be sufficient service of the order under this by-law.

GENERAL PROHIBITIONS

70. No Person shall alter, erase or modify a Licence or allow the alteration, erasure or modification of a Licence.
 71. No Person shall hinder or obstruct an Officer in the performance of his or her duties under this by-law.
 72. Every Person to whom a Licence is issued under this by-law shall comply with the conditions of the Licence.
 73. No Person shall use, or attempt to use either a fraudulent Licence or a Licence issued to another Person under this by-law.
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74. No Person shall provide false or misleading information either in respect of an application or renewal of Licence or in respect of Business records requested by an Officer.

OFFENCES

75. (1) Every Person who contravenes any provision of this by-law is guilty of an offence.
- (2) Every director or officer of a corporation who knowingly concurs in the contravention of any provision of this by-law by the corporation is guilty of an offence.
76. A Person who is convicted of an offence is liable:
- (1) on a first offence, to a fine of not less than \$250.00 and to a fine of not more than \$50,000, and
- (2) on a second and each subsequent offence, to a fine of not less than \$500.00 and a fine of not more than \$100,000.00.
77. Every person who fails to comply with an order made by an officer or who permits or causes a contravention of any provision of this by-law is guilty of an offence and, on conviction, is liable to a fine of not less than \$500.00 and to a fine of not more than \$10,000.00 per day for each day or part of a day that the offence continues after the time given for complying with the order has expired or that the offence is permitted or caused to be continued.
78. A person who is convicted of multiple offences is liable for each offence included in the multiple offence, to a fine of not less than \$500.00 and to a fine of not more than \$10,000.00.
79. If a person convicted of an offence for contravening a provision of this by-law or an order made under this by-law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibit the continuation or repetition of the offence.

SEVERABILITY

80. Should any provision of this by-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this by-law as a whole or any part thereof, other than the part which is declared invalid.
81. The following Schedules and Appendices attached to this by-law form part of this by-law:

Schedule "A" – Businesses Requiring a Licence
Schedule "B" – Adult Video Tapes, Magazines and Other Goods
Schedule "C" – Scheduled Bus Service
Schedule "D" – Refreshment Vehicles
Schedule "E" - Taxicabs and Limousines
Schedule "F" – Tow Trucks
Schedule "G" – Donation Boxes
Appendix "A" – Threshold Policy

[By-law 2016-112
effective Jan 1/17]

REPEAL

82. By-law 2002-164 (Adult Goods), 2005-92 (Tow Trucks), 2006-24 (Taxis), 2006-110 (Buses), 2010-62 (Tattoo/piercing), 2011-102 (Ice Cream Vehicles) are hereby repealed.
83. Notwithstanding Section 82, valid licences issued prior to the effective date of this by-law shall remain in effect until such time as the licence has been renewed under this by-law.
84. By-laws 74-34, 75-36, 78-59, 84-65, 2001-18 and 2006-16 are hereby repealed.

EFFECTIVE DATE

85. This by-law shall come into force on the 1st day of January, 2014.

TITLE

86. This by-law shall be known as the Town of Caledon Licensing By-law.

**READ THREE TIMES AND FINALLY
PASSED IN OPEN COUNCIL
THIS 10th DAY OF DECEMBER, 2013.**

**"Marolyn Morrison"
Marolyn Morrison, Mayor**

**"Carey deGorter"
Carey deGorter, Clerk**

Schedule "A"

BUSINESSES REQUIRING A LICENCE

Business	Licence Expiry	Regulations
Owner and Operator - Adult goods, magazines and video tapes	November 30	SCHEDULE "B"
Scheduled Bus Service	October 3	SCHEDULE "C"
Owner and Operator - Refreshment Vehicles	April 30	SCHEDULE "D"
Taxicab or Limousine Broker, Driver and Owner	October 3	SCHEDULE "E"
Tow Truck Owner and Driver	May 3	SCHEDULE "F"
Donation Boxes	February 28	SCHEDULE "G"

SCHEDULE "B"

ADULT VIDEO TAPES, MAGAZINES AND OTHER GOODS

PART A

1. For the purposes of this Schedule:

"adult area" means an identifiable part of any premises, which part is used for the provision of:

- (i) adult videotapes;
- (ii) adult goods;
- (iii) adult magazines; or
- (iv) the showing or viewing of adult videotapes,

or any combination of any or all of the matters referred to in clauses (i), (ii), (iii) and (iv);

"adult business" means an adult entertainment parlour;

"adult goods" means goods appealing or designed to appeal to erotic or sexual appetites or inclinations, described as follows: dildos, vibrators and other masturbatory devices; toys, devices and novelties described or advertised as appropriate due to their sexual nature or use only for adults; clothing, devices and other goods advertised as related, or relating, to fetishism, or otherwise used for the satisfaction of sexual appetites or interests; goods generally referred to as "erotica"; any postcard, photograph or other pictorial photographic or graphic depiction of subject matter distinguished or characterized by the portrayal of one or more persons involving or engaging in specified sexual activities, or by emphasis on the display of human specified areas; and any other goods referred to as "adult" in a sexual context, individually or in any combination thereof;

"adult entertainment parlour" means any premises or part thereof in which is provided, in pursuance of a business, Adult Goods, and defined in this by-law as an Adult Store;

"adult magazine" means any magazine, the content or cover of which is designed or held out as designed, to appeal to erotic or sexual appetites or inclinations, through the pictorial, photographic or other graphic depiction of subject matter distinguished or characterized by the portrayal of one or more persons involved or engaging in specified sexual activities, or by emphasis on the display of human specified areas;

"adult store", subject to subsection (2), means:

- (i) any Adult Videotape Store;
 - (ii) any store used for the carrying on of the business of the provision of:
 - (a) Adult Videotapes;
 - (b) Adult Goods;
 - (c) Adult Magazines; or
 - (d) the showing or viewing of Adult Videotapes, or any combination of the matters referred to in paragraphs (a), (b), (c) and (d);
 - (iii) any store in which Adult Videotapes, Adult Goods or Adult Magazines, or the showing or viewing of Adult Videotapes, or any combination of any or all of them, are provided in the pursuance of a business, and to which premises entry by persons under the age of 18 years is prohibited, or in respect of which premises it is advertised or notice is given that such entry is prohibited; or
 - (iv) any store in which Adult Videotapes, Adult Goods or Adult Magazines, or the showing or viewing of Adult Videotapes, or any combination of any or all of them, are provided in the pursuance of a business, and in respect of which advertisement or notice is given, either by signs or other advertising devices on or in the premises, or otherwise, referring to "adult store", "adult-only store", "adult video store", "adult videotape store", "adult movies",
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"adult magazines", or "adults only", or are otherwise described by words of like meaning, or other words indicating the availability of goods, services or entertainment having sexual content not suitable for minors;

"adult videotape" means any videotape the content or container of which is designed or held out as designed, to appeal to erotic or sexual appetites or inclinations, through the pictorial, photographic or other graphic depiction of subject-matter distinguished or characterized by the portrayal of one or more persons involved or engaging in specified sexual activities, or by an emphasis on the display of human specified body areas. In the absence of evidence to the contrary, a videotape classified by the Ontario Film Review Board as "restricted", with the added information piece "adult sex film", shall be deemed to be an Adult Videotape, while a videotape with any other such classification shall be deemed not to be an Adult Videotape;

"adult videotape store" means any premises:

- (i) subject to subsection (2), used for the carrying on of the business of the provision of Adult Videotapes; or
- (ii) in which Adult Videotapes are provided in the pursuance of a business and to which premises entry by persons under the age of 18 years is prohibited, or in respect of which premises it is advertised or notice is given that such entry is prohibited; or
- (iii) in which Adult Videotapes are provided in the pursuance of a business and in respect of which it is advertised, or notice is given either by signs or other advertising devices on or in the premises, or otherwise, that the premises are an "adult video store", an "adult videotape store", "adults only", or "adult video rental store", or are otherwise described by words of like meaning, or other words indicating the availability of goods, services or entertainment not suitable for minors;

"drug" or **"drugs"** shall be deemed to exclude patent medicines and prescription drugs required for medicinal purposes;

"specified body areas" means one or more of the following:

- (i) in the case of a female person, her nipples, and areolae; and
- (ii) in the case of all persons, the pubic, perineal, perianal areas, the genitals, anus, and the buttocks;

"specified sexual activities" means one or more of the following:

actual or simulated sexual intercourse, masturbation, urination, defecation, ejaculation, sodomy, including bestiality, anal intercourse, oral sexual intercourse, direct physical stimulation of unclothed genital organs, and flagellation, bondage or torture in the context of a sexual relationship or activity;

"to provide" when used in relation to Adult Goods, means to sell, offer to sell or display for sale, by retail or otherwise, such goods;

"to provide" when used in relation to any videotape means to sell, offer to sell or display for sale, by retail or otherwise, or to rent, offer to rent or display for rental, whether or not the cost, fee or other consideration passes at the time of such rental or sale, or is effected through the cost of membership, subscription, admission or any other manner; and includes causing or permitting such provision;

"videotape" means any cinematographic film, videotape, disc, and any other medium from which may be produced visual images that may be viewed as moving pictures;

"videotape store" means any premises or part thereof in which videotapes are provided in the pursuance of a business, and includes an Adult Videotape Store.

2. (1) A business shall not be deemed to be an Adult Videotape Store or any other Adult Store by reason only of the definitions noted in Section 1 of this Schedule in respect of any Videotape Store or other store in which the provision of Adult Videotapes, Adult Magazines or Adult Goods, or the showing or viewing of Adult Videotapes, or any combination of them or any of them, respectively, is only incidental to the carrying on of the business of the provision and display of videotapes, magazines or goods respectively which are not Adult Videotapes, Adult Magazines or Adult Goods, respectively, but the regulations contained in this by-law relating to the placement and display of Adult Videotapes, Adult Magazines and Adult Goods, and to the prohibition of admission to all or part of the premises by persons under the age of 18 years, shall apply to all Videotape Stores and other stores.
- (2) Where an Owner operates his or her own Adult Business, he or she shall pay as the licence fee the combined amounts attributable to an Owner's Licence and an Operator's Licence.
- (3) Every Person operating any Adult Business shall be required to obtain a Licence pursuant to this by-law, and any number of Operators' Licences may be issued in respect of any particular Adult Entertainment Parlour.

DEFINED AREAS AND LIMITATION ON NUMBERS OF LICENCES

3. (1) The area of the Town as shown on the map included as Part B of this Schedule, which Part shall be deemed to be part of this by-law, is an area in which up to two Adult Entertainment Parlours may operate, and no Adult Entertainment Parlour is permitted to operate in any other area in the Town.
- (2) In respect of the area defined in Part B of this Schedule, no Licence or Licences may be granted except as permitted in this Schedule, or in a greater number than those specified in this Schedule.
- (3) No Licence under this by-law shall be issued in respect of any business, which would cause the permitted number of valid Licences to exceed the number permitted under this by-law or in respect of premises in an area in which such business is not specifically permitted under this by-law.

APPLICATIONS FOR LICENCES

4. In addition to the requirements of this by-law every Applicant for a Licence as an Owner or Operator of an Adult Business, and every Person applying for a Licence on behalf of a corporation or partnership, shall:
 - (1) submit with the application a passport-sized (minimum measurements 7.5 cm x 6.4 cm) facial photograph of such Person, taken within the previous six months, which shall be affixed to or accompany the application and be maintained in the files of the Licence Issuer.
 - (2) Provide proof of general commercial liability insurance in a minimum amount of \$1,000,000 in accordance with Sections 10 to 14 of this by-law
 5. (1) Every agreement or arrangement between an Owner and an Operator of an Adult Business pertaining to the operation of such business by the Operator shall be in writing.
 - (2) The Owner shall file a true copy of every written document referred to in subsection (1) of this section, with the Licence Issuer before the commencement of operation of the Adult Entertainment Parlour.
 - (3) The Owner shall also file with the Licence Issuer:
 - (a) a true copy of every other agreement or other document constituting or pertaining to the relationship between the Owner and any Operator or other Person respecting the ownership or operation of the premises and the Adult Business;
 - (b) a true copy of all amendments or replacement agreements to the agreements or other documents referred to elsewhere in this section;
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- (c) a true copy of any lease between any Owner or Operator and the owner of the property upon which an Adult Business is carried on.
- (4) Without limiting the generality of any other provision in this by-law, persons associated in any partnership or corporation applying for a Licence under this by-law shall file with their application all contracts, and other documents relating to the relationship between the Owner and Operator of the Adult Entertainment Parlour and shall file a statutory declaration, in writing signed by all members of the partnership or an officer of the corporation, which declaration shall state:
 - (a) the full name of every partner in a partnership, or any shareholder of a corporation, and the address of his or her ordinary residence;
 - (b) the name or names under which they carry on or intend to carry on business;
 - (c) that the persons therein named are the only members of the partnership or shareholders of the corporation;
 - (d) the mailing address for the partnership or corporation;
 - (e) the identity of all persons or entities having any interest, direct or indirect, any trust arrangement, or any financial or contractual or understood arrangement, with respect to the ownership or operation of the premises or the Adult Business or the control or management of same, and the terms upon which such interest or right is conferred or obtained;
 - (f) the identity of every person having a beneficial interest, directly or indirectly in the premises or in the business to be carried on to which this by-law relates and every person having a right to receive income, revenue or benefit of any kind arising out of the operation of such premises or business, and any person who in fact receives such income, revenue or benefit, and the terms upon which such interest or right is conferred or obtained;
- (5) If any member of a partnership applying for a Licence is a corporation, such corporation shall be deemed to be a corporation applying for a Licence and if such Licence is issued to the partnership such corporation shall be deemed to a corporation applying for or holding an Owner's Licence.
- (6) If any shareholder of a corporate Applicant or Licensee is a corporation, such corporation shall be deemed to be a corporation applying for or holding a licence, as the case may be, and so on until the information required by this by-law relating to every corporation having any interest in the adult entertainment parlour or the operation of its business, has been disclosed.

PROCESSING OF APPLICATION

- 6. (1) The Licence Issuer may, for the purpose of processing the application and reporting to the Council with respect thereto, require the applicant to provide such further information relevant to the Licence application as the Licence Issuer should see fit, and every applicant, officer, director or partner of any corporate or partnership applicant, respectively, shall provide such information, including the provision of an interview with the Licence Issuer, or with the Council, should the Council require such information in order to enable it to deal with the application.
- (2) The Licence Issuer may at any time seek directions from the Council with respect to the manner of processing any application for a Licence or the obtaining of information in connection thereto, or may refer the application to the Council for a hearing as to whether or not the application should be proceeded with, or whether it should be granted or refused, or whether conditions should be imposed upon any such Licence which might be granted.

7. The Licence Issuer shall prepare a report to the Council summarizing the general nature of the application and relevant facts pertaining thereto, including any information relevant to terms which the Council might consider including as conditions of any Licence which it might issue, but shall not include any specific allegations made against the Applicant or any other Person, nor shall it include the text of any reports or other documents containing such allegations or information adverse to the Applicant, but the general nature of such allegations or documents may be referred to in the report.

CONTRACT - BETWEEN OWNER - OPERATOR – REQUIREMENTS

8. Every contract of service, contract for services or other arrangement constituting or pertaining to the relationship between Owner and Operator of an Adult Entertainment Parlour shall be in writing and shall be made available for inspection at any time by an Officer or the Licence Issuer upon request, and shall be retained by the Owner or Operator for a period of six months after its termination.

COMPLIANCE - APPLICABLE PROVISIONS - ALL PERSONS

9. Every person shall comply with the provisions of this schedule applicable to such Person, whether or not such Person is licensed or required to be licensed under this by-law or any law, or whether or not a licence issued to such Person is valid and subsisting.

SCHEDULES - PART OF BY-LAW

10. Parts A and B form part of this Schedule.

REQUIREMENTS OF LICENSEE

11. Every Licensee shall:
 - (1) keep the premises in a clean and sanitary condition;
 - (2) during all business hours, maintain on the premises, available for inspection by the Licence Issuer or any Officer a current list of all Adult Videotapes provided on the premises;
12.
 - (1) No Owner, Operator or any Person working in an Adult Store or adult videotape area or other adult area shall permit any person under the age of eighteen years to enter or remain in such store or area.
 - (2) No Owner, Operator or any other Person shall work in an Adult Store or adult videotape area or other adult area, or in any part of any Videotape Store in which Adult Videotapes or Adult Goods are provided, unless such person is of the age of eighteen years or older.
13. Every Operator shall post and keep posted at every entrance to any Adult Videotape Store or other Adult Store operated by such Operator, and in a prominent location inside such store, signs sufficient to indicate clearly to any person approaching or entering the store, and to every person in the store, that no person under the age of eighteen years is permitted to enter or remain in such store or any part thereof.

REGULATIONS APPLICABLE TO ALL STORES

14.
 - (1) Every Owner and every Operator of a store, including a Videotape Store, whether or not he or she is licensed or required to be licensed under this by-law, shall, in the carrying on of such business, comply with the regulations contained in this by-law relating to the provision of Adult Videotapes, Adult Magazines and Adult Goods.
 - (2) Every Owner and Operator referred to in sub-section (1) shall ensure that every Person working in such store complies with all requirements of this by-law relating to the provision of Adult Videotapes, Adult Magazines or Adult Goods and the prohibition of access to all or part of the Premises to persons under the age of eighteen years, as required by this by-law.
 - (3) Every person working in a store shall comply with all requirements of this by-law relating to the provision of Adult Videotapes, Adult Magazines or
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Adult Goods and the prohibition of access to all or part of the Premises to persons under the age of eighteen years, as required by this by-law.

15. (1) No Owner or Operator of a store in which Adult Videotapes, Adult Magazines or Adult Goods are provided, shall permit any person under the age of eighteen years to enter or remain in any adult videotape area or other adult area or any other part of such store where Adult Videotapes or Adult Goods are provided, or within three metres of any Adult Videotape or Adult Goods unless such Adult Videotape is located in an adult videotape area or other adult area to which such person does not have physical or visual access.
 - (2) Every Owner and Operator of a store in which any Adult Videotapes, Adult Magazines or Adult Goods are provided shall affix, in a prominent location inside such store and at every entrance to every adult videotape or other adult area, a sign or signs sufficient to indicate clearly to persons in the store, that no person under the age of eighteen years is permitted to enter or remain in any or adult videotape area or other adult area, in accordance with this by-law.
 - (3) Every Owner and Operator of a store, including an Adult Videotape Store or other Adult Store, and every Person working in such store, shall ensure that no person under the age of eighteen years is permitted to enter an Adult Videotape Store or other Adult Store, or any adult videotape area or other adult area, in accordance with this by-law.
 - (4) Every Operator of a store and every Person working in such store shall ensure that no Adult Videotape, or container for an Adult Videotape, Adult Magazines or Adult Goods shall be displayed in such a manner so as to be visible from outside the store.
 - (5) Every Operator of a store and every Person working in such store shall ensure that no Adult Videotape, or container for an Adult Videotape, Adult Magazines or Adult Goods shall be displayed in a Videotape Store that is not an Adult Videotape Store or other Adult Store, or in an adult videotape area or other adult area, in a location where it can be seen by persons in the store, unless such Adult Videotape or container, Adult Magazines or Adult Goods are in a separate adult videotape area or other adult area or other location in such store to which persons under the age of eighteen years are not permitted to enter, and such Adult Videotape or container, Adult Magazines or Adult Goods are displayed in a location where it cannot be seen from outside such area.
 - (6) No Owner or Operator of any Adult Videotape Store, or any Person working in such a store, shall play, preview or display, or permit to be played, previewed or displayed, or cause to be played, previewed or displayed, any Adult Videotape for view within the store.
16. (1) Every Person providing Adult Videotapes, Adult Magazines or other Adult Goods in any store, in an area to which persons under the age of eighteen years are permitted to enter or remain shall, place the Adult Videotape, Adult Magazine or other Adult Goods and their containers:
 - (a) at a height of 1.5 metres or more above floor level; and
 - (b) behind an opaque barrier of a size and nature so that the Adult Goods, and their container, while on display, except for the name or title thereof, may not be seen by any member of the public.
17. Every Owner, Operator and every Person working in any store in which Adult Videotapes, Adult Magazines or other Adult Goods are provided shall:
 - (1) ensure that no Adult Videotape, Adult Videotape cover, Adult Magazine, Adult Goods or container of any Adult Goods, or, except as permitted in this by-law, any promotional material or advertising, shall be displayed in such a manner so as to be visible from outside the store, or from inside the store where it may be visible to any person under the age of 18 years.
 - (2) ensure that no Adult Videotape, Adult Magazine or other Adult Goods is or are sold, rented or otherwise provided to any person who is not at least 18 years of age;

- (3) not make available to the public any Adult Videotapes, Adult Magazines or other Adult Goods through automated vending or dispensing equipment without intervening and having the age of the person duly verified by the Owner, Operator or employee at the time of any sale, rental or other provision;
- (4) inform himself or herself of the requirements of this by-law pertaining to Adult Videotapes, Adult Magazines and other Adult Goods, and in the case of every Owner and Operator, ensure that every Person working in the store complies with all such requirements.

SIGNS

- 18. Every Owner and Operator shall exhibit over the street door or in the lower front window of the premises in respect of which such person's Licence is issued or in some other conspicuous place on the exterior of such premises satisfactory to the Licence Issuer, a sign issued by the Licence Issuer bearing the words, "Licensed Adult Store No.", (inserting after "No." the Owner's Licence number), and "Comments regarding this business may be made to the Town Licensing Office [at the telephone and facsimile numbers of the Licence Issuer].
- 19. (1) Every Owner and every Operator of an Adult Store shall ensure that all exterior signs and advertisements relating to the store, and to the provision of Adult Goods or services, shall comply with the Sign by-law of the Town of Caledon, and shall not include pictorial representation of any specified body areas or specified sexual activities.
 - (2) Signs referred to in subsection (1) shall be restricted to the name of the business as endorsed on the Licence, and may include the phrases "adult videos"; "adult videotapes"; "adult videotapes sales or rentals"; "adult goods"; "adult magazines"; "adults only"; or "adult movies".
 - (3) Any sign referred to in subsection (1) may be illuminated, but no such sign shall contain or utilize flashing lights, flashing or alternating neon or other sources of illumination, pixel board or other moving or apparently-moving lights.
- 20. No Person shall erect or maintain any of the following signs or other advertising devices in respect of an Adult Store or in respect of any services or goods provided at an Adult Store:
 - (1) an awning sign
 - (2) a projecting sign
 - (3) an inflatable sign
 - (4) a portable sign
 - (5) a trailer sign
 - (6) a ground or pylon sign;
 - (7) a sandwich board sign; or
 - (8) an abandoned or inoperable vehicle used as a sign.
- 21. Nothing in this by-law shall be deemed to constrain any Person from erecting or maintaining any sign or other advertising device on any interior wall of an Adult Store, provided the content of such sign is not visible from the exterior of the Adult Store.
- 22. No Person may erect or maintain any sign or other advertising device in respect of an Adult Store which includes any letters, markings, symbols, pictures or representations, except the name of the Adult Store as recorded on the application for Licence, and any logo or symbol, provided a copy of such logo or symbol is filed with the Licence Issuer as part of the licensing process.

LICENSEE - INFORMATION PROVIDED - UPON REQUEST

- 23. Every Owner and Operator of any class of Adult Entertainment Parlour in the Town and every Owner and Operator Licensed under this by-law in attendance at an Adult Entertainment Parlour in the Town whether or not engaged in his or her respective trade, calling, business or occupation at that time, shall, upon a request made by any Officer or the Licence Issuer provide his or her name and residential address, and if licensed under this by-law in respect of any trade, calling, business or occupation relating to such Adult Entertainment Parlour, produce the said Licence.

INTOXICATED PERSON - ADMITTANCE – PROHIBITED

24. No Owner or Operator shall permit any Person who appears to be intoxicated by alcohol or a Drug to enter or remain in any Adult Entertainment Parlour owned or operated by such Owner or Operator.

OWNER - OPERATOR - IN ATTENDANCE - BUSINESS HOURS

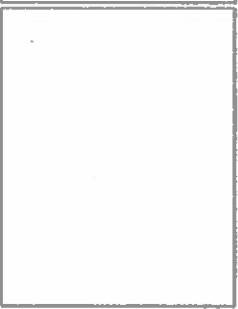
25. Either the Owner, where the Owner is an individual person, one of the partners where the Owner is a partnership, or an officer of a corporate Owner, or an Operator licensed in respect of such Owner's Adult Entertainment Parlour shall be in attendance at such Owner's Adult Entertainment Parlour during all opening hours, and no Owner or Operator shall permit an Adult Entertainment Parlour owned or operated by him or her to open for business, or remain open for business, or any Adult Videotapes, Adult Magazines or Adult Goods be provided at such Adult Entertainment Parlour unless this Section is complied with, and for greater particularity, where an Owner is a corporation, such Owner shall not permit an Adult Entertainment Parlour owned or operated by him or her to open for business, or remain open for business, or Adult Videotapes, Adult Magazines or Adult Goods provided therein, unless an Operator licensed in respect of such Owner's Adult Entertainment Parlour is in attendance.



Part B of
SCHEDULE "B"
TO BY-LAW
NO. 2013-127

Legend

-  Lands Subject to this By-Law
-  Lot Fabric



TOWN OF CALEDON



SCHEDULE "C"

BUS LICENSING PROVISIONS

1. For the purposes of this Schedule:

"bus" means a motor vehicle designed for carrying ten or more passengers and used for the transportation of persons;

"car pool vehicle" means a motor vehicle as defined in the *Highway Traffic Act*,

- (a) with a seating capacity of not more than ten (10) persons,
- (b) where the transporting of passengers is incidental to the driver's purpose for the trip, and

but does not include a motor vehicle while being operated by or under contract with a school board or other authority in charge of a school for the transportation of children to or from school;

"compensation" includes any rate, remuneration, reimbursement or reward of any kind paid, payable or promised, or received or demanded, directly or indirectly;

"local scheduled bus service" includes the operation of a bus

- (a) on a highway located within the Town of Caledon,
- (b) by, for or on behalf of any person or corporation
- (c) for the transportation of passengers that might be carried in a passenger vehicle,
- (d) for compensation paid to the operator,
- (e) travelling a specific route by bus in accordance with a publicly advertised schedule,
- (f) where the operator takes on passengers within the limits of the Town and discharges such passengers within the limits of the Town;

"operator" means a person who operates a local scheduled bus service;

"Region" means The Corporation of the Regional Municipality of Peel

APPLICABILITY

2. The provisions of this by-law to obtain a licence issued by the Town Council do not apply to

- (1) any person operating a bus service
 - (a) who is not providing a local scheduled bus service, and
 - (b) to whom the Ontario Highway Transport Board has issued an operating licence,
- (2) any person operating a car pool vehicle,
- (3) Brampton Transit, Go Transit or any other public transit authorities, commissions or agencies of other municipalities which enter into or have entered into a formal agreement with Caledon, for the provision of transit services into or through Caledon.
- (4) Caledon Community Services where Caledon Community Services is operating a bus for the benefit of eligible seniors and persons with disabilities,
- (5) any person operating buses solely for the purpose of picking up and discharging passengers as part of a busing contract with a local school board,

LICENCE REQUIRED

3. No Operator of a scheduled local bus service shall operate a local scheduled bus service within the Town of Caledon unless they have been issued a licence in accordance with this by-law.

4. No person shall operate a local scheduled bus service
 - (1) except on highways maintained by the Town where the Council has approved the route by the enactment of a by-law and where the Minister of Transportation has approved a by-law so enacted, and
 - (2) except on highways maintained by the Region where Regional Council has approved the route by the enactment of a by-law and where the Minister of Transportation has approved a by-law so enacted.

LICENSING REQUIREMENTS

5. An applicant for a local scheduled bus service licence shall
 - (1) complete all parts and every question and provide requested documentation set out in the application form approved by the licence issuer;
 - (2) provide a certificate of insurance evidencing coverage as would normally be carried by a prudent owner or operator of a transit system similar to the system described by the applicant including but not necessarily restricted to the following minimum coverages:
 - (a) the limit of at least \$200,000, exclusive of interest and costs, against liability resulting from bodily injury to or the death of one or more persons and loss of or damage to property;
 - (b) a minimum insurance coverage in the amount of \$5,000.00 for damage to property of all passengers;
 - (c) a minimum liability coverage against loss or damage resulting from bodily injury in the amount of Eight Million (\$8,000,000);
 - (d) an endorsement that the insurance company will undertake to notify the Town in writing of the cancellation or expiry of the insurance policy at least 30 days before the effective date or cancellation or expiry;
 - (e) an endorsement that the Town and the Region are each named as an additional insured,
 - (3) provide a copy of the CVOR certificate and a copy of the Carrier CVOR Abstract (Level II) issued by the Ministry of Transportation, issued within the previous 60 days of the application, or any other similar abstract;
 - (4) provide, in respect of each bus, a copy of the Annual Inspection Certificate and the semi-annual Safety Inspection Certificate, issued by a motor vehicle inspection station licensed by the Ministry of Transportation at the time of submission of the application if available, or, if not available, prior to the issuance of a licence;
 - (5) provide a timetable showing scheduled times of arrival and departure of buses operated by the operation and number of trips the buses will make over each route;
 - (6) provide a map showing the route or routes on Town and Regional highways over which the bus or buses will travel, including the stops on these highways;
 - (7) provide a copy of the owner's preventative maintenance program and schedule;
 - (8) provide a record of all offences under any by-law, provincial statute or federal statute, for which no pardon has been granted, of which the applicant, if the applicant is an individual, any of the partners, if the applicant is a partnership, or any of the directors, shareholders and officers of a corporation, if the applicant is a corporation, has or have been convicted; such record issued within the previous 60 days of the application to the Licence Issuer,
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- (9) provide, in respect of each bus, a copy of the Annual Inspection Certificate and the semi-annual Safety Inspection Certificate, issued by a motor vehicle inspection station licensed by the Ministry of Transportation at the time of submission of the application if available, or, if not available, prior to the issuance of a licence;
- (10) hold a minimum Carrier Safety Rating of "satisfactory" or "satisfactory-unaudited" issued by the Ministry of Transportation;
- (11) provide a copy of a current and positive Clean Air Emissions Report; and
- (12) provide a copy of a valid emergency on road maintenance contract providing emergency response to a bus disabled while operating on the highway.
- (13) provide a business plan;
- (14) provide the proposed tariff of tolls to be charged to passengers.

ISSUE OF LICENCE

- 6. When the Applicant for a Licence meets all of the applicable requirements under this by-law, the Licence Issuer shall issue the licence upon approval of the bus routes by Council.

TERM OF LICENCE

- 7. Every Licence issued to an Operator shall expire on the 31st day of October in the calendar year following the issuance of the Licence.
- 8. Where a controlling interest in any corporation holding an Operator's Licence under this by-law is being transferred, it shall be deemed that the Licence is being transferred and the purchaser of the shares of the corporation shall apply to the Licence Issuer for the issuance of an Operator's licence at the time of the purchase of the shares.
- 9. Where the licensed Operator dies, the Operator's Licence shall be deemed to expire.

REPRESENTATION

- 10. Where the Town or the Region has advised in writing the Operator of a local scheduled bus service that a representation has been made by him or by a person under his legal control that can be reasonably understood to mean that the bus service is being operated by, or on behalf of the Town or the Region, the Operator shall immediately cease to make such a representation and/or shall take the corrective action set out in the written notice.
- 11. At the place of business of the local scheduled bus service, and on the curb side near the passenger door of each bus, in letters clearly visible to passengers boarding the bus, the Operator of the local scheduled bus service shall display the full legal name, address and phone number of the Operator.

BUS ROUTES

- 12. Prior to passing a by-law approving a bus route for a local scheduled bus service, the Council shall hold a public hearing, notice of which is published once in a newspaper of local circulation at least two weeks prior the meeting during which Council will consider the proposed by-law.

OPERATOR'S DUTIES

- 13. An operator licensed under this by-law shall keep each of the following documents at all times in the bus of which he is the Owner:
 - (1) a legible photocopy of the Licence issued under this by-law, and
 - (2) a legible photocopy of a current Ministry of Transportation passenger motor vehicle permit issued for that bus, and

- (3) the original of the certificate of insurance for the bus, obtained in accordance with the requirements of this by-law, and
 - (4) a legible photocopy of the CVOR certificate, and
 - (5) annual and bi-annual safety inspection certificates, and
 - (6) Drive Clean documentation.
14. An Operator Licensed under this by-law shall have, in or on each bus owned by him as part of the local scheduled bus service the licence plate issued under this by-law affixed to the bus in a location and in a manner approved by the Licence Issuer.
15. An Operator licensed under this by-law shall:
- (1) employ or use only the services of drivers who hold a current, valid Class "B" driver's licence issued by the Province of Ontario, which is in good standing according to the records of the Ministry of Transportation;
 - (2) ensure that every person the Operator employs as a driver provides an original criminal record search, including a vulnerable sector search, issued by the Caledon Detachment of the Ontario Provincial Police, or by the police service located in the municipality in which the driver resides, at least once a year, which search shall be furnished to the Licence Issuer on request;
 - (3) ensure that every person the Operator employs as a driver provides an original driver abstract from the Ministry of Transportation at least every six (6) months, which abstract shall be furnished to the Licence Issuer on request;
 - (4) maintain knowledge at all times of the identity of any person having custody or control of the buses forming part of the local scheduled bus services Licensed under this by-law;
 - (5) provide to the Licence Issuer the name of the driver operating the bus, within seventy-two (72) hours of the time when the driver has commenced to operate said bus;
 - (6) maintain an up-to-date list of all drivers operating buses for the Operator, which list shall show the name, address, and telephone number of each driver which list shall be furnished to the Licence Issuer on request;
 - (7) ensure that every person the Operator employs as a driver is, during working hours, properly dressed, neat and clean in his or her person, courteous and provides such reasonable assistance to all passengers as is needed to enter or leave the bus safely;
 - (8) ensure that every driver is at all times in compliance with the Hours of Work Regulation as set out in the *Highway Traffic Act*;
 - (9) ensure that every driver maintains a daily log or, if the driver is not required to maintain a daily log, the Operator keeps the records of the times each driver goes on and off duty as set out in the *Highway Traffic Act*; keep a record of the operation of each bus, showing each trip on which it is operated;
 - (10) produce the records for inspection upon the request of the Licence Issuer or an Officer and give full information to the Licence Issuer or an Officer upon being requested to do so,
 - (11) provide a suitable office and location for the parking and the maintenance of buses for the carrying on of the Operator's business under this by-law;
 - (12) comply with the request(s) of the Licence Issuer when such request(s) are made in accordance with this by-law;
 - (13) enter into an agreement satisfactory to the Town and the Region regarding the location, installation, maintenance, signage and insurance of bus stops and bus shelters on the bus route;
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- (14) enter into an agreement satisfactory to the Town and the Region providing an indemnity to the Town and the Region regarding the operation of the local scheduled bus service on roads maintained by the Town and the Region;
- (15) employ, or contract with, a licensed mechanic qualified to perform work on buses in regard to the maintenance of the bus or buses used in the local scheduled bus service,
- (16) implement and carry out a maintenance programme for the bus or buses used in the local scheduled bus service which is consistent with the standard practice in the industry;
- (17) only charge, and permit the drivers to collect, only the toll for scheduled services as set out in the tariff of tolls as filed by the Operator with the Licence Issuer;
- (18) keep the interior and exterior of each bus clean, dry and in good repair, and whenever the owner is informed by either the driver, the Licence Issuer or an Officer that a bus is not in a fit or proper condition for use, forthwith remove the bus from service, and put the bus in a fit and proper condition;

OWNER'S PROHIBITIONS

16. No Operator licensed under this by-law shall:

- (1) require or permit a driver of the Operator's bus, to work when that person's ability to perform his or her duties is impaired by fatigue, illness or otherwise;
- (2) permit a bus of which he or she is the Owner, to be Operated with mechanical defects of which the Owner is aware;
- (3) operate a bus or permit the Owner's bus to be operated, without the issuance of an Operator's plate for that bus under this by-law;
- (4) exhibit on, or about the bus any number, sign or card except one authorized under this by-law and his Provincial motor vehicle licence plate;
- (5) discontinue or reduce any scheduled service authorized by this by-law without giving prior notice to the public affected; notice to the public shall be given in a newspaper published in the area affected and on signs posted at the scheduled bus stops where the service is to be discontinued or reduced, at least 30 days prior to the discontinuance or reduction of service.

VEHICLES

17. As part of the local scheduled bus service, the Operator shall only use a bus which

- (1) has a minimum seating capacity of 20 passengers
- (2) is equipped with
 - (a) chassis requirement of
 - a) Dual Rear Wheels
 - b) Ford E350/450, GMC610,
 - c) or equivalent
 - (a) body type/style of
 - i. Champion, Challenger model, 20 passenger
 - ii. World Trans, MB Commuter model
 - iii. Goshen Coach, GC11 model
 - iv. or equivalent
- (3) adequate and functioning driver and passenger heating and air conditioning, 2 separate units controlled independently by the driver;

- (4) a lighted device on the exterior front of the bus and a lighted device on exterior right side in the forward part of the bus, for displaying the route number and a brief description of the destination of the bus, in a clear, legible manner;
 - (5) an emergency first aid kit that, at a minimum, meets the requirements of Canadian Standards Association Standard D250-98 or equivalent;
 - (6) an adequate fire extinguisher which is kept in effective working order and securely mounted in a bracket provided therefor at a place readily accessible to the driver in the forward part of the bus near the entrance;
 - (7) one or more lights within the bus that are so arranged as to provide adequate lighting for the whole of the interior of the bus, and the light or lights shall be kept constantly lit between sunset and sunrise when there are passengers in the bus;
 - (8) the emergency equipment and tools likely to be required for replacement or use on a trip secured in a manner and place that it is readily accessible in an emergency, including but not limited to a fire axe and road flares or triangles;
 - (9) at least three push-out windows on each side of the passenger compartment of the bus;
 - (10) radio equipment and/or an onboard computer to allow for real-time communication between the driver and the operator's dispatcher and emergency services accessibility features for the disabled and senior citizens;
 - (11) is not more than fifteen (15) years old, as calculated from the 1st day of January of the bus's model year.
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SCHEDULE "D"

REFRESHMENT VEHICLE LICENSING PROVISIONS

DEFINITIONS

1. For the purposes of this schedule,

"collector road" means a road under the jurisdiction of the Town of Caledon that serves low to moderate volumes of short distance traffic between local and arterial roads and provides individual property access with some limitations;

"Class A Refreshment Vehicle" means a mobile vehicle from which the food or refreshments sold are prepared in a commissary or a place other than the refreshment vehicle, but which is not exclusively a vendor of factory pre-packaged frozen products, and where food is sold for consumption by persons at their place of employment;

"Class B Refreshment Vehicle" means a vehicle from which food or refreshments are prepared or apportioned and/or sold for consumption by the public;

"ice cream cart" means a refreshment vehicle which is non-motorized and is exclusively used for the sale of factory pre-packaged frozen products;

"ice cream truck" means a motor vehicle as defined under the *Highway Traffic Act*, R.S.O. 1990, c. H.8 as amended, from which ice cream, ice cream products, iced or frozen confections or desserts are sold but which is not stationary in a permanent location;

"ice cream vehicle" means either an ice cream truck or an ice cream cart;

"operate" means to stop and offer for sale goods contained within the ice cream vehicle;

"regional road" means a road under the jurisdiction of The Regional Municipality of Peel;

LICENCES

2. A licence shall be taken out by:

- (1) Every person who owns a Class B Refreshment Vehicle or Ice Cream Vehicle; and
- (2) Every person who operates a Class B Refreshment Vehicle or Ice Cream Vehicle.

APPLICATION REQUIREMENTS

3. No Owner shall permit or allow any Person to Operate an Ice Cream Vehicle or Refreshment Vehicle without a valid Operator Licence issued under this by-law.
 4. An Applicant for an Ice Cream Vehicle or Refreshment Vehicle Operator Licence shall provide the following to the Licence Issuer:
 - (1) two (2) copies of a current passport quality photograph of himself;
 - (2) a letter from an Owner licensed under this by-law indicating that he intends to employ the operator, once licensed, if the Applicant is not the Owner.
 5. The Applicant for an Ice Cream Vehicle Operator's or Refreshment Vehicle Operator's Licence must provide a criminal record search that includes a vulnerable sector search.
 6. If the Operator is between the ages of fourteen (14) and seventeen (17) years of age, written consent from the Applicant's parent or legal guardian stating that he consents to the Applicant operating an Ice Cream Vehicle or Refreshment Vehicle must be provided to the Licence Issuer.
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7. An Applicant for a motorized Refreshment Vehicle Owner's Licence or Ice Cream Truck Owner's Licence shall provide to the Licence Issuer:
 - (1) a valid copy of a current certificate of insurance in respect of Ontario Automobile Insurance, in a form approved by the Licence Issuer, which certificate shall be given to the Licence Issuer and which certifies that the Owner and all Operators are insured in the case of bodily injury or death, to a limit of at least two million dollars (\$2,000,000.00) exclusive of interest and costs against all claims for personal injury, including injury resulting in death, and damage, with an inclusive limit of not less than two million dollars (\$2,000,000.00) and that complies with Sections 9-14 of this by-law;
 - (2) if such vehicle is powered by propane, a certificate from an authorized propane inspection station, accounting for such vehicle's mechanical fitness,
 - (3) if the vehicle contains propane or other hydrocarbon fuel fired cooking appliances and associated fuel storage, an Annual Inspection Certificate provided by a certified gas technician.
8. An Applicant for a non-motorized Ice Cream Cart Owner's Licence or Refreshment Vehicle Owner's Licence shall provide a valid certificate of insurance for commercial general liability insurance, in a form approved by the Licence Issuer, to the limit of at least one million dollars (\$1,000,000.00) exclusive of interest and costs in respect to any one claim. Perils will include bodily injury, death of one or more persons, and loss or damage to property.
9. Any Ice Cream or Refreshment Vehicle that remains in any location for a period exceeding 15 minutes shall provide to the Licence Issuer:
 - (1) an accurate drawing of the location for selling Refreshments that meets the provisions of this schedule, and the selling of the Refreshments shall be from the approved location only; and
 - (2) written permission from the property owner, clearly identifying the location of the property and confirmation from the property owner or authorized agent of the property owner that the licensee has full access to the washroom facilities.
10. The issuance of an Owner's Licence shall be subject to:
 - (1) a successful vehicle inspection conducted by an officer; and
 - (2) written approval from the Region of Peel Health Department.

TERM OF LICENCE

11. All Licences issued under this schedule will expire on April 30th of each year.

OPERATOR DUTIES

12. Every Operator and Owner licensed under this schedule shall:
 - (1) be civil and behave courteously;
 - (2) keep the interior of the Ice Cream Vehicle or Refreshment Vehicle in a clean, neat and sanitary condition and in good repair;
 - (3) ensure all equipment used for dispensing consumable products is kept in a clean and sanitary condition;
 - (4) ensure that all containers, dispensers, storage equipment, utensil washing and hand washing facilities as applicable and necessary for food safety are approved by the Region of Peel Health Department;
 - (5) only operate an Ice Cream Vehicle or Refreshment Vehicle for which a Licence has been issued;
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- (6) only use single service disposable cups, plates, forks, spoons and serviettes which are individually wrapped or provided in dispensers approved by the Region of Peel Health Department;
 - (7) clean up any debris, refuse or garbage resulting from the operation of the Ice Cream Vehicle or Refreshment Vehicle in the immediate vicinity of the serving location for the Ice Cream Vehicle or Refreshment Vehicle;
 - (8) refuse to serve any customer standing on a roadway; and
 - (9) wear clean clothes, be clean and neat in appearance, and have clean hands;
13. Every Owner or Operator of a mobile Ice Cream or Refreshment Vehicle shall:
- (1) make a complete safety tour around the Ice Cream Vehicle or Refreshment Vehicle before departing from any stop made for the purpose of selling consumable products;
 - (2) check the mirror system around the Ice Cream Truck or motorized Refreshment Vehicle before departing from any stop made for the purpose of selling consumable products;
 - (3) conspicuously display on the rear of the Ice Cream Truck or motorized Refreshment Vehicle, in black letters on a yellow background the words "Watch for Children" in letters at least 15 centimetres high and the vertical width of such yellow background shall be at least 22 centimetres.
14. No Person shall Operate an Ice Cream Vehicle or Refreshment Vehicle:
- (1) on a Collector Road;
 - (2) on a Regional Road within the Town of Caledon;
 - (3) in a Town park without written permission from the Town;
 - (4) on private property without written permission from the property owner and in compliance with the applicable zoning regulations;
 - (5) within thirty (30) metres of any intersection;
 - (6) within one hundred (100) metres of any public or private school property during the hours of 9:00 a.m. and 5:00 p.m. on any regular school day;
 - (7) within 3 metres (10 feet) of any building, wall, or other combustible structure if the vehicle is powered by propane.
15. No Person shall Operate a mobile Ice Cream Vehicle or Refreshment Vehicle:
- (1) for more than fifteen (15) minutes at a time at any specific location;
 - (2) at a specific location within two (2) hours of a previous attendance at that same location;
 - (3) between the hours of 9:00 p.m. one day and 9:00 a.m. the following day;
 - (4) ring bells or chimes or make any other recognizable sounds at any one location for more than twenty seconds;
16. No Person shall Operate a stationary Ice Cream Vehicle or Refreshment Vehicle:
- (1) more than 8 metres (26 feet) from a building on the property;
 - (2) as a primary use on a property;
 - (3) that does not comply with the applicable zoning regulations;
 - (4) within 90 metres (295 feet) of any other refreshment vehicle or restaurant;

- (5) within 8 metres (26 feet) of the vehicular entrance to the property or in any location which will obstruct the flow of vehicular or pedestrian traffic;
 - (6) until a site plan has been filed with the Licence Issuer showing the location for selling refreshments, and the selling of refreshments shall be from the approved location only; and
 - (7) written permission from the property owner, clearly identifying the location of the property and confirmation from the property owner or authorized agent of the property owner that the licensee has full access to the washroom facilities.
17. Every Ice Cream or Refreshment Vehicle shall be equipped with:
- (1) (a) a metal refuse container with a self-closing lid which shall be kept at all times in a clean and sanitary condition and emptied at least once daily; or
(b) a disposable litter container which shall be replaced daily, and such containers shall be used for the disposal of all refuse; and
 - (2) A separate holding tank for toilet and sink wastes; and
 - (3) An easily readable gauge for determining the waste or water level for every waste tank and water supply tank;
 - (4) in the case of a refreshment vehicle equipped with a deep fat fryer, range, griddle, char-broiler or other similar equipment, a "K" Class portable fire extinguisher or a 2A10BC, or larger, dry chemical portable extinguisher as may be required, to the satisfaction of the Caledon Fire and Emergency Services.
18. Every Owner of an Ice Cream Truck or motorized Refreshment Vehicle shall equip it with a device that issues an audible warning when the truck is placed in reverse gear and comply with the following provisions:
- (1) No Person shall disconnect or disable the device.
 - (2) No Person shall drive an Ice Cream Truck or motorized Refreshment Vehicle that is not equipped with the device.
19. All milk and any cold perishable foodstuffs sold from the Ice Cream or Refreshment Vehicle shall be kept in dry storage at a temperature no higher than four (4) degrees Celsius and shall be sold only in individual, disposable containers.
20. All food that is intended to be sold in a frozen state from the Ice Cream or Refreshment Vehicle shall be frozen to a temperature of minus eighteen (-18) degrees Celsius or lower until sold or prepared for use.
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Original Schedule E to By-law 2013-127 was removed by By-law 2015-007 effective February 10, 2015

Amended by By-law 2016-112 effective January 1, 2017

SCHEDULE "E"

TAXICAB AND LIMOUSINE LICENSING PROVISIONS

PART A

DEFINITIONS

1. For the purposes of this schedule:

"broker" means any person who carries on the business of accepting orders for or dispatching more than one taxicab or limousine in any manner;

"driver" means a person who drives or operates any taxicab or limousine under the control of this by-law;

"limousine" means any vehicle, other than a taxicab, ambulance, hearse, or rental vehicle without a driver, which is kept or used for hire for the conveyance of passengers, and is not equipped with a taximeter, a top light or a roof sign of any kind;

"owner" means a person who owns, keeps, leases or uses any taxicab or limousine and does not include a driver;

"owner's plate" means the licence plate issued to an owner by the licence issuer;

"passenger" includes a person waiting for a taxicab or limousine, or for whom the driver is waiting, or a person in a taxicab or limousine other than the driver;

"tariff" means the rates authorized by this by-law as outlined in this schedule;

"tariff card" means a card issued by the Licence issuer that sets out in full the rates authorized by this by-law;

"taximeter" means a meter, instrument or device attached to a taxicab which mechanically or electronically measures the distance driven and waiting time upon which fares are based, and which computes the amount of a fare chargeable for any trip;

"taxicab" shall mean a motor vehicle kept or used for hire for the conveyance of passenger(s) and goods when accompanied by passenger(s), within the Town of Caledon or from any point within the Town of Caledon to any point outside the municipality, but shall not include a limousine, bus, ambulance, hearse, or rental vehicle without a driver;

"trip" shall mean the distance and time travelled or the distance and time to be travelled, measured from the time and point at which the passenger first enters the taxicab or limousine or when the taximeter is first engaged, whichever comes first, to the time and point at which the passenger finally leaves the taxicab or limousine, or the taximeter is disengaged, whichever comes last;

"trip record" shall mean the written record of the details of each trip;

"vehicle" shall mean a taxicab or limousine.

LICENSING REQUIREMENTS

2. In addition to the requirements set out in Section 7 of this by-law, an applicant for a Taxicab or Limousine Driver's Licence shall:
 - (1) provide the Licence Issuer with two (2) copies of a current 6.35 cm x 6.35 cm (2.5" x 2.5") passport quality photograph of himself;
 - (2) demonstrate knowledge of the geography of the Town and the licensing by-law to the satisfaction of the Licence Issuer by successfully writing the Driver test; and
 - (3) provide a letter signed by the Licensed Owner of the Vehicle for whom he proposes to drive, if the Driver is not the Owner of the Vehicle, stating that the Owner consents to the Driver operating the Vehicle;
 - (4) provide a letter signed by the Broker for whom he proposes to drive, stating that the Broker agrees to employ the Driver, if applicable;
 - (5) proof of successful completion of sensitivity training within the past five (5) years;
 - (6) provide the Licence Issuer with an original copy of a Vulnerable Records Search dated within 365 days of application prepared by the police force having jurisdiction in the municipality in which he/she resides;
 - (7) provide the Licence Issuer with an original copy of a criminal records check dated within 60 days of application prepared by the police force having jurisdiction in the municipality in which he/she resides.
 3. In addition to the general provisions of this by-law, an applicant for an Owner's Licence shall:
 - (1) produce and file with the Licence Issuer a valid copy of a current Ontario Standard Automobile Insurance Policy, which certifies that the Owner and any Driver are insured in the case of bodily injury or death, to a limit of at least \$2,000,000 (exclusive of interest and costs) against all claims for personal injury, including injury resulting in death, and property damage, with an inclusive limit of not less than \$2,000,000, in accordance with Sections 8-13 of this by-law;
 - (2) meet the requirements of this by-law relating to the Vehicle(s);
 - (3) pass inspection of the Vehicle(s) by an Officer.
 4. In addition to the general provisions of this by-law, an applicant for a Broker's Licence shall:
 - (1) provide adequate telephone and radio facilities in a suitable office for the carrying on of the business;
 - (2) ensure that the location of the office and all facilities comply with the Town's Zoning by-law if they are located within the Town;
 - (3) provide for off-street parking within the Town for each on-duty Vehicle operating from the dispatch;
 - (4) provide the Licence Issuer with a list of all Vehicles in respect of which the Broker has any arrangement or agreement for the accepting of calls for services, identifying such Vehicle by the name of the Owner, and the number of the Owner's Plate;
 - (5) provide the Licence Issuer with a list, showing in numerical order by Owner's Plate number, the name of every Driver operating any Vehicle with which the Broker has entered into any arrangement for the provision of brokerage services;
 - (6) produce and file with the Licence Issuer a valid copy of general commercial liability insurance applying to all operations of the Broker, to a
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limit of at least \$2,000,000 (exclusive of interest and costs) against all claims for personal injury, including injury resulting in death, and property damage, with an inclusive limit of not less than \$2,000,000, in accordance with Sections 9-14 of this by-law.

DRIVER TEST

5. An applicant for a Driver's Licence, at the time of the initial application, shall pass with a grade of 75% or higher, a written test in English demonstrating their knowledge of the streets of the Town, the location of major points of origin and destination of trips within the Town, and the most effective routes to travel by motor Vehicle to reach those points.
6. (1) An applicant who fails the driver's test may rewrite a second version of the test no earlier than the day following the first test. The applicant shall pay the prescribed fee as outlined in the Town's Fees By-law for each subsequent test.

(2) An applicant who fails both tests, or who fails the first test and does not write the second test within fourteen days of taking the first test, may not write the test again for one hundred and eighty (180) days following the date of the first test.

TERM OF LICENCE

7. Every Driver's Licence shall be valid for one (1) year, and shall expire on October 31st following the date of application.
8. Every Owner's Licence shall be valid for one (1) year, and shall expire by October 31st following the date of application.
9. Every Broker's Licence shall be valid for one (1) year, and shall expire by October 31st following the date of application.
10. Where a controlling interest in any corporation holding an Owner's Licence under this by-law is being transferred, it shall be deemed that the licensed Vehicle is being transferred and the purchaser of the shares of the corporation shall apply to the Licence Issuer for the issuance of an Owner's Licence at the time of the purchase of the shares.
11. Where the Owner of an Owner's Licence(s) dies, the Owner's Licence(s) shall expire and the Owner's Plate(s) shall be removed from the Vehicle and returned to the Licence Issuer.
12. Where the estate of an Owner intends to transfer a Vehicle or Vehicles to another Person, both the estate and the said Person shall apply to the Licence Issuer for the issuance of an Owner's Licence with respect to the Vehicle within 90 days of the date of the former Owner's death.

OWNER LEAVES TAXICAB OR LIMOUSINE BROKER

13. Every licensed Owner who ceases to deal through a Broker shall:
 - (1) remove from his or her Vehicle the roof light, radio and telephone number of the Broker he or she is leaving;
 - (2) change and remove from the Vehicle the colour scheme and all decals or other Brokerage markings on the Vehicle;
 - (3) return to the Broker he or she is leaving all business cards and other equipment belonging to that Broker.

DRIVER'S DUTIES

14. No Person shall drive or act as a Driver of any Taxicab or Limousine unless the Owner of such Vehicle is licensed under this by-law as an Owner with respect to such Vehicle.

15. A Driver licensed under this by-law shall:
- (1) at all times while operating a Vehicle or working as a Driver affix the Driver's and the Owner's Licence issued under this by-law in a position in the Vehicle so that they are plainly visible to and readable by Passengers in the back seat of the Vehicle;
 - (2) prior to driving on each shift, examine the Vehicle for mechanical or other defects and similarly examine it at the end of each shift, and if the Driver is not the Owner, report any mechanical defects forthwith to the Owner and shall enter such defects into a mechanical defect repair log;
 - (3) make the mechanical defect repair log available for inspection by the Licence Issuer or an Officer immediately upon request, during business hours;
 - (4) at the expiration of the Driver's shift, return the Vehicle to the Owner, if the Driver is not the Owner, and shall not at any time abandon the Vehicle or permit any other Person, not licensed with respect to the Vehicle, to drive the Vehicle;
 - (5) at all times while operating a Vehicle or working as a Driver, have available and produce on the request of an Officer or a Passenger, a current Driver's Licence issued by the Licence Issuer;
 - (6) report forthwith to the Owner, if the Driver is not the Owner, any accident or collision connected with the operation of the Vehicle in which the Driver or a Passenger was involved;
 - (7) keep a daily trip record showing:
 - (a) the name of the Driver, the date, and the Owner's Plate number;
 - (b) the location and the time of the origin and destination of every trip made;
 - (c) the Taximeter reading at the beginning and end of each work period;
 - (d) the amount of the fare collected for each trip;
 - (8) be civil, courteous, refrain from using profanity, and offer to assist a Passenger when it is evident that the Passenger is a disabled Person, is elderly, or is in need of enhanced service;
 - (9) be properly dressed, well groomed, neat and clean in personal appearance;
 - (10) give a Passenger a receipt, showing the Driver's name and licence number and Owner's Plate number for the Vehicle, when requested;
 - (11) serve the first Person requiring the service of his or her Vehicle at any place within the Town, at any time of day or night, except when the Person:
 - (a) is disorderly; or
 - (b) refuses to give his or her destination; or
 - (c) has not paid a previous fare or cancellation fee; or
 - (d) is, in the reasonable opinion of the Driver, unable or unwilling to pay the fare and has been unable or unwilling to satisfy the Driver that he or she has the funds to pay the fare;
 - (12) take due care of all property delivered or entrusted to the Driver for conveyance or safekeeping, and immediately on the termination of any hiring engagement, examine the interior of the Vehicle for any property lost or left therein, and all property or money left in the Vehicle shall be
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forthwith delivered to the Person owning the property or money, and if the owner of the property or money cannot be found, the Driver shall deliver the property or money to the nearest police station with all information in the Driver's possession regarding the property or money;

- (13) when a Passenger enters the Vehicle and gives the Driver the desired destination, take the shortest possible route to the destination desired, unless the Passenger designates otherwise;
- (14) ensure that the Vehicle's seat belts are plainly visible to or may be conveniently used by the Passenger;
- (15) ensure that the Passenger uses the Vehicle's seatbelts;
- (16) engage the Taximeter at the commencement of the trip and keep it engaged throughout the trip, except where a flat rate has been negotiated with the Passenger or except where the Vehicle is a Limousine;
- (17) engage the Taximeter before the Passenger enters the Vehicle, only after the Driver has notified the Passenger of his or her arrival and has waited five minutes after the pick-up time requested through dispatch, except where the Vehicle is a Limousine;
- (18) at the conclusion of the trip, place the Taximeter in the time-off position and after payment, place in the vacant position except where the Vehicle is a Limousine;
- (19) keep in his or her Vehicle a current street guide or map of the Town and surrounding area;
- (20) give his or her name and the name of the Owner of the Taxicab (if other than the Driver) upon the request of any Passenger or of any Person who has been injured or whose property has been damaged as a result of the actions of the Driver;
- (21) agree to transport a Passenger and his or her guide dog, provided that the Driver is not allergic to the dog;
- (22) affix and display a Tariff Card in the Vehicle in such a manner that it is visible to Passengers in the back seat and readable by them;
- (23) comply with the request(s) of the Licence Issuer when such request(s) are made in accordance with this by-law.

DRIVER'S PROHIBITIONS

16. No Driver shall:

- (1) carry in any Vehicle a greater number of Passengers than is set out in the manufacturer's rating of seating capacity for such Vehicle;
- (2) drive a Taxicab or a Limousine with luggage or other material therein obstructing the Driver's view;
- (3) take, consume or have in the Driver's possession any alcohol, drugs or intoxicants while operating a Vehicle or working as a Driver under this by-law, including prescription or non-prescription drugs that may inhibit the Driver's ability to operate the Vehicle safely;
- (4) use any Tariff Card, other than a Tariff Card issued by the Licence Issuer, or remove, exchange, lend or otherwise dispose of the Tariff Card;

- (5) take on additional Passengers after the Vehicle has departed with one or more Passengers from any one starting point, except under the following circumstances:
 - (a) when done at the request or permission of a Passenger who is sixteen years of age or older and who is already in the Vehicle;
 - (b) in an emergency situation;
 - (c) when operating a Vehicle which is being used for the transportation of children to and from school in accordance with the requirements of the Peel District School Board and/or the Dufferin-Peel Catholic School Board and any other private school registered under the *Education Act*;
 - (6) drive a Vehicle which does not have an Owner's Plate issued under this by-law affixed thereto;
 - (7) drive a Vehicle belonging to an Owner who is not an Owner licensed under this by-law;
 - (8) permit a Passenger to stand in a Taxicab or Limousine while the Vehicle is in motion;
 - (9) be required to accept any order when the expenditure of money by the licensed Driver is required on behalf of the Passenger;
 - (10) recommend hotels, restaurants or other like facilities unless asked to do so by the Passenger;
 - (11) smoke while operating the Vehicle or while driving a Passenger;
 - (12) operate a Taxicab when the Taximeter has not been adjusted in accordance with the Tariff, or when the operation has not been approved by the Licence Issuer;
 - (13) operate a Taxicab when the Taximeter does not operate properly;
 - (14) operate a Taxicab without an Owner's Plate, side numbers and roof light affixed to the Vehicle;
 - (15) obstruct traffic while writing up his trip record, but each trip shall be completely recorded prior to the commencement of the next following trip;
 - (16) induce any Person to engage his or her Vehicle by any misleading or deceiving statement or representation to that Person about the location or distance of any destination named by that Person;
 - (17) receive any fare from any Passenger which is greater or less than the fare authorized by this by-law, subject to an agreed flat rate as provided in this by-law and except for a tip, gratuity or credit card service charge;
 - (18) receive any fare from any Person where the Driver has failed to display the Tariff Card;
 - (19) make any charge for time lost through defects or inefficiency of the Vehicle or the incompetence of the Driver;
 - (20) make any charge for the time elapsed due to early arrival of the Vehicle in response to a call for the Vehicle to arrive at a fixed time;
 - (21) charge a tariff not in accordance with this by-law;
 - (22) use or permit to be used a two-way radio or monitoring device in the Vehicle that enables the Driver to transmit or receive any frequency of an individual other than the licensed Owner by whom he is employed or other than the licensed Broker with whom he has a contract;
 - (23) be actively affiliated with more than one licensed Broker at any one time;
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- (24) use or accept cellular telephone calls when engaged by a Passenger, except in emergency situations;
- (25) fail to provide exact change to the Passenger;
- (26) accept orders from the public directly via telephone or two-way communication system from the Taxicab or Limousine.

OWNER'S DUTIES

17. An Owner licensed under this by-law shall keep the original or a photocopy of the original of each of the following documents at all times in the Vehicle of which he or she is the Owner:
 - (1) the current Owner's Licence issued under this by-law;
 - (2) a current Ministry of Transportation Passenger motor Vehicle permit issued for that licensed Vehicle; and
 - (3) the certificate of insurance for the Vehicle, obtained in accordance with the requirements of this by-law.
18. An Owner licensed under this by-law shall have, in or on the Owner's Vehicle:
 - (1) where the Vehicle is a Taxicab or a Limousine, the Owner's Plate affixed to the left rear trunk, or at a location and in a manner approved by the Licence Issuer;
 - (2) where the Vehicle is a Taxicab, the Owner's Plate number for that Vehicle displayed on both sides of the Vehicle on the outside, in figures at least 20 centimetres (8") in height and of a contrasting colour to the Vehicle, all to the approval of the Licence Issuer;
 - (3) a holder for the photograph and name of the Driver with the photograph and name inserted and the holder affixed in such a manner that it is visible to Passengers in the back seat and approved by the Licence Issuer;
 - (4) a Tariff Card, where the Vehicle is a Taxicab, issued by the Licence Issuer, affixed in such a manner that it is visible to Passengers in the back seat and approved by the Licence Issuer;
 - (5) where the Vehicle is a Taxicab, a Taximeter of a type approved by the Licence Issuer, and mounted in a position approved by the Licence Issuer, so that it is clearly visible to the Passengers in the front and rear seats of the Taxicab;
 - (6) where the Vehicle is a Taxicab, an electrically illuminated roof sign displaying the name of the Owner and telephone number of the dispatcher that is securely attached to the top of the Taxicab in a manner approved by the Licence Issuer, wired to the Taximeter and working in conjunction with the Taximeter so that it is illuminated when the Taximeter is in the vacant position.
19. An Owner licensed under this by-law shall:
 - (1) employ or use only the services of Drivers who are licensed by the Town under this by-law;
 - (2) maintain knowledge at all times of the identity of any Person having custody or control of the Owner's Vehicle;
 - (3) provide to the Licence Issuer and, where applicable, to any licensed Broker with whom the Owner may be associated, the name of the licensed Driver operating the Vehicle, within seventy-two (72) hours of the time when the licensed Driver has commenced to operate said Vehicle;

- (4) maintain an up-to-date list of all Drivers operating Vehicles for the Owner, which list shall show the name, address, telephone number and current Town Licence number of each Driver which list shall be furnished to the Licence Issuer on request;
- (5) ensure that every Person the Owner employs as a Driver is, during working hours, properly dressed, neat and clean in his or her Person, courteous and provides such reasonable assistance to all Passengers as is needed to enter or leave the Vehicle safely;
- (6) keep the interior and exterior of his or her Vehicle clean, dry and in good repair, and whenever the Owner is informed by either the Driver, the Licence Issuer or an Officer that a Vehicle is not in a fit or proper condition for use, forthwith remove the Vehicle from service, and put the Vehicle in a fit and proper condition;
- (7) retain trip records for each Vehicle licensed showing the date, time, origin and destination of each trip, the name of the Driver and Licence number of the Vehicle, for the current year and the previous year;
- (8) produce the trip record for inspection upon the request of the Licence Issuer, or an Officer, and give full information to the Licence Issuer, or Officer upon being requested to do so as to the place to or from which a Driver has driven any Passenger, with the description, name, address, if known, and every matter within the Owner's knowledge relating to the Passenger or the trip;
- (9) carry in the Vehicle a spare tire, wheel and jack, which are ready for use;
- (10) ensure that the Vehicle has seatbelts which are plainly visible to a Passenger and in good working order;
- (11) ensure that the Vehicle has a heater in good working order;
- (12) ensure that the Vehicle has an emergency first aid kit and an emergency road kit;
- (13) provide on his own, or in conjunction with a licensed Broker, a suitable office for the carrying on of the Owner's business under this by-law;
- (14) provide, if the Owner owns more than one Vehicle licensed under this by-law, on his own, or in conjunction with a licensed Broker, public telephone facilities and radio dispatching facilities maintained in proper working condition;
- (15) accept calls only in the name under which the Owner holds a Licence or in the name of the Broker if the Owner operates out of a Brokerage licensed under this by-law;
- (16) ensure that the Taximeter seal required under this by-law is not removed or tampered with in any fashion;
- (17) comply with the request(s) of the Licence Issuer when such request(s) are made in accordance with this by-law.

OWNER'S PROHIBITIONS

20. No Owner licensed under this by-law, shall:
 - (1) permit his Owner's Plate to be used with respect to any other motor Vehicle or Vehicle, other than the Vehicle for which the Owner's Plate was issued;
 - (2) require or permit a Driver of the Owner's Vehicle, to work when that Person's ability to perform his or her duties is impaired by fatigue, illness or otherwise;
 - (3) permit a Vehicle of which he or she is the Owner, to be operated with mechanical defects of which the Owner is aware;
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- (4) operate a Vehicle or permit the Owner's Vehicle to be operated, without the issuance of an Owner's Plate for that Vehicle under this by-law;
- (5) exhibit on, or about the Vehicle any number, sign or card except one authorized under this by-law and his Provincial motor Vehicle license plate;
- (6) put any name, address or telephone number or identification other than that of the Owner or the Broker with whom the Owner is affiliated, on the Vehicle roof sign;
- (7) operate or permit the Vehicle to be operated in affiliation with a Broker who is not licensed under this by-law;
- (8) display or permit the display of any advertisement on or in the Vehicle except:
 - (a) one permanently attached exterior advertising sign not exceeding 36 cm x 51 cm (14" X 20") in size on each of the side panels of the front doors of the Vehicle and on the rear trunk lid of the Vehicle, such sign relating solely to the Taxicab and/or Limousine business of the Owner, or affiliated Broker;
 - (b) the roof sign as required under the by-law;
 - (c) one exterior advertising poster only, not exceeding 41 cm x 122 cm (16" X 48") in size placed at the rear end of the Vehicle in such a way as not to obscure the Vehicle's license plate or Owner's Plate, vision of the Driver, such poster to be carried in a suitable rust and corrosion resistant frame;
 - (d) no advertisement shall be displayed on or about any Vehicle until it has first been submitted to and approved by the Licence Issuer;
- (9) permit any Person to drive a Taxicab or Limousine unless that Person is licensed as a Driver under this by-law;
- (10) operate a Taxicab with missing hubcaps.

BROKER'S DUTIES

21. A Broker licensed under this by-law shall:
 - (1) provide and maintain in good condition telephone communications between the brokerage office and the public, and two-way communications between the brokerage office and the Driver;
 - (2) carry on business in a suitable office;
 - (3) mount any two-way communications device used for dispatch purposes on the dashboard of the Taxicab, within easy access of the Driver;
 - (4) provide for off-street parking for every Vehicle for which the Broker provides services and for each on-duty Vehicle operating from the Broker's dispatch;
 - (5) require every Owner who has entered into arrangements with the Broker for the provision of Brokerage services to use the same design, shape and colour scheme of roof sign, and to attach to each front door of the Vehicle an identifying decal which shall include the name of the Broker, in a form approved by the Licence Issuer, and shall produce and file a sample of the roof sign and identifying decal with the Licence Issuer;
 - (6) give to the Licence Issuer a list of all Vehicles in respect of which the Broker has any arrangement or agreement for the accepting of calls for service, identifying such Vehicle by the name of the Owner and the number of the Owner's Plate and shall, within forty-eight (48) hours of any addition to or deletion from such list, advise the Licence Issuer in writing thereof;

- (7) provide the Licence Issuer with a list, showing in numerical order by Owner's Plate number, the name of every Driver operating any Vehicle with which the Broker has entered into any arrangement for the provision of brokerage services;
- (8) in the case where a Driver ceases to drive a Vehicle due to the termination of any contract, agreement or arrangement, the Broker and the Owner shall notify the Licence Issuer within seventy-two (72) hours of the said termination;
- (9) keep a trip record for each Vehicle dispatched, showing the date, time, origin, destination of each trip, the name of the Driver and Licence number of the Vehicle;
- (10) retain the trip record for the current year and the previous year and produce trip record for inspection upon request by the Licence Issuer or an Officer;
- (11) give full information to the Licence Issuer or any Officer upon being requested to do so as to the place from which any Person was driven and every matter within the Broker's knowledge relating to the Passenger or the trip;
- (12) upon request, inform any customer of the anticipated length of time required for a Vehicle to arrive at the pick-up location;
- (13) when volume of business is such that service will be delayed to a prospective Passenger, the Broker shall inform the Passenger of the approximate length of the delay before accepting the order;
- (14) dispatch a Vehicle to any Person requesting service within the Town, unless the Person requesting service has not paid for a previous trip and these facts are verified by the Broker;
- (15) file a list of the brokerage rules and procedures, including the terms and conditions of payment of Drivers, with the Licence Issuer, and abide by them, and display the same list prominently in the brokerage office;
- (16) carry on business only in the name in which the Broker is licensed;
- (17) maintain a log of all complaints and compliments received concerning Taxicab and/or Limousine service provided through that Broker including, with respect to each complaint or compliment, the following information:
 - (a) name and Driver's Licence number of the Driver involved;
 - (b) name of the Person from whom it was received; and
 - (c) a brief description of the complaint or compliment made;
- (18) comply with the request(s) of the Licence Issuer when such request(s) are made in accordance with this by-law.

BROKER'S PROHIBITIONS

22. No Broker licensed under this by-law shall:

- (1) charge fees, or increase his fees to the Driver unless the Broker has first:
 - (a) submitted a notice of intent, in writing, to the Licence Issuer, at least one (1) month prior to the proposed effective date of any fees or increase in fees; and
 - (b) prominently displayed a copy of the notice of intent in the brokerage office for at least one (1) month prior to the proposed effective date of any fee or fee increase;
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- (2) implement any changes in the brokerage fees, rules and procedures displayed in the brokerage office until the change is first filed with the Licence Issuer;
- (3) accept orders for, or in any way dispatch or direct orders to a Vehicle licensed under this by-law when the activity would be illegal under another municipal by-law or other legislation;
- (4) accept orders for, or in any way dispatch or direct orders to a Vehicle, the Owner of which is not licensed under this by-law, for a pick-up location within the boundaries of the Town;
- (5) dispatch or direct orders for a parcel delivery to a Driver unless the Driver first consents to make the parcel delivery;
- (6) enter into an agreement for the provision of brokerage services with a Driver or Owner who is already affiliated with another Broker;
- (7) permit any Person to drive a Taxicab unless that Person is licensed as a Driver under this by-law.

SEATING CAPACITY & NUMBER OF DOORS

- 23. A Taxicab under this by-law shall have a manufacturer's rated seating capacity of not less than five (5) adult Persons, and a minimum of four doors.
- 24. A Limousine under this by-law shall have a manufacturer's rated seating capacity of not less than six (6) adult Persons, shall have a minimum of four doors and a wheelbase of not less than 2.92 metres (114 inches).

MODEL YEAR RESTRICTION

- 25. An Owner may use motor Vehicles more than five (5) years old (calculated from the first day of January of the Vehicle's model year) as a Taxicab or Limousine for an additional one (1) year period up to a maximum of eight (8) model years, provided that the Licence Issuer or Officer, after inspecting the said Vehicle, is satisfied that the Vehicle's interior is neat, clean and dry and in good repair, and that its exterior is clean and in good repair, free from body damage and has a well maintained paint finish, and further that:
 - (1) the motor Vehicle has been submitted for semi-annual safety inspections by a licensed, qualified automobile mechanic and a valid safety standards certificate has been submitted to the Licence Issuer along with verification annually that the motor Vehicle has passed a Vehicle emissions test conducted pursuant to the Ontario Drive Clean program or any subsequent program;
 - (2) a written request giving a reasonable explanation for the extension is provided; and
 - (3) payment of the appropriate fee as set in the Municipal Act Fees by-law, as amended is provided.
- 26. No Person may use a motor Vehicle more than eight (8) years old, as calculated from the 1st day of January of the Vehicle's model year, as a Taxicab or Limousine.

INSPECTION OF VEHICLES

- 27. The Licence Issuer has the authority to request and to have produced all relevant licenses and permits and to have access to all invoices, vouchers, appointment books and trip records or like documents of the Person being inspected, provided such documents are relevant for the purposes of the inspection.
- 28. Immediately on request of the Licence Issuer, a Person being inspected shall produce any documentation required to be maintained under this by-law.

29. The Licence Issuer shall give notice to the licensed Owner of one mandatory inspection a year for each Vehicle that is licenced to ensure that the provisions of this by-law have been complied with, and, on completion of such inspection, shall complete and file a written report on the inspection.
30. The Licence Issuer may require that the Owner or Driver submit the Vehicle for a random inspection at a time and place specified by the Licence Issuer to verify compliance with the requirements of this by-law.
31.
 - (1) If the Owner or Driver does not attend a mandatory inspection, or a random inspection, the Owner or Driver shall pay the late inspection fee as set out in the Municipal Act Fees by-law, as amended.
 - (2) The Licence Issuer shall suspend the Owner's Licence or Driver's Licence until the fee is paid and the Vehicle has passed the mandatory inspection or random inspection.
32. For the purpose of an inspection required under this by-law, the Owner of the Vehicle shall submit the Vehicle for inspection by the Licence Issuer during normal business hours.

TAXIMETER

33. An Owner shall have affixed to each Taxicab in respect of which such Owner is licensed, a Taximeter which shall register distances travelled, record trips and compute fares to be paid, and each Taximeter shall be:
 - (1) identified with a serial number;
 - (2) inspected and tested over a measured distance when required by the Licence Issuer;
 - (3) sealed by the Licence Issuer;
 - (4) illuminated between dusk and dawn;
 - (5) supported in a raised position on the dashboard and in plain view of the Passengers;
 - (6) adjusted in accordance with the Tariff to an accuracy within 100 meters on a measured kilometre and within 10 seconds over 3 minutes on waiting time charges and approved by the Licence Issuer;
 - (7) kept in good working condition at all times and not used when defective in any way.
34.
 - (1) The Owner shall ensure that the Licence Issuer can seal the Taximeter in any new Vehicle that he intends to license as a Taxicab.
 - (2) No Owner or Driver shall operate a Taxicab without a Taximeter that has been sealed by the Licence Issuer.

DISPOSAL OF VEHICLE

35. When the licensed Owner disposes of, or otherwise ceases to use a licensed Vehicle as a Taxicab or Limousine, the Owner shall immediately remove from the Vehicle being disposed of:
 - (1) the roof light;
 - (2) the Taximeter;
 - (3) all identifying decals or markings;
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- (4) the Owner's Plate and any corresponding numbers related thereto that are displayed on the Vehicle which plate shall be returned to the Licence Issuer; and
- (5) all other items that make the Vehicle appear to the public to be a Taxicab and/or Limousine.

TARIFF

36. A Driver and Owner shall charge a Passenger only the rates as shown on the Tariff Card issued by the Licence Issuer, in accordance with Part B of this schedule. Such rates include any applicable provincial or federal taxes.
37. Notwithstanding any other provisions of this by-law, when a Taxicab Driver picks up a Passenger in a Taxicab within the Town with a destination beyond the limits of the Town, the Driver and the Passenger may agree on a flat rate before the commencement of the trip, but the Driver shall otherwise engage the Taximeter while the Taxicab is within the boundaries of the Town and charge the meter rate.
38. When the Licence Issuer has received three or more complaints stating that an Owner or a Driver has charged a Passenger a fare other than the rates shown on the Tariff Card and the Licence Issuer has verified the complaints, the Licence Issuer may suspend or revoke the Owner's Licence or the Driver's Licence or both the Owner's and Driver's Licences.

LIMOUSINES

39. A Limousine Driver or Owner shall provide Limousine service only on a prearranged basis.
40. No Owner or Driver of a Limousine shall:
 - (1) solicit fares or hold himself out as being available to service fares in any public place;
 - (2) affix a Taximeter to his Limousine or permit a Taximeter to remain in his Limousine while it is available for service or otherwise in use as a Limousine;
 - (3) drive or operate a Limousine which is equipped with a Taximeter;
 - (4) drive or operate a Limousine which is equipped with radio dispatching equipment;
 - (5) display or permit the display of any advertisement on or in his Limousine;
 - (6) display or permit the display of, on or in his Limousine any light, sign, notice, writing, other advertisement or thing which indicates to the public that the Limousine is other than a private automobile;
 - (7) in any advertisement made or permitted to be made by him, use or permit the use of the words "Taxi", "Taxicab" or any other word or words which indicate that the Limousine is a Taxicab or is available for use as a Taxicab.
41. The rate, fare, fee or charge for the conveyance of Passengers by a Limousine shall be as agreed upon at the time of hiring of the Limousine.

PART B – TAXICABS AND LIMOUSINES SCHEDULE

OF TARIFFS

HST is included in all rates.

Distance

Drop Rate: \$4.00
For each additional kilometer: \$2.00

Waiting Time

For each minute of waiting time while engaged: 0.40
For each hour of waiting time while engaged: 24.00

Reduction for Senior Citizens

10% upon proof of age (60 years of age or older) on fares over \$6.00. Flat rate trips not included.

Wheelchairs, walkers, etc. accompanying passengers No charge

SCHEDULE "F"

TOW TRUCK LICENSING PROVISIONS

PART A

DEFINITIONS

1. For the purposes of this schedule:

"collision" means a vehicle that has been in a collision with another vehicle(s) or that has struck an object or was struck by an object, or that has turned over, and in all such cases, did receive damage or was damaged and/or was disabled by fire;

"collision scene" means the general location or place where a collision occurred and includes a two hundred (200) metre radius of the location or place of the collision;

"collision towing" means;

- (a) the towing of a disabled vehicle as the result of a collision, and
- (b) does not include the towing of a vehicle as a result of mechanical failure, an impairment, a police seizure, a vehicle fire not involving a collision, or other similar cause;
- (c) the presence of a police officer at the scene of a tow does not define or classify the towing as "collision towing".

"dolly" means a four-wheeled carriage used in towing to support the trailing end of the towed vehicle;

"drop fee" means a fee or commission paid to the owner or driver of a tow truck in return for the towing or otherwise conveying of a vehicle to a particular place;

"flatbed carrier" means a platform body with a winch for loading;

"gross vehicle weight rating (GVWR)" means the maximum total vehicle rated capacity, measured at the tire ground interface, as rated by the chassis manufacturer;

"heavy towing" means any vehicle or combination of vehicles with a gross vehicle weight of at least thirty-three thousand (33,000) pounds (15,000 kilograms) or greater.

"hirer" means the registered owner of a vehicle, to be towed or being towed, his/her agent or any person lawfully in possession of the vehicle to be towed or being towed;

"impairment" includes any surrender or suspension of a driver's licence pursuant to the *Highway Traffic Act* or *Criminal Code*;

"nuisance" includes the obstruction or interference with

- (a) persons involved in a motor vehicle collision or otherwise in need of the services of a tow truck;
- (b) persons responding to a motor vehicle collision including, but not limited to, police officer, members of a fire department, members of an ambulance service, and other tow truck drivers or owners; or
- (c) pedestrian or vehicular traffic;

"operating name" means the name under which the business is operating according to its business registration documentation;

"pound" means a lot or portion thereof used for the temporary storage and impounding of vehicles taken from a collision scene or otherwise towed and awaiting repair or demolition or retrieval;

"solicit" includes to offer or make available in any way, or to communicate to any Person the availability of, the services of a tow truck or the services of an owner or driver of a tow truck;

"tow bar" means a device for positioning a towed vehicle behind a towing vehicle;

"tow sling" means a device used for lifting and towing vehicles with a partial load supported on rubber belts;

"tow truck" has the same meaning as defined by the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended;

"Towing Authorization Form" means a two part form, as provided by the Licence Issuer, which must be completed and signed by the tow truck driver and the hirer prior to a tow commencing from any scene where such tow is required by the hirer and a copy of which is provided by the tow truck driver to the hirer;

"wheel lift" means a device used for towing vehicles by lifting one end of the towed vehicle by the wheels;

"wrecker body" means an after-market modification designed for the purposes of safely lifting, conveying or towing another motor vehicle which may include but is not limited to an underlift, tow bar, tow-sling or wheel lift or similar device and this shall include a flatbed carrier;

"underlift" means a device used for towing vehicles by lifting one end of the towed vehicle from under the axle or structural member of the towed vehicle.

GENERAL TOW TRUCK LICENSING PROVISIONS

2. For the purposes of this by-law a Person shall be acting as the driver or owner of a tow truck if that Person conveys or seeks to convey, for hire, or holds himself out, by his/her actions or words, as being available to convey, for hire, a vehicle from a point within the municipality of the Town of Caledon, to either a point also within the municipality of the Town of Caledon or to any point beyond its limits whether such conveyed vehicles are intact or inoperable.
3. In the absence of any evidence to the contrary, the tow will be deemed to originate in the Town of Caledon.

LICENCE REQUIREMENTS

4. No Person shall be licensed as an owner unless:
 - (1) in addition to Sections 9-14 of this by-law, he/she produces and files with a Licence Issuer a copy of the certificate of insurance for the tow truck for which he/she is the owner including but not necessarily restricted to the following coverages:
 - (i) in respect to any one claim, in the amount of at least \$2,000,000 exclusive of interest and costs, against liability resulting from bodily injury to or the death of one or more persons and loss or damage to property;
 - (ii) in respect of any one claim, in the amount of at least \$100,000 against liability for damage to a customer's motor vehicle while in his/her care, custody or control and caused by collision, upset, fire,

lightning, theft or attempt theft, malicious mischief, windstorm, hail, explosion, riot, civil commotion or rising water;

(iii) in respect of any one claim, cargo liability insurance in the amount of at least \$50,000 to indemnify the applicant against loss by reason of his/her legal liability indirect physical loss or damage to vehicles and other items of property accepted by the applicant for towing or conveyance; and

(2) he/she states in writing whether he/she has any interest either directly or indirectly, in a vehicle pound, yard or building used for the storage or impounding of vehicles, a vehicle body shop or other kind of public garage or any other yard, shop, building or place used for the storage, repair or servicing of vehicles, and he/she provides and files with a Licence Issuer full information as to the location and the type of facilities in which he/she has an interest and the nature and extent of the interest.

(3) Notwithstanding Section 17(3) of this by-law, in lieu of the Safety Standards Certificate, a tow truck may submit a current, valid Ministry of Transportation Annual Inspection Certificate issued under the *Highway Traffic Act*.

5. No Person shall be licensed as a Driver unless:

(1) he/she submits a Vulnerable Record Search prepared by the police force having jurisdiction in the municipality in which the applicant resides, dated within 60 days of application.

(2) he/she has his/her photograph taken and submitted to a Licence Issuer.

INSPECTION

6. (1) A Licence Issuer may require an Owner to submit his/her tow truck for inspection at any time and at an appointed place and the Owner shall submit each tow truck for inspection when required to do so by a Licence Issuer.

(2) When a tow truck and its equipment have been examined by an Officer or licensed mechanic and the tow truck or its equipment is found to be mechanically defective, neither the Owner nor the Driver shall operate the tow truck and the Owner shall not permit the tow truck to be operated, until the tow truck has been reinspected and approved by the Officer or a licensed mechanic.

(3) When a tow truck is examined by an Officer or a licensed mechanic and a report states that the tow truck or equipment is dangerous or unsafe, the Owner or Driver shall remove and return to the Licence Issuer the Owner's Plate to be held until the Owner delivers to the Licence Issuer either an annual inspection certificate or a safety standards certificate and the tow truck and the equipment are certified to be safe by the Officer or licensed mechanic.

(4) When an Owner is unable to obtain a Safety Standards Certificate issued under the *Highway Traffic Act* for the tow truck following an inspection, the Owner shall remove and return to the Licence Issuer the Owner's Plate and the Owner shall not operate the tow truck or permit the tow truck to be operated until he obtains and produces a Safety Standards Certificate or an Annual Inspection Certificate and the tow truck and equipment are certified to be safe by the Ministry of Transportation or other Officer.

(5) Where the provisions of this by-law require an Owner or Driver of a tow truck to remove and deliver a Licence and/or Owner's Plate to a Licence Issuer and the Owner or Driver fails to do so, the Licence Issuer may remove the Licence and/or Owner's Plate.

- (6) Where the Officer has removed the permit and/or number plate issued by the Ministry of Transportation in respect of a tow truck, the Officer shall also remove the Owner's Plate.
- 8. (1) An Officer may at any reasonable time enter upon and inspect the business premises or vehicles of any licensee to insure that the provisions of this by-law, including this schedule, have been complied with, and an Officer on completion of an inspection shall complete a written report on the inspection.
- (2) Upon an inspection, the Officer is entitled access to the invoices, vouchers, appointment books or trip sheets or like documents of the Person being inspected provided such documents are relevant for the purposes of the inspection and the Officer may remove any of the aforementioned documents for the purpose of photocopying provided a receipt is given to the licensee and the documents are returned to the licensee within forty-eight (48) hours of removal.

OWNER AND DRIVER DUTIES

- 9. Every licensed Owner and Driver shall
 - (1) take due care of all vehicles and property delivered or entrusted to him/her for towing;
 - (2) comply with all reasonable instructions from the hirer;
 - (3) be civil and behave courteously;
 - (4) keep a permanent daily record of work performed by the tow truck owned or operated by him/her or on his/her behalf either in a continuous log sheet or by consecutively numbered bills or invoices showing
 - (a) the name and address of every hirer;
 - (b) a description of the vehicle towed or conveyed including the Provincial Motor Vehicle Permit number of any such vehicle;
 - (c) the rate charged, and,
 - (d) the total fee collected;
 - (5) keep every tow truck and its equipment clean, in good repair, free from exterior body damage with a well maintained exterior paint finish; and
 - (6) before demanding payment for services, present to the hirer an itemized bill for the services setting out the cost of all services and equipment provided or to be provided on the basis of the rate set out in the tariff of rates filed by the owner with a Licence Issuer, or as set out in Schedule 2 under this by-law.
 - (7) accept full responsibility for the acts and omissions of any driver or other employee to the extent that any such acts or omissions do not comply with the provisions of this by-law.

VEHICLE AND SAFETY REQUIREMENTS

- 10. Every licensed owner or driver shall operate or permit to be operated only a tow truck which has all of the following equipment in a good state of repair:
 - (1) a winching or hoisting device of sufficient capacity to lift safely the vehicle to be towed;
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- (2) wheel lift or an underlift equipped and maintained in a manner to ensure the safe lifting and conveying of a vehicle to be towed. This equipment is not required on a flatbed truck.
- (3) one device for securing the steering wheel of a vehicle;
- (4) one charged, dry chemical fire extinguisher having an effective total rating equivalent to at least ABC, and weighing at least 2.27 kg (approximately 5 lbs.);
- (5) a minimum of two devices used for securing a vehicle such as chains or straps having a minimum length of 2.7432 metres (approximately 9 feet). All such devices must have working load limit tags or markings/stamps on chains;
- (6) four (4) safety pylons;
- (7) an intermittent amber warning light system consisting of at least one light which would be clearly visible in all directions for a distance of least 100 metres (approximately 328 feet);
- (8) a broom;
- (9) a shovel;
- (10) a general purpose first aid kit;
- (11) a crowbar/pry bar at least 152.4 cm (60 inches) in length;
- (12) at least two wheel blocks;
- (13) flares or reflector kits;
- (14) wheel wrenches;
- (15) light bar for a rear extension carrier;
- (16) an audible reverse warning system;
- (17) a dolly, including tie-down strap. This equipment is not required on flatbed tow trucks;
- (18) absorbing material for the purpose of absorbing minor fluid spills at an incident;
- (19) any other equipment as may be required under the *Highway Traffic Act*.

OWNER AND DRIVER PROHIBITIONS

11. A licensed Owner or Driver shall not
 - (1) interfere with any contract for hiring of a tow truck where a person has hired or has indicated his/her intention to hire a tow truck;
 - (2) induce any person to employ or hire a tow truck by making any false representations to any person, including representations regarding the location of, or distance to, any place;
 - (3) use, or permit to be used, a tow truck which has been found to be unsafe or defective after examination and inspection as required under this by-law;

- (4) demand or request payment for his/her services other than in accordance with the applicable schedule of rates filed with a Licence Issuer;
 - (5) demand, request or receive a Drop Fee or administration fee;
 - (6) charge a hirer for time lost through defects or inefficiency of the tow truck, or the incompetence of the tow truck Owner or Driver;
 - (7) suggest or recommend to any hirer that any motor vehicle in respect of which his/her services are to be given or requested, be towed, conveyed, driven or delivered to any particular salvage yard, body shop, storage yard or any other public garage, building or place, unless he/she has been requested to do so by the hirer;
 - (8) permit a person to be a passenger in a tow truck, except under the following circumstances:
 - (a) the passenger is the hirer of the tow truck;
 - (b) the passenger is either the spouse, son, daughter or parent or similar relation in law of the tow truck driver, and in such cases, the driver is not to solicit a tow, engage in any form of towing or have his or her tow truck within two hundred (200) metres (approximately 656 feet) of the scene of a collision nor shall the driver cause or permit his or her passenger to solicit a tow or take any actions to engage in any form of towing while the passenger is in the tow truck;
 - (a) the passenger has been issued a temporary driver's licence and is receiving instructions on driver training as to the operation of a tow truck while a passenger.
 - (9) make representation in any form that the towing company, tow truck Owner or tow truck Driver has the endorsement of the Town, the Ontario Provincial Police or any other government agency except with the written permission from the Town, the Ontario Provincial Police or any other government agency.
12. Every licensed owner or driver shall operate or permit to be operated only a tow truck with a gross vehicle weight rating of at least 4,536 kg (10,000 lbs.) and a wrecker body.

TRAINEES – INSTRUCTION

13. Where an application for a driver's licence has been submitted to the Licence Issuer, and where the applicant for such driver's licence will be receiving instructions on driver training from the licensed Owner, the Licence Issuer shall issue a trainee licence which shall expire thirty (30) days from the date that the application is submitted.

DRIVER'S DUTIES

14. A licensed Driver shall
- (1) drive the tow truck which is towing or otherwise conveying a vehicle by the most direct route to the destination requested by the hirer, and in the most expeditious manner, unless otherwise directed by the hirer;
 - (2) wear high visibility florescent safety equipment on the upper torso when working on a Highway;
 - (3) clean up any debris, fragments of glass, vehicle parts or other materials, excluding loads dumped during the collision, and which may be a danger to
-

the public from any highway or roadway prior to towing the vehicle from the collision scene;

- (4) be properly dressed, neat and clean in personal appearance;
- (5) (a) retain all Towing Authorization Forms for at least ninety (90) days from the tow date indicated on the Towing Authorization Form and make them available for inspection upon request by a Officer, or a Licence Issuer;
- (b) where the hirer refuses to sign the Towing Authorization Form, the driver must indicate such on the form and retain this form for at least ninety (90) days from the tow date indicated on the Towing Authorization Form and make it available for inspection upon request by an Officer or a Licence Issuer.

DRIVER PROHIBITION

- 15. (1) Where the request to tow a vehicle is from a hirer or where the tow is required as a result of a motor vehicle collision, the driver shall not commence to tow or otherwise convey or move any vehicles, hook, lift or connect the vehicle to the tow truck unless the tow truck driver has completed a Towing Authorization Form, provided the form to the hirer, and it has been dated and signed by the hirer and the driver has provided a copy thereof to the hirer;
- (2) A licensed Driver shall not
 - (a) commence to tow or otherwise convey or move any vehicle, or hook, lift or connect the vehicle to the tow truck, or perform any other services unless first requested to do so by a hirer, or a police officer or any member of a municipal fire department, or any person authorized by law to direct the removal of the vehicle from private or public property;
 - (b) remove any Vehicle from an Incident Scene or immediate vicinity of an Incident Scene of which a report is required by law to be made to an Officer, until such report has been made and the investigating Officer has completed his/her investigation in respect of such Vehicle, or has stated that the presence of such Vehicle is no longer required for the investigation;
 - (c) alter the Towing Authorization Form;
 - (d) stop, or park within two hundred (200) metres (approximately 656 feet) of a collision location but this does not apply where the tow truck driver has been summoned to the location of the collision by one of the persons referred to in subsection (a) or where there are fewer tow trucks at the collision location than vehicles apparently requiring the services of a tow truck;
 - (e) ask or seek out a hirer or allow or direct an agent to ask or seek out a hirer, at a collision location or within two hundred (200) metres (approximately 656 feet) of a collision location, where the actions of the driver or agent constitute a nuisance;
 - (f) tow or otherwise convey or move any vehicle which is to be towed outside the Town unless requested by the owner or operator of the

vehicle or a police officer or member of the municipal fire department;

- (g) drive or act as a Driver unless the registered Owner or where applicable, the lessee, of the tow truck is licensed under this by-law,
- (h) remain at the scene of a tow after a Officer at the scene has requested that the driver leave the scene immediately;
- (i) charge mileage to the owner's Pound;
- (j) where the use of a Dolly is required, leave the scene until the vehicle to be towed is secured using the appropriate safety device including but not limited to safety chains or straps;
- (k) cause or permit passengers to occupy the vehicle to be towed while connected to the tow vehicle.

OWNER DUTIES

16. A licensed Owner shall

- (1) immediately notify a Licence Issuer in writing when he/she gives possession and control of the tow truck for which he/she is licensed under this by-law to another Person or permits the use of said tow truck by another person other than through a bona fide contract of hiring for a period greater than one day;
 - (2) charge the rates for services permitted by the provisions of this by-law;
 - (3) file with a Licence Issuer a schedule of rates to be charged to hirers for the towing or other conveyance of vehicles and for other services offered or to be performed by him/her or his/her Driver for towing services other than collision towing, such schedule of rates to be considered public information;
 - (4) charge the rates, as set out in the schedule of rates filed with a Licence Issuer for towing and for services other than collision towing;
 - (5) keep in the tow truck and show to the hirer a copy of a tariff card showing the Schedule 2 rate, the applicable schedule of rates filed with a Licence Issuer in accordance with this by-law, and also showing, if applicable that the hirer may be charged additional fees for storage by the operator of any storage facility or business to which the hirer's vehicle is to be towed;
 - (6) in the carrying out of his/her business use only stationery, forms, bills, invoices, statements and any other printed or written advertising material including any published advertisement in a newspaper, periodical, directory or other publication, which has printed therein in clearly legible figures and letters his/her name and address;
 - (7) retain for a period of sixty (60) days copies of all advertising matter used by him/her and shall produce the same to a Licence Issuer if and when requested;
 - (8) have attached to or painted on both sides of the body of the tow truck in a location approved by a Licence Issuer, in letters and figures not less than eight centimetres (approximately three inches) in height the operating name and telephone number of the business as shown on the owner's licence, and where the owner owns more than one truck a number identifying each tow truck;
 - (9) only use the service of a tow truck driver who is licensed as a driver under this by-law;
-

- (10) have affixed to the tow truck in a location approved by a Licence Issuer the owner's plate issued for that tow truck;
- (11) notify forthwith a Licence Issuer in writing of the particulars of such agreement or arrangement to transfer possession and control of a tow truck for which he/she has an owner's plate to another person and where such agreement or arrangement is in writing shall file it with a Licence Issuer;
- (12) give written notice of the sale or other disposition of a tow truck to a Licence Issuer within seven (7) days of any such sale or disposition,
- (13) accept full responsibility for the acts and omissions of any driver or other employee to the extent that any such acts or omissions do not comply with the provisions of this by-law, and
- (14) ensure that all information and requirements of this by-law are made known to and adhered to by any driver or other employee of the owner.

OWNER PROHIBITION

17. No Owner shall

- (1) permit any Owner's plate issued to him/her under this by-law to be affixed to any tow truck, other than the tow truck for which the licence was issued under this by-law; or
- (2) alter or amend the schedule of rates filed with a Licence Issuer without first giving at least thirty 30 days written notice to a Licence Issuer.

SCHEDULE OF RATES

18. (1) The schedule of rates filed with a Licence Issuer for all types of towing, except collision towing and towing set out in Part B of this Schedule shall be based only on the following factors or a combination thereof:
 - (a) Time:
 - (i) time required to reach location after hiring;
 - (ii) time required to perform services;
 - (iii) standby time;
 - (b) Distances:
 - (i) distance to travel to reach location after hiring;
 - (ii) distance vehicle is towed or conveyed;
 - (c) Additional Services:
 - (i) changing more than one wheel;
 - (ii) disconnecting drive shaft;
 - (iii) up righting overturned vehicle;
 - (iv) moving vehicle to towing position;
 - (v) opening locked vehicles without keys;
 - (vi) provision and use of dolly; and
 - (vii) other specified services where a fee is charged.
- (2) Where rates vary according to time of day or geographical zones or a combination of different factors, the exact formula for determining the rate shall be set out in the schedule of rates filed with a Licence Issuer.
- (3) An owner and driver of a tow truck shall charge only those fees in accordance with the schedule of rates filed with the Licence Issuer.

19. Notwithstanding the provisions of any other section of this by-law, where an estimate is given to the hirer of the cost of services or equipment to be provided by a tow truck owner or driver, the charge to the hirer shall not exceed the charges indicated in the schedule of rates filed with a Licence Issuer under this by-law or the amount of the estimate, which ever is lower.
20. The provisions of this by-law do not prohibit the owner of a tow truck from entering into a written agreement with an automobile association, motor league, a government, government agency or local board thereof, or any limited corporation, for the provision of towing services (described as a "towing contract") provided that the tow truck owner provides a copy of all such towing contracts to a Licence Issuer prior to supplying any services thereunder.
21. Notwithstanding the provisions of sections 18, 19 and 20 of this Schedule, the Driver and Owner who offers to tow a passenger vehicle, light van or truck not exceeding 6000 pounds (2722 kg) in towing weight, within the Town of Caledon or to the Owner's pound, shall charge only the following all inclusive fees, and shall not charge any other service fee except applicable federal and provincial taxes as set out in Part B of this Schedule.
22. Mileage may be charged in addition to the rates referred to in Part B of this Schedule, in accordance with the rate sheet referred to in Section 12, provided the customer requests that the vehicle be towed to a location outside of the Town of Caledon other than the Owner's pound.
23. The fee described in Section 20 of this schedule shall not be charged or cause to be charged when the Vehicles are damaged as a result of mechanical failure, non-collision vehicle fire or other similar cause.
24. Where Section 21 of this schedule applies, an Owner and Driver of a Tow Truck may only charge or cause to be charged a fee in accordance with the schedule or rates filed with the Licence Issuer.
25. If the tow is subject of a contract with another level of government, notwithstanding sections 17, 18, 19 and 20 of this Schedule the fees approved with the program contract shall prevail.

NEW AND REPLACEMENT VEHICLE APPROVAL

26. An applicant for an owner's licence or an owner licensed under this by-law who disposes of the tow truck or otherwise ceases to use his/her tow truck for the purpose permitted under this by-law, shall return the Owner's Plate issued in respect of the truck to the Town.

PART B – TOW TRUCK LICENSING PROVISIONS

COLLISION TOW RATES

1.	An Owner and Driver of a tow truck who offers to tow a passenger vehicle, light van or truck not exceeding 6000 pounds (3000 kg) in towing weight, shall charge: Mileage charges are in addition to this rate if the hirer requests that the vehicle be towed to a location outside of the Town of Caledon other than the owner's pound.	\$300.00
2.	Where the vehicle to be towed is off the traveled portion of the roadway and off the shoulder and requires winching for recovery, the Owner and Driver of a tow truck may charge an additional fee of:	\$120.00
3.	Where it is necessary to have a second tow truck to assist in removing the vehicle as determined by an Officer, the Owner or Driver of the tow truck may charge an additional fee of:	\$150.00

NON-COLLISION TOWING INVOLVING POLICE

4. A maximum tow rate of \$150.00 where the tow of a vehicle is the result of non-collision incident where police involvement is required.

GENERAL

5. The above noted rates include the use of dollies and an administrative fee.

**Appendix A
to Consolidated Licensing By-law 2013-127**

As used in this Appendix, the following term shall have the meaning indicated:

- "Conviction" Without restricting the generality of the definition, includes any convictions registered against:
- (a) The applicant, and where the applicant is a corporation or partnership, against any officers, directors or partners;
 - (b) Any other businesses of the applicant that are currently licensed or required to be licensed; and
 - (c) Any prior businesses of the applicant that were licensed or required to be licensed

Threshold Policy

The Thresholds are intended to identify those applicants and licencees who have been convicted of offences which behaviours are incompatible with the type of business, based on health and safety and consumer protection. The Thresholds will also provide an objective and transparent way of identifying such individuals and an appropriate way to deal with the licence.

In the course of an application, the Licence Issuer may also inquire into pending court cases and issue a temporary licence to expire on the date of the expected court date. Withholding the fact of a pending court date from the Licence Issuer is itself a ground for suspension of the licence.

Scope

This policy applies to all types of business licensing provided for in this by-law.

Offences and Corresponding Codes

Criminal Code Offences	Description	Code
Sexual Offences (minors)	Sexual offences under Part V of the Criminal Code of Canada	01
Culpable Homicide (murder)	Culpable homicide as under Part VIII of the Criminal Code of Canada including attempt/accessory/conspiracy/co-accused	01
Terrorism	Any offence committed under Part II.1 of the Criminal Code of Canada	02
Major assault and sexual assault offences	Sexual assault with weapon; threats to a third party or causing bodily harm; aggravated sexual assault; assault with weapon; unlawfully causing bodily harm	02
Criminal organization	Participation in criminal organization; commission of offence for criminal organization; instructing commission of offence for criminal organization	02
Sexual offences (where victim is 18 years and older)	Exploitation of person with disability; incest; indecent act; sexual assault under Part VIII of the Criminal Code of Canada.	03
Confinement, kidnapping, trafficking in persons, Hostage taking, Abduction	Offences committee under Part VIII of the Criminal Code of Canada.	03
Hate propaganda	Advocating genocide; public incitement of hatred	03
Robbery, extortion	Robbery; extortion – all related offences under Part IX of the Criminal Code of Canada	03
Assault	Assault; assaulting a peace officer	03
Operation of vehicles, vessels or aircraft	Dangerous operation; flight; causing death by criminal negligence (street racing); causing bodily harm by criminal negligence (street racing); dangerous operation of motor vehicle while street racing; failing to stop for police; failure to stop at scene of accident; operation while impaired; operation with more than 80 milligrams of alcohol in blood; operation while disqualified	03
Criminal negligence	Causing death by criminal negligence; causing bodily harm by criminal negligence	04
Noxious thing, poison	Administering noxious thing to harm	04
Harassment, threats	Criminal harassment; uttering threats, intimidation	04
Explosives	Using explosives; possession	04
Firearms and weapons	Any firearms or weapons offence committed under Part III of the Criminal Code of Canada	04
Theft offences	All offences	04
Forgery offences	All offences	04
Fraud	Fraud offences; falsifying documents	04
Traps	Setting traps likely to cause bodily harm	04
Break and enter	Break and enter	04

Criminal Code Offences	Description	Code
Crime – possession of property	Possession of property obtained by crime; possession of property obtained by excise offences	04
Arson	All offences	04
Counterfeit money	Making counterfeit money; uttering counterfeit money; advertising; dealing	04
Proceeds of Crime	Laundering proceeds of excise offences; laundering proceeds of crime	04
Mischief	Public mischief; mischief	05
Conspiracy	Conspiracy to commit an indictable offence	05
Bawdy houses	Keeping common bawdy house; transporting person to bawdy house; procuring;	05
Prostitution	Offences related to prostitution	05
Other	All other criminal code convictions	07

Controlled Drugs and Substances Act Offences	Description	Code
Possession	Possession of substance	05
Trafficking	Of Schedule I or II substance	03
	Of Schedule III substance	04
	Of Schedule IV substance	05
Importing and Exporting	Of Schedule I or II substance	03
	Of Schedule III substance	04
	Of Schedule IV substance	05
Production	Of Schedule I or II substance (except Marijuana)	03
	Of Schedule III substance	04
	Of Schedule IV substance	05

Highway Traffic Act Offences	Description	Code
Driving prohibited while license suspended	Driving prohibited while licence suspended or disqualified.	04
Suspension while prohibited from driving	Driving while licence suspended	06
Rate of speed/ stunt driving/racing	Where the court has determined that the person convicted was driving at a rate of speed of 50 or more kilometers per hour greater than the speed limit	04
Careless driving	Careless driving	04
Fail to remain	Fail to remain at the scene of an accident	04
Fail to stop for police officer	Fail to stop when signaled or requested by a police officer	04
Fail to stop for school bus	Fail to stop for a school bus	04

In respect of any licence issued under this licensing By-law:

- 1A A Licence Issuer shall not issue or renew a licence and may recommend Committee not issue or renew a licence if, at the time of an application for a licence or renewal, an applicant has:
- (1) any Code 1 convictions;
 - (2) any Code 2 convictions within the last 10 years;
 - (3) any Code 3 convictions within the last 5 years;
 - (4) two or more Code 3 convictions within the last 10 years;
 - (5) any Code 4 conviction within the last 3 years;
 - (6) two or more Code 4 convictions within the last 5 years;
 - (7) any Code 5 conviction with in the last year;
 - (8) six or more by-law related* convictions within the last year concerning the licensed business or individual, or any other of the individual's businesses that are licensed or are required to be licensed, or any of the individual's prior businesses that were licensed or were required to be licensed; four or more by-law and related* convictions with in the twelve months immediately preceding the date of issuance; or
 - (9) overdue by-law fines, unless the applicant or licensee provides proof that such fines have been subsequently paid;
- 1B In addition to the thresholds noted above, the following thresholds also apply to any business, trade or calling for which a vehicle and its driver are licensed or required to be licensed under this By-law;
- (1) any Code 6 conviction within the last 3 years;
 - (2) any Code 7 conviction within the last year;
 - (3) nine or more demerit points, as defined in the *Highway Traffic Act*, on the driver's abstract provided to the Licensing Division;
- 1C Despite the application being complete and all fees paid, the Licence Issuer shall refuse to issue or renew the licence should any one of these thresholds apply. In the case of an existing licence, the Licence Issuer shall suspend the licence should any one of these thresholds apply.
- 1D The Licence Issuer may place conditions and issue a warning letter on a licence if an investigation of a licensee reveals circumstances that may in the future cause the licensee to be in contravention of any of the business licensing thresholds listed.
- 1E The Licence Issuer may issue a warning letter to be placed in an applicant's file if, at the time of an application for a licence or renewal, the applicant has:
- (1) Four (4) or more by-law and related* convictions concerning the licensed business or individual, or any other of the individual's businesses that are licensed or are required to be licensed, or any of the individual's prior businesses that were licensed or required to be licensed, within the twelve (12) months immediately preceding the date of issuance or renewal.

The warning letter must advise the applicant about the specific applicable threshold being applied.

* related legislation may include, but is not limited to, Town of Caledon Licensing By-law 2013-127.

SCHEDULE "G"

DONATION BOXES

1. For the purposes of this Schedule:

"Charity" means a registered charity, as defined in the federal *Income Tax Act*, that has a registration number issued by the Canada Revenue Agency;

"Donation box" means any outdoor receptacle used for the purpose of collecting clothing donation items;

"Licensee" includes the holder of the license and an agent of the licensee that is responsible for the operation of the donation box licensed under this Schedule;

"Property owner" means the person holding registered title to the land, and/or a lessee, tenant, occupant, mortgagee in possession, or any person having charge of the land, upon which a donation box is located;

"Site Plan" means a document identifying the arrangement of buildings, parking, roads and any other structures in a graphic representation.

LICENSING REQUIREMENTS

2. Every Licensee is required to obtain, from the Town a licence for each donation box located within the Town.
3. An Applicant that provides a valid charitable registration number, issued by the Canada Revenue Agency, as part of the licence application for a donation box may, without the payment of the application or renewal fee, locate one donation box, within the Town, on land which is primarily used for the operations or activities of the charity.
4. An application, and all required documents as outlines in this schedule, shall be submitted to the Town for approval prior to the donation box being located.

APPLICATION REQUIREMENTS

5. In addition to the application requirements as set out in this By-law, all applications for a donation box licence must include:
 - (1) the name, contact e-mail, phone number and address of the applicant / Licensee;
 - (2) the municipal address where the donation box will be placed;
 - (3) a site plan identifying the exact location of the donation box on the premises;
 - (4) a signed consent letter from the property owner;
 - i) in a form specified by the Town;
 - ii) including the name, address and contact information of the property owner;
 - iii) permitting the donation box to be located at the location described in the site plan;
 - (5) if the applicant is a charitable organization, the charitable registration number provided by the Canada Revenue Agency;
 - (6) a list containing the addresses of all licensed donation boxes within the Town operated by the applicant / licensee;

- (7) proof of general liability insurance showing a minimum of two million (\$2,000,000) dollars coverage per occurrence, with the Town of Caledon appearing as one of the named, insured on the policy;
 - (8) payment of the appropriate application fee as outlined in the Town's Fees By-law, as amended; and
 - (9) any other documentation deemed necessary by the licence issuer to evaluate the application.
6. A Donation Box License application or renewal will not be reviewed and/or considered complete until payment of the appropriate fee, as set out in the Town's Fees By-law, as amended, is received.

POSTING OF LICENCE

7. There is no requirement under section 33 (1) and (2) of the Licensing By-law to post or for the licensee to keep the licence on their person for this schedule.

TERM OF LICENCE

8. All licences issued under this schedule will expire on February 28th of each year.

DONATION BOX REQUIREMENTS

9. All donation boxes must have posted on the exterior of the donation box:
- (1) The name of the licensee, posted in a conspicuous place, in lettering no smaller than 100 millimeters x 75 millimeters, and of a contrasting colour from the donation box, including:
 - (a) The Canada Revenue Agency registration number, if the Licensee is a registered charity; or
 - (b) The words "not a Charity";
 - (2) the Town Donation Box Licence Number provided by the licence issuer for that donation box;
 - (3) the address, phone number and e-mail address of the Licensee;
 - (4) the location of all other licenced donation boxes that the licensee has placed within the Town, and
 - (5) any other information as deemed necessary by the License Issuer.
10. Every licensee and property owner shall ensure that each donation box, for which a licence has been granted, is kept clean, in good repair, and free of graffiti.
- (1) Every licensee and property owner shall ensure that at all times the areas immediately adjacent to the donation box are kept clean and free of any overflow of donated items, litter, refuse and debris, and in compliance with the Town's Property Standards By-law, as amended.
11. No person shall operate a donation box in any location other than the location specified in the license issued.

LOCATION REQUIREMENTS

[By-law 2017-30 effective May 30/17]

12. Donation boxes shall only be permitted on properties that meet all of the following criteria:
- (1) on private property; and
 - (2) all areas identified as being zoned Commercial, Industrial and Institutional in the Town's Zoning By-law, as amended; and
 - (3) positioned at least two (2) meters from all property lines.

12. Re-location of a donation box shall only be permitted through the submission and approval by the Licence Issuer of a new application, including the payment of the applicable fee as outlined in the Town's Fees By-law, as amended.
13. No person shall permit more than two donation boxes to be located at each municipal address.

Original section 15 was removed and the provisions renumbered accordingly as per By-law 2017-30 effective May 30, 2017.

14. No person shall permit a donation box to be located on any property owned or maintained by the Town.

ENFORCEMENT

15. If an Officer finds a donation box in contravention of this By-law, including this Schedule, the Officer may issue an Order upon the Licensee and/or the Property Owner as per the requirements of section 67 of this By-law.
 16. Where a person to whom an Order has been issued pursuant to this By-law, fails to comply with the Order, the Town, in addition to any other remedies it may have, may do the work required to bring the Order into compliance, at the expense of the licensee and/or property owner.
 - (1) The cost of bringing the directions of the Order into compliance, plus administration fee, may be added to the tax roll and collected by the Town in the same manner as property taxes.
 17. An Officer may enter upon the land at any reasonable time, in order to obtain compliance of the Order.
 - (1) In order to bring the Order into compliance, the Officer may utilize a third- party contractor.
 18. The Town shall not be liable for any loss, damage or cost incurred by any Licensee, property owner or any other person due to, or arising from, the removal and/or disposal of any donation box by the Town.
-

From: Ontario News <newsroom@ontario.ca>
Sent: Monday, June 29, 2020 1:20 PM
To: Denise Holmes
Subject: Ontario Increasing Oversight of Towing Industry



Newsroom

News Release

Ontario Increasing Oversight of Towing Industry

June 29, 2020

Provincial Task Force to Look at Improving Safety, Consumer Protections and Industry Standards

TORONTO — The Ontario government is establishing a task force to improve provincial oversight of the towing industry. The task force will help develop a regulatory model that will increase safety and enforcement, clarify protections for consumers, improve industry standards and consider tougher penalties for violators. The government is taking this action in response to concerns raised about incidents of criminal activity and violence in the towing industry.

Details were provided today by Premier Doug Ford, Christine Elliott, Deputy Premier and Minister of Health, Caroline Mulroney, Minister of Transportation, and Sylvia Jones, Solicitor General.

"The party's over for the bad actors who are engaged in violence and criminal activity in the towing industry. We're going to keep working with our police partners to bring these criminals to justice," said Premier Ford. "Setting up this task force will help us bring together experts to develop ways to better protect drivers, operators and inspectors."

The task force will review a number of topics related to the towing industry, which could include provincial oversight of safety, consumer protection, improved industry standards, training and background checks.

As part of the review, the task force may consider opportunities for increased protections for consumers against the first-to-scene unethical business practices, insurance savings through a crackdown on insurance fraud rings or improved consumer choice for payments and repairs. The

province is also reviewing ways to improve our transportation system by clearing accidents more quickly which would minimize lane reductions and reduce congestion on our highways.

"Most tow truck operators in Ontario are responsible and play a critical role in keeping our roadways safe. However, like all people of Ontario, our government is concerned about the recent reported incidents of violence in the towing industry," said Minister Mulroney. "We are committed to ensuring a higher standard for the tow truck industry and are looking at ways to provide greater oversight of the industry to keep our roads and highways among the safest in North America."

"When Ontarians are stranded on the side of the road, they need to know their calls will be answered by towing service providers who act safely, ethically and within the law," said Solicitor General Jones. "The task force will help us determine tougher standards for the industry as part of our government's commitment to build safer communities."

Membership of the task force will include representatives from the Ministry of Transportation, the Ministry of the Solicitor General, the Ministry of Government and Consumer Services, the Ministry of Municipal Affairs and Housing, the Ministry of Labour, Training and Skills Development, the Ministry of Finance and the Ontario Provincial Police. Once the task force has developed proposals for discussion and comment, it will be consulting with industry, municipalities, and public safety experts.

"Since I first tabled a Private Members' Bill over five years ago calling for better oversight on our roads, the violence and extortion within the towing industry has rapidly escalated," said Gila Martow, MPP for Thornhill. "I look forward to the seeing strengthened provincial oversight of the tow truck industry so we can keep everyone safe."

QUICK FACTS

- There are approximately 1,600 tow truck companies registered in the Ministry of Transportation's Commercial Vehicle Operator's Registration (CVOR) program. A valid CVOR certificate is required to operate a tow truck.
- The Consumer Protection Act contains specific tow and storage services rules to help protect consumers who need a tow or roadside assistance in Ontario. The Ontario government is currently reviewing the Act and consumers can provide input through a survey until July 17, 2020, on a number of issues, including towing.

ADDITIONAL RESOURCES

- [Learn about consumer protection for drivers](#)

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Denise Holmes

From: AMO Communications <Communicate@amo.on.ca>
Sent: Monday, June 29, 2020 2:46 PM
To: Denise Holmes
Subject: AMO Policy Update – Emergency Orders Extension, Towing Industry Oversight

AMO Update not displaying correctly? [View the online version](#)
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June 29, 2020

AMO Policy Update – Emergency Orders Extension and Towing Industry Oversight

Extension of Emergency Orders

The Ontario government has extended all emergency orders currently in force that were made under s.7.0.2 (4) of the *Emergency Management and Civil Protection Act* until **July 10, 2020**, while removing restrictions that were limiting access to certain sports training facilities.

The Province has removed certain restrictions for Stage 2 indoor sports and recreational fitness activities facilities. This will allow the facilities to be used by more businesses and organizations to train amateur or professional athletes, or to run certain non-contact amateur or professional athletic competitions. In all cases, facility owners are only able to permit activities to occur in a way that meets public health requirements. This will enable many sports and recreational organizations to again offer sport training programs.

A full list of emergency orders can be found on the [e-Laws website](#) under the *Emergency Management and Civil Protection Act* and at Ontario.ca/alert.

Increasing Towing Industry Oversight

The Province is establishing a ministerial task force to improve provincial oversight of the towing industry. This task force will help develop a regulatory model that will increase safety and enforcement, clarify protections for consumers, improve industry standards, and consider tougher penalties for violators. This action is being taken in

response to concerns raised about incidents of criminal activity and violence in the towing industry.

The task force will review several topics related to the towing industry including provincial oversight of safety, consumer protection, improved industry standards, training, and background checks. As some municipal governments do license towing operations within their jurisdictions, we will monitor any consultations or activities arising from this provincial task force.

AMO's [COVID-19 Resources](#) page is being updated continually so you can find critical information in one place. Please send any of your municipally related pandemic questions to covid19@amo.on.ca.

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Denise Holmes

From: AMO Communications <Communicate@amo.on.ca>
Sent: Wednesday, July 8, 2020 5:36 PM
To: Denise Holmes
Subject: AMO Policy Update: Federal Economic Statement and Initial Analysis of Ontario Omnibus COVID-19 Recovery Legislation

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July 8, 2020

AMO Policy Update: Federal Economic Statement and Initial Analysis of Ontario Omnibus COVID-19 Recovery Legislation

Federal Economic and Fiscal Update

Federal Finance Minister Bill Morneau presented an Economic and Fiscal Snapshot in the House of Commons today. The Minister noted that today's economic statement was predicated on the backdrop of a public health and economic crisis as it projected a sizeable deficit of \$343 billion dollars with a debt-to-GDP ratio of 49.1%.

The Minister noted the scale of the deficit is the result necessary measures that provided an appropriate response for dealing with the unexpected public health and economic impacts arising from the COVID-19 pandemic. The fiscal snapshot indicated several fiscal highlights including:

- Federal spending reduced the size of economic contraction by nearly 5 per cent and reduced unemployment figures by 2 per cent.
- A budget deficit of \$343.2 billion is projected for 2020-21 with a debt-to-GDP ratio of 49.1%.
- Direct support to Canadian businesses and individuals amounts to \$229 billion with the total value of the federal emergency response to date is 14 per cent of GDP.
 - o The Canadian Emergency Response Benefit (CERB) is set to cost \$73.1 billion this year.
 - o The Federal Wage Subsidy program is expected to cost \$82 billion this year.

Funding for Municipalities

AMO is disappointed that federal funding relief for municipalities was not contained in today's federal snapshot but remain hopeful that conversations continue on ensuring the provision of this necessary relief to municipalities. In his daily briefing, Premier Ford noted that Ontario had financial resources ready for municipal support but that he was working towards a deal with the federal government for flexible funding that reflects Ontario's proportion of the national population.

Ontario Introduces *COVID-19 Economic Recovery Act*

The Ontario Government introduced a broad omnibus legislation, Bill 197, *The COVID-19 Economic Recovery Act*, which the government says is aimed at giving municipalities and their communities the tools they need to spur recovery efforts. In introducing the legislation, the Minister of Municipal Affairs and Housing noted that the province had been working with municipal governments since the early days of the pandemic and acknowledged that municipalities would lead the recovery in their communities. The objective of the legislation is to get infrastructure and development projects up and running faster to create jobs and economic activity. The legislation is comprehensive and complex, totaling over 180 pages with 20 schedules amending other Acts. AMO will be evaluating the legislation and its elements more thoroughly and will communicate to members significant concerns or implications assessed.

In the meantime, this current update includes a description of major relevant sections and initial analysis from AMO. Municipal officials should begin a local review of the Bill to assess its impact on your municipal governments which can be identified during the legislative and regulatory processes.

Municipal Function: Governance

Electronic Participation in Meetings and Proxy Voting

This Bill proposes to continue provisions for municipal councils and local boards to meet electronically, as has been enabled temporarily through the pandemic. As well, the government is proposing that elected officials be allowed to vote by proxy in cases determined locally, such as when they are ill or must self-isolate.

AMO Comments:

Both changes are positive and reinforce that municipal governments are a mature level of government. AMO has requested that if the legislation passes, the government prepare guidance materials to assist their implementation in practice.

Municipal Function: Finance

Development Charges and Community Benefit Charges

After extensive consultation, the government is introducing an "all in one regime" for Development Charges (DC) and Community Benefit Charges (CBC). The *Development Charges Act* is being amended to further expand the list of eligible

services funded through development charges and allows for a blended use with CBCs.

The full list of services eligible for development charge recovery now include:

- Libraries,
- Long-Term Care,
- Park Development,
- Public Housing,
- Recreation,
- Childcare,
- Housing Services (e.g. affordable housing & shelters),
- By-Law Enforcement and Court Services,
- Emergency Preparedness, and
- Airports (specific to only Waterloo Region).

The above services will see the elimination of the 10% discounting. Background study costs remain recoverable.

Parkland Dedication

Existing parkland provisions (including basic parkland dedication and alternative parkland rates) will be maintained. These provisions can now be used in conjunction with community benefit charges in respect to the same development. The legislation introduces a new public consultation requirement and the alternative rate is now subject to Local Planning Appeal Tribunal (LPAT) appeal.

Community Benefit Charges

The Community Benefit Charge can be used by single and lower tier municipalities as most upper-tier services are included under the development charge calculation. The CBC can only be applied for higher density residential developments for buildings of 10 units and five storeys or greater.

As a result of the consultations, the CBC is now a flexible tool that can fund any municipal service provided it is not being recovered through another mechanism (e.g. development charges). The CBC is subject to appeal to the LPAT. The CBC percentage of land value cap will be set by regulation at a future date.

Transition Period

Following sector advice, municipalities can continue under the current regime until 2 years after proclamation date.

AMO Comments:

AMO is pleased to see the addition of eligible services for development charge recovery being restored. Maintaining existing parkland provisions and the flexibility of CBCs as a tool to recover additional costs is welcomed along with moving toward a

two-year transition period. The draft legislation does reflect significant municipal consultation feedback.

Under this new regime, AMO will continue to watch carefully that growth continues to pay for growth. This will include reviewing the potential for increased LPAT appeals, determination of land value caps for CBCs (to be set out in regulation), assessing the use land values and how that corresponds to the cost of municipal services.

The Ministry of Municipal Affairs and Housing will be hosting technical information sessions on the CBC framework soon and invitations to municipal officials should be out shortly.

Municipal Function: Infrastructure Development + Environmental Assessment (EA)

The Bill creates comprehensive changes to streamline and accelerate Environmental Assessments (EAs) to improve project timelines and build infrastructure in communities faster. Major provisions include a new process for projects going forward including class EAs; limiting requests for "bump up" decisions to the Minister to those affecting aboriginal treaty rights; requiring Minister's orders to be made within 30 days of the comment period; and establishing a 10-year limitation for project commencement after EA completion. These changes are in addition to previous amendments to exempt low risk projects made last year. The legislation also eliminates hearings of necessity under the *Public Transportation and Highway Improvement Act* for expropriations allowing the Minister to establish an alternative process to receive comments from property owners.

AMO Comments:

AMO supports a faster and less costly EA process in Ontario, especially when projects have already been through multiple studies and consultations through municipal planning processes. AMO and other others have long raised concerns that the EA process took too long to complete and added significant costs to projects in addition to time. In some cases, AMO understands, the cost of completing EAs has been in excess of building the infrastructure studied. AMO will work with the Municipal Engineers Association (MEA) and other municipal groups to ensure the new legislation is appropriate to municipal government requirements.

Environmental Assessment and Landfill Siting: Municipal Say on Landfill Approvals

While the Minister will still have final approval authority on all landfill environmental assessments (EAs), the Bill proposes that proponents of landfills must seek approval of the host municipality in which the landfill is located, as well as certain neighbouring adjacent municipalities within 3.5km that meet certain criteria as part of the approvals process.

AMO Comments:

There will be implications for municipal governments, both those who are preparing landfill proposals/expansions, as well as those in the host and in certain circumstances, adjacent municipalities. AMO will keep members informed of the consultation for those who want to comment on this section.

Municipal Function: Transit Development

The Bill also includes a schedule to deliver on the Premier's earlier commitment to develop transit-oriented communities and make it easier for developers to contribute to the development of this infrastructure to support land development in these areas. The legislation is limited to priority transit projects in the Toronto and York systems. The legislation proposes to allow regulations to designate transit-oriented communities, allowing the creation of corporations to invest in the development and processes for expropriating land.

AMO Comments:

As written, the legislation applies only to priority projects in Toronto and York as identified in the legislation. AMO understands that other municipal governments may be interested in a similar approach to transit development and encourages interested communities to assess the provisions.

Municipal Function: Land Use Planning

Ministers Zoning Order (MZO):

The Bill amends the Ministers Zoning Order provisions. The amendments to the *Planning Act* have been proposed to reflect the Provincial Government's desire to use this tool to fast track development where there is complexity and provincial interests. The MZO will not be used in the Greenbelt.

An example of how MZO's could be used would be requiring affordable housing, especially inclusionary zoning. The Bill also includes a new power to allow for ministerial approval of site plans.

AMO Comments:

While AMO supports the need for this tool in circumstances that are complex and accelerating the process is desirable, prior notice and support from the municipal government is essential. AMO will pursue greater clarification about the intent of this clause about notice.

Provincial Facilitator

The Bill also amends the provisions concerning a provincial facilitator, making the position permanent. The Provincial Facilitator is an advisory role related to growth, land use planning and provincial interest that has been in place in various capacities for decades. The Facilitator provides advice to the Minister and when assigned, will

work through development proposals that have come to an impasse, prior to appeals to the LPAT.

AMO Comments:

Where the municipal council is supportive of the development, the Facilitator is a welcomed source of assistance. AMO will seek more information regarding the use of this office to advance developments in conflict with the Official Plan.

Municipal Function: Other Amendments

Municipal Courts Administration: *Provincial Offences Act (POA)*

Amendments to the POA will allow court filings and proceedings to proceed by electronic means, including meetings and hearings. The amendments will make it easier to contest charges and schedule appearances, increasing efficiency of administration.

AMO Comments:

AMO supports changes to the POA that increase access to justice and efficiency of proceedings and administration. Electronic filing and meetings are welcome modernizations in the justice system.

Building Code Act

Schedule 1 amends the *Building Code Act* and will permit regulations under the Act to be drafted by the Minister of Municipal Affairs and Housing instead of the Lieutenant Governor General in Council. The proposed changes will enable the Province to pursue necessary recovery-related regulatory changes to the Building Code in a timely fashion. As well, the amendments clarify the scope of certain regulation-making authorities, including the authority to make regulations by adopting certain documents by reference.

AMO Comments:

The amendments to the *Building Code Act* will streamline the ability to draft regulations that is necessary to facilitate municipal recovery. AMO continues to highlight the need to consult and engage with municipal governments and key stakeholders on any proposed changes in the future. Small, rural and northern municipal governments have limited capacity and resources and should be taken into consideration when moving forward.

Drainage Act

Schedule 4 amends the *Drainage Act*. The Ministry of Agriculture, Food and Rural Affairs (OMAFRA) recently posted a consultation paper on altering the *Drainage Act* to address three areas:

- **Streamlining Approvals** creates a new process for minor improvements.
- **Simplifying Administrative Processes:** simplify process to update the engineer's report and to account for changes to drain design during construction.
- **Supporting Technical Proposals:** incorporation of protocols by reference in a regulation.

AMO Comments:

AMO supports simplifying processes and making routine low risk activities easier to undertake. AMO also supports opportunities to introduce green infrastructure that will improve infiltration to reduce the potential for flooding. The proposed change would allow for more accurate information on final drain construction and have much shorter approval timelines. AMO will monitor the regulatory details when they are brought forward.

Marriage Licences

AMO and other municipal organizations have long called for updating the paper-based marriage license process to keep up with public expectation and improve administrative efficiencies. The pandemic emergency response has emphasized this and brought forward the need to address expiring licenses without financial penalties for members of the public that could not marry during the pandemic.

AMO Comments:

The rules for marriage licenses are the responsibility of the province but administered by municipal governments. These changes are welcome and will help to address an unexpected anxiety for couples planning to marry at an already often stressful time.

Payday Loans Act

Schedule 16 amends the *Payday Loans Act* and sets a new maximum interest rate of 2.5 percent that will be applied on any outstanding principal under a loan agreement that meets a set criteria. The provision can be changed by regulation. The amendments will also impose a limitation on the fee that can be charged for a dishonoured cheque, pre-authorized debit or other instrument of payment.

AMO Comments:

Although these proposed amendments do not have any municipal impacts, it should be noted that these changes will be helpful for the most vulnerable community members who often need to use these facilities.

Next Steps

Bill 197 is broad, omnibus legislation with many implications for municipal governments. AMO will be reviewing in greater detail each of the sections of this draft legislation and will report significant concerns or impacts to members.

Members and municipal staff are encouraged to review the Bill for local municipal or community effects to flag during the legislative and regulation-making processes. It is expected that this draft legislation will move quickly in this summer session.

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Denise Holmes

From: Municipal Finance Officers Association of Ontario <no-reply@mfoa.on.ca>
Sent: Wednesday, July 8, 2020 6:46 PM
To: Denise Holmes
Subject: Bill 197, COVID-19 Economic Recovery Act, 2020



Hello Denise,

Bill 197, COVID-19 Economic Recovery Act, 2020

The Province's omnibus Bill 197, COVID-19 Economic Recovery Act, 2020 (COVID Act), was tabled today. The Act proposes to amend 20 different pieces of legislation. Highlights of the proposed changes include:

- Schedule 3 amends changes originally proposed by the *More Homes, More Choice Act, 2019* to the *Development Charges Act, 1997 (DCA)*, including:
 - Expansion of the list of DC-eligible services: library services, long-term care, parks and recreation (excl. the acquisition of park land), public health, child care, housing, POA, emergency preparedness, airports (Waterloo Region only)

- Additional guidance on the relationship between the DC and community benefits charges (CBC) regimes
 - New transition information, including a specified date of two years after the applicable subsection of the COVID Act comes into force.
 - Additional guidance on the recovery of studies
 - Categories of services replaced by classes “which can be composed of any number or combination of services”
 - Guidance on the transition of upper tier municipalities’ reserve funds with respect to ineligible services
- Schedule 17 amends the *Planning Act*. The *More Homes, More Choice Act, 2019* changes to section 37 are replaced and section 42 is amended. Changes include:
 - Only single and lower tier municipalities can impose a CBC
 - A CBC may not be imposed with respect to the (re)development of a proposed building or structure of fewer than 10 residential units or with fewer than five storeys
 - Local municipalities will no longer have to choose between section 42 and the CBC regime. The alternative rate will no longer be repealed.
 - Local municipalities will, however, have to pass by-laws under section 42 following a consultation process. By-laws will be appealable to the LPAT.
 - Amendments to section 47 give the Minister enhanced order making powers relating to specified land

MFOA's long standing position is that growth needs to pay for growth to minimize the impact of new development on existing residents and tax payers and to ensure that new residents enjoy the same services as the existing.

We will closely follow the Bill. Stay tuned for an analysis of the proposed changes.

Refer to AMO's update for information on the following proposed changes to the following:

- Electronic Participation in Meetings and Proxy Voting
- Infrastructure Development + Environmental Assessment (EA)
- Environmental Assessment and Landfill Siting: Municipal Say on Landfill Approvals
- Transit Development
- Land Use Planning: Ministers Zoning Order + Provincial Facilitator
- Municipal Courts Administration: Provincial Offences Act (POA)
- Building Code Act
- Drainage Act
- Marriage Licenses
- Payday Loans Act

For any questions or comments, please contact Shira Babins (shira@mfoa.on.ca).

Our Sponsors



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234-2020-2680

July 8, 2020

Dear Head of Council:

The COVID-19 outbreak has touched everyone in the province, creating personal and financial hardship, and resulting in losses far greater than anyone could have imagined. We are making steady progress in the safe reopening of the province, and we acknowledge and celebrate those who went above and beyond through this crisis.

I am writing to inform you that on July 8, 2020, our government introduced the COVID-19 Economic Recovery Act, 2020, to help get Ontario back on track. Our proposed bill will address three critical needs Ontario faces: restarting jobs and development; strengthening communities; and creating opportunity for people.

Our government recognizes the key role that municipalities play in restarting the economy, and that their efficient functioning and economic sustainability is critical to Ontario's future success. We are also continuing to negotiate with our federal partners to ensure communities across Ontario receive the urgent financial support they need. We know that municipalities require fair and flexible investment to protect front line services and help restart the economy.

This bill includes proposals that will enable municipal councils and local boards to meet electronically on a permanent basis and allow municipal councils to decide if they wish to have proxy voting for their members. Our government also proposes to finalize the community benefits charges framework; enhance the Minister of Municipal Affairs and Housing's existing zoning order authority to provide more certainty when fast tracking the development of transit oriented communities; make it faster to update and harmonize the Building Code so that we can break down interprovincial trade barriers, and permanently establish the office of the Provincial Land and Development Facilitator to help solve complex land use issues. We are also working on optimizing provincial lands and other key provincial strategic development projects that will help facilitate economic recovery efforts.

My ministry will be hosting a technical information briefing on the proposed community benefits charges framework, including proposed changes to development charges and parkland dedication, so that municipal staff can gain a better understanding of the proposal. The technical briefing will take place in the near future and invitations from the Assistant Deputy Minister of Local Government and Planning Policy Division to municipal Chief Administrative Officers, Treasurers and Chief Planners will be forthcoming.

.../2

WFO #3
JUL 16 2020

In addition to initiatives that I have outlined above from my ministry, there are several other proposals included in our proposed legislation that will support your communities. Changes proposed will modernize our outdated environmental assessment framework, provide more local say on future landfill sites, and ensure strong environmental oversight, while supporting faster build-out of vital transport and transit infrastructure projects to support our economy. Municipally-run courts will be able to use technology to deliver services remotely and we are also moving to fill justice of the peace vacancies faster and more transparently.

We will be extending the validity period of unused marriage licences and protecting the province's most vulnerable consumers who rely on payday loans, by proposing limits on related interest rates and fees.

Also proposed is the reduction of regulatory burdens on farming while preserving the environmental rules that will support this vital part of our economy. Businesses will be able to count on clear, focused and effective rules that do not compromise people's health, safety or the environment through our changes that continue to focus on cutting red tape. At the same time, our changes will allow health and safety standards to be updated more quickly to ensure worker safety in a changing economy.

As the province continues to reopen and the economy recovers, it's more critical than ever to position Ontario as a top-tier destination for investment, domestic growth, and job creation. A key measure to support this objective is the creation of a new investment attraction agency, Invest Ontario, that will promote the province as a key investment destination and work closely with regional partners to coordinate business development activities.

Our proposed changes will also help our communities respond in part to the challenges that this outbreak has brought to our education system. Changes proposed would allow school boards to select the best candidates for director of education for their respective communities. We will also reduce red tape that is preventing access to school for some First Nation students and by limiting unproductive suspensions for our very youngest students. Students with severe learning disabilities will have an opportunity to complete their studies in the upcoming school year and by broadening the mandates of TVO and TFO, our broadcasters will be able to support students' learning needs better during these challenging times.

Through this proposed legislation, we will take the first step towards a strong restart and recovery. More information on our proposals can be found on the Legislative Assembly of Ontario's [website](#).

Our greatest challenges lie ahead of us, and we know we cannot overcome them alone. It's time for everyone to play a role in rebuilding Ontario together. We will ensure no community or region is left behind. Every community must recover if all of Ontario is to grow and prosper again.

Head of Council
Page 3

Municipalities are encouraged to continue to review our Government's Emergency Information webpage at: Ontario.ca/alert. I thank you for your continued support and collaboration in these challenging times.

Sincerely,

A handwritten signature in black ink that reads "Steve Clark". The signature is written in a cursive, flowing style.

Steve Clark
Minister of Municipal Affairs and Housing

c: Chief Administrative Officers
Municipal Clerks
Kate Manson-Smith, Deputy Minister of Municipal Affairs and Housing
Brian Rosborough, Executive Director, Association of Municipalities of Ontario

Legislative
Assembly
of Ontario



Assemblée
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de l'Ontario

1ST SESSION, 42ND LEGISLATURE, ONTARIO
69 ELIZABETH II, 2020

Bill 197

**An Act to amend various statutes in response to COVID-19
and to enact, amend and repeal various statutes**

The Hon. S. Clark
Minister of Municipal Affairs and Housing

Government Bill

1st Reading July 8, 2020
2nd Reading
3rd Reading
Royal Assent



EXPLANATORY NOTE

SCHEDULE 1 BUILDING CODE ACT, 1992

The Schedule amends several provisions of the *Building Code Act, 1992* to change regulation-making authority from the Lieutenant Governor in Council to the Minister of Municipal Affairs and Housing. It also clarifies the scope of certain regulation-making authorities, including the authority to make regulations by adopting certain documents by reference.

SCHEDULE 2 CITY OF TORONTO ACT, 2006

The Schedule amends several provisions of the *City of Toronto Act, 2006* to allow the procedure by-law to provide for electronic participation in meetings and to provide for proxy voting.

SCHEDULE 3 DEVELOPMENT CHARGES ACT, 1997

The Schedule amends the *Development Charges Act, 1997*. The amendments repeal and replace certain amendments made by the *More Homes, More Choice Act, 2019* that are not yet in force and make changes to other provisions that were enacted in that Act. Elements of those amendments are retained, but the following changes and additions are made.

The list of services in subsection 2 (4) of the Act for which a development charge can be imposed is expanded from the list that was included in the *More Homes, More Choice Act, 2019*. A new subsection 2 (4.1) sets out the relationship between development charges and the community benefits charges that can be imposed by by-law under the *Planning Act*.

Section 7 of the Act currently provides for services to be grouped into categories within a development charge by-law. The Schedule repeals and replaces section 7 to provide for services to be included in classes which can be composed of any number or combination of services, including parts or portions of the services listed in subsection 2 (4) of the Act or parts or portions of the capital costs listed in subsection 5 (3) in respect of those services. A class set out in a by-law is deemed to be a single service for the purposes of the Act in relation to reserve funds, the use of money from reserve funds and credits.

Transitional rules that were added as section 9.1 of the Act by the *More Homes, More Choice Act, 2019* with respect to the duration of development charge by-laws are repealed and replaced. Related changes are made to transitional rules in section 26.2 of the Act with respect to the determination of the amount of a development charge.

A new section 33.1 provides transitional rules with respect to reserve funds established by upper-tier municipalities for services for which a development charge can no longer be imposed.

Regulation-making powers are added with respect to transitional matters.

SCHEDULE 4 DRAINAGE ACT

The Schedule amends the *Drainage Act*. The majority of the amendments relate to the service of documents and to the processes involved in amending engineers' reports, approving improvement projects and requesting environmental appraisals.

Other technical amendments are made.

SCHEDULE 5 EDUCATION ACT

The *Education Act* is amended in respect of various issues.

An amendment is made to remove the requirement that directors of education must be supervisory officers that are qualified as teachers. The Act is also amended to provide that if regulations prescribe qualifications for directors of education, boards shall not appoint or employ a person as a director of education unless the person holds those qualifications. Related amendments are made to regulation-making powers under the Act.

The Act is amended to provide that the Minister may, in response to the outbreak of the coronavirus (COVID-19), operate one or more demonstration schools for exceptional pupils in either a residential or non-residential setting for the 2020-2021 school year.

Sections 185 and 188 of the Act are amended to allow persons, other than parents or guardians of pupils or prescribed persons, to be prescribed for the purpose of providing written notice to a board that a pupil or prescribed person intends to attend a prescribed school under section 185 or a school of the board under section 188, as the case may be. Sections 185 and 188 are also amended to add regulation-making powers relating to prescribing the persons who may provide notice, governing the conditions under which that notice may be provided by such persons and authorizing the collection of personal information in the process of providing that notice.

Finally, the Act is amended to authorize regulations providing that pupils in specified grades of elementary school shall not be suspended, or that such suspensions may only occur in the prescribed circumstances. Related amendments are made.

SCHEDULE 6 ENVIRONMENTAL ASSESSMENT ACT

The Schedule amends the *Environmental Assessment Act* in order to modernize environmental assessment requirements under the Act. The amendments in the Schedule will come into force in three phases in order to transition gradually to a more modern approach to environmental assessments. The most significant amendments are outlined below.

Currently the Act applies to enterprises and activities and proposals, plans and programs in respect of those enterprises and activities, both public and private, that are set out in section 3 and referred to in the Act as undertakings. This approach has required that many undertakings be exempted from the Act by regulation, by order or otherwise under the Act. The amendments remove references to undertakings from the Act and give the Lieutenant Governor in Council the power to make regulations designating enterprises and activities, and proposals, plans and programs in respect of enterprises and activities, as projects to which the Act applies. Environmental assessments will only be required for projects that are designated. The projects could be designated as Part II.3 projects or Part II.4 projects.

The amendments repeal Parts II and II.1 of the Act and replace them with Parts II.3 and II.4. Currently, Part II of the Act requires persons to obtain the approval of the Minister or of the Tribunal before proceeding with an undertaking. The Part outlines the environmental assessment process that the person must complete in order to obtain the approval. The new Part II.3 continues the requirements and environmental assessment process that applied to undertakings under Part II so that they apply, with some modifications, to Part II.3 projects. An undertaking that was approved by the Minister under Part II is deemed to be a Part II.3 project when that Part comes into force.

The existing Part II.1 allows a person to obtain the approval of the Minister or the Tribunal for a class environmental assessment in respect of a class of undertakings. The proponents of undertakings under an approved class environmental assessment are entitled to follow an environmental assessment process described in the approval that is less onerous than the Part II process. As of the day the Bill receives Royal Assent, no further class environmental assessments will be approved. When Part II.4 is eventually proclaimed into force, it will replace the approved class environmental assessments under Part II.1 with a streamlined environmental assessment process that will be set out in the regulations. The streamlined environmental assessments will apply to projects that are designated as Part II.4 projects. The 10 approved class environmental assessments that currently exist shall continue to apply to undertakings in each class until all 10 are revoked and replaced, where appropriate, by regulations designating Part II.4 projects and setting out the prescribed requirements, including the streamlined environmental assessment, for those projects.

Section 16 of Part II.1 currently allows the Minister to make orders with respect to undertakings under an approved class environmental assessment to require the proponents of such undertakings to comply with the environmental assessment process in Part II instead of following the approved class environmental assessment. The Minister may also, by order, impose conditions on such undertakings. The amendments limit the Minister's authority to make orders on the Minister's own initiative to a time period determined in accordance with new section 16.1. This new time limit will take effect when the Bill receives Royal Assent.

When Part II.4 comes into force, new section 17.31 will give the Minister the power to make orders with respect to Part II.4 projects that are similar to orders made under section 16 with respect to undertakings in approved class environmental assessments. Under section 17.31, the Minister may make an order declaring Part II.4 projects to be Part II.3 projects and thus requiring proponents of Part II.4 projects to comply with the environmental assessment process in Part II.3 instead of the streamlined environmental assessment set out in the regulations. The Minister will also have the ability to make orders imposing requirements on Part II.4 projects. The Minister's power to make orders under section 17.31 on his or her own initiative will be subject to time limits set out in the regulations.

Other important amendments to the *Environmental Assessment Act* include the following:

1. New section 2.1 is a non-derogation provision to preserve existing aboriginal and treaty rights of the aboriginal peoples of Canada as recognized and affirmed in section 35 of the *Constitution Act, 1982*.
2. New section 6.0.1 in Part II requires a proponent of an undertaking to establish a landfilling site to obtain municipal support for the undertaking in accordance with that section. An equivalent section is included in Part II.3 with respect to projects to establish landfilling sites.
3. Section 9 is amended to allow the Minister to include in the approval of an undertaking a process governing changes that may be made to the undertaking after the approval is given. These amendments are reflected in Part II.3 with respect to the approval of Part II.3 projects.
4. New section 11.5 in Part II provides a 10-year expiry date for approvals that were given before the section comes into force if they did not specify an expiry date. The Minister is given the power to exempt undertakings from this section by regulation. An equivalent section is included in Part II.3 with respect to Part II.3 projects.
5. Part II.2, which currently deals with undertakings to dispose of waste proposed or carried out by municipalities, is repealed.
6. Many amendments to various provisions throughout the Act are required to transition from environmental assessments of undertakings under Parts II and II.1 to environmental assessments of designated projects under Parts II.3 and II.4. A

new Part V.1 is enacted to provide for various transitional matters. It includes new regulation-making powers in respect of transitional matters.

7. The regulation-making powers under Part VI are amended. New regulation-making powers governing Part II.4 projects are included.

The Schedule includes consequential amendments to several other Acts.

SCHEDULE 7 FARM REGISTRATION AND FARM ORGANIZATIONS FUNDING ACT, 1993

The *Farm Registration and Farm Organizations Funding Act, 1993* is amended. The amendments relate to the following matters:

1. The process by which a person who has been denied a farming business registration number may appeal to the Agriculture, Food and Rural Affairs Appeal Tribunal.
2. The eligibility of a francophone organization to continue to receive special funding under the Act.
3. The power to make regulations governing how documents are to be given or served under the Act.

SCHEDULE 8 JUSTICES OF THE PEACE ACT

The Schedule amends the *Justices of the Peace Act*. The major elements are set out below.

The Act is amended with respect to the composition and functions of the Justices of the Peace Appointments Advisory Committee. The qualifications that are currently in section 2.1 of the Act are moved to section 2 of the Act. The composition of the Committee is changed to have three core members and fewer regional members. Certain records and other information collected, prepared, maintained or used by the Committee are to be kept in confidence. The amendment to section 2 of the Act requires the Attorney General to keep information in relation to the appointment or consideration of an individual as a justice of the peace confidential. The Committee is required to include statistics about the sex, gender, race and other characteristics of all candidates who volunteer that information in its annual report.

The functions of the Committee are amended. The Committee shall continue to classify all candidates for a justice of the peace position, although the wording of the classification has changed to "Not Recommended", "Recommended" and "Highly Recommended". The Committee submits a list of all candidates and their classifications to the Attorney General. The Attorney General may only recommend a candidate who has been classified as "Recommended" or "Highly Recommended" to fill a justice of the peace position.

The Attorney General may reject the Committee's recommendations and require that a new list be prepared.

The Attorney General may recommend criteria to be included in the criteria the Committee establishes for the advertising, review and evaluation process.

New section 2.3 deals with transition issues. It authorizes the Attorney General to terminate the appointment of members of the Committee for the purpose of transitioning the Committee's composition to the new composition specified in the re-enacted section 2.1. It limits compensation and damages and bars certain causes of action and proceedings.

SCHEDULE 9 MARRIAGE ACT

Currently, the *Marriage Act* provides that a marriage licence is valid for three months. The Schedule amends the Act to provide that if the three-month validity period includes a period in which there is an emergency declared throughout Ontario, the licence remains valid throughout the period of emergency and until 24 months after the emergency ends, if particular conditions are met.

SCHEDULE 10 MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING ACT

The Schedule adds section 12 to the *Ministry of Municipal Affairs and Housing Act*. Section 12 establishes the Provincial Land and Development Facilitator. Section 12 also sets out the functions of the Facilitator. The Facilitator shall, at the direction of the Minister, advise and make recommendations to the Minister in respect of growth, land use and other matters, including Provincial interests. The Facilitator shall perform such other functions as the Minister may specify.

SCHEDULE 11 MODERNIZING ONTARIO FOR PEOPLE AND BUSINESSES ACT, 2020

The Schedule enacts the *Modernizing Ontario for People and Businesses Act, 2020* and repeals the *Burden Reduction Reporting Act, 2014* and the *Reducing Regulatory Costs for Business Act, 2017*. The new Act enacts many of the provisions currently in the *Burden Reduction Reporting Act, 2014* and the *Reducing Regulatory Costs for Business Act, 2017*. The most significant

difference is that the requirements under the *Reducing Regulatory Costs for Business Act, 2017* relating to regulations would also apply to draft bills under the new Act.

The Act provides various measures in the interest of reducing regulatory costs for business.

When certain instruments governed by the Act are made or approved and have the effect of creating or increasing administrative costs to business, an offset must be made within a prescribed time.

An analysis that assesses the potential impact of what is proposed must be conducted where instruments governed by the Act are made or approved, and the analysis must be published.

When developing instruments governed by the Act, every minister shall have regard to various principles such as adopting recognized standards; applying less onerous requirements on small businesses; providing digital services to stakeholders and reducing unnecessary reporting.

Businesses required to provide documents to ministries as a result of an instrument will have the option to transmit those documents electronically.

Businesses that demonstrate excellent compliance with regulatory requirements are to be recognized by the Government.

The Minister is required to publish an annual report with respect to actions taken by the Government of Ontario to reduce burdens.

SCHEDULE 12 MUNICIPAL ACT, 2001

The Schedule amends several provisions of the *Municipal Act, 2001* to allow the procedure by-law to provide for electronic participation in meetings and to provide for proxy voting.

SCHEDULE 13 OCCUPATIONAL HEALTH AND SAFETY ACT

Currently, subsection 70 (2) of the *Occupational Health and Safety Act* includes the authority to make regulations that adopt by reference certain codes, standards, criteria and guides. An amendment is made to provide that the power to adopt codes, standards, criteria and guides includes the power to adopt them as they may be amended from time to time.

SCHEDULE 14 ONTARIO EDUCATIONAL COMMUNICATIONS AUTHORITY ACT

The Schedule amends the *Ontario Educational Communications Authority Act* to provide that its objects include supporting the establishment, administration and coordination of distance education programs by or with prescribed persons or entities and discharging any prescribed duties. Related regulation-making powers are added.

SCHEDULE 15 ONTARIO FRENCH-LANGUAGE EDUCATIONAL COMMUNICATIONS AUTHORITY ACT, 2008

The Schedule amends the *Ontario French-language Educational Communications Authority Act, 2008* to provide that its objects include supporting the establishment, administration and coordination of distance education programs by or with prescribed persons or entities and discharging any prescribed duties. Related regulation-making powers are added.

SCHEDULE 16 PAYDAY LOANS ACT, 2008

The Schedule amends the *Payday Loans Act, 2008* to add section 32.1. Section 32.1 sets a maximum interest rate of 2.5 per cent per month (not to be compounded) on the outstanding principal under a payday loan agreement if the advance under the agreement is \$1,500 or less and the term of the agreement is 62 days or less. The amount of the advance and the term of the agreement required for section 32.1 to apply can be changed by regulation, as can the maximum interest rate that may be charged.

Section 33 of the Act is also amended so that, unless the regulations provide otherwise, a fee no greater than \$25 may be charged for a dishonoured cheque, pre-authorized debit or other instrument of payment. A lender cannot impose such a fee more than once with respect to each payday loan agreement.

The Schedule also adds subsection 44 (1.1) to the Act, which provides that a payment referred to in subsection 44 (1) includes interest or a default charge received by a licensee from a borrower to which the licensee is not entitled under the Act or that the borrower is not liable to pay under the Act.

SCHEDULE 17 PLANNING ACT

The Schedule amends the *Planning Act*.

Amendments related to community benefits charges

Amendments in the Schedule repeal and replace certain amendments made by the *More Homes, More Choice Act, 2019* and the *Plan to Build Ontario Together Act, 2019* that are not yet in force. Elements of those amendments are retained, other elements are changed and new elements are added.

Sections 37 and 37.1 of the Act are replaced. The re-enacted section 37 permits the council of a local municipality to impose community benefits charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies. Subsection 37 (4) provides that a community benefits charge may not be imposed with respect to development or redevelopment of fewer than 10 residential units or in respect of buildings or structures with fewer than five storeys.

Subsection 37 (5) sets out the relationship between community benefits charges and the development charges that can be imposed by by-law under the *Development Charges Act, 1997* and those that can be funded from the special account used for the acquisition of land to be used for park or other public recreational purposes.

Other provisions in the re-enacted section 37 continue to set out various procedural matters related to the making of a community benefits charge by-law, the process for appealing the by-law to the Local Planning Appeal Tribunal and the resolution of disputes in cases where the landowner is of the view that the charge exceeds the maximum allowable charge.

Transitional matters continue to be provided for, both in the re-enacted section 37 and in the re-enacted section 37.1.

Section 42 of the Act is amended with respect to the alternative parkland rate that can be imposed by by-law. The amendments set out various procedural matters related to the passing of a by-law with respect to the alternative parkland rate and the process for appealing the by-law to the Local Planning Appeal Tribunal. Limitations are imposed with respect to the powers of the Local Planning Appeal Tribunal on an appeal of a by-law under section 42. Rules are included with respect to refunds after a successful appeal.

Amendments related to Minister's zoning orders

Currently, under section 47 of the *Planning Act*, the Minister may make orders exercising zoning powers. The Schedule amends section 47 of the Act to give the Minister enhanced order-making powers relating to specified land. "Specified land" is defined as land other than land in the Greenbelt Area within the meaning of the *Greenbelt Act, 2005* (which includes areas covered by the Oak Ridges Moraine Conservation Plan, areas covered by the Niagara Escarpment Plan and areas described in the regulations made under the *Greenbelt Act, 2005*).

The enhanced order-making powers include powers in relation to site plan control and inclusionary zoning. Among other things, this provides the Minister with the ability to require the inclusion of affordable housing units in the development or redevelopment of specified lands, buildings or structures.

Also, among other things, a Minister's order relating to specified land may require that the owner of the specified land enter into an agreement with the relevant municipality respecting specified matters related to development on the land and conditions required for the approval of plans and drawings in a site plan control area. The amendments provide that the Minister may give direction to the parties concerning the agreement. An agreement is of no effect to the extent that it does not comply with the Minister's direction, whether the Minister's direction is given before or after the agreement has been entered into.

SCHEDULE 18 PROVINCIAL OFFENCES ACT

The Schedule makes various amendments, including the following amendments, to the *Provincial Offences Act*.

Under section 5 of the Act, a notice of intention to appear that is included in an offence notice is in some cases required to be filed in person. The section is amended in the first instance to permit notices of intention to appear to be given by mail or in another manner. Subsequent amendments to the section remove reference to a requirement to file a notice of intention to appear in person.

Section 5.1 of the Act is amended so that if an offence notice indicates that an option of a meeting with the prosecutor to discuss the resolution of the offence is available, the meeting may be held by electronic method under section 83.1 of the Act. In particular, the amendments remove a precondition to a meeting by electronic method that either the defendant or the prosecutor be unable to attend the meeting because of remoteness. Complementary amendments are made to section 11 of the Act.

Section 17.1 of the Act applies if a parking infraction notice requires a notice of intention to appear to be filed in person. Amendments are made to the section to permit the filing requirement to be met without personal attendance. Similarly, section 18.1.1 of the Act applies if a notice of impending conviction requires a notice of intention to appear to be filed in person, and amendments are made to that section to permit the filing requirement to be met without personal attendance.

Section 26 of the Act is amended to permit the Lieutenant Governor in Council to make regulations specifying additional methods by which a summons may be served by a provincial offences officer.

Section 45 of the Act is amended to add additional criteria to be met before a court can accept a plea of guilty from a defendant who is making the plea by electronic method under section 83.1 of the Act.

Section 83.1 of the Act is re-enacted in order to expand the circumstances in which a person may participate in a proceeding under the Act, or in a step in a proceeding, by electronic method, as defined in that section.

Section 158.1 of the Act is amended to replace telewarrants — an information given by a means of telecommunication that produces a writing — with electronic warrants, to reflect other electronic communication technologies.

Finally, the French versions of various provisions of the Act are amended to update terminology and correct errors.

**SCHEDULE 19
PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT**

The Schedule eliminates hearings of necessity for expropriations of property under the Act and provides that the Minister may establish a process for receiving comments from property owners about such expropriations.

**SCHEDULE 20
TRANSIT-ORIENTED COMMUNITIES ACT, 2020**

The Schedule enacts a new *Transit-Oriented Communities Act, 2020*, which also amends the *Ministry of Infrastructure Act, 2011*.

Transit-Oriented Communities Act, 2020

The *Transit-Oriented Communities Act, 2020* permits the Lieutenant Governor in Council to designate land as transit-oriented community land if specified conditions apply. The Act defines “transit-oriented community project” for the purpose.

The Act provides that if land, any part of which is transit-oriented community land, is expropriated in specified circumstances, a related hearings process under the *Expropriations Act* does not apply in relation to the expropriation. The Act permits the establishment of a process for receiving and considering comments from property owners respecting a proposed expropriation of such land.

Ministry of Infrastructure Act, 2011

The *Ministry of Infrastructure Act, 2011* is amended to permit the Minister to make investments supporting or developing transit-oriented community projects related to priority transit projects.

**An Act to amend various statutes in response to COVID-19
and to enact, amend and repeal various statutes**

CONTENTS

1.	Contents of this Act
2.	Commencement
3.	Short title
Schedule 1	Building Code Act, 1992
Schedule 2	City of Toronto Act, 2006
Schedule 3	Development Charges Act, 1997
Schedule 4	Drainage Act
Schedule 5	Education Act
Schedule 6	Environmental Assessment Act
Schedule 7	Farm Registration and Farm Organizations Funding Act, 1993
Schedule 8	Justices of the Peace Act
Schedule 9	Marriage Act
Schedule 10	Ministry of Municipal Affairs and Housing Act
Schedule 11	Modernizing Ontario for People and Businesses Act, 2020
Schedule 12	Municipal Act, 2001
Schedule 13	Occupational Health and Safety Act
Schedule 14	Ontario Educational Communications Authority Act
Schedule 15	Ontario French-language Educational Communications Authority Act, 2008
Schedule 16	Payday Loans Act, 2008
Schedule 17	Planning Act
Schedule 18	Provincial Offences Act
Schedule 19	Public Transportation and Highway Improvement Act
Schedule 20	Transit-oriented Communities Act, 2020

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Contents of this Act

1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.

Commencement

2 (1) Subject to subsections (2) and (3), this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *COVID-19 Economic Recovery Act, 2020*.

**SCHEDULE 1
BUILDING CODE ACT, 1992**

1 The French version of subsection 4.1 (3) of the *Building Code Act, 1992* is amended by striking out “assortir celle-ci” and substituting “assortir la delegation”.

2 Subsection 7 (1) of the Act is amended by striking out “Lieutenant Governor in Council” in the portion before clause (a) and substituting “Minister”.

3 (1) Section 34 of the Act is amended by adding the following subsection:

Regulations

(0.1) The Minister may make such regulations as are desirable governing standards for the construction and demolition of buildings.

(2) Subsection 34 (1) of the Act is amended by striking out the portion before paragraph 1 and substituting the following:

Same

(1) Without limiting the generality of subsection (0.1), the Minister may make regulations,

(3) Paragraph 9 of subsection 34 (1) of the Act is repealed.

(4) Section 34 of the Act is amended by adding the following subsection:

Adoption by reference

(1.1) The Minister may make regulations adopting by reference any of the following documents, in whole or in part, with such changes as the Minister considers necessary, and requiring compliance with any provision of a document so adopted:

1. The National Building Code of Canada 2015, the National Plumbing Code of Canada 2015, the National Energy Code of Canada for Buildings 2017, the National Farm Building Code of Canada 1995 or any subsequent versions of those codes.
2. A code, formula, standard, guideline, protocol or procedure that requires any part of the construction of a building to be designed by an architect or a professional engineer or a combination of both.
3. Any other code, formula, standard, guideline, protocol or procedure.

(5) Subsections 34 (2) to (2.3) of the Act are amended by striking out “Lieutenant Governor in Council” wherever it appears and substituting in each case “Minister”.

(6) Clause 34 (2) (a) of the Act is amended by striking out “subsection (1)” and substituting “subsections (0.1) and (1)”.

Commencement

4 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 2
CITY OF TORONTO ACT, 2006**

1 (1) Subsection 189 (4) of the *City of Toronto Act, 2006* is repealed and the following substituted:

Electronic participation

(4) The applicable procedure by-law may provide that a member of city council, of a local board of the City or of a committee of either of them, can participate electronically in a meeting to the extent and in the manner set out in the by-law.

(2) Subsection 189 (4.1) of the Act is repealed.

(3) Subsection 189 (4.2) of the Act is repealed and the following substituted:

Same

(4.2) The applicable procedure by-law may provide that,

- (a) a member of city council, of a local board of the City or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and
- (b) a member of city council, of a local board of the City or of a committee of either of them can participate electronically in a meeting that is open or closed to the public.

(4) Subsection 189 (4.3) of the Act is repealed and the following substituted:

Same, procedure by-law

(4.3) The city council or a local board of the City may hold a special meeting to amend an applicable procedure by-law for the purposes of subsection (4.2).

(4.3.1) A member participating electronically in such a special meeting described in subsection (4.3) may be counted in determining whether or not a quorum of members is present at any time during the meeting.

2 The Act is amended by adding the following section:

Proxy votes

194.1 (1) The procedure by-law passed under section 189 may provide that, in accordance with a process to be established by the clerk, a member of city council may appoint another member of city council as a proxy to act in their place when they are absent.

Rules re proxy votes

(2) The following rules apply with respect to the appointment of another member of city council to act as a proxy under subsection (1):

1. A member shall not act as a proxy for more than one member of city council at any one time.
2. The member appointing the proxy shall notify the clerk of the appointment in accordance with the process established by the clerk.
3. For the purpose of determining whether or not a quorum of members is present at any point in time, a proxyholder shall be counted as one member and shall not be counted as both the appointing member and the proxyholder.
4. A proxy shall be revoked if the appointing member or the proxyholder requests that the proxy be revoked and complies with the proxy revocation process established by the clerk.
5. Where a recorded vote is requested under subsection 194 (4), the clerk shall record the name of each proxyholder, the name of the member of city council for whom the proxyholder is voting and the vote cast on behalf of that member.
6. A member who appoints a proxy for a meeting shall be considered absent from the meeting for the purposes of determining whether the office of the member is vacant under clause 204 (1) (c).

Pecuniary interest

(3) A member who has a pecuniary interest described in subsection 5 (1) of the *Municipal Conflict of Interest Act* in a matter to be considered at a meeting shall not, if the interest is known to the member, appoint a proxy in respect of the matter.

Same, pre-meeting discovery

(4) If, after appointing a proxy, a member discovers that they have a pecuniary interest described in subsection 5(1) of the *Municipal Conflict of Interest Act* in a matter to be considered at a meeting that is to be attended by the proxyholder, the member shall, as soon as possible,

- (a) notify the proxyholder of the interest in the matter and indicate that the proxy will be revoked in respect of the matter; and

- (b) request that the clerk revoke the proxy with respect to the matter in accordance with the proxy revocation process established by the clerk.

Same, post-meeting discovery

(5) For greater certainty, if, after appointing a proxy, a member discovers that they have a pecuniary interest described in subsection 5(1) of the *Municipal Conflict of Interest Act* in a matter that was considered at a meeting attended by the proxyholder, the appointing member shall comply with subsection 5 (3) of the *Municipal Conflict of Interest Act* with respect to the interest at the next meeting attended by the appointing member after they discover the interest.

Conflict etc., proxyholder

(6) For greater certainty, nothing in this section authorizes a proxyholder who is disabled from participating in a meeting under the *Municipal Conflict of Interest Act* from participating in the meeting in the place of an appointing member.

Regulations, proxy votes

(7) The Minister may make regulations providing for any matters which, in the Minister's opinion, are necessary or desirable for the purposes of this section.

Commencement

3 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 3
DEVELOPMENT CHARGES ACT, 1997**

1 (1) Subsection 2 (3) of the *Development Charges Act, 1997* is repealed and the following substituted:

Same

(3) An action mentioned in clauses (2) (a) to (g) does not satisfy the requirements of subsection (2) if the only effect of the action is to,

- (a) permit the enlargement of an existing dwelling unit; or
- (b) permit the creation of additional dwelling units as prescribed, subject to the prescribed restrictions, in prescribed classes of existing residential buildings or prescribed structures ancillary to existing residential buildings.

Exemption for second dwelling units in new residential buildings

(3.1) The creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, is, subject to the prescribed restrictions, exempt from development charges.

(2) Subsection 2 (4) of the Act is repealed and the following substituted:

What services can be charged for

(4) A development charge by-law may impose development charges to pay for increased capital costs required because of increased needs for the following services only:

1. Water supply services, including distribution and treatment services.
2. Waste water services, including sewers and treatment services.
3. Storm water drainage and control services.
4. Services related to a highway as defined in subsection 1 (1) of the *Municipal Act, 2001* or subsection 3 (1) of the *City of Toronto Act, 2006*, as the case may be.
5. Electrical power services.
6. Toronto-York subway extension, as defined in subsection 5.1 (1).
7. Transit services other than the Toronto-York subway extension.
8. Waste diversion services.
9. Policing services.
10. Fire protection services.
11. Ambulance services.
12. Services provided by a board within the meaning of the *Public Libraries Act*.
13. Services related to long-term care.
14. Parks and recreation services, but not the acquisition of land for parks.
15. Services related to public health.
16. Child care and early years programs and services within the meaning of Part VI of the *Child Care and Early Years Act, 2014* and any related services.
17. Housing services.
18. Services related to proceedings under the *Provincial Offences Act*, including by-law enforcement services and municipally administered court services.
19. Services related to emergency preparedness.
20. Services related to airports, but only in the Regional Municipality of Waterloo.
21. Additional services as prescribed.

Development charge — relationship to community benefits charge

(4.1) For greater certainty, nothing in this Act prevents a community benefits charge under section 37 of the *Planning Act* from being imposed with respect to the services listed in subsection (4), provided that the capital costs that are intended to be funded by the community benefits charge are not capital costs that are intended to be funded under a development charge by-law.

2 Subparagraph 4 iii of subsection 5 (3) of the Act is amended by striking out “library board as defined in the *Public Libraries Act*” and substituting “board within the meaning of the *Public Libraries Act*”.

3 Section 7 of the Act is repealed and the following substituted:

Class of services

7 (1) A development charge by-law may provide for any service listed in subsection 2 (4) or the capital costs listed in subsection 5 (3) in respect of those services to be included in a class set out in the by-law.

Composition of class

(2) A class may be composed of any number or combination of services and may include parts or portions of the services listed in subsection 2 (4) or parts or portions of the capital costs listed in subsection 5 (3) in respect of those services.

Studies

(3) For greater certainty, a development charge by-law may provide for a class consisting of studies in respect of any service listed in subsection 2 (4) whose capital costs are described in paragraphs 5 and 6 of subsection 5 (3).

Effect of class

(4) A class of service set out in a development charge by-law is deemed to be a single service for the purposes of this Act in relation to reserve funds, the use of money from reserve funds and credits.

4 Section 9.1 of the Act is repealed and the following substituted:

Same, transitional matters

9.1 (1) In this section,

“specified date” means the day that is two years after the day subsection 1 (2) of Schedule 3 to the *COVID-19 Economic Recovery Act, 2020* comes into force.

By-law — expiry before specified date

(2) Despite subsections 2 (4) and 9 (1), a development charge by-law that would expire on or after May 2, 2019 and before the specified date remains in force as it relates to any service other than the services described in paragraphs 1 to 10 of subsection 2 (4) until the earliest of,

- (a) the day it is repealed;
- (b) the day the municipality passes a community benefits charge by-law under subsection 37 (2) of the *Planning Act*; and
- (c) the specified date.

By-law — expiry on or after specified date

(3) If a development charge by-law would expire on or after the specified date, the following rules apply in respect of the by-law as it relates to any service other than the services described in paragraphs 1 to 20 of subsection 2 (4):

1. Despite subsection 2 (4), the by-law continues to apply, even as it relates to the service, until the earliest of the days described in paragraph 2.
2. The days referred to in paragraph 1 are the following:
 - i. The day the by-law is repealed.
 - ii. In the case of a development charge by-law of a local municipality, the earlier of,
 - A. the day the municipality passes a community benefits charge by-law under subsection 37 (2) of the *Planning Act*; or
 - B. the specified date.
 - iii. In the case of a development charge by-law of an upper-tier municipality, the specified date.
3. The by-law is deemed to have expired, as it relates to the service, on the earliest of the dates mentioned in paragraph 2.

Services prescribed under para. 21 of subs. 2 (4)

(4) Subsection (3) does not apply in respect of the by-law as it relates to a service that is prescribed for the purposes of paragraph 21 of subsection 2 (4) if the service is prescribed before the day referred to in subparagraph 2 ii or iii of subsection (3), as the case may be.

5 Subsection 9.2 (3) of the Act is amended by striking out “9.1 (1) or (2)” and substituting “9.1 (2)”.

6 The English version of subsection 18 (3) of the Act is amended by striking out “the time” wherever it appears and substituting in each case “the day”.

7 The English version of subsection 25 (2) of the Act is amended by striking out “the time” wherever it appears and substituting in each case “the day”.

8 Section 26.2 of the Act is amended by adding the following subsections:

Transition, eligible services

(6.1) Beginning on the day described in subsection (6.2), the total amount of a municipality's development charge for the purposes of subsection (1) shall not include the amount of a development charge in respect of a service unless the service is listed in subsection 2 (4).

Same

(6.2) The day referred to in subsection (6.1) is,

(a) in the case of a local municipality, the earlier of,

(i) the day the municipality passes a community benefits charge by-law under subsection 37 (2) of the *Planning Act*, and

(ii) the specified date for the purposes of section 9.1; and

(b) in the case of an upper-tier municipality, the specified date for the purposes of section 9.1.

9 The Act is amended by adding the following section:

Reserve funds — transition, upper-tier municipalities

33.1 (1) This section applies with respect to a reserve fund established by an upper-tier municipality in accordance with section 33 before the day subsection 1 (2) of Schedule 3 to the *COVID-19 Economic Recovery Act, 2020* comes into force for any services other than those described in paragraphs 1 to 20 of subsection 2 (4).

Non-application, reserve fund re services prescribed under para. 21 of subs. 2 (4)

(2) Despite subsection (1), this section does not apply with respect to a reserve fund established for a service that is prescribed for the purposes of paragraph 21 of subsection 2 (4) if the service is prescribed before the specified date for the purposes of section 9.1.

Deemed general capital reserve

(3) The following rules apply with respect to a reserve fund to which this section applies:

1. On the specified date for the purposes of section 9.1, the reserve fund is deemed to be a general capital reserve fund for the same purposes for which the money in the reserve fund was collected.

2. Despite paragraph 1, subsection 417 (4) of the *Municipal Act, 2001* and any equivalent provision of, or made under, the *City of Toronto Act, 2006* do not apply with respect to the general capital reserve fund referred to in paragraph 1.

10 Clause 60 (1) (c) of the Act is repealed and the following substituted:

(c) clarifying or defining terms used in subsection 2 (4) that are not already defined in or under this Act;

(c.1) prescribing services for the purposes of paragraph 21 of subsection 2 (4);

(c.2) governing transitional matters arising from additional services being prescribed under clause (c.1);

11 Section 60.1 of the Act is amended by adding the following clauses:

(c) setting out transitional rules dealing with matters not specifically dealt with in the amendments to this Act made by Schedule 3 to the *COVID-19 Economic Recovery Act, 2020*;

(d) clarifying the transitional rules set out in the amendments to this Act made by Schedule 3 to the *COVID-19 Economic Recovery Act, 2020*.

AMENDMENTS TO OTHER ACT

More Homes, More Choice Act, 2019

12 Section 2, subsection 3 (3), section 4 and subsections 5 (2) and (3), 8 (2) and 13 (3) of Schedule 3 to the *More Homes, More Choice Act, 2019* are repealed.

COMMENCEMENT

Commencement

13 (1) Subject to subsection (2), this Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(2) Sections 1 to 11 come into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 4
DRAINAGE ACT**

1 (1) The definition of “Minister” in section 1 of the *Drainage Act* is repealed and the following substituted:

“Minister” means the Minister of Agriculture, Food and Rural Affairs or any other member of the Executive Council to whom responsibility for the administration of this Act is assigned or transferred under the *Executive Council Act*; (“ministre”)

(2) Section 1 of the Act is amended by adding the following definitions:

“prescribed” means prescribed by the regulations; (“prescrit”)

“regulations” means the regulations made under this Act; (“règlements”)

2 Clause 5 (1) (b) of the Act is repealed and the following substituted:

(b) if it decides to proceed with the drainage works, send notice of the petition and of its decision to the prescribed persons.

3 Subsection 6 (1) of the Act is repealed and the following substituted:

Notice that environmental appraisal is required

(1) A person who is prescribed by the regulations and who has received notice of the petition under clause 5 (1) (b) may, within 30 days after receiving the notice, send to the council of the initiating municipality a notice that an environmental appraisal of the effects of the drainage works on the area is required.

Cost

(1.1) The cost of an environmental appraisal required under subsection (1) shall be paid by the person who sends the notice requiring it.

4 Clause 8 (1) (c) of the Act is amended by adding “prescribed or” before “provided”.

5 (1) Subsection 10 (2) of the Act is repealed and the following substituted:

Consideration of report

(2) Upon the filing of the preliminary report, the council of the initiating municipality shall cause the clerk to send the prescribed persons a copy of the preliminary report and a notice of the date of the council meeting at which the preliminary report will be considered.

(2) Subsection 10 (7) of the Act is amended by striking out “clause (2) (a), (b) or (c)” and substituting “subsection (2)”.

(3) Subsection 10 (8) of the Act is repealed and the following substituted:

Referral to Tribunal

(8) The following persons may refer the environmental appraisal to the Tribunal:

1. If lands used for agricultural purposes are included in the area to be drained, the Minister.
2. In any other case, the prescribed persons.

6 Subsection 41 (1) of the Act is repealed and the following substituted:

Notice of drainage works

(1) Upon the filing of the engineer’s report, the council of the initiating municipality, if it intends to proceed with the drainage works, shall, within 30 days after the filing of the report, cause the clerk of the initiating municipality to send the prescribed persons a copy of the report and a notice stating,

- (a) the date on which the report was filed;
- (b) the name or other designation of the drainage works; and
- (c) the date of the council meeting at which the report will be considered.

7 Subsection 58 (4) of the Act is repealed.

8 Section 77 of the Act is repealed.

9 (1) Subsection 78 (1) of the Act is amended by striking out “projects listed in subsection (1.1)” and substituting “major improvement projects listed in subsection (1.1)”.

(2) Subsection 78 (1.1) of the Act is amended by striking out “projects” in the portion before paragraph 1 and substituting “major improvement projects”.

(3) Paragraph 5 of subsection 78 (1.1) of the Act is repealed and the following substituted:

5. Extending the drainage works to an outlet.

5.1 Improving or altering the drainage works if the drainage works is located on more than one property.

(4) Subsection 78 (1.1) of the Act is amended by adding the following paragraph:

8. Any other activity to improve the drainage works, other than an activity prescribed by the Minister as a minor improvement.

(5) Subsection 78 (2) of the Act is repealed and the following substituted:

Notice

(2) An engineer shall not be appointed under subsection (1) until 30 days after a notice has been sent to the following persons advising them of the municipality's intent to undertake the major improvement project:

1. The secretary-treasurer of each conservation authority that has jurisdiction over any lands that would be affected by the project.
2. The prescribed persons.

(6) Section 78 of the Act is amended by adding the following subsection:

Minor improvements to drainage works

(5) Despite subsections (2) to (4), the Minister may prescribe the process for approving minor improvements to a drainage works mentioned in paragraph 8 of subsection (1.1).

10 The Act is amended by adding the following section:

AMENDMENTS TO ENGINEER'S REPORT

Amendments to engineer's report

84.1 (1) This section applies with respect to engineer's reports that are prepared for the purpose of a petition under section 4 or for the purpose of section 78 and that are adopted by a municipal by-law.

Approval process

(2) The Minister may, by regulation, set out the process by which the engineer's report may be amended and the process by which those amendments are to be approved.

11 Section 105 of the Act is amended by striking out "constables".

12 (1) Section 125 of the Act is amended by adding the following clause:

(c) prescribing any matter this Act describes as being prescribed or dealt with in the regulations.

(2) Section 125 of the Act is amended by adding the following subsections:

Adoption of guidelines, etc.

(2) A regulation may adopt by reference, in whole or in part, with the changes that the Minister considers necessary, any guideline, protocol or procedure, including a guideline, protocol or procedure established by the Minister, and may require compliance with any guideline, protocol or procedure so adopted.

Amendments to guidelines, etc.

(3) The power to adopt by reference and require compliance with a guideline, protocol or procedure in subsection (2) includes the power to adopt a guideline, protocol or procedure as it may be amended from time to time.

When effective

(4) The adoption of an amendment to a guideline, protocol or procedure that has been adopted by reference comes into effect upon the Ministry publishing notice of the amendment in *The Ontario Gazette* or in the registry under the *Environmental Bill of Rights, 1993*.

Commencement

13 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 5
EDUCATION ACT**

1 Paragraph 26 of subsection 11 (1) of the *Education Act* is repealed and the following substituted:

powers and duties of teachers, etc.

26. prescribing the powers, duties and qualifications, and governing the appointment of teachers, designated early childhood educators, supervisors, supervisory officers, heads of departments, principals, superintendents, residence counsellors, school attendance counsellors and other officials;

powers and duties of directors of education

26.0.1 prescribing the powers and duties and governing the appointment of directors of education;

2 Section 13 of the Act is amended by adding the following subsection:

Exception, COVID-19

(5.0.1) Despite subsection (5), for the 2020-2021 school year, the Minister may, in response to the outbreak of the coronavirus (COVID-19), operate one or more demonstration schools for exceptional pupils described in that subsection in either a residential or non-residential setting.

3 (1) Paragraph 3 of subsection 185 (1) of the Act is amended by striking out “or” at the end of subparagraph ii, by adding “or” at the end of subparagraph iii and by adding the following subparagraph:

- iv. a person who is prescribed for the purpose of giving written notice in respect of a pupil or person.

(2) Subsection 185 (10) of the Act is amended by adding the following clauses:

- (c.1) prescribing persons for the purposes of subparagraph 3 iv of subsection (1) who may provide written notice in respect of a pupil or person and governing the conditions under which notice may be provided by such a person;
- (c.2) authorizing personal information within the meaning of section 28 of the *Municipal Freedom of Information and Protection of Privacy Act* to be collected by boards, for the purpose of administering and implementing this section, in a manner other than directly from the individual to whom the information relates and regulating the manner in which the information is collected;

4 (1) Paragraph 2 of subsection 188 (1) of the Act is amended by striking out “or” at the end of subparagraph ii, by adding “or” at the end of subparagraph iii and by adding the following subparagraph:

- iv. a person who is prescribed for the purpose of giving written notice in respect of a pupil.

(2) Subsection 188 (1.11) of the Act is amended by adding the following clauses:

- (a.1) prescribing persons for the purposes of subparagraph 2 iv of subsection (1) who may provide written notice in respect of a pupil and governing the conditions under which notice may be provided by such a person;
- (a.2) authorizing personal information within the meaning of section 28 of the *Municipal Freedom of Information and Protection of Privacy Act* to be collected by boards, for the purpose of administering and implementing this section, in a manner other than directly from the individual to whom the information relates and regulating the manner in which the information is collected;

5 The heading to Part XI of the Act is repealed and the following substituted:

**PART XI
DIRECTORS OF EDUCATION AND SUPERVISORY OFFICERS**

6 Sections 279 and 280 of the Act are repealed and the following substituted:

Qualifications of director of education

279 (1) If qualifications for a director of education are required by the regulations, a board shall not appoint or employ a person as a director of education unless the person holds those qualifications.

Regulations

(2) The Minister may make regulations prescribing the qualifications for directors of education.

Director of education and supervisory officers: district school boards

280 Every district school board shall, subject to the regulations, employ a director of education and such supervisory officers as it considers necessary to supervise all aspects of the programs under its jurisdiction.

Appointment of director of education: school authorities

281 (1) Two or more public school authorities may, with the approval of the Minister, agree to appoint a director of education to supervise all aspects of the programs under their jurisdictions.

Same

(2) Two or more Roman Catholic school authorities may, with the approval of the Minister, agree to appoint a director of education to supervise all aspects of the programs under their jurisdictions.

Abolition of position

(3) A school authority that appoints a director of education with the approval of the Minister shall not abolish the position of director of education without the approval of the Minister.

If no director of education

(4) If a school authority does not appoint a director of education, then a supervisory officer shall act as the director of education and perform all the duties of the director of education.

7 Subsection 283 (1) of the Act is repealed.

8 Subsection 306 (1) of the Act is amended by adding “Subject to a regulation made under clause 316 (1.1) (a)” at the beginning of the portion before paragraph 1.

9 Subsection 310 (1) of the Act is amended by adding “Subject to a regulation made under clause 316 (1.1) (a)” at the beginning of the portion before paragraph 1.

10 (1) Section 316 of the Act is amended by adding the following subsection:

Same

(1.1) The Lieutenant Governor in Council may make regulations,

- (a) providing that pupils in specified grades in elementary school shall not be suspended under section 306 or 310, or that such suspensions may only occur in the prescribed circumstances;
- (b) providing for transitional matters that are necessary or desirable in connection with a suspension that occurred under this Part before the day subsection 10 (1) of Schedule 5 to the *COVID-19 Economic Recovery Act, 2020* came into force.

(2) Subsection 316 (2) of the Act is amended by adding “or (1.1)” after “subsection (1)”.

(3) Subsection 316 (3) of the Act is amended by adding “or (1.1)” after “subsection (1)”.

Commencement

11 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 6
ENVIRONMENTAL ASSESSMENT ACT**

1 (1) Subsection 1 (1) of the *Environmental Assessment Act* is amended by adding the following definition:

“designated project” means a Part II.3 project or a Part II.4 project; (“projet désigné”)

(2) The definition of “municipality” in subsection 1 (1) of the Act is amended by adding “subject to subsection 6.0.1 (2)” before “includes”.

(3) The definition of “municipality” in subsection 1 (1) of the Act, as amended by subsection (2), is amended by striking out “subsection 6.0.1 (2)” and substituting “subsection 17.5 (2)”.

(4) Subsection 1 (1) of the Act is amended by adding the following definitions:

“Part II.3 project” means a project that has been designated by the regulations as a project to which Part II.3 applies or that has been declared by the Minister to be a Part II.3 project by order made under subsection 16 (1) or 17.31 (1); (“projet visé par la partie II.3”)

“Part II.4 project” means a project that has been designated by the regulations as a project to which Part II.4 applies and in respect of which an order has not been made under subsection 16 (1) or 17.31 (1); (“projet visé par la partie II.4”)

“project” means one or more enterprises or activities or a proposal, plan or program in respect of an enterprise or activity; (“projet”)

(5) The definition of “Part II.3 project” in subsection 1 (1) of the Act, as enacted by subsection (4), is amended by striking out “subsection 16 (1) or 17.31 (1)” at the end and substituting “subsection 17.31 (1)”.

(6) The definition of “Part II.4 project” in subsection 1 (1) of the Act, as enacted by subsection (4), is amended by striking out “subsection 16 (1) or 17.31 (1)” at the end and substituting “subsection 17.31 (1)”.

(7) The definition of “proponent” in subsection 1 (1) of the Act is repealed and the following substituted:

“proponent” means a person who,

(a) carries out or proposes to carry out an undertaking or a project, or

(b) is the owner or person having charge, management or control of an undertaking or a project; (“promoteur”)

(8) The definition of “proponent” in subsection 1 (1) of the Act, as re-enacted by subsection (7), is repealed and the following substituted:

“proponent” means a person who,

(a) carries out or proposes to carry out a project, or

(b) is the owner or person having charge, management or control of a project; (“promoteur”)

(9) The French version of the definition of “undertaking” in subsection 1 (1) of the Act is amended,

(a) by striking out “d’un projet” wherever it appears and substituting in each case “d’une proposition”; and

(b) by striking out “du projet” in clause (c) and substituting “de la proposition”.

(10) The definition of “undertaking” in subsection 1 (1) of the Act, as amended by subsection (9), is repealed.

2 The Act is amended by adding the following section:

Existing aboriginal and treaty rights

2.1 For greater certainty, nothing in this Act shall be construed so as to abrogate or derogate from the protection provided for the existing aboriginal and treaty rights of the aboriginal peoples of Canada as recognized and affirmed in section 35 of the *Constitution Act, 1982*.

3 (1) The French version of section 3 of the Act is amended by,

(a) striking out “projets” wherever it appears in clauses (a) and (b) and substituting in each case “propositions”;

(b) striking out “au projet, plan ou programme” in clause (c) and substituting “à la proposition, au plan ou au programme”; and

(c) striking out “du projet” in clause (e) and substituting “de la proposition”.

(2) Section 3 of the Act, as amended by subsection (1), is repealed and the following substituted:

Designation of projects

3 (1) The Lieutenant Governor in Council may make regulations designating projects as projects to which Part II.3 or II.4 apply.

Same

(2) A regulation under subsection (1) may designate a project or a class of projects. It may also describe a designated project with reference to a proponent or a class of proponents.

Same, ancillary activities

(3) A project that is designated under subsection (1) includes any enterprise or activity that is ancillary to that project.

Same, ancillary project

(4) A project that is designated as a Part II.3 project includes any Part II.4 project that is ancillary to the Part II.3 project and that has the same proponent as the Part II.3 project. The Part II.4 project shall be deemed not to be a Part II.4 project for the purposes of this Act.

4 (1) The French version of section 3.0.1 of the Act is amended by,

- (a) striking out “à une activité ou un projet” and substituting “une activité ou une proposition”; and
- (b) striking out “au projet” and substituting “à la proposition”.

(2) Section 3.0.1 of the Act, as amended by subsection (1), is repealed and the following substituted:

Agreement for application of Act

3.0.1 (1) A person who carries out, proposes to carry out or is the owner or person having charge, management or control of a project that is not a designated project may enter into a written agreement with the Minister to have all or part of this Act and of the regulations apply to the project.

Deemed Part II.3 or Part II.4 projects

(2) If an agreement is entered into under subsection (1) with respect to a project and the agreement provides for Part II.3 or Part II.4 of this Act to apply with respect to the project, that project is deemed to be a Part II.3 project or a Part II.4 project, as the case may be.

Deemed Part II.1 projects

(3) If an agreement is entered into under subsection (1) with respect to a project and the agreement provides for Part II.1 of this Act to apply with respect to the project, that project is deemed to be an undertaking to which the approved class environmental assessment identified in the agreement applies.

Transition, previous agreements

(4) An enterprise or activity or a proposal, plan or program is deemed to be a Part II.3 project if,

- (a) this Act applied to it by virtue of an agreement made before the day subsection 4 (2) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force; and
- (b) on the day Part II.3 comes into force, no approval had been given under section 9 or 9.1 to proceed with the enterprise or activity or the proposal, plan or program.

(3) Subsection 3.0.1 (3) of the Act, as enacted by subsection (2), is repealed.

5 (1) Subsections 3.1 (2) and (3) of the Act are repealed and the following substituted:

Order to vary or dispense

(2) The Minister may by order vary or dispense with a requirement imposed under this Act with respect to the undertaking if,

- (a) both jurisdictions have agreed to harmonization or substitution of requirements in relation to the undertaking; or
- (b) there is an agreement with respect to harmonization or substitutions between the jurisdictions.

Order to impose additional requirements

(3) The Minister may by order impose requirements in addition to those imposed under this Act with respect to the undertaking if the condition set out in clause (2) (a) or (b) is satisfied and the additional requirements are being imposed to provide for harmonization or substitution.

Declaration of non-application

(3.1) The Minister may by order declare that this Act does not apply with respect to the undertaking and may make the order subject to such conditions as the Minister considers appropriate.

(2) The French version of subsection 3.1 (4) of the Act is amended by striking out “du projet d’arrêté” and substituting “de l’arrêté proposé”.

(3) Section 3.1 of the Act, as amended by subsections (1) and (2), is repealed and the following substituted:

Harmonization, substitution

3.1 (1) This section applies if,

- (a) another jurisdiction imposes requirements with respect to an undertaking to which this Act applies or with respect to a designated project; and
- (b) the Minister considers the requirements imposed by the other jurisdiction to be equivalent to the requirements imposed by this Act.

Order to vary or dispense

(2) The Minister may by order vary or dispense with a requirement imposed under this Act with respect to the undertaking or designated project if,

- (a) both jurisdictions have agreed to harmonization or substitution of requirements in relation to the undertaking or project;
or
- (b) there is an agreement with respect to harmonization or substitution between the jurisdictions.

Order to impose additional requirements

(3) The Minister may by order impose requirements in addition to those imposed under this Act with respect to the undertaking or designated project if the condition set out in clause (2) (a) or (b) is satisfied and the additional requirements are being imposed to provide for harmonization or substitution.

Declaration of non-application

(4) The Minister may by order declare that this Act does not apply with respect to the undertaking or designated project and may make the order subject to such conditions as the Minister considers appropriate.

Notice and comment

(5) When the Minister proposes to make an order under this section, the Minister shall give adequate public notice of the proposed order and shall ensure that members of the public have an opportunity to comment on it.

Reasons

(6) When making an order, the Minister shall give written reasons.

(4) **Clause 3.1 (1) (a) of the Act, as re-enacted by subsection (3), is amended by striking out “with respect to an undertaking to which this Act applies or”.**

(5) **Subsection 3.1 (2) of the Act, as re-enacted by subsection (3), is amended by striking out “undertaking or” wherever it appears.**

(6) **Subsection 3.1 (3) of the Act, as re-enacted by subsection (3), is amended by striking out “undertaking or”.**

(7) **Subsection 3.1 (4) of the Act, as re-enacted by subsection (3), is amended by striking out “undertaking or”.**

6 (1) Subsection 3.2 (1) of the Act is repealed and the following substituted:

Declaration

(1) Subject to subsection (1.1), the Minister may by order, with the approval of the Lieutenant Governor in Council or of such ministers of the Crown as the Lieutenant Governor in Council may designate,

- (a) declare that this Act, the regulations, any provision of this Act or the regulations or any matter provided for under this Act does not apply with respect to an undertaking, class of undertakings, designated project, class of designated projects, person or class of persons;
- (b) suspend or revoke the declaration;
- (c) impose conditions on the declaration; or
- (d) amend or revoke conditions imposed on the declaration.

Same

(1.1) The Minister shall make an order under subsection (1) only if the Minister considers that it is in the public interest to do so having regard to the purpose of this Act and weighing it against the injury, damage or interference that might be caused to any person or property by the application of this Act to the undertaking, class of undertakings, designated project, class of designated projects, person or class of persons.

(2) **Clause 3.2 (1) (a) of the Act, as re-enacted by subsection (1), is amended by striking out “an undertaking, class of undertakings, designated project” and substituting “a designated project”.**

(3) **Subsection 3.2 (1.1), as enacted by subsection (1), is amended by striking out “undertaking, class of undertakings”.**

7 Section 3.3 of the Act is repealed.

8 The Act is amended by adding the following sections before the heading to Part II:

Non-application

4.1 Section 21.2 (power to review) of the *Statutory Powers Procedure Act* does not apply with respect to decisions made under this Act.

Validity of decisions

4.2 A decision of the Minister or Director under this Act is not invalid solely on the ground that the decision was not made before the applicable deadline.

9 Section 5 of the Act is amended by adding the following subsection:

Form, manner of application

(2.1) An application shall be submitted to the Minister in the form and manner specified by the Director.

10 The Act is amended by adding the following section:

Landfilling site, municipal support required

Definitions

6.0.1 (1) In this section,

“area of settlement” has the same meaning as in subsection 1 (1) of the *Planning Act*; (“zone de peuplement”)

“landfilling site” means a waste disposal site where landfilling occurs; (“lieu d’enfouissement”)

“parcel of land” has the same meaning as in subsection 46 (1) of the *Planning Act*; (“parcelle de terrain”)

“waste disposal site” has the same meaning as in Part V of the *Environmental Protection Act*. (“lieu d’élimination des déchets”)

Same

(2) For the purposes of this section, the following terms have the meaning assigned to them under subsection 1 (1) of the *Municipal Act, 2001*:

1. Local municipality.
2. Municipality.

Application

(3) This section applies in respect of a proponent who wishes to proceed with an undertaking to establish a waste disposal site that,

- (a) is a landfilling site; and
- (b) is subject to this Part.

Local municipalities whose support is required

(4) A proponent mentioned in subsection (3) shall, in accordance with subsection (5), obtain municipal support for the undertaking from each local municipality,

- (a) in which the landfilling site would be situated; and
- (b) in which there is, as of the day on which the proponent gives public notice of the proposed terms of reference under subsection 6 (3.1), a parcel of land,
 - (i) on which residential uses, other than residential uses that are ancillary to other uses, are authorized by the official plan of the municipality,
 - (ii) that is within an area of settlement, and
 - (iii) that is located within a 3.5 kilometre distance, or such other distance as may be prescribed, perpendicular at each point from the property boundary of the property on which the proposed landfilling site would be situated.

Evidence of support

(5) For the purposes of subsection (4), the proponent shall provide to the Ministry,

- (a) a copy of a municipal council resolution for each local municipality in respect of which municipal support is required under subsection (4), indicating the municipality supports the undertaking to establish a waste disposal site that is a landfilling site;

- (b) a well-marked and legible map showing the location of the landfilling site, the boundaries of each local municipality mentioned in clause (a) and markings to illustrate the characteristics of a municipality under clause (4) (b); and
- (c) a description of the process used to identify the local municipalities whose support for the undertaking is required under subsection (4).

Resolution

(6) For greater certainty, a municipal council resolution described in clause (5) (a) is not a matter that falls within the waste management sphere of jurisdiction under subsection 11 (3) of the *Municipal Act, 2001*.

Evidence to be included in environmental assessment

(7) Subject to subsection (9), the information mentioned in subsection (5) shall be included in the environmental assessment submitted to the Ministry under subsection 6.2 (1).

Transition, terms of reference already submitted or approved

(8) For greater certainty, if a proponent mentioned in subsection (3) has given the Ministry proposed terms of reference under subsection 6 (1) or has received approval for a terms of reference under subsection 6 (4) before the day section 10 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force, this section applies.

Transition, environmental assessment already submitted

(9) If a proponent mentioned in subsection (3) has, before the day section 10 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force, already submitted an environmental assessment in respect of the undertaking and no decision has been made in respect of the application under section 9 or 9.1, the following rules apply:

1. Subsection (4) applies to the proponent and the information required under subsection (5) shall be submitted separately from the environmental assessment.
2. If the Ministry has not completed its review of the environmental assessment under section 7 before the day section 10 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force,
 - i. the Director shall not provide notice of completion under section 7.1 until the requirements set out in subsections (4) and (5) have been satisfied and the Director has provided the written confirmation described in subsection (10), and
 - ii. the deadline referred to in subsection 7 (2) does not apply to the review of the environmental assessment.
3. If the Ministry has provided a notice of completion of the review under section 7.1 before the day section 10 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force,
 - i. no decision shall be made under section 9 or 9.1 until the requirements set out in subsections (4) and (5) have been satisfied and the Director has provided the written confirmation described in subsection (10), and
 - ii. the deadlines referred to in subsections 10 (1) and (2) do not apply to the application.

Confirmation

(10) With respect to an environmental assessment submitted by a proponent mentioned in subsection (3), until the date the Director has confirmed in writing to the proponent that the requirements set out in subsections (4) and (5) have been satisfied with respect to the undertaking,

- (a) the environmental assessment is deemed not to have been received by the Ministry under subsection 6.2 (1); and
- (b) the proponent shall not give public notice of the submission of the environmental assessment under subsection 6.3 (1).

Exceptions

(11) This section does not apply,

- (a) in respect of a waste disposal site that is a landfilling site established by the Minister under clause 4 (1) (k) of the *Environmental Protection Act*; or
- (b) to a proponent seeking an approval under this Part if the approval is required pursuant to a regulation made under clause 176 (4) (o) of the *Environmental Protection Act* with respect to a waste disposal site that is a landfilling site.

11 The Act is amended by adding the following section:

Information to be made available

6.5 In addition to complying with any requirements under this Act with respect to public notice, a proponent shall make available such information as the Director may require with respect to the application and the undertaking in such form and manner as the Director may require.

12 (1) Subsection 7 (3) of the Act is repealed and the following substituted:

Extension

(3) The deadline for completing the review may be extended by the Director for a prescribed reason or for an unusual, unexpected or urgent reason that the Director considers compelling. The Director shall notify such persons as he or she considers appropriate if the deadline is extended.

(2) Subsection 7 (5) of the Act is amended by adding “or such other period as the Director may specify in the statement given under subsection (4)” at the end.

(3) Subsection 7 (6) of the Act is amended by adding “or such other period as the Director may specify in the statement given under subsection (4)” at the end.

13 (1) Clause 9 (1) (b) of the Act is amended by adding the following subclauses:

(iv.1) a process to be followed in respect of any changes to the undertaking that the proponent may wish to make after the approval is given, which process may include granting authority to the Director or Minister to,

(A) require the proponent to engage in additional consultation, and to provide additional information, in respect of proposed changes, and

(B) give approval, attach conditions to the approval or refuse to give approval to proceed with the changes,

(iv.2) that the process referred to in subclause (iv.1) is only available for specified changes or classes of changes to the undertaking,

(2) Section 9 of the Act is amended by adding the following subsections:

Subs. (1) (b) (iv.1), process to make changes

(1.1) A process mentioned in subclause (1) (b) (iv.1) may be set out in an approval or incorporated by reference into the approval.

Subs. (1) (b) (iv.1), application

(1.2) Subclause (1) (b) (iv.1) applies in respect of approval given under subsection (1) either before or after the day section 13 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force.

14 Subsection 10 (4) of the Act is repealed

15 Section 11.2 of the Act is amended by adding the following subsection:

Same

(2.1) If the Minister reviews under subsection (1) a decision of the Tribunal made under section 9.1 and then, with the approval of the Lieutenant Governor in Council or of such ministers of the Crown as the Lieutenant Governor in Council may designate, makes an order under clause (2) (a) or (b), the varied or substituted decision is deemed to be the decision made by the Minister, with the necessary approval, under section 9.

16 (1) The French version of subsection 11.4 (3.1) of the Act is amended by striking out “des épreuves ou des expériences relatives” and substituting “des tests, des analyses ou des expériences relatifs”.

(2) Subsection 11.4 (5) of the Act is repealed.

17 The Act is amended by adding the following section:

Expiry of approval

Application of section

11.5 (1) Subject to subsection (5), this section applies in respect of an approval to proceed with an undertaking if,

(a) approval has been given under this Part or a predecessor to this Part; and

(b) the approval does not specify a period of time following the giving of the approval after which the approval expires or a date after which a proponent cannot proceed under the approval.

Expiry

(2) If the undertaking has not been substantially commenced by the 10th anniversary of the day approval to proceed with the undertaking was given under this Act or by the end of any extension to that period granted by the Minister under subsection (3), the approval expires on the later of,

(a) the 10th anniversary or the end of the extended period, as the case may be; or

(b) the day section 17 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force.

Extension

(3) The Minister may, by notice to the proponent, grant an extension of the period within which an undertaking is to be substantially commenced beyond the 10th anniversary of the day approval to proceed with the undertaking was given and may grant such an extension subject to any conditions specified in the notice.

Same

(4) An extension under subsection (3) may be granted at any time, including after the 10th anniversary of the approval being given has passed.

Exception, regulations

(5) The Minister may make regulations exempting undertakings from this section.

Minister may include date

(6) If an undertaking is exempted from this section by a regulation under subsection (5), the Minister may amend the approval to proceed with that undertaking to include a date on which the approval will expire.

18 Section 12 of the Act is repealed and the following substituted:**Proposed change to an undertaking**

12 If a proponent wishes to change an undertaking after receiving approval to proceed with it, other than a change in the undertaking that is addressed in a condition mentioned in subclause 9 (1) (b) (iv.1), the proposed change to the undertaking shall be deemed to be an undertaking for the purposes of this Act.

19 (1) Subsection 12.2 (4) of the Act is amended by striking out “give or approve a loan” and substituting “give a loan”.

(2) Subsection 12.2 (5) of the Act is amended by striking out “may be given or approved” and substituting “may be given”

20 Part II of the Act is repealed.**21 (1) Sections 13 to 15.1 of the Act are repealed and the following substituted:****No applications**

13 On and after the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent, no application for approval of a class environmental assessment shall be submitted and any application in respect of which no approval has been given under this Part before that day shall be terminated.

Definition, change to undertaking**14 In this Part,**

“change to an undertaking” means a change to an undertaking that is proposed after the undertaking is authorized to proceed under an approved class environmental assessment and is provided for in the approved class environmental assessment.

Application of Part

15 Sections 15.1 to 17 apply in respect of undertakings to which one of the following approved class environmental assessments, as amended or renamed from time to time, applies:

1. GO Transit Class Environmental Assessment Document approved by the Lieutenant Governor in Council on December 13, 1995 under Order in Council 2316/1995.
2. Class Environmental Assessment for Provincial Transportation Facilities approved by the Lieutenant Governor in Council on October 6, 1999 under Order in Council 1653/1999.
3. Municipal Class Environmental Assessment approved by the Lieutenant Governor in Council on October 4, 2000 under Order in Council 1923/2000.
4. Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects approved by the Lieutenant Governor in Council on December 11, 2002 under Order in Council 2211/2002.
5. Class Environmental Assessment for Remedial Flood and Erosion Control Projects approved by the Lieutenant Governor in Council on June 26, 2002 under Order in Council 1381/2002.
6. Class Environmental Assessment Process for Management Board Secretariat and Ontario Realty Corporation approved by the Lieutenant Governor in Council on April 28, 2004 under Order in Council 913/2004.
7. Class Environmental Assessment for Provincial Parks and Conservation Reserves approved by the Lieutenant Governor in Council on September 23, 2004 under Order in Council 1900/2004.
8. Class Environmental Assessment for Waterpower Projects approved by the Lieutenant Governor in Council on September 24, 2008 under Order in Council 1623/2008.

9. Class Environmental Assessment for Activities of the Ministry of Northern Development and Mines under the Mining Act approved by the Lieutenant Governor in Council on December 12, 2012 under Order in Council 1952/2012.
10. Class Environmental Assessment for Minor Transmission Facilities of Hydro One approved by the Lieutenant Governor in Council on November 16, 2016 under Order in Council 1726/2016.

Director to receive certain notices

15.1 (1) The proponent of an undertaking referred to in section 15 who issues a notice of completion or a notice of addendum under an approved class environmental assessment shall submit a copy of the notice to the Director in the manner specified by the Director.

Same, transition

(2) If a notice of completion or notice of addendum is issued under an approved class environmental assessment during the 30 days before the day subsection 21 (1) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force, the copy of the notice that is required to be submitted to the Director under subsection (1) shall be submitted no later than 5 days following the day that section came into force.

Extension of comment period

(3) If a proponent of an undertaking referred to in section 15 extends the comment period provided for in a notice of completion or a notice of addendum in accordance with the approved class environmental assessment, the proponent shall give the Director notice of the extension.

Prohibitions, proceeding with undertaking

15.1.1 (1) No person shall proceed with an undertaking referred to in section 15 unless the person does so in accordance with the approved class environmental assessment and with subsections (5) to (9). The prohibitions in subsections 5 (3) and (4) do not apply with respect to such an undertaking.

Exception

(2) Despite subsection (1), a proponent of an undertaking referred to in section 15 may apply under subsection 5 (1) to the Minister for approval to proceed with the undertaking under Part II. Subsection (1) and subsections (5) to (9) do not apply with respect to such an undertaking and the prohibitions in subsections 5 (3) and (4) apply.

Same

(3) Subsection (2) ceases to apply if the application for approval to proceed with the undertaking under Part II is withdrawn by the proponent.

Same

(4) Despite subsection (1), a proponent shall apply to the Minister for approval to proceed with an undertaking referred to in section 15 in accordance with Part II if the Minister makes an order under subsection 16 (1) requiring the proponent to comply with Part II. Subsection (1) and subsections (5) to (9) do not apply with respect to such an undertaking and the prohibitions in subsections 5 (3) and (4) apply.

Limitation on proceeding

(5) Despite anything in an approved class environmental assessment, no person shall proceed with an undertaking referred to in section 15 until at least 30 days, or such other number of days as may be prescribed, after the end of the comment period provided for in a notice of completion issued under the approved class environmental assessment, as that comment period may be extended in accordance with the approved class environmental assessment.

Same

(6) Despite subsection (5), if a notice of a proposed order is given to a proponent by the Director under subsection 16.1 (2), subsection (5) does not apply and no person shall proceed with the undertaking until at least 30 days, or such other number of days as may be prescribed, after the day the notice of the proposed order was given, subject to subsection (7).

Same

(7) If a notice of a proposed order includes a request for information made by the Director under subsection 16.1 (4), subsections (5) and (6) do not apply and the proponent shall not proceed with the undertaking until,

- (a) if the proponent provides all the requested information on or before the deadline specified in the notice of a proposed order and receives a notice of satisfactory response from the Director under clause 16.1 (6) (a), at least 30 days, or such other number of days as may be prescribed, after the Director gives the proponent a notice of satisfactory response under clause 16.1 (6) (a); or
- (b) if the proponent fails to provide all the requested information on or before the deadline specified in the notice of a proposed order and receives a notice of unsatisfactory response from the Director under clause 16.1 (7) (a), at least 30 days, or such other number of days as may be prescribed, that follows the comment period provided for in,

- (i) a new notice of completion that the proponent is required to issue under clause 16.1 (7) (c), or
- (ii) any further notice of completion that may be required of the proponent under subsection 16.1 (9), until such time as the Director is satisfied that all the information requested in the notice of the proposed order has been provided by the proponent in the notice of completion.

Same, transition

(8) For greater certainty, the limitations in subsections (5) to (7) apply with respect to an undertaking referred to in section 15 where the notice of completion was issued under the approved class environmental assessment during the 30 days before the day subsection 21 (1) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force and a copy of the notice is required to be submitted to the Director under subsection 15.1 (2).

Same, application for s. 16 order

(9) Despite anything in an approved class environmental assessment, if a request is made under subsection 16 (6) for the Minister to make an order under section 16 in respect of an undertaking that is proceeding under the approved class environmental assessment, no person shall proceed with the undertaking while the Minister's decision with respect to the request is still pending.

Change to undertaking

(10) This section applies with necessary modifications to a change to an undertaking that has been authorized to proceed in accordance with an approved class environmental assessment and, for the purposes of the application of subsections (5) to (9) to such a change, any reference in those subsections to a notice of completion shall be deemed to be a reference to a notice of addendum issued with respect to the change to the undertaking under the approved class environmental assessment.

Activities permitted before authorization to proceed

15.1.2 (1) Before a proponent is authorized to proceed with an undertaking referred to in section 15, a person may,

- (a) take any action in connection with the undertaking that may be necessary to comply with this Act;
- (b) acquire property or rights in property in connection with the undertaking;
- (c) prepare a feasibility study and engage in research in connection with the undertaking; or
- (d) establish a reserve fund or another financing mechanism in connection with the undertaking.

Restriction on issuing certain documents

(2) No person shall issue a document evidencing that an authorization required at law to proceed with the undertaking has been given until the proponent is authorized to proceed with the undertaking under an approved class environmental assessment.

Exception

(3) Despite subsection (2), a document described in that subsection may be issued with respect to an activity permitted by subsection (1) before the proponent is authorized to proceed with the undertaking under an approved class environmental assessment.

Restriction on provincial funding

(4) The Crown or a Crown agency shall not give a loan, grant, subsidy or guarantee with respect to the undertaking until the proponent is authorized to proceed with the undertaking under an approved class environmental assessment.

Exception

(5) Despite subsection (4), a loan, grant, subsidy or guarantee described in that subsection may be given with respect to an activity permitted by subsection (1) before the proponent is authorized to proceed with the undertaking under an approved class environmental assessment.

Prohibition following approval

(6) No person shall issue a document described in subsection (2) or give a loan, grant, subsidy or guarantee described in subsection (4) with respect to an undertaking if it would be inconsistent with the approved class environmental assessment.

Reconsideration of approval

15.1.3 (1) If there is a change in circumstances or new information concerning the approval of a class environmental assessment listed in section 15 and if the Minister considers it appropriate to do so, he or she may reconsider the approval under this section.

Same

(2) The Minister may request the Tribunal to determine whether it is appropriate to reconsider the approval.

Same

(3) The Minister may refer the reconsideration of the approval of a class environmental assessment under this section to the Tribunal and, in that case, the Tribunal may conduct the reconsideration instead of the Minister.

Minister may require plans, etc.

(4) For the purposes of making a decision under this section, the Minister or the Tribunal may, by order, require a person given approval in respect of a class environmental assessment to provide plans, specifications, technical reports or other information and to carry out and report on tests or experiments.

Amendment, revocation

(5) After reconsidering an approval under this section, the Minister or Tribunal may amend or revoke the approval.

Rules, etc.

(6) A decision under this section shall be made in accordance with any rules and subject to any restrictions as may be prescribed.

(2) Subsection 15.1.1 (1) of the Act, as enacted by subsection (1), is amended by striking out “The prohibitions in subsections 5 (3) and (4) do not apply with respect to such an undertaking” at the end.

(3) Subsections 15.1.1 (2) and (3) of the Act, as enacted by subsection (1), are repealed and the following substituted:

Exception

(2) Despite subsection (1), a proponent of an undertaking referred to in section 15 may apply under subsection 17.2 (1) to the Minister for approval to proceed with the undertaking as a Part II.3 project. On and after the day the proponent applies under subsection 17.2 (1), the undertaking shall be deemed to be a Part II.3 project and Part II.3 applies in respect of it instead of this section.

Same

(3) Subsection (2) ceases to apply if the application for approval to proceed with the undertaking as a Part II.3 project is withdrawn by the proponent.

(4) Subsection 15.1.1 (4) of the Act, as enacted by subsection (1), is repealed and the following substituted:

Same

(4) Despite subsection (1), if the Minister makes an order under subsection 16 (1) declaring an undertaking referred to in section 15 to be a Part II.3 project for the purposes of this Act, subsection (1) ceases to apply with respect to the project and Part II.3 applies.

22 The Act is amended by adding the following section:**Amendment, etc. by regulation**

15.1.4 The Lieutenant Governor in Council may by regulation amend or revoke an approval of a class environmental assessment or amend an approved class environmental assessment.

23 (1) Paragraph 1 of subsection 15.3 (3) of the Act is repealed and the following substituted:

1. Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects approved by the Lieutenant Governor in Council on December 11, 2002 under Order in Council 2211/2002.

(2) Paragraph 4 of subsection 15.3 (4) of the Act is repealed and the following substituted:

4. Category A of the Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects approved by the Lieutenant Governor in Council on December 11, 2002 under Order in Council 2211/2002.

24 The French version of subsection 15.4 (2) of the Act is amended by striking out “du projet de modification” and substituting “de la modification proposée”.

25 (1) Section 16 of the Act is repealed and the following substituted:**Order to comply with Part II**

16 (1) The Minister may by order require a proponent to comply with Part II before proceeding with a proposed undertaking referred to in section 15.

Same

(2) In an order under subsection (1), the Minister may do the following:

1. Set out directions with respect to the terms of reference governing the preparation of an environmental assessment for the undertaking.

2. Declare that the proponent has satisfied such requirements for the preparation of an environmental assessment as are specified in the order.

Order imposing additional conditions

(3) The Minister may by order impose conditions on an undertaking referred to in section 15, in addition to the conditions that were imposed upon the approval of the class environmental assessment.

Same

(4) An order under subsection (1) or (3) may be made on the initiative of the Minister or on the request of a person under subsection (6).

Basis for order

(5) The Minister shall consider the following matters when making an order under subsection (1) or (3):

1. The purpose of this Act.
2. The factors suggesting that the proposed undertaking differs from other undertakings in the class to which the class environmental assessment applies.
3. The significance of the factors and of the differences mentioned in paragraph 2.
4. If a request for the order was made by a person under subsection (6), any ground for making the request that is given by that person and permitted under subsection (6).
5. The mediators' report, if any, following a referral under subsection (7).
6. Such other matters as may be prescribed.
7. Such other matters as the Minister considers appropriate.

Request for order

(6) A person may request the Minister to make an order under this section only on the grounds that the order may prevent, mitigate or remedy adverse impacts on the existing aboriginal and treaty rights of the aboriginal peoples of Canada as recognized and affirmed in section 35 of the *Constitution Act, 1982*.

Mediation

(7) The Minister may refer a matter in connection with a request made under subsection (6) to mediation and section 8 applies with necessary modifications.

Order after request

(8) For the purpose of considering a request made by a person under subsection (6), the Director may require the proponent to undertake such consultations and to provide such information as the Director may specify.

Refusal after request

(9) If, after receiving a request under subsection (6), the Minister refuses to make an order, the Minister shall give the person who made the request and the proponent notice of his or her decision together with the reasons for the decision.

Notice of order

(10) The Minister shall give a copy of an order made under this section, together with the reasons for it, to the proponent, to the person who requested the order, if any and to such other persons as the Minister considers advisable.

Change to undertaking

(11) The Minister may make an order under this section with respect to a change to an undertaking and this section shall apply with necessary modifications to such an order.

Conflict

(12) This section prevails over anything to the contrary that may be provided for in an approved class environmental assessment.

Amendment of s. 16 (3) order

(13) The Minister may, in accordance with the regulations, if any, amend any order made under subsection 16 (3), regardless of whether the order was made before or after subsection 25 (1) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force.

Time limit for orders

16.1 (1) The Minister shall not make an order under subsection 16 (1) or (3) on his or her own initiative if more than 30 days, or such other number of days as may be prescribed, has elapsed after the end of the comment period provided for in a notice of

completion issued under the approved class environmental assessment, as that comment period may be extended in accordance with the approved class environmental assessment.

Notice of proposed order

(2) Despite subsection (1), the Minister may make an order under subsection 16 (1) or (3) on his or her own initiative after the time limit described in subsection (1) if before the time limit has elapsed the Director gives the proponent notice that the Minister is considering making the order.

New time limit

(3) If notice of a proposed order is given by the Director under subsection (2), the Minister may make the order under subsection 16 (1) or (3) only if he or she does so,

- (a) before the end of the 30-day period, or such other time period as may be prescribed, that follows the giving of the notice of the proposed order; or
- (b) if the Director includes in the notice of the proposed order a request for information under subsection (4), before the end of the 30-day period, or such other time period as may be prescribed, that follows the day the Director gives the proponent a notice of satisfactory response under clause (6) (a), subject to subsections (7) to (12).

Request for information

(4) In a notice of a proposed order, the Director may request that the proponent provide such information as the Director believes is necessary to assist the Minister in determining whether to make the order and that the information be provided on or before the specified deadline.

Compliance with request

(5) The proponent shall give the Director the information specified in the notice of the proposed order on or before the deadline specified in the notice.

Same

(6) If the Director is satisfied that the proponent has provided all the information requested in the notice of the proposed order within the specified deadline,

- (a) the Director shall give the proponent a notice of satisfactory response; and
- (b) the Minister may make the order within the time limit set out in clause (3) (b).

Failure to comply with request

(7) If a proponent fails to provide all the information requested in the notice of the proposed order within the specified deadline or if, upon review of the information provided, the Director is not satisfied that all the information requested has been provided,

- (a) the Director shall give the proponent a notice of unsatisfactory response;
- (b) the time limits under subsections (1) and (3) that applied with respect to the comment period provided for in the notice of completion previously issued by the proponent cease to apply;
- (c) the proponent shall issue a new notice of completion in accordance with subsection (9); and
- (d) the time limits under subsections (1) and (3) shall apply with respect to the comment period provided for in the new notice of completion.

Notice of unsatisfactory response

(8) A notice of unsatisfactory response issued by the Director under clause (7) (a) shall,

- (a) specify the information that the proponent must provide in order to satisfy the request for information that was made by the Director in the notice of the proposed order; and
- (b) advise the proponent that a new notice of completion must be issued by the proponent within the time period specified by the Director.

New notice of completion

(9) On or before the end of the time period specified by the Director in the notice of unsatisfactory response, the proponent shall,

- (a) issue a new notice of completion in accordance with such directions as may be specified by the Director; and
- (b) provide to the Director all of the information specified by the Director in the notice of unsatisfactory response.

New comment period

(10) The notice of completion issued under clause (9) (a) shall provide for a new comment period which shall be at least 30 days in duration.

Further failure to comply

(11) If a proponent fails to comply with subsections (9) and (10), subsections (7), (8), (9) and (10) shall apply with necessary modifications to that failure.

Same

(12) Subsection (11) shall apply to successive failures to comply with subsections (9) and (10) until the Director is satisfied that the proponent has provided all the requested information and issues a notice of satisfactory response in accordance with subsection (6) and, when the Director issues a notice of satisfactory response, the time limit set out in clause (6) (b) shall apply with respect to any order to be made by the Minister under subsection 16 (1) or (3) on his or her own initiative.

Change to undertaking

(13) This section applies if the Minister is considering making an order under subsection 16 (1) or (3) with respect to a change to an undertaking and, for the purpose of that application, any reference in this section to a notice of completion shall be deemed to be a reference to a notice of addendum.

Same, transition

(14) For greater certainty, the time limits in this section apply with respect to an undertaking referred to in section 15 where the notice of completion was issued under the approved class environmental assessment during the 30 days before the day subsection 21 (1) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force and a copy of the notice is required to be submitted to the Director under subsection 15.1 (2).

(2) Subsection 16 (1), as re-enacted by subsection (1), is repealed and the following substituted:

Order to comply with Part II.3

(1) The Minister may make an order declaring a proposed undertaking referred to in section 15 to be a Part II.3 project.

(3) Paragraph 1 of subsection 16 (2) of the Act, as re-enacted by subsection (1), is amended by striking out “undertaking” at the end and substituting “project”.

26 Part II.1 of the Act is repealed.

27 The French version of clause 17.1 (4) (b) of the Act is amended by striking out “tout projet, plan ou programme” at the beginning and substituting “toute proposition, tout plan ou tout programme”.

28 Part II.2 of the Act is repealed.

29 The Act is amended by adding the following Part:

**PART II.3
COMPREHENSIVE ENVIRONMENTAL ASSESSMENTS**

Approval for project

17.2 (1) Every proponent who wishes to proceed with a Part II.3 project shall apply to the Minister for approval to do so.

Application

(2) The application consists of the proposed terms of reference submitted under subsection 17.4 (1) and the environmental assessment subsequently submitted under subsection 17.7 (1).

Form, manner of application

(3) An application shall be submitted to the Minister in the form and manner specified by the Director.

Prohibition

(4) No person shall proceed with a Part II.3 project unless the Minister gives his or her approval to proceed under section 17.15 or the Tribunal gives its approval under section 17.16.

Same

(5) No person shall proceed with a Part II.3 project in a manner inconsistent with a condition imposed by the Minister or the Tribunal for proceeding with it.

Potential non-compliance

(6) A proponent who has received approval to proceed with a Part II.3 project shall promptly notify the Minister if the proponent may not be able to comply with the approval as a result of a change in circumstances.

Obligation to consult

17.3 When preparing proposed terms of reference and an environmental assessment, the proponent shall consult with such persons as may be interested.

Terms of reference

17.4 (1) The proponent shall give the Ministry proposed terms of reference governing the preparation of an environmental assessment for the Part II.3 project.

Same

(2) The proposed terms of reference must,

- (a) indicate that the environmental assessment will be prepared in accordance with the requirements set out in subsection 17.6 (2);
- (b) indicate that the environmental assessment will be prepared in accordance with such requirements as may be prescribed for the class of Part II.3 project the proponent wishes to proceed with, which may include requirements to provide information that is greater than or less than what is required under subsection 17.6 (2); or
- (c) specify in detail the requirements for the preparation of the environmental assessment, which may include requirements to provide information that is greater than or less than what is required under subsection 17.6 (2).

Same

(3) The proposed terms of reference must be accompanied by a description of the consultations by the proponent and the results of the consultations.

Public notice

(4) The proponent shall give public notice of the proposed terms of reference and shall do so by the prescribed deadline and in the form and manner required by the Director.

Same

(5) The public notice must indicate where and when members of the public may inspect the proposed terms of reference, state that they may give their comments about the proposed terms of reference to the Ministry and contain such other information as may be prescribed or as the Director may require.

Notice to clerk of a municipality

(6) The proponent shall give the information contained in the public notice to the clerk of each municipality in which the Part II.3 project is to be carried out and shall do so by the deadline for giving the public notice.

Notice to other persons

(7) The proponent shall give the information contained in the public notice to such other persons as the Director may require and shall do so by the deadline for giving the public notice.

Public inspection

(8) Any person may inspect the proposed terms of reference in the places and at the times set out in the public notice.

Comments

(9) Any person may comment in writing on the proposed terms of reference to the Ministry and, if the person wishes the comments to be considered by the Minister in deciding whether to approve the proposed terms of reference, shall submit the comments by the prescribed deadline.

Approval

(10) The Minister shall approve the proposed terms of reference, with any amendments that he or she considers necessary, if he or she is satisfied that an environmental assessment prepared in accordance with the approved terms of reference will be consistent with the purpose of this Act and the public interest.

Same

(11) The amendments made by the Minister under subsection (10) may include amendments to impose requirements that are greater than or less than the requirements of the regulations if the Minister is of the opinion that in the circumstances, the amendments are necessary in order to ensure that an environmental assessment prepared in accordance with the approved terms of reference will be consistent with the purpose of this Act and the public interest.

Mediation

(12) Before approving proposed terms of reference, the Minister may refer a matter in connection with them to mediation, and section 17.14 applies with necessary modifications.

Deadline, Minister's decision

(13) The Minister shall notify the proponent whether or not the proposed terms of reference are approved and shall do so by the prescribed deadline.

Same

(14) If the Minister has not notified the proponent under subsection (13) by the prescribed deadline, the Minister shall provide written reasons to the proponent indicating why a decision was not made and when a decision is expected to be made.

Landfilling site, municipal support required**Definitions**

17.5 (1) In this section,

“area of settlement” has the same meaning as in subsection 1 (1) of the *Planning Act*; (“zone de peuplement”)

“landfilling site” means a waste disposal site where landfilling occurs; (“lieu d’enfouissement”)

“parcel of land” has the same meaning as in subsection 46 (1) of the *Planning Act*; (“parcelle de terrain”)

“waste disposal site” has the same meaning as in Part V of the *Environmental Protection Act*. (“lieu d’élimination des déchets”)

Same

(2) For the purposes of this section, the following terms have the meaning assigned to them under subsection 1 (1) of the *Municipal Act, 2001*:

1. Local municipality.
2. Municipality.

Application

(3) This section applies in respect of a proponent who wishes to proceed with a Part II.3 project to establish a waste disposal site that is a landfilling site.

Local municipalities whose support is required

(4) A proponent mentioned in subsection (3) shall, in accordance with subsection (5), obtain municipal support for the project from each local municipality,

- (a) in which the landfilling site would be situated; and
- (b) in which there is, as of the day on which the proponent gives public notice of the proposed terms of reference under subsection 17.4 (4), a parcel of land,
 - (i) on which residential uses, other than residential uses that are ancillary to other uses, are authorized by the official plan of the municipality,
 - (ii) that is within an area of settlement, and
 - (iii) that is located within a 3.5 kilometre distance, or such other distance as may be prescribed, perpendicular at each point from the property boundary of the property on which the proposed landfilling site would be situated.

Evidence of support

(5) For the purposes of subsection (4), the proponent shall provide to the Ministry,

- (a) a copy of a municipal council resolution for each local municipality in respect of which municipal support is required under subsection (4), indicating the municipality supports the project to establish a waste disposal site that is a landfilling site;
- (b) a well-marked and legible map showing the location of the landfilling site, the boundaries of each local municipality mentioned in clause (a) and markings to illustrate the characteristics of a municipality under clause (4) (b); and
- (c) a description of the process used to identify the local municipalities whose support for the project is required under subsection (4).

Resolution

(6) For greater certainty, a municipal council resolution described in clause (5) (a) is not a matter that falls within the waste management sphere of jurisdiction under subsection 11 (3) of the *Municipal Act, 2001*.

Evidence to be included in environmental assessment

(7) The information mentioned in subsection (5) shall be included in the environmental assessment submitted to the Ministry under subsection 17.7 (1).

Confirmation

(8) With respect to an environmental assessment submitted by a proponent mentioned in subsection (3), until the date the Director has confirmed in writing to the proponent that the requirements set out in subsections (4) and (5) have been satisfied with respect to the project,

- (a) the environmental assessment is deemed not to have been received by the Ministry under subsection 17.7 (1); and
- (b) the proponent shall not give public notice of the submission of the environmental assessment under subsection 17.8 (1).

Exceptions

(9) This section does not apply,

- (a) in respect of a waste disposal site that is a landfilling site established by the Minister under clause 4 (1) (k) of the *Environmental Protection Act*; or
- (b) to a proponent seeking an approval under this Part if the approval is required pursuant to a regulation made under clause 176 (4) (o) of the *Environmental Protection Act* with respect to a waste disposal site that is a landfilling site.

Preparation of environmental assessment

17.6 (1) The proponent shall prepare an environmental assessment for a Part II.3 project in accordance with the approved terms of reference.

Contents

(2) Subject to clauses 17.4 (2) (b) and (c), the environmental assessment must consist of,

- (a) a description of the purpose of the project;
- (b) a description of and a statement of the rationale for,
 - (i) the Part II.3 project,
 - (ii) the alternative methods of carrying out the Part II.3 project, and
 - (iii) the alternatives to the Part II.3 project;
- (c) a description of,
 - (i) the environment that will be affected or that might reasonably be expected to be affected, directly or indirectly,
 - (ii) the effects that will be caused or that might reasonably be expected to be caused to the environment, and
 - (iii) the actions necessary or that may reasonably be expected to be necessary to prevent, change, mitigate or remedy the effects upon or the effects that might reasonably be expected upon the environment, by the Part II.3 project, the alternative methods of carrying out the Part II.3 project and the alternatives to the Part II.3 project;
- (d) an evaluation of the advantages and disadvantages to the environment of the Part II.3 project, the alternative methods of carrying out the Part II.3 project and the alternatives to the Part II.3 project; and
- (e) a description of any consultation about the Part II.3 project by the proponent and the results of the consultation.

Submission of environmental assessment

17.7 (1) After receiving notice that the terms of reference of a Part II.3 project are approved by the Minister, the proponent shall submit an environmental assessment for the project to the Ministry.

Time limits

(2) A time period within which a proponent must submit an environmental assessment for a Part II.3 project to the Ministry may be set out in the approved terms of reference or may be prescribed.

Compliance with time limits

(3) A proponent of a Part II.3 project shall submit the environmental assessment for the project,

- (a) within the time period set out in the approved terms of reference, if any; or
- (b) if no time period is set out in the approved terms of reference, within any prescribed time period.

Extension of deadline

(4) Any time period for the submission of an environmental assessment that is prescribed in accordance with subsection (2) may be extended by the Minister by such further time period as the Minister considers appropriate, but the extension shall not exceed any prescribed maximum time period.

Termination, missed deadline

(5) If a proponent does not submit an environmental assessment for a Part II.3 project by the end of the applicable time period, the application shall be terminated.

Replacement terms of reference

(6) If an application for approval of a Part II.3 project is terminated under subsection (5), the proponent may give the Minister a second proposed terms of reference with respect to the Part II.3 project under subsection 17.4 (1) and the second proposed terms of reference may be the same as the terms of reference previously given and approved.

Amendment or withdrawal

(7) After it is submitted to the Ministry, the proponent may amend or withdraw the environmental assessment at any time before the deadline for completion of the Ministry review of the environmental assessment.

Same

(8) The proponent may amend or withdraw the environmental assessment after the deadline for completion of the Ministry review only upon such conditions as the Minister may by order impose.

Same

(9) The Minister may by order amend or revoke conditions imposed under this section.

Public notice of submission

17.8 (1) The proponent shall give public notice of the submission of the environmental assessment and shall do so by the prescribed deadline and in the form and manner as the Director may require.

Same

(2) The public notice must indicate where and when members of the public may inspect the environmental assessment, state that they may give their comments about it to the Ministry and contain such other information as the Director may require.

Notice to clerk of a municipality

(3) The proponent shall give the information contained in the public notice to the clerk of each municipality in which the Part II.3 project is to be carried out and shall do so by the deadline for giving the public notice.

Notice to other persons

(4) The proponent shall give the information contained in the public notice to such other persons as the Director may require and shall do so by the deadline for giving the public notice.

Public inspection of environmental assessment

17.9 (1) Any person may inspect the environmental assessment in the places and at the times set out in the public notice.

Comments

(2) Any person may comment in writing on the Part II.3 project or on the environmental assessment to the Ministry and, if the person wishes the comments to be considered during the preparation of the Ministry review, shall submit the comments by the prescribed deadline.

Information to be made available

17.10 In addition to complying with any requirements under this Act with respect to public notice, a proponent shall make available such information as the Director may require with respect to the application and the Part II.3 project in such form and manner as the Director may require.

MINISTRY REVIEW**Ministry review of environmental assessment**

17.11 (1) The Ministry shall prepare a review of the environmental assessment and shall take into account any comments received from members of the public by the deadline prescribed under subsection 17.9 (2).

Completion date

(2) The review must be completed by the prescribed deadline.

Extension

(3) The deadline for completing the review may be extended by the Director for a prescribed reason or for an unusual, unexpected or urgent reason that the Director considers compelling. The Director shall notify such persons as he or she considers appropriate if the deadline is extended.

Deficient environmental assessment

(4) If the Director considers that the environmental assessment is deficient in relation to the approved terms of reference and the purpose of this Act, the Director may give the proponent a statement describing the deficiencies and shall do so at least 14 days before the deadline for completing the review.

Remedying deficiencies

(5) The proponent may take such steps as are necessary to remedy the deficiencies described in the statement and shall do so within seven days after receiving the statement or such other period as the Director may specify in the statement given under subsection (4).

Rejection of environmental assessment

(6) The Minister may reject the environmental assessment if the Director is not satisfied that the deficiencies have been remedied within the seven-day period or such other period as the Director may specify in the statement given under subsection (4).

Notice of rejection

(7) The Director shall notify the proponent, the clerk of each municipality in which the Part II.3 project is to be carried out and the public if the Minister rejects the environmental assessment, and shall do so before the deadline for completing the review.

Notice of completion of Ministry review

17.12 (1) The Director shall notify the proponent and the clerk of each municipality in which the Part II.3 project is to be carried out when the Ministry review is completed.

Public notice

(2) The Director shall give public notice of the completion of the review in such form and manner as the Director considers suitable.

Same

(3) The public notice must indicate where and when members of the public may inspect the review and state that they may give their comments about it to the Ministry. It must also contain such other information as may be prescribed.

Public inspection of Ministry review

17.13 (1) Any person may inspect the Ministry review in the places and at the times set out in the public notice.

Comments

(2) Any person may comment in writing on the Part II.3 project, the environmental assessment and the review to the Ministry and, if the person wishes the comments to be considered when the Minister decides the proponent's application, shall submit the comments by the prescribed deadline.

Request for hearing

(3) Any person may request that the Minister refer the proponent's application or a matter that relates to it to the Tribunal for hearing and decision.

Same

(4) A request under subsection (3) must be made in writing to the Ministry before the deadline for submitting comments on the review.

DECISIONS ON THE APPLICATION**Mediation**

17.14 (1) Before the application is decided, the Minister may appoint one or more persons to act as mediators who shall endeavour to resolve such matters as may be identified by the Minister as being in dispute or of concern in connection with the Part II.3 project.

Same

(2) The Minister may appoint the Tribunal to act as mediator.

Notice of mediation

(3) The Minister shall notify the following persons of his or her decision to refer certain matters to mediation and shall give them written reasons for the decision:

1. The proponent.
2. The clerk of each municipality in which the Part II.3 project is to be carried out.
3. Every person who submitted comments under subsection 17.9 (2) or 17.13 (2).
4. Such other persons as the Minister considers appropriate.

Parties

(4) The parties to the mediation are the proponent and such other persons as the Minister may identify. Instead of identifying parties by name, the Minister may determine the manner in which they are to be identified and invited to participate.

Closed proceedings

(5) Unless the mediators decide otherwise, the mediation is not open to the public.

Report

(6) The mediators shall give the Minister a written report on the conduct and results of the mediation.

Deadline

(7) The mediators shall give their report to the Minister within 60 days after their appointment or by such earlier deadline as the Minister may specify.

Confidentiality

(8) No person except the Minister shall make public any portion of the report.

Disclosure

(9) The Minister shall make the report public promptly after the Minister makes his or her decision under section 17.15 or the decision of the Tribunal under section 17.16 becomes effective. The Minister may make all or part of the report public before then only with the consent of the parties to the mediation.

Fees and expenses

(10) The proponent shall pay the fees and reasonable expenses of the mediators.

Decision by Minister

17.15 (1) The Minister may decide an application and, with the approval of the Lieutenant Governor in Council or of such ministers of the Crown as the Lieutenant Governor in Council may designate, the Minister may,

- (a) give approval to proceed with the Part II.3 project;
- (b) give approval to proceed with the Part II.3 project subject to such conditions as the Minister considers necessary to carry out the purpose of this Act and in particular requiring or specifying,
 - (i) the methods and phasing of the carrying out of the Part II.3 project,
 - (ii) the works or actions to prevent, mitigate or remedy effects of the Part II.3 project on the environment,
 - (iii) such research, investigations, studies and monitoring programs related to the Part II.3 project, and reports thereof, as the Minister considers necessary,
 - (iv) such changes in the Part II.3 project as the Minister considers necessary,
 - (v) a process to be followed in respect of any changes to the project that the proponent may wish to make after the approval is given, which may include granting authority to the Director or Minister to,
 - (A) require the proponent to engage in additional consultation, and to provide additional information, in respect of proposed changes, and
 - (B) give approval, attach conditions to the approval or refuse to give approval to proceed with the changes,
 - (vi) that the process referred to in subclause (v) is only available for specified changes or classes of changes to the projects,
 - (vii) that the proponent enter into one or more agreements related to the Part II.3 project with any person with respect to such matters as the Minister considers necessary,
 - (viii) that the proponent comply with all or any of the provisions of the environmental assessment that may be incorporated by reference in the approval,
 - (ix) the period of time during which the Part II.3 project or any part thereof shall be commenced or carried out; or
- (c) refuse to give approval to proceed with the Part II.3 project.

Subs. (1) (b) (v), process to make changes

(2) A process mentioned in subclause (1) (b) (v) may be set out in an approval or may be incorporated by reference into an approval.

Basis for decision

(3) The Minister shall consider the following matters when deciding an application:

1. The purpose of this Act.
2. The approved terms of reference for the environmental assessment.
3. The environmental assessment.
4. The Ministry review of the environmental assessment.
5. The comments submitted under subsections 17.9 (2) and 17.13 (2).
6. The mediator's report, if any, given to the Minister under section 17.14.
7. Such other matters as the Minister considers relevant to the application.

Notice to proponent

(4) The Minister shall notify the proponent of the decision and shall give the proponent written reasons for it.

Notice to others

(5) The Minister shall notify every person who submitted comments to the Ministry under subsection 17.13 (2) of the decision.

Referral to Tribunal

17.16 (1) The Minister may refer an application to the Tribunal for a decision.

Powers of Tribunal

(2) The Tribunal may make any decision the Minister is permitted to make under subsection 17.15 (1).

Basis for decision

(3) The Tribunal shall consider the following things when deciding an application:

1. The purpose of this Act.
2. The approved terms of reference for the environmental assessment.
3. The environmental assessment.
4. The Ministry review of the environmental assessment.
5. The comments submitted under subsections 17.9 (2) and 17.13 (2).
6. If a mediators' report has been given to the Minister under section 17.14, any portion of the report that has been made public.

Same

(4) The decision of the Tribunal must be consistent with the approved terms of reference for the environmental assessment.

Deadline

(5) The Tribunal shall make its decision by the deadline the Minister specifies or by such later date as the Minister may permit if he or she considers that there is a sufficient reason (which is unusual, urgent or compassionate) for doing so.

Referral to Tribunal of part of a decision

17.17 (1) The Minister may refer to the Tribunal for hearing and decision a matter that relates to an application.

Restrictions

(2) The Minister may give such directions or impose such conditions on the referral as the Minister considers appropriate and may amend the referral.

Proposed decision

(3) The Minister shall inform the Tribunal of decisions that the Minister proposes to make on matters not referred to the Tribunal in connection with the application.

Notice of referral

(4) The Minister shall give notice of the referral to the proponent and to every person who submitted comments to the Ministry under subsection 17.13 (2) and shall give them the information given to the Tribunal under subsection (3).

Basis for decision

(5) The Tribunal shall observe any directions given and conditions imposed by the Minister when referring the matter to the Tribunal and shall consider the following things to the extent that the Tribunal considers them relevant:

1. The purpose of this Act.
2. The approved terms of reference for the environmental assessment.

3. The Ministry review of the environmental assessment.
4. The comments submitted under subsections 17.9 (2) and 17.13 (2).
5. If a mediators' report has been given to the Minister under section 17.14, any portion of the report that has been made public.
6. The decisions the Minister proposes to make on matters not referred to the Tribunal in connection with the application.

Deadline for deciding

(6) The Tribunal shall make its decision by the deadline the Minister specifies or by such later date as the Minister may permit if he or she considers that there is a sufficient reason (which is unusual, urgent or compassionate) for doing so.

Request for referral to Tribunal

17.18 (1) This section applies if under subsection 17.13 (3) a person requests the Minister to refer an application or a matter that relates to one to the Tribunal for hearing and decision.

Referral of application

(2) If referral of the application is requested, the Minister shall refer the application to the Tribunal under section 17.16 unless in his or her absolute discretion,

- (a) the Minister considers the request to be frivolous or vexatious;
- (b) the Minister considers a hearing to be unnecessary; or
- (c) the Minister considers that a hearing may cause undue delay in determining the application.

Same, related matter

(3) If referral of a matter that relates to the application is requested, the Minister shall refer the matter to the Tribunal under section 17.17 except in the circumstances described in subsection (2).

Referral in part

(4) Despite subsection (2) or (3), if referral of an application or of matters relating to the application is requested but the Minister considers a hearing to be appropriate in respect of only some matters, the Minister shall refer those matters to the Tribunal under section 17.17.

Deadline, Minister's decisions

17.19 (1) Once the deadline has passed for submitting comments on the Ministry review of an environmental assessment, the Minister shall determine by the prescribed deadline whether to refer a matter in connection with the application to mediation or to the Tribunal under section 17.17.

Same

(2) By the prescribed deadline, the Minister shall decide the application under section 17.15 or refer it to the Tribunal for a decision under section 17.16.

Different deadlines

(3) For the purpose of subsection (2), different deadlines may be prescribed for applications in which a matter is referred to mediation or to the Tribunal under section 17.17 and for applications in which no referral is made.

Same

(4) If the Minister has not made a decision under subsection (2) by the prescribed deadline, the Minister shall provide written reasons to the proponent indicating why a decision was not made and when a decision is expected to be made:

Referral to other tribunal, entity

17.20 (1) The Minister may refer to a tribunal (other than the Environmental Review Tribunal) or an entity for decision a matter that relates to an application if the Minister considers it appropriate in the circumstances.

Deadline for referring

(2) The Minister shall make any decision to refer a matter to the tribunal or entity by the deadline by which the application must otherwise be decided.

Restrictions

(3) The Minister may give such directions or impose such conditions on the referral as the Minister considers appropriate and may direct that the matter be decided without a hearing, whether or not a hearing on the matter is otherwise required.

Same

(4) If the Minister refers a matter under this section, the Minister shall refer it to the tribunal or entity, if any, that is authorized under another Act to decide such matters. However, the Minister is not required to select that tribunal or entity if the Minister has a reason not to.

Amendment

(5) The Minister may amend a referral to the tribunal or entity.

Deemed decision

(6) A decision of the tribunal or entity under this section shall be deemed to be a decision of the Minister.

Referral by Tribunal

(7) The Tribunal may refer to another tribunal or entity for decision a matter that relates to an application, and subsections (1) to (6) apply with necessary modifications with respect to the referral.

Deferral of part of a decision

17.21 (1) The Minister may defer deciding a matter that relates to an application if the Minister considers it appropriate to do so because the matter is being considered in another forum or for scientific, technical or other reasons.

Same, Tribunal

(2) The Tribunal may defer deciding a matter that relates to an application if the Tribunal considers it appropriate to do so because the matter is being considered in another forum or for scientific, technical or other reasons.

Deadline

(3) The Minister or the Tribunal shall make any decision to defer deciding a matter by the deadline by which the application must otherwise be decided.

Notice of deferral

(4) The Minister or the Tribunal shall give notice of the deferral to the proponent and to every person who submitted comments to the Ministry under subsection 17.13 (2).

Reasons

(5) The Minister or the Tribunal shall give written reasons for a deferral, indicating why the deferral is appropriate in the circumstances.

Review of Tribunal decision

17.22 (1) The Minister may review a decision of the Tribunal under section 17.16 and may make an order or give a notice described in subsection (3) within 28 days after receiving a copy of the decision or within such longer period as the Minister may determine within that 28-day period.

Same; s. 17.17

(2) The Minister may review a decision of the Tribunal under section 17.17 and may make an order or give a notice described in subsection (3) at any time before the Minister decides the application under section 17.15.

Order

(3) With the approval of the Lieutenant Governor in Council or such ministers of the Crown as the Lieutenant Governor in Council may designate, the Minister may,

- (a) by order, vary the decision of the Tribunal;
- (b) by order, substitute his or her decision for the decision of the Tribunal; or
- (c) by a notice to the Tribunal,
 - (i) require the Tribunal to hold a new hearing respecting all or part of the application and reconsider its decision, if the notice is given under subsection (1), or
 - (ii) require the Tribunal to hold a new hearing respecting all or part of the matter referred to the Tribunal under section 17.17 and reconsider its decision, if the notice is given under subsection (2).

Same

(4) If the Minister reviews under subsection (1) a decision of the Tribunal made under section 17.16 and then, with the approval of the Lieutenant Governor in Council or of such ministers of the Crown as the Lieutenant Governor in Council may designate, makes an order under clause (3) (a) or (b), the varied or substituted decision is deemed to be the decision made by the Minister, with the necessary approval, under section 17.15.

Notice of order, etc.

- (5) The Minister shall notify the persons who were given a copy of the Tribunal's decision,
- (a) that the Minister has made an order or given a notice described in subsection (3); or
 - (b) that the Minister intends to do so within the period specified in the notice.

Copy of order, etc.

- (6) The Minister shall give a copy of his or her order or notice under subsection (3), together with the reasons for it, to the persons who were given a copy of the Tribunal's decision.

When Tribunal decision is effective

17.23 A decision of the Tribunal is effective only after the expiry of the period under section 17.22 during which the Minister may review it and make an order or give a notice in respect of it.

Reconsideration of decisions

17.24 (1) If there is a change in circumstances or new information concerning an application and if the Minister considers it appropriate to do so, he or she may reconsider an approval given by the Minister or the Tribunal to proceed with a Part II.3 project.

Same

- (2) The Minister may request the Tribunal to determine whether it is appropriate to reconsider an approval.

Same

- (3) The Minister may request the Tribunal to reconsider an approval given by the Minister or the Tribunal.

Minister may require plans, etc.

(4) For the purposes of making a decision under this section, the Minister or the Tribunal may, by order, require the proponent of the Part II.3 project to provide plans, specifications, technical reports or other information and to carry out and report on tests or experiments relating to the Part II.3 project.

Amendment, revocation

- (5) Where the Minister or the Tribunal reconsiders an approval under this section, that approval may be amended or revoked.

Rules, etc.

(6) A decision under this section shall be made in accordance with any rules and subject to any restrictions as may be prescribed.

Expiry of approval**Application of section**

17.25 (1) Subject to subsection (5), this section applies in respect of an approval to proceed with a Part II.3 project if the approval does not specify a period of time following the giving of the approval after which the approval expires or a date after which a proponent cannot proceed under the approval.

Expiry

(2) If the Part II.3 project has not been substantially commenced by the 10th anniversary of the day approval to proceed with the project was given under this Act or by the end of any extension to that 10-year period granted by the Minister under subsection (3), the approval expires on the later of,

- (a) the 10th anniversary or the end of the extended period, as the case may be; or
- (b) the day section 29 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force.

Extension

(3) The Minister may, by notice to the proponent, grant an extension of the period within which a Part II.3 project is to be substantially commenced beyond the 10th anniversary of the day approval to proceed with the project was given and may grant such an extension subject to any conditions specified in the notice.

Same

- (4) An extension under subsection (3) may be granted at any time, including after the approval has expired.

Exception, regulations

- (5) The Minister may make regulations exempting projects from this section.

Minister may include date

(6) If a Part II.3 project is exempted from this section by regulations, the Minister may amend the approval to proceed with that project to include a date on which the approval will expire.

OTHER MATTERS**Replacement of environmental assessment**

17.26 (1) A proponent may submit a second environmental assessment to replace an environmental assessment withdrawn by the proponent or rejected by the Minister.

Same

(2) The second environmental assessment must be prepared in accordance with the approved terms of reference.

Activities permitted before approval

17.27 (1) Before a proponent receives approval to proceed with a Part II.3 project, a person may,

- (a) take any action in connection with the Part II.3 project that may be necessary to comply with this Act;
- (b) acquire property or rights in property in connection with the Part II.3 project;
- (c) prepare a feasibility study and engage in research in connection with the Part II.3 project;
- (d) establish a reserve fund or another financing mechanism in connection with the Part II.3 project.

Restriction on issuing certain documents

(2) No person shall issue a document evidencing that an authorization required at law to proceed with the Part II.3 project has been given until the proponent receives approval under this Act to proceed with the Part II.3 project.

Exception

(3) Despite subsection (2), a document described in that subsection may be issued with respect to an activity permitted by subsection (1) before the proponent receives the approval.

Restriction on provincial funding

(4) The Crown or a Crown agency shall not give a loan, grant, subsidy or guarantee with respect to the Part II.3 project until the proponent receives approval to proceed with the Part II.3 project.

Exception

(5) Despite subsection (4), a loan, grant, subsidy or guarantee described in that subsection may be given with respect to an activity permitted by subsection (1) before the proponent receives the approval.

Prohibition following approval

(6) No person shall issue a document described in subsection (2) or give a loan, grant, subsidy or guarantee described in subsection (4) with respect to a Part II.3 project if it would be inconsistent with a condition imposed upon the approval to proceed with the Part II.3 project.

Application of s. 17.24

17.28 Section 17.24 applies in respect of an environmental assessment to which all or part of Part II or a predecessor to that Part applied, and such an environmental assessment is deemed to be an application for the purpose of section 17.24.

30 The Act is amended by adding the following Part:

**PART II.4
STREAMLINED ENVIRONMENTAL ASSESSMENTS**

Prohibition

17.29 (1) No person shall proceed with a Part II.4 project until the person has satisfied the prescribed requirements for commencing the project, including the completion of a prescribed environmental assessment process.

Exception

(2) Despite subsection (1), a proponent of a Part II.4 project may apply under subsection 17.2 (1) to the Minister for approval to proceed with the Part II.4 project as a Part II.3 project. On and after the day the proponent applies under subsection 17.2 (1), the project shall be deemed to be a Part II.3 project and Part II.3 applies in respect of it instead of this section.

Same

(3) Subsection (2) ceases to apply if the application for approval to proceed with a project as a Part II.3 project is withdrawn by the proponent.

Same

(4) Despite subsection (1), if the Minister makes an order under subsection 17.31 (1) declaring the Part II.4 project to be a Part II.3 project for the purposes of this Act, this section ceases to apply with respect to the project and Part II.3 applies.

Proceeding with project

(5) After the prescribed requirements for commencing a Part II.4 project have been satisfied, a person may proceed with the project but shall do so only in accordance with the prescribed requirements for proceeding with the project.

Activities permitted before proceeding

17.30 (1) Before the proponent of a Part II.4 project has satisfied the prescribed requirements for commencing the project, a person may,

- (a) take any action in connection with the project that may be necessary to comply with this Act;
- (b) acquire property or rights in property in connection with the project;
- (c) prepare a feasibility study and engage in research in connection with the project; or
- (d) establish a reserve fund or another financing mechanism in connection with the project.

Restriction on issuing certain documents

(2) No person shall issue a document evidencing that an authorization required at law to proceed with the project has been given until the proponent has satisfied the prescribed requirements for commencing the project.

Exception

(3) Despite subsection (2), a document described in that subsection may be issued with respect to an activity permitted by subsection (1) before the proponent has satisfied the prescribed requirements for commencing the project.

Restriction on provincial funding

(4) The Crown or a Crown agency shall not give a loan, grant, subsidy or guarantee with respect to the project until the proponent has satisfied the prescribed requirements for commencing the project.

Exception

(5) Despite subsection (4), a loan, grant, subsidy or guarantee described in that subsection may be given with respect to an activity permitted by subsection (1) before the proponent has satisfied the prescribed requirements for commencing the project.

Prohibition on projects that are proceeding

(6) No person shall issue a document described in subsection (2) or give a loan, grant, subsidy or guarantee described in subsection (4) with respect to a Part II.4 project after the prescribed requirements for commencing the project have been satisfied if doing so would be contrary to,

- (a) a prescribed requirement for proceeding with the project; or
- (b) a requirement imposed in an order of the Minister under subsection 17.31 (3).

Order to comply with Part II.3

17.31 (1) The Minister may make an order declaring a Part II.4 project to be a Part II.3 project for the purposes of this Act.

Same

(2) In an order under subsection (1), the Minister may do the following:

1. Set out directions with respect to the terms of reference governing the preparation of an environmental assessment under Part II.3 for the project.
2. Declare that the proponent has satisfied such requirements for the preparation of an environmental assessment under Part II.3 as are specified in the order.

Same, additional requirements

(3) The Minister may by order impose requirements on a Part II.4 project in addition to any prescribed requirements for commencing or proceeding with the project.

Same

(4) An order under subsection (1) or (3) may be made on the initiative of the Minister or on the request of a person under subsection (7).

Prescribed limits

(5) The Minister shall not make an order under subsection (1) or (3) on his or her own initiative after the prescribed deadline.

Basis for order

(6) The Minister shall consider the following matters when making an order under this section:

1. The purpose of this Act.
2. The factors suggesting that the proposed Part II.4 project differs from other Part II.4 projects of the same type.
3. The significance of the factors and of the differences mentioned in paragraph 2.
4. If a request for the order was made by a person under subsection (7), any ground for making the request that is given by that person and permitted under subsection (7).
5. The mediators' report, if any, following a referral under subsection (10).
6. Such other matters as may be prescribed.
7. Such other matters as the Minister considers appropriate.

Request for order

(7) A person may request the Minister to make an order under this section only on the grounds that the order may prevent, mitigate or remedy adverse impacts on the existing aboriginal and treaty rights of the aboriginal peoples of Canada as recognized and affirmed in section 35 of the *Constitution Act, 1982*.

Same

(8) A request under subsection (7) shall be made in the form and manner that may be specified by the Director and shall include such information as may be specified by the Director.

Same

(9) If a request is made under subsection (7) with respect to a project, no person shall proceed with the project until such time as,

- (a) the Minister has made a decision with respect to the request; or
- (b) the Minister has given a notice to the proponent stating that the proponent may proceed with the project.

Mediation

(10) The Minister may refer a matter in connection with a request to mediation and section 17.14 applies with necessary modifications.

Order after request

(11) For the purpose of considering a request made by a person under subsection (7), the Director may require the proponent to undertake such consultations and to provide such information as the Director may specify.

Refusal after request

(12) If, after receiving a request under subsection (7), the Minister refuses to make an order, the Minister shall notify the person who made the request of his or her decision and shall give the person reasons for the decision.

Notice of order

(13) The Minister shall give a copy of an order under this section, together with the reasons for it, to the proponent, to the person, if any, who requested an order and to such other persons as the Minister considers advisable.

Change to project

(14) If a proponent of a Part II.4 project wishes to make a change to the project after it has satisfied the prescribed requirements for commencing the project, the Minister may make an order under this section with respect to the change and this section shall apply with necessary modifications to such an order.

Amendment of subs. (3) order

(15) The Minister may, in accordance with the regulations, if any, amend any order made under subsection (3), regardless of whether the order was made before or after section 30 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force.

31 Subsection 19 (1) of the Act is amended by striking out “subsection 7.2 (3)” and substituting “subsection 17.13 (3)”.

32 Section 22 of the Act is amended,

- (a) by striking out “subsection 7.2 (2)” and substituting “subsection 17.13 (2)”; and
- (b) by striking out “undertaking” and substituting “project”.

33 Section 23.1 of the Act is amended by striking out “Subject to section 11.2” at the beginning and substituting “Subject to section 17.22”.

34 The French version of subsection 25 (1) of the Act is amended by striking out “études, examens, enquêtes, épreuves et recherches” and substituting “arpentages, examens, enquêtes, tests, analyses et recherches”.

35 (1) Clause 28 (a) of the Act is amended by striking out “an undertaking” and substituting “an undertaking or a designated project”.

(2) Clause 28 (a) of the Act, as amended by subsection (1), is amended by striking out “an undertaking or”.

(3) Clause 28 (b) of the Act is amended by striking out “subsection 12.2 (2) or (6)” at the end and substituting “subsection 12.2 (2) or (6) or 15.1.2 (2) or (6)”.

(4) Clause 28 (b) of the Act, as amended by subsection (3), is amended by striking out “subsection 12.2 (2) or (6) or 15.1.2 (2) or (6)” at the end and substituting “subsection 15.1.2 (2) or (6), 17.27 (2) or (6) or 17.30 (2) or (6)”.

(5) Clause 28 (b) of the Act, as amended by subsection (4), is amended by striking out “15.1.2 (2) or (6)”.

36 (1) Subsection 30 (1) of the Act is amended by striking out “and for every application submitted under Part II.1” at the end.

(2) Subsection 30 (1) of the Act, as amended by subsection (1), is repealed and the following substituted:

Record

(1) The Director shall maintain a record for every project in respect of which an application is submitted under Part II.3.

(3) Paragraphs 2 and 3 of subsection 30 (1.1) of the Act are amended by striking out “or the class environmental assessment, as the case may be” wherever it appears.

(4) Paragraph 4 of subsection 30 (1.1) of the Act is amended by striking out “subsections 6.4 (2) and 7.2 (2)” at the end and substituting “subsections 17.9 (2) and 17.13 (2)”.

(5) Paragraph 3 of subsection 30 (2) of the Act is repealed and the following substituted:

3. An undertaking in respect of which an order under section 16 is proposed or a Part II.4 project in respect of which an order under section 17.31 is proposed.

(6) Paragraph 3 of subsection 30 (2) of the Act, as re-enacted by subsection (5), is repealed and the following substituted:

3. A Part II.4 project in respect of which an order under section 17.31 is proposed.

(7) Subsection 30 (3) of the Act is repealed and the following substituted:

Inspection

(3) Upon request, the Director shall make available on a website or in such other manner as the Director considers appropriate any record referred to in this section including any document that forms part of the record and shall make a document available as soon as practicable after a document is issued or received.

37 (1) The French version of clause 31 (1) (h) of the Act is repealed and the following substituted:

h) prendre les arrangements qu’il estime nécessaires, y compris faire des enquêtes, des arpentages, des examens, des tests ou des analyses;

(2) Paragraph 2 of subsection 31 (3) of the Act is amended by striking out “subsection 9 (1)” at the end and substituting “subsection 17.15 (1)”.

(3) Subsection 31 (3) of the Act is amended by adding the following paragraph:

3.1 The power to review decisions of the Tribunal under subsections 11.2 (1) and (1.1).

(4) Paragraph 3.1 of subsection 31 (3) of the Act, as enacted by subsection (3), is repealed and the following substituted:

3.1 The power to review decisions of the Tribunal under subsections 17.22 (1) and (2).

(5) Paragraph 4 of subsection 31 (3) of the Act is repealed and the following substituted:

4. The power under section 17.24 to reconsider a decision. However, the Minister may make a delegation to the Tribunal as provided in that section or in respect of the power to issue an order under subsection 17.24 (4).

(6) Paragraph 5 of subsection 31 (3) of the Act is repealed.

38 Paragraphs 2 to 4 of subsection 32 (1) of the Act are repealed and the following substituted:

1. Any current or former member of the Executive Council.
2. Any current or former officer, employee or agent of or adviser to the Crown.

3. Any current or former mediator appointed under this Act.

39 The Act is amended by adding the following Part:

**PART V.1
TRANSITION**

Regulations re transitional matters

38.1 (1) The Lieutenant Governor in Council may make regulations governing transitional matters that, in the opinion of the Lieutenant Governor in Council, are necessary or advisable to deal with issues arising out of the amendments to this Act made by Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*.

Same

(2) A regulation made under subsection (1) may, without limitation,

- (a) provide that specified provisions of this Act or regulations as they read immediately before specified provisions of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force continue to apply to a project despite amendments made by Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*;
- (b) provide that all or part of an approved class environmental assessment continues to apply to a project after the day the approval of the class environmental assessment is revoked;
- (c) exempt a designated project from any provision of this Act or the regulations.

Conflict

(3) A regulation made under this section prevails over any provision of this Act specifically mentioned in the regulation.

Retroactive effect

(4) A regulation made under this section is, if it so provides, effective with reference to a period before it is filed.

Termination of request for s. 16 order

38.2 (1) Subject to subsection (2), any request for the Minister to make an order under section 16 of Part II.1 that was made before the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent and in respect of which no decision has been made as of that day shall be terminated on that day.

Exception

(2) Subsection (1) does not apply in respect of a request for the Minister to make an order under section 16 of Part II.1 on the grounds that the order may prevent, mitigate or remedy adverse impacts on the existing aboriginal and treaty rights of the aboriginal peoples of Canada as recognized and affirmed in section 35 of the *Constitution Act, 1982*.

40 Part V.1 of the Act, as enacted by section 39, is amended by adding the following section:

Deemed Part II.3 projects, approval

38.3 If approval was given to proceed with an undertaking under Part II as it read before the day section 20 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force or under the predecessor to that Part and the approval was in effect immediately before that day,

- (a) the undertaking is deemed to be a Part II.3 project; and
- (b) the approval is deemed to be an approval under Part II.3.

41 Part V.1 of the Act, as enacted by section 39, is amended by adding the following sections:

Amendment, etc., by order, transition to Part II.4

38.4 (1) If the Minister considers it appropriate to amend or revoke an approval of a class environmental assessment or amend an approved class environmental assessment in order to facilitate the transition of some or all of the activities covered by the approved class environmental assessment from Part II.1 to Part II.4, the Minister may amend or revoke the approval or amend the approved class environmental assessment.

Same

(2) Section 15.4 does not apply in respect of an amendment under subsection (1).

Deemed Part II.4 projects

38.5 If a proponent was authorized to proceed with an undertaking in accordance with an approved class environmental assessment under Part II.1 on or before the day the approval of the class environmental assessment was revoked, then after that day,

- (a) the undertaking is deemed to be a Part II.4 project; and

- (b) the proponent is deemed to have satisfied all the prescribed requirements for commencing a Part II.4 project.

Orders under s.16

38.6 (1) If, before the day Part II.1 is repealed by section 26 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*, an order was made under subsection 16 (1) of that Part requiring the proponent of an undertaking to comply with Part II before proceeding with the undertaking, then, on and after the day Part II.1 is repealed,

- (a) the order is deemed to be an order made under subsection 17.31 (1) of Part II.4 declaring the undertaking to be a Part II.3 project;
- (b) the undertaking is deemed to be a Part II.3 project; and
- (c) Part II.3 applies with respect to the project.

Same

(2) If, before the day Part II.1 is repealed by section 26 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*, an order was made under subsection 16 (3) of that Part imposing conditions on an undertaking referred to in section 15 that is deemed to be a Part II.4 project under section 38.5, then, on and after the day Part II.1 is repealed, the conditions imposed in the order made under subsection 16 (3) shall continue to apply with respect to the deemed Part II.4 project.

42 (1) The French version of clause 39 (e) of the Act is amended,

- (a) by striking out “un projet” and substituting “une proposition”; and
- (b) by striking out “de projets” and substituting “de propositions”.

(2) Clause 39 (f) of the Act is repealed and the following substituted:

- (f) exempting any person, class of persons, undertaking or class of undertakings from this Act, the regulations, any provision of this Act or the regulations or any matter provided for under this Act, and imposing conditions with respect to the exemptions;

(3) Section 39 of the Act is amended by adding the following clause:

- (f.1) defining “substantially commenced” for the purposes of subsection 11.5 (2);

(4) The French version of subclause 39 (g) (iii) of the Act is amended by striking out “un projet” at the beginning and substituting “une proposition”.

(5) Section 39 of the Act is amended by adding the following clause:

- (g.1) providing that Part II of this Act or specific provisions of an approved class environmental assessment apply in respect of an undertaking designated in a regulation made pursuant to clause (g) and requiring compliance with a Part or process;

(6) Section 39 of the Act, as amended by subsections (1) to (5), is repealed and the following substituted:

Regulations, general

39 The Lieutenant Governor in Council may make regulations,

- (a) governing anything that is required or permitted to be prescribed or that is required or permitted to be done by, or in accordance with, the regulations or as authorized, specified or provided in the regulations;
- (b) defining any body as a public body for the purposes of this Act;
- (c) defining “ancillary” for the purposes of subsections 3 (3) and (4);
- (d) defining “substantially commenced” for the purposes of subsection 17.25 (2);
- (e) exempting any person, class of persons, undertaking, class of undertakings, project or class of project from this Act, the regulations, any provision of this Act or the regulations or any matter provided for under this Act, and imposing conditions with respect to the exemptions;
- (f) authorizing the Director to extend any deadline or period of time established under this Act, other than a deadline or period of time established under section 16.1 or subsection 17.31 (5), in such circumstance as may be prescribed or in such circumstances as the Director considers appropriate, whether or not the deadline has passed or the period has expired;
- (g) providing that an approved class environmental assessment or a specific provision of an approved class environmental assessment applies in respect of an undertaking, class or undertakings proponent or class of proponents;
- (h) prescribing the method of determining any deadline that is to be prescribed under this Act;
- (i) respecting anything that the Lieutenant Governor in Council considers necessary or advisable for the purposes of this Act.

(7) Clause 39 (e) of the Act, as re-enacted by subsection (6), is amended by striking out “undertaking, class of undertakings”.

(8) Clause 39 (g) of the Act, as re-enacted by subsection (6), is repealed.

43 The Act is amended by adding the following section:

Regulations, Part II.4

40 (1) The Lieutenant Governor in Council may make regulations governing Part II.4 projects, including regulations,

- (a) governing the prescribed requirements for commencing a Part II.4 project that are referred to in subsection 17.29 (1), including the environmental assessment process that must be completed before proceeding with the project;
- (b) respecting the commencement of Part II.4 projects and defining “commencing” for the purposes of subsection 17.29 (1);
- (c) specifying a time period that a person must wait before proceeding with a Part II.4 project after the prescribed requirements for commencing the project have been satisfied;
- (d) specifying a deadline for substantially commencing a Part II.4 project;
- (e) governing the prescribed requirements for proceeding with a Part II.4 project that are referred to in subsection 17.29 (5);
- (f) requiring studies and consultations to be carried out in relation to Part II.4 projects and respecting the manner in which the studies and consultations are to be carried out;
- (g) requiring information in relation to Part II.4 projects and in relation to the studies and consultations referred to in clause (f) to be made available to the public;
- (h) requiring proponents of a Part II.4 project to maintain records and documents in relation to the project;
- (i) requiring persons to satisfy prescribed conditions in order to mitigate any adverse effects of a Part II.4 project;
- (j) specifying changes that may be made to a Part II.4 project after the prescribed requirements for commencing the project have been satisfied and specifying rules and procedures that persons must follow in order to make the changes, including complying with such conditions as may be specified by the Director;
- (k) governing orders that may be made by the Minister under section 17.31, including prescribing deadlines for the making of such orders and respecting amendments that may be made under subsection 17.31 (15) to an order made under subsection 17.31 (3);
- (l) respecting any other matter that the Lieutenant Governor may consider necessary or advisable for the purposes of this Part.

Same

(2) A regulation under clause (1) (a) respecting the environmental assessment process that must be completed before proceeding with a Part II.4 project may require persons to,

- (a) consider alternatives to a proposed project and alternative methods of carrying out a project;
- (b) conduct studies as part of an environmental assessment;
- (c) carry out consultations with the public, aboriginal communities, government bodies and municipalities;
- (d) give notice to the public or to specified persons and make information available to the public with respect to a proposed project, the studies referred to in clause (b) or the consultations required under clause (c);
- (e) maintain records and documents in relation to an environmental assessment.

44 Section 43 of the Act is repealed.

CONSEQUENTIAL AMENDMENTS

Cap and Trade Cancellation Act, 2018

45 Subsection 4 (4) of the *Cap and Trade Cancellation Act, 2018* is repealed.

Capital Investment Plan Act, 1993

46 (1) Paragraph 2 of subsection 2 (1) of the *Capital Investment Plan Act, 1993* is repealed.

(2) Subsection 2 (5) of the Act is amended by striking out “three corporations” and substituting “two corporations”.

(3) Subsection 3 (2) of the Act is repealed.

(4) Part III of the Act is repealed.

(5) Sections 55 and 56 of the Act are repealed.

City of Toronto Act, 2006

47 (1) Subsection 411.1 (7) of the *City of Toronto Act, 2006* is repealed and the following substituted:

Activities deemed not to be undertaking

(7) An enterprise, proposal, plan, activity or program of the corporation or of the City as it relates to the corporation is deemed not to be an undertaking or designated project to which the *Environmental Assessment Act* applies unless it is specifically designated as a designated project under section 3 of that Act or it is an undertaking to which a class environmental assessment applies pursuant to a regulation made under clause 39 (g) of that Act.

(2) Subsection 411.1 (7) of the Act, as re-enacted by subsection (1), is repealed and the following substituted:

Activities deemed not to be undertaking

(7) An enterprise, proposal, plan, activity or program of the corporation or of the City as it relates to the corporation is deemed not to be a designated project to which the *Environmental Assessment Act* applies unless it is specifically designated as a designated project under section 3 of that Act.

Clean Water Act, 2006

48 Subsection 95 (2) of the *Clean Water Act, 2006* is repealed.

Electricity Act, 1998

49 Section 25.32.1 of the *Electricity Act, 1998* is repealed.

Endangered Species Act, 2007

50 Subsection 20.8 (6) of the *Endangered Species Act, 2007* is repealed.

Environmental Bill of Rights, 1993

51 (1) Subsection 32 (2) of the *Environmental Bill of Rights, 1993* is repealed and the following substituted:

Same

(2) Section 22 does not apply where, in the minister's opinion, the issuance, amendment or revocation of an instrument would be a step towards implementing an undertaking that has been exempted from the *Environmental Assessment Act*,

- (a) by a regulation made under that Act; or
- (b) under section 15.3 of that Act.

(2) Section 32 of the Act, as amended by subsection (1), is repealed and the following substituted:

Exception: instruments in accordance with statutory decisions

32 (1) Section 22 does not apply to a proposal to issue, amend or revoke an instrument where, in the minister's opinion, the issuance, amendment or revocation of the instrument would be a step towards implementing an undertaking or a project that,

- (a) has been approved by a decision made by a tribunal under an Act after affording an opportunity for public participation;
- (b) has been approved to proceed by a decision made under the *Environmental Assessment Act*; or
- (c) has satisfied the prescribed requirements for commencing the Part II.4 project under Part II.4 of the *Environmental Assessment Act*.

Same

(2) Section 22 does not apply to a proposal to issue, amend or revoke an instrument where, in the minister's opinion, the issuance, amendment or revocation of the instrument would be a step towards implementing an undertaking or a project,

- (a) that has been exempted from the *Environmental Assessment Act* by a regulation made under that Act; or
- (b) that has been exempted from the *Environmental Assessment Act* pursuant to section 15.3 of that Act.

Same

(3) A decision about a class of undertakings or a class of projects is a decision about each undertaking or project in the class for the purposes of clause (1) (a) or (b).

Same

(4) An exemption of a class of undertakings or class of projects under the *Environmental Assessment Act* is an exemption of each undertaking or project in the class for the purposes of subsection (2).

(3) Subsection 32 (1) of the Act, as re-enacted by subsection (2), is amended by striking out "an undertaking or" in the portion before clause (a).

(4) Subsection 32 (2) of the Act, as re-enacted by subsection (2), is repealed and the following substituted:

Same

(2) Section 22 does not apply to a proposal to issue, amend or revoke an instrument where, in the minister's opinion, the issuance, amendment or revocation of the instrument would be a step towards implementing a project that has been exempted from the *Environmental Assessment Act* by a regulation made under that Act.

(5) Subsection 32 (3) of the Act, as re-enacted by subsection (2), is repealed and the following substituted:

Same

(3) A decision about a class of projects is a decision about each project in the class for the purposes of clause (1) (a).

(6) Subsection 32 (4) of the Act, as enacted by subsection (2), is repealed and the following substituted:

Same

(4) An exemption of a class of projects under the *Environmental Assessment Act* is an exemption of each project in the class for the purposes of subsection (2).

Transition

(5) Subsection (2), as it read on the day before the day subsection 51 (4) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force, continues to apply to a proposal to issue, amend or revoke an instrument on or after that day where, in the Minister's opinion, the issuance, amendment or revocation of the instrument would be a step in implementing an undertaking that, before the day Part II.1 of the *Environmental Assessment Act* was repealed by section 26 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*,

(a) was an undertaking within the meaning of the *Environmental Assessment Act*;

(b) was exempted from the *Environmental Assessment Act* by a regulation made under that Act or pursuant to section 15.3 of that Act; and

(c) had commenced proceeding.

(7) The Act is amended by adding the following section immediately before the heading "Ministerial Role after Giving Notice of a Proposal":

Exception: *COVID-19 Economic Recovery Act, 2020*

33.1 The requirements of this Part are deemed not to have applied with respect to the amendments made by Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*.

(8) Section 33.1 of the Act, as enacted by subsection (7), is repealed.

Environmental Protection Act

52 (1) Subsection 20.6 (3) of the *Environmental Protection Act* is amended by striking out "Subsection 12.2 (2)" at the beginning and substituting "Subsections 12.2 (2) and 15.1.2 (2)".

(2) Subsection 20.6 (3) of the Act, as amended by subsection (1), is amended by striking out "Subsections 12.2 (2) and 15.1.2 (2)" at the beginning and substituting "Subsections 15.1.2 (2), 17.27 (2) and 17.30 (2)".

(3) Subsection 20.6 (3) of the Act, as amended by subsection (2), is amended by striking out "15.1.2 (2)".

(4) Subclause 176 (9.1) (b) (i) of the Act is amended by adding "as those Parts read before the day the *COVID-19 Economic Recovery Act, 2020* received Royal Assent" after "*Environmental Assessment Act*".

Far North Act, 2010

53 Subsections 7 (8), 8 (4), 9 (19) and 13 (5) of the *Far North Act, 2010* are repealed.

Great Lakes Protection Act, 2015

54 Subsection 35 (2) of the *Great Lakes Protection Act, 2015* is repealed.

Highway 407 Act, 1998

55 (1) Paragraph 1 of subsection 1 (2) of the *Highway 407 Act, 1998* is repealed and the following substituted:

1. The lands must not exceed a width sufficient to accommodate 10 highway lanes, a median, and the additional lands required for infrastructure that is essential to the design, construction, use and safety of the highway constructed along the route that was, on October 19, 1998, exempt or approved under the *Environmental Assessment Act* between,
 - i. the intersection of Highway 407 and the Queen Elizabeth Way in the City of Burlington, and
 - ii. Highway 7 east of Brock Road in the Town of Pickering.

(2) Subsection 47 (1) of the Act is repealed.

(3) Section 47 of the Act is amended by adding the following subsection:

Same

(1.1) Part II.3 of the *Environmental Assessment Act* applies to any part of the Highway 407 undertaking that is a Part II.3 project.

(4) Subsection 47 (1.1) of the Act, as enacted by subsection (3), is repealed.

(5) Subsection 47 (2) of the Act is repealed and the following substituted:

Same

(2) Despite subsection (1), the Ministry of Transportation may elect to be a proponent or co-proponent of any part of the undertaking, including a Part II.3 project under the *Environmental Assessment Act* that is part of the undertaking.

(6) Subsection 47 (2) of the Act, as re-enacted by subsection (5), is repealed and the following substituted:

Minister as proponent

(2) If a designated project under the *Environmental Assessment Act* relates to the management of Highway 407, the Ministry of Transportation may elect to be a proponent or co-proponent of any part of the designated project.

(7) Subsection 47 (3) of the Act is repealed.

(8) Paragraph 2 of subsection 47 (4) of the Act is repealed.

(9) Subsections 47 (4), (5) and (6) of the Act are repealed.

Housing Services Act, 2011

56 Paragraph 3 of subsection 167 (1) of the *Housing Services Act, 2011* is repealed.

Kawartha Highlands Signature Site Park Act, 2003

57 (1) Subsection 10 (7) of the *Kawartha Highlands Signature Site Park Act, 2003* is amended by striking out “the requirements” and substituting “any requirements”.

(2) Subsection 17 (2) of the Act is amended by striking out “the requirements” and substituting “any requirements”.

(3) Section 21 of the Act is repealed.

Lake Simcoe Protection Act, 2008

58 Subsection 22 (2) of the *Lake Simcoe Protection Act, 2008* is repealed.

Metrolinx Act, 2006

59 (1) Subsection 31.1 (18) of the *Metrolinx Act, 2006* is repealed.

(2) Subsection 39 (1) of the Act is repealed.

(3) Subsection 39 (2) of the Act is repealed.

(4) Subsection 39 (3) of the Act is repealed.

More Homes, More Choice Act, 2019

60 (1) Section 6 of Schedule 6 to the *More Homes, More Choice Act, 2019* is repealed.

(2) Subsection 7 (2) of Schedule 6 to the Act is repealed.

(3) Subsection 9 (2) of Schedule 6 to the Act is repealed.

Places to Grow Act, 2005

61 Subsection 17 (2) of the *Places to Grow Act, 2005* is repealed.

Planning Act

62 (1) Subsection 62 (1) of the *Planning Act* is repealed and the following substituted:

Not subject to Act

(1) An undertaking or Part II.3 project of Hydro One Inc. (as defined in subsection 2 (1) of the *Electricity Act, 1998*) or Ontario Power Generation Inc. (as defined in subsection 2 (1) of that Act) that has been approved under the *Environmental Assessment Act* is not subject to this Act or to section 113 or 114 of the *City of Toronto Act, 2006*.

(2) Subsection 62 (1) of the Act, as amended by subsection (1), is repealed and the following substituted:

Not subject to Act

(1) A Part II.3 project of Hydro One Inc. (as defined in subsection 2 (1) of the *Electricity Act, 1998*) or Ontario Power Generation Inc. (as defined in subsection 2 (1) of that Act) that has been approved under the *Environmental Assessment Act* is not subject to this Act or to section 113 or 114 of the *City of Toronto Act, 2006*.

(3) Section 62 of the Act is amended by adding the following subsection:

Transition

(3) Subsection (1), as it read on the day before the day subsection 62 (2) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force, continues to apply to an undertaking approved under Part II.1 of the *Environmental Assessment Act* before the day Part II.1 of that Act was repealed by section 26 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*.

(4) Subsection 62.0.1 (1) of the Act is repealed and the following substituted:

Exempt projects, undertakings, etc.

(1) Any project, class of projects, undertaking or class of undertakings within the meaning of the *Environmental Assessment Act* that relates to energy is not subject to this Act or to section 113 or 114 of the *City of Toronto Act, 2006* if,

- (a) any of the following applies with respect to the project, class of projects, undertaking or class or undertakings:
 - (i) it is approved under Part II.1 or Part II.3 of the *Environmental Assessment Act*,
 - (ii) the prescribed requirements for commencing a project under Part II.4 of the *Environmental Assessment Act* have been satisfied,
 - (iii) it is the subject of an order under section 3.1 of the *Environmental Assessment Act* or a declaration under section 3.2 of that Act, or
 - (iv) it is exempted from the *Environmental Assessment Act* by a regulation made under that Act; and
- (b) a regulation made under clause 70 (h) prescribing the project, class of projects, undertaking or class of undertakings for the purposes of this subsection is in effect.

(5) Subsection 62.0.1 (1) of the Act, as re-enacted by subsection (4), is repealed and the following substituted:

Exempt projects

(1) Any project or class of projects within the meaning of the *Environmental Assessment Act* that relates to energy is not subject to this Act or to section 113 or 114 of the *City of Toronto Act, 2006* if,

- (a) any of the following applies with respect to the project or class of projects:
 - (i) it is approved under Part II.3 of the *Environmental Assessment Act*,
 - (ii) the prescribed requirements for commencing a project under Part II.4 of the *Environmental Assessment Act* have been satisfied,
 - (iii) it is the subject of an order under section 3.1 of the *Environmental Assessment Act* or a declaration under section 3.2 of that Act, or
 - (iv) it is exempted from the *Environmental Assessment Act* by a regulation made under that Act; and
- (b) a regulation made under clause 70 (h) prescribing the project or class of projects for the purposes of this subsection is in effect.

(6) Subsection 62.0.1 (2) of the Act is repealed.

(7) Section 62.0.1 of the Act is amended by adding the following subsections:

Transition

(2) Subsection (1), as it read on the day before the day subsection 62 (5) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force, continues to apply to an undertaking or class of undertakings that, before the day Part II.1 of the *Environmental Assessment Act* was repealed by section 26 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*,

- (a) was approved under Part II.1 of the *Environmental Assessment Act*;
- (b) was the subject of an order under section 3.1 of the *Environmental Assessment Act* or of a declaration under section 3.2 of that Act; or
- (c) was exempted from the *Environmental Assessment Act* by a regulation made under that Act.

Same, regulations

(3) For the purposes of the continued application of subsection (1) under subsection (2),

- (a) the Lieutenant Governor in Council may make regulations prescribing undertakings or classes of undertakings that relate to energy and are referred to in subsection (2); and
- (b) a regulation made under clause (a) is deemed to be a regulation made under clause 70 (h) for the purposes of the continued application of clause (1) (b).

(8) Clause 70 (h) of the Act is repealed and the following substituted:

(h) for the purposes of section 62.0.1, prescribing a project, class of projects, an undertaking or class of undertakings that relates to energy.

(9) Clause 70 (h) of the Act, as re-enacted by subsection (8), is repealed and the following substituted:

(h) for the purposes of section 62.0.1, prescribing a project or class of projects that relates to energy.

Public Lands Act

63 Subsection 12.2 (5) of the *Public Lands Act* is repealed.

Resource Recovery and Circular Economy Act, 2016

64 (1) Section 7 of the *Resource Recovery and Circular Economy Act, 2016* is repealed.

(2) Subsection 11 (10) of the Act is repealed.

Safe Drinking Water Act, 2002

65 (1) Subsection 37 (3) of the *Safe Drinking Water Act, 2002* is amended by striking out “Subsection 12.2 (2)” at the beginning and substituting “Subsections 12.2 (2) and 15.1.2 (2)”.

(2) Subsection 37 (3) of the Act, as amended by subsection (1), is amended by striking out “Subsections 12.2 (2) and 15.1.2 (2)” at the beginning and substituting “Subsections 15.1.2 (2), 17.27 (2) and 17.30 (2)”.

(3) Subsection 37 (3) of the Act, as amended by subsection (2), is amended by striking out “15.1.2 (2)”.

(4) Subsection 41 (3) of the Act is amended by striking out “Subsection 12.2 (2)” at the beginning and substituting “Subsections 12.2 (2) and 15.1.2 (2)”.

(5) Subsection 41 (3) of the Act, as amended by subsection (4), is amended by striking out “Subsections 12.2 (2) and 15.1.2 (2)” at the beginning and substituting “Subsections 15.1.2 (2), 17.27 (2) and 17.30 (2)”.

(6) Subsection 41 (3) of the Act, as amended by subsection (5), is amended by striking out “15.1.2 (2)”.

COMMENCEMENT**Commencement**

66 (1) Subject to subsections (2) and (3), this Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(2) Subsection 51 (8) comes into force 30 days after the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(3) The following provisions of this Schedule come into force on a day to be named by proclamation of the Lieutenant Governor:

1. Subsections 1 (1), (3) to (8) and (10), 3 (2), 4 (2) and (3) and 5 (3) to (7).
2. Sections 6, 7, 17 and 20.
3. Subsections 21 (2) to (4),
4. Section 22.
5. Subsections 25 (2) and (3).
6. Sections 26 and 28 to 33.
7. Subsections 35 (1), (2), (4) and (5), 36 (2) and (4) to (6), 37 (2) and (4) to (6).
8. Sections 40 and 41.
9. Subsections 42 (3) and (6) to (8).
10. Sections 43 to 45.
11. Subsection 46 (5).
12. Sections 47 to 50.
13. Subsections 51 (2) to (6) and 52 (2) and (3).
14. Sections 53 and 54.
15. Subsections 55 (2) to (9).
16. Sections 56 to 59 and 61 to 64.

17. Subsections 65 (2), (3), (5) and (6).

**SCHEDULE 7
FARM REGISTRATION AND FARM ORGANIZATIONS FUNDING ACT, 1993**

1 The *Farm Registration and Farm Organizations Funding Act, 1993* is amended by adding the following section:

Appeal to Tribunal

2.1 (1) A person who has been denied a farming business registration number may appeal to the Tribunal by providing written notice to the Tribunal and the Director within 30 days after receiving notice of the Director's decision respecting the denial.

Extension of time

(2) The Tribunal may extend the time for providing the notice of appeal, either before or after the expiry of that time, if it is satisfied that there are apparent grounds for appeal and that there are reasonable grounds for applying for the extension.

Record

(3) As soon as reasonably possible in the circumstances after receiving notice of the appeal, the Director shall provide the Tribunal with a copy of,

- (a) all materials the appellant provided when making the request for a farming business registration number; and
- (b) the Director's decision to deny the farming business registration number.

Parties

(4) The parties to an appeal under this section are the appellant and the Director.

Powers of Tribunal

(5) The Tribunal shall review the Director's determination and,

- (a) if the Tribunal finds that the Director's determination was reasonable, it shall confirm the decision; and
- (b) if the Tribunal finds that the Director's determination was not reasonable, it shall alter the Director's decision or direct the Director to do any act that the Director is authorized to do under this Act and that the Tribunal considers proper.

2 The Act is amended by adding the following section:

Continued eligibility to receive special funding

17.1 (1) If the Tribunal determines that the francophone organization continues to meet the conditions for eligibility set out in subsection 12 (1), the Tribunal shall, by order, declare that it continues to be eligible for special funding.

Term of eligibility

(2) The francophone organization shall receive special funding under this section for the prescribed period of time.

3 Subsection 33 (2) of the Act is amended by adding the following clause:

- (p.1) governing how documents are to be given or served under this Act, including providing rules for when they are deemed to be received;

COMPLEMENTARY AMENDMENT AND COMMENCEMENT

Restoring Ontario's Competitiveness Act, 2019

4 Section 11 of Schedule 1 to the *Restoring Ontario's Competitiveness Act, 2019* is repealed.

Commencement

5 (1) Subject to subsections (2) and (3), this Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

(2) Section 3 comes into force on the later of the day section 35 of Schedule 3 to the *Better for People, Smarter for Business Act, 2019* comes into force and the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(3) Section 4 comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 8
JUSTICES OF THE PEACE ACT**

1 (1) Section 2 of the *Justices of the Peace Act* is amended by adding the following subsections:

Qualifications

(1.1) No person shall be appointed as a justice of the peace under subsection (1) unless he or she has performed paid or volunteer work equivalent to at least 10 years of full-time experience and,

- (a) has a university degree;
- (b) has a diploma or advanced diploma granted by a college of applied arts and technology or a community college following completion of a program that is the equivalent in class hours of a full-time program of at least four academic semesters;
- (c) has a degree from an institution, other than a university, that is authorized to grant the degree,
 - (i) under the *Post-secondary Education Choice and Excellence Act, 2000*,
 - (ii) under a special Act of the Assembly that establishes or governs the institution, or
 - (iii) under legislation of another province or territory of Canada;
- (d) has successfully completed a program designated as an equivalency under subsection (1.2); or
- (e) meets the equivalency requirement set out in subsection (1.3).

Equivalency programs

(1.2) For the purposes of clause (1.1) (d), the Attorney General may designate programs that involve training in the justice system, including programs designed to enhance diversity in the justice system, as programs that meet the educational equivalency requirement, and shall make the list of programs so designated public.

Exceptional qualifications

(1.3) For the purposes of clause (1.1) (e), a candidate may be considered to have met the equivalency requirement if he or she clearly demonstrates exceptional qualifications, including life experience, but does not have the educational requirements set out in clauses (1.1) (a) to (d).

(2) Section 2 of the Act is amended by adding the following subsections:

Information to be maintained in confidence

(5) Any records or other information collected, prepared, maintained or used by the Attorney General in relation to the appointment or consideration of an individual as a justice of the peace, including any such records or other information provided to the Attorney General by the Justices of the Peace Appointments Advisory Committee, shall be maintained in confidence and shall not be disclosed except as authorized by the Attorney General.

Prevails over FIPPA

(6) Subsection (5) prevails over the *Freedom of Information and Protection of Privacy Act*.

2 Section 2.1 of the Act is repealed and the following substituted:

Justices of the Peace Appointments Advisory Committee

Composition and governance

2.1 (1) The committee known as the Justices of the Peace Appointments Advisory Committee in English and Comité consultatif sur la nomination des juges de paix in French is continued.

Composition

(2) The Committee is composed of three core members as follows:

1. A judge of the Ontario Court of Justice, or a justice of the peace, appointed by the Chief Justice of the Ontario Court of Justice.
2. A justice of the peace appointed by the Chief Justice of the Ontario Court of Justice who is either the Senior Indigenous Justice of the Peace or another justice of the peace familiar with Indigenous issues or, when the justice of the peace so appointed is not available to act as a member of the Committee, another justice of the peace familiar with Indigenous issues who is designated by the Chief Justice of the Ontario Court of Justice.
3. One person appointed by the Attorney General.

Regional members

(3) In addition to the core members appointed under subsection (2), the Committee shall include the following regional members in respect of its functions in a particular region:

1. The regional senior justice of the peace for the region or, when he or she is not available to act as a member of the Committee, another justice of the peace from the same region who is designated by the regional senior judge.
2. Up to three persons appointed by the Attorney General.
3. A licensee within the meaning of the *Law Society Act* in the region appointed by the Attorney General from a list of three names submitted to the Attorney General by the Law Society of Ontario.

Criteria

(4) In the appointment of members under paragraph 3 of subsection (2) and paragraph 2 of subsection (3), the importance of reflecting, in the composition of the Committee as a whole, Ontario's linguistic duality and the diversity of its population and ensuring overall gender balance shall be recognized.

Regional leads

(5) The Attorney General shall designate a regional lead for each region from among the regional members for that region.

Term of office

(6) The members appointed under paragraph 3 of subsection (2) and under paragraphs 2 and 3 of subsection (3) hold office for three-year terms and may be reappointed.

Chair

(7) The Attorney General shall designate one of the core members to chair the Committee for a term of up to three years.

Term of office

(8) The same person may serve as chair for two or more terms.

Chair votes

(9) The chair is entitled to vote and may cast a second, deciding vote if there is a tie.

Meetings

(10) The Committee may hold its meetings and conduct interviews in person or through electronic means, including telephone conferencing and video conferencing.

Employees

(11) Such employees as are considered necessary for the proper conduct of the affairs of the Committee may be appointed under Part III of the *Public Service of Ontario Act, 2006*.

Annual report

(12) The Committee shall prepare an annual report, provide it to the Attorney General and make it available to the public.

Same

(13) The annual report must include,

- (a) statistics about the sex, gender, gender identity, sexual orientation, race, ethnicity, cultural identity, disability status and ability to speak French of candidates who volunteer that information, including whether the candidates identify as Indigenous or as a member of a Francophone community, at each stage of the process, as specified by the Attorney General; and
- (b) such other content as the Attorney General may require.

Tabling of annual report

(14) The Attorney General shall table the Committee's annual report in the Assembly.

Information to be maintained in confidence

(15) Any records or other information collected, prepared, maintained or used by the Committee in relation to the consideration of an individual for appointment as a justice of the peace shall be maintained in confidence and shall not be disclosed except as authorized by the chair of the Committee.

Personal liability

(16) No action or other proceeding for damages shall be instituted against any member or former member of the Committee for any act done in good faith in the execution or intended execution of any power or duty that he or she has or had as a member of the Committee, or for any neglect or default in the exercise or performance in good faith of such power or duty.

Crown liability

(17) Subsection (16) does not, by reason of subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (16) to which it would otherwise be subject.

Justices of the Peace Appointments Advisory Committee

Functions and manner of operating

2.2 (1) The functions of the Justices of the Peace Appointments Advisory Committee are to,

- (a) classify candidates for appointment as justices of the peace;
- (b) report on the classifications to the Attorney General; and
- (c) provide advice to the Attorney General respecting the process for appointing justices of the peace in accordance with this Act.

Manner of operating

(2) The Committee shall perform its functions in the following manner:

1. It shall determine the skills, abilities and personal characteristics that are desired in a justice of the peace and make them available to the public.
2. It shall develop a candidate application form that specifies what supporting material is required, and it shall make the form available to the public.
3. It shall develop the application procedure and make information about it available to the public.
4. On the request of the Attorney General, it shall advertise for applications for vacant justice of the peace positions.
5. It shall review and evaluate all applications received in response to the advertisement.
6. It may interview any of the candidates in conducting its review and evaluation.
7. It shall conduct the advertising, review and evaluation process in accordance with the criteria it establishes, which must, at minimum, provide for an assessment that,
 - i. assesses the candidates' professional excellence, community awareness and personal characteristics, and
 - ii. recognizes the desirability of reflecting the diversity of Ontario society in appointments of justices of the peace.
8. It shall make the criteria it established under paragraph 7 available to the public.
9. It shall classify the candidates as "Not Recommended", "Recommended" or "Highly Recommended" and provide a list of the classified candidates to the Attorney General, with brief supporting reasons for the candidates classified as "Recommended" or "Highly Recommended".

Qualifications

(3) The Committee shall not consider an application by a candidate,

- (a) who does not meet the qualifications set out in subsection 2 (1.1); or
- (b) who is or was a member of the Committee within the previous three years.

Chair consent required re interview, classification

(4) The interview of a candidate shall not be conducted, and a meeting for the making of a decision under paragraph 9 of subsection (2) shall not be held, without the consent of the chair of the Committee.

Quorum for interview

(5) If the Committee interviews a candidate, the interview must be conducted by at least three members of the Committee, at least two of whom are regional members referred to in paragraph 2 or 3 of subsection 2.1 (3) from the region for which an appointment is considered and another of whom is a core member under subsection 2.1 (2).

Quorum re classification

(6) The quorum for decisions under paragraph 9 of subsection (2) is three members of the Committee, at least two of whom are regional members referred to in paragraph 2 or 3 of subsection 2.1 (3) from the region for which an appointment is considered and another of whom is a core member under subsection 2.1 (2).

Information to be provided to Attorney General on request

(7) The Committee shall provide the Attorney General with any information about the application, review and evaluation process that the Attorney General requests, other than information collected or prepared by the Committee through a discreet inquiry.

Meaning of discreet inquiry

(8) For the purposes of subsection (7), a discreet inquiry is a confidential inquiry conducted by the Committee into the views or opinions of individuals with knowledge of a candidate's suitability for appointment.

Recommendation of criteria

(9) The Attorney General may recommend criteria to be included in the criteria the Committee establishes under paragraph 7 of subsection (2), and the Committee shall consider whether to include those criteria in the criteria it has established.

Rejection of list

(10) The Attorney General may reject the list of classified candidates provided by the Committee under subsection (2).

Reconsideration or re-advertisement

(11) If the Attorney General rejects the list of classified candidates provided by the Committee, or if there are not enough candidates who are classified as "Recommended" or "Highly Recommended" for the number of vacant justice of the peace positions, the Committee shall either reconsider the applicants and provide a new list to the Attorney General in accordance with paragraph 9 of subsection (2) or re-advertise for applications, as the chair of the Committee considers appropriate.

Recommendation by Attorney General

(12) The Attorney General shall only recommend a candidate who has been classified as "Recommended" or "Highly Recommended" to the Lieutenant Governor in Council to fill a justice of the peace vacancy.

Transition

(13) Despite this section, subsections 2.1 (2) and (12) to (18) of this Act, as they read immediately before the day section 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020* came into force, continue to apply to any vacancy that was advertised by the Committee before that day.

Transitional matters re Justices of the Peace Appointments Advisory Committee

Appointments continued

2.3 (1) Subject to subsection (2), the appointment of every person who was a member of the Justices of the Peace Appointments Advisory Committee on the day before the day section 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020* came into force is continued.

Termination without cause

(2) The Attorney General may terminate the appointment of any member of the Committee whose appointment was continued by subsection (1), without cause, for the purpose of transitioning the Committee's composition to the composition specified in subsections 2.1 (2) and (3).

No compensation or damages

(3) No person is entitled to any compensation or damages for any loss related, directly or indirectly, to the enactment of section 1 or 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020*.

No cause of action

(4) No cause of action arises against the Crown or any current or former member of the Executive Council or any current or former employee or agent of or advisor to the Crown as a direct or indirect result of the enactment of section 1 or 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020*.

Proceedings barred

(5) No proceeding, including but not limited to any proceeding for a remedy in contract, restitution, unjust enrichment, tort, misfeasance, bad faith, trust or fiduciary obligation and any remedy under any statute, that is directly or indirectly based on or related to the enactment of section 1 or 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020* may be brought or maintained against the Crown or any current or former member of the Executive Council or any current or former employee or agent of or advisor to the Crown.

Application

(6) Subsection (5) applies to any action or other proceeding claiming any remedy or relief, including specific performance, injunction, declaratory relief, any form of compensation or damages or any other remedy or relief, and includes any arbitral, administrative or court proceedings.

Retrospective effect

(7) Subsections (5) and (6) apply regardless of whether the claim on which the proceeding is purportedly based arose before, on or after the day section 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020* came into force.

Proceedings set aside

(8) Any proceeding referred to in subsection (5) or (6) commenced before the day section 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020* came into force shall be deemed to have been dismissed, without costs, on the day section 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020* came into force.

Commencement

3 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 9
MARRIAGE ACT**

1 Section 27 of the *Marriage Act* is amended by adding the following subsection:

Extension — declaration of emergency

(4) Despite subsection (3), the period in which a marriage may be solemnized under the authority of a licence is extended in accordance with Schedule 1 (Extension — Declaration of Emergency) if Schedule 1 applies.

2 The Act is amended by adding the following Schedule:

**SCHEDULE 1
EXTENSION — DECLARATION OF EMERGENCY**

With respect to a licence issued during the period described in paragraph 1, if all of the conditions listed in paragraph 2 are met, the period in which a marriage may be solemnized under the authority of the licence is extended to the period described in paragraph 3:

1. The period in which the licence was issued is the period,
 - i. beginning on the first day of a month that is three months prior to a month in which a declaration was made under the *Emergency Management and Civil Protection Act* that an emergency exists throughout Ontario, and
 - ii. ending on the first day following the declaration of emergency on which there is not a period of emergency throughout Ontario under the *Emergency Management and Civil Protection Act*.

For greater certainty, this includes the period beginning on December 1, 2019 in respect of the emergency that was declared on March 17, 2020 under the *Emergency Management and Civil Protection Act*.

2. The conditions that must be met are:
 - i. The parties to the marriage have not married each other since the licence was issued.
 - ii. Neither party to the marriage has married anyone else since the licence was issued.
 - iii. Neither party to the marriage has legally changed their name since the licence was issued.
3. The period in which a marriage may be solemnized under the authority of the licence is the period beginning on the day the licence was issued and ending 24 months after the day described in subparagraph 1 ii.

Commencement

3 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

SCHEDULE 10
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING ACT

1 The *Ministry of Municipal Affairs and Housing Act* is amended by adding the following section:

Provincial Land and Development Facilitator

12 (1) The office to be known as the Provincial Land and Development Facilitator in English and Facilitateur provincial de l'aménagement in French is established.

Same

(2) The Minister may appoint the Facilitator and fix their terms of reference.

Functions

(3) The Facilitator shall, at the direction of the Minister,

- (a) advise and make recommendations to the Minister in respect of growth, land use and other matters, including Provincial interests; and
- (b) perform such other functions as the Minister may specify.

Remuneration and expenses

(4) The Lieutenant Governor in Council may determine the remuneration and expenses of any person appointed under subsection (2).

Commencement

2 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 11
MODERNIZING ONTARIO FOR PEOPLE AND BUSINESSES ACT, 2020**

Preamble

Ontario is committed to fostering a strong business climate that supports growth while ensuring appropriate regulatory oversights that protect the public, workers and the environment.

Ontario recognizes that modern regulations protect the public interest, including health, safety and the environment, while enabling economic growth, prosperity and a competitive business climate.

As a part of Ontario's regulatory modernization efforts, the province is committed to reducing unnecessary red tape and regulatory burdens while also ensuring the public interest is protected, and to supporting business needs and ensuring that interactions with government are efficient and straightforward.

Ontario is dedicated to a regulatory environment that considers both costs and benefits as part of the evidence, utilizes recognized standards, considers the unique needs of small businesses, provides digital options and recognizes businesses with excellent compliance records.

INTERPRETATION

Definitions

1 (1) In this Act,

"administrative cost" means a cost that is imposed on a regulated entity as a consequence of complying with a regulation, policy or form and that is prescribed for the purposes of this definition; ("frais administratifs")

"burden" means a cost that may be measured in terms of money, time or resources and is considered by the Minister in consultation with other members of the Government of Ontario to be unnecessary to achieve the purpose of the statutory, regulatory, procedural, administrative or other requirement that creates the cost; ("fardeau administratif")

"instrument governed by this Act" means,

- (a) subject to any prescribed exceptions, a draft bill before its introduction in the Legislature,
- (b) subject to any prescribed exceptions, a regulation made or approved by a minister or the Lieutenant Governor in Council,
- (c) subject to any prescribed exceptions, any policy or form made by a minister, and
- (d) any other instrument that may be prescribed; ("acte régi par la présente loi")

"Minister" means the Minister of Economic Development, Job Creation and Trade or any other member of the Executive Council to whom responsibility for the administration of this Act is assigned or transferred under the *Executive Council Act*; ("ministre")

"prescribed" means prescribed by regulations made under this Act; ("prescrit")

"recognized standards" means requirements that have been set by standard development organizations that have been accredited by the Standards Council of Canada, or by similar standard development organizations; ("normes reconnues")

"regulated entity", subject to the regulations, includes every business, trade, occupation, profession, service or venture, whether or not carried on with a view to profit; ("entité réglementée")

Making or proposing an instrument

(2) For greater certainty, a reference in this Act to proposing an instrument governed by this Act includes both proposing a new instrument and proposing an amendment to an existing instrument.

CONTROL OF ADMINISTRATIVE COSTS

Offset of administrative costs

2 (1) Where an instrument governed by this Act that is a regulation, policy or form is made or approved for use and has the effect of creating or increasing one or more administrative costs, a prescribed offset must be made within a prescribed time after the regulation, policy or form is made or approved for use.

Public interest

(2) If an offset required under subsection (1) is proposed to be made or approved for use, the Lieutenant Governor in Council or responsible minister shall, before making or approving the regulation, policy or form, review it to take into account the protection of the public interest, including health, safety and the environment.

Analysis of regulatory impact

3 Where an instrument governed by this Act is proposed, the minister responsible for the administration of the instrument shall ensure that,

- (a) in the prescribed circumstances, an analysis of the potential regulatory impact is conducted, including the prescribed administrative costs; and
- (b) the analysis is published in the prescribed manner.

Development of instruments

- 4 (1) When developing an instrument governed by this Act, every minister shall have regard to the following principles:
1. Recognized industry standards or international best practices should be adopted.
 2. Less onerous compliance requirements should apply to small businesses than to larger businesses.
 3. Digital services that are accessible to stakeholders should be provided.
 4. Regulated entities that demonstrate excellent compliance should be recognized.
 5. Unnecessary reporting should be reduced, and steps should be taken to avoid requiring stakeholders to provide the same information to government repeatedly.
 6. An instrument should focus on the user by communicating clearly, providing for reasonable response timelines and creating a single point of contact.
 7. An instrument should specify the desired result that regulated entities must meet, rather than the means by which the result must be achieved.
- (2) If the minister responsible for developing the instrument believes that it is not possible or appropriate to comply with subsection (1), a rationale must be provided to the Minister.

ELECTRONIC TRANSMISSION OF DOCUMENTS

Electronic transmission of documents

5 A business that is required, for any reason, to submit documents to a Ministry of the Government of Ontario in order to comply with an instrument governed by this Act may, at the option of the business, submit the documents electronically.

RECOGNITION OF EXCELLENT COMPLIANCE

Recognition of excellent compliance

6 Every Ministry of the Government of Ontario that administers regulatory programs shall develop a plan to recognize businesses that demonstrate excellent compliance with regulatory requirements.

REPORTING

Annual report on burden reduction

- 7 (1) The Minister shall make available to the public an annual report with respect to,
- (a) actions taken by the Government of Ontario to reduce burdens; and
 - (b) the Government of Ontario's future burden reduction goals.

Publication of report

- (2) The Minister shall ensure that the report is,
- (a) published on a Government of Ontario website or in such other manner as the Minister considers advisable; and
 - (b) available to the public on or before September 30 in each year or, if the regulations prescribe another date, on or before the prescribed date in each year.

Tabling

- (3) The Minister shall table the annual report in the Legislative Assembly as soon as possible after it is published.

IMMUNITY

Immunity

8 (1) No action or other proceeding shall be commenced against the Crown or any of its agencies with respect to anything done or omitted to be done, or purported to be done or omitted to be done, under this Act.

Validity of instrument

- (2) No instrument governed by this Act is invalid by reason only of a failure to comply with any provision of this Act.

REGULATIONS

Regulations, Minister

9 The Minister may make regulations,

- (a) providing for exemptions from any requirement under section 5 or 6, and may make such an exemption subject to conditions or limitations;
- (b) respecting the report required under section 7, which may include regulations,
 - (i) specifying any actions to reduce burdens that must be referred to in the report,
 - (ii) prescribing the manner in which the Minister must evaluate, quantify or describe actions of the Government of Ontario in the report,
 - (iii) prescribing a date for the purpose of clause 7 (2) (b).

Regulations, LG in C

10 (1) Subject to section 9, the Lieutenant Governor in Council may make regulations respecting anything provided for in this Act and for carrying out the purposes, provisions and intent of this Act.

Same

(2) Without restricting the generality of subsection (1), the Lieutenant Governor in Council may make regulations,

- (a) respecting anything that may be prescribed under this Act;
- (b) defining words and expressions used in this Act that are not otherwise defined in this Act;
- (c) prescribing costs for the purposes of the definition of “administrative cost” in subsection 1 (1);
- (d) further defining or clarifying the definition of “regulated entity” in subsection 1 (1) and providing for exemptions from that definition;
- (e) governing how administrative costs are to be measured and offset under section 2, prescribing offsets and setting requirements and formulas for offsets, and establishing time periods for when offsets must be made;
- (f) governing the analysis required under section 3, including governing the circumstances when an analysis of the regulatory impact is to be conducted, the scope of the administrative costs to be considered in the analysis of the regulatory impact, and the manner in which the analysis is to be published;
- (g) governing the application and interpretation of the principles set out in subsection 4 (1) and when the requirement in that subsection to have regard to a principle has been satisfied;
- (h) providing for exemptions from anything under this Act that are not provided for in section 9 and making any such exemption subject to conditions or limitations.

AMENDMENTS TO OTHER ACTS

Burden Reduction Reporting Act, 2014

11 The *Burden Reduction Reporting Act, 2014* is repealed.

Reducing Regulatory Costs for Business Act, 2017

12 The *Reducing Regulatory Costs for Business Act, 2017* is repealed.

COMMENCEMENT AND SHORT TITLE

Commencement

13 The Act set out in this Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

14 The short title of the Act set out in this Schedule is the *Modernizing Ontario for People and Businesses Act, 2020*.

**SCHEDULE 12
MUNICIPAL ACT, 2001**

1 (1) Subsection 238 (3.1) of the *Municipal Act, 2001* is repealed and the following substituted:

Electronic participation

(3.1) The applicable procedure by-law may provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting to the extent and in the manner set out in the by-law.

(2) Subsection 238 (3.2) of the Act is repealed.

(3) Subsection 238 (3.3) of the Act is repealed and the following substituted:

Same

(3.3) The applicable procedure by-law may provide that,

- (a) a member of a council, of a local board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and
- (b) a member of a council, of a local board or of a committee of either of them can participate electronically in a meeting that is open or closed to the public.

(4) Subsection 238 (3.4) of the Act is repealed and the following substituted:

Special meeting, amend procedure by-law re electronic participation

(3.4) A municipality or local board may hold a special meeting to amend an applicable procedure by-law for the purposes of subsection (3.3).

Same, quorum

(3.5) A member participating electronically in a special meeting described in subsection (3.4) may be counted in determining whether or not a quorum of members is present at any time during the meeting.

2 The Act is amended by adding the following section:

Proxy vote

243.1 (1) The procedure by-law may provide that, in accordance with a process to be established by the clerk, a member of council may appoint another member of council as a proxy to act in their place when they are absent subject to the following rules:

1. A member of a local council appointed as an alternate member of the upper-tier council under section 267 may appoint a member of the upper-tier council as a proxy to act in their place when they are absent from the upper-tier council.
2. A member who is unable to attend a meeting of the upper-tier council and for whom an alternate member is appointed under section 267 shall not appoint a proxy.
3. A member appointed as an alternate member of the upper-tier council under section 268 shall not appoint a proxy.
4. A member who is unable to attend a meeting of the upper-tier council and for whom an alternate member is appointed under section 268 shall not appoint a proxy if the appointed member is acting on their behalf at the meeting.

Rules re proxy votes

(2) The following rules apply with respect to the appointment of another member of council to act as a proxy under subsection (1):

1. A member shall not appoint a proxy unless the proxyholder is a member of the same council as the appointing member.
2. A member shall not act as a proxy for more than one member of council at any one time.
3. The member appointing the proxy shall notify the clerk of the appointment in accordance with the process established by the clerk.
4. For the purpose of determining whether or not a quorum of members is present at any point in time, a proxyholder shall be counted as one member and shall not be counted as both the appointing member and the proxyholder.
5. A proxy shall be revoked if the appointing member or the proxyholder requests that the proxy be revoked and complies with the proxy revocation process established by the clerk.
6. Where a recorded vote is requested under section 246, the clerk shall record the name of each proxyholder, the name of the member of council for whom the proxyholder is voting and the vote cast on behalf of that member.
7. A member who appoints a proxy for a meeting shall be considered absent from the meeting for the purposes of determining whether the office of the member is vacant under clause 259 (1) (c).

Pecuniary interest

(3) A member who has a pecuniary interest described in subsection 5 (1) of the *Municipal Conflict of Interest Act* in a matter to be considered at a meeting shall not, if the interest is known to the member, appoint a proxy in respect of the matter.

Same, pre-meeting discovery

(4) If, after appointing a proxy, a member discovers that they have a pecuniary interest described in subsection 5 (1) of the *Municipal Conflict of Interest Act* in a matter to be considered at a meeting that is to be attended by the proxyholder, the member shall, as soon as possible,

- (a) notify the proxyholder of the interest in the matter and indicate that the proxy will be revoked in respect of the matter; and
- (b) request that the clerk revoke the proxy with respect to the matter in accordance with the proxy revocation process established by the clerk.

Same, post-meeting discovery

(5) For greater certainty, if, after appointing a proxy, a member discovers that they have a pecuniary interest described in subsection 5 (1) of the *Municipal Conflict of Interest Act* in a matter that was considered at a meeting attended by the proxyholder, the appointing member shall comply with subsection 5 (3) of the *Municipal Conflict of Interest Act* with respect to the interest at the next meeting attended by the appointing member after they discover the interest.

Conflict, etc., proxyholder

(6) For greater certainty, nothing in this section authorizes a proxyholder who is disabled from participating in a meeting under the *Municipal Conflict of Interest Act* from participating in the meeting in the place of an appointing member.

Regulations, proxy votes

(7) The Minister may make regulations providing for any matters which, in the Minister's opinion, are necessary or desirable for the purposes of this section.

Commencement

3 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 13
OCCUPATIONAL HEALTH AND SAFETY ACT**

1 Section 70 of the *Occupational Health and Safety Act* is amended by adding the following subsection:

Rolling incorporation by reference

(3) The power to adopt by reference and require compliance with a code or standard in paragraph 25 of subsection (2) and to adopt by reference any criteria or guide in relation to the exposure of a worker to any biological, chemical or physical agent or combination thereof in paragraph 26 of subsection (2) includes the power to adopt a code, standard, criteria or guide as it may be amended from time to time.

Commencement

2 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

SCHEDULE 14
ONTARIO EDUCATIONAL COMMUNICATIONS AUTHORITY ACT

1 The definition of “distance education programs” in section 1 of the *Ontario Educational Communications Authority Act* is repealed and the following substituted:

“distance education programs” means programs to provide courses of study online, through correspondence, or by other means that do not require the physical attendance by the student at a school and that are prescribed under paragraph 2 of subsection 8 (1) of the Education Act or are approved by the Minister of Education; (“programme d’enseignement à distance”)

2 Section 3 of the Act is amended by striking out “and” at the end of clause (c) and by adding the following clauses:

- (e) to support the establishment, administration and coordination of distance education programs by or with prescribed persons or entities; and
- (f) to discharge any prescribed duties.

3 The Act is amended by adding the following section:

Support of distance education programs

16.1 The Authority has the prescribed duties and responsibilities to support the establishment, administration and coordination of distance education programs by or with prescribed persons or entities.

4 (1) Section 17 of the Act is amended by adding the following clauses:

- (0.a) prescribing persons or entities for the purposes of clause 3 (e);
- (0.a.1) prescribing duties for the purposes of clause 3 (f);

(2) Clause 17 (b) of the Act is repealed and the following substituted:

- (b) prescribing and governing the duties and responsibilities of the Authority in relation to the operation of distance education programs;
- (b.1) prescribing and governing the duties and responsibilities of the Authority in relation to supporting the establishment, administration and coordination of distance education programs by or with prescribed persons or entities;

(3) Section 17 of the Act is amended by adding the following clause:

- (f) defining any word or expression used in this Act that is not already defined and further defining any word or expression used in this Act that is already defined in this Act.

(4) Section 17 of the Act is amended by adding the following subsection:

Conflict

(2) In the event of a conflict between a regulation made under this section and this Act, or any other Act or regulation, the regulation made under this section prevails.

Commencement

5 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

SCHEDULE 15
ONTARIO FRENCH-LANGUAGE EDUCATIONAL COMMUNICATIONS AUTHORITY ACT, 2008

1 The definition of “distance education programs” in section 1 of the *Ontario French-language Educational Communications Authority Act, 2008* is repealed and the following substituted:

“distance education programs” means programs to provide courses of study online, through correspondence, or by other means that do not require the physical attendance by the student at a school and that are prescribed under paragraph 2 of subsection 8 (1) of the *Education Act* or are approved by the Minister of Education; (“programme d’enseignement à distance”)

2 Section 4 of the Act is amended by striking out “and” at the end of clause (c) and by adding the following clauses:

- (e) support the establishment, administration and coordination of distance education programs by or with prescribed persons or entities; and
- (f) discharge any prescribed duties.

3 The Act is amended by adding the following section:

Support of distance education programs

21.1 The Authority has the prescribed duties and responsibilities to support the establishment, administration and coordination of distance education programs by or with prescribed persons or entities.

4 (1) Section 22 of the Act is amended by adding the following clauses:

- (0.a) prescribing persons or entities for the purposes of clause 4 (e);
- (0.a.1) prescribing duties for the purposes of clause 4 (f);

(2) Clause 22 (b) of the Act is repealed and the following substituted:

- (b) prescribing and governing the duties and responsibilities of the Authority in relation to the operation of distance education programs;
- (b.1) prescribing and governing the duties and responsibilities of the Authority in relation to supporting the establishment, administration and coordination of distance education programs by or with prescribed persons or entities;

(3) Section 22 of the Act is amended by adding the following clause:

- (f) defining any word or expression used in this Act that is not already defined and further defining any word or expression used in this Act that is already defined in this Act.

(4) Section 22 of the Act is amended by adding the following subsection:

Conflict

(2) In the event of a conflict between a regulation made under this section and this Act, or any other Act or regulation, the regulation made under this section prevails.

Commencement

5 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 16
PAYDAY LOANS ACT, 2008**

1 The *Payday Loans Act, 2008* is amended by adding the following section:

Interest on payday loans in default

32.1 (1) This section applies to a payday loan agreement if,

- (a) the advance under the agreement is \$1,500 or less or, if another amount is prescribed, that amount or less; and
- (b) the term of the agreement is 62 days or less or, if another number of days is prescribed, that number of days or less.

Duty of lender

(2) A lender shall not impose against a borrower under a payday loan agreement, and the borrower is not liable to pay, interest on the amount in default, except as provided for under subsection (3).

Maximum interest

(3) A lender may charge a borrower a maximum interest rate of 2.5 per cent per month, not to be compounded, on the outstanding principal, unless otherwise prescribed.

Duty of loan broker

(4) No loan broker shall facilitate a contravention of subsection (2).

Consequence

(5) If the lender contravenes subsection (2), the borrower is only required to repay the advance to the lender and is not liable to pay the cost of borrowing or any interest.

Transition

(6) This section does not apply to a payday loan agreement that was in existence before the day this section came into force.

2 (1) Clause 33 (1) (b) of the Act is repealed and the following substituted:

- (b) unless otherwise prescribed, a fee no greater than \$25 for,
 - (i) a dishonoured cheque,
 - (ii) a dishonoured pre-authorized debit, or
 - (iii) any other dishonoured instrument of payment.

(2) Section 33 of the Act is amended by adding the following subsection:

Multiple fees prohibited

(1.1) A lender shall not impose a fee under clause (1) (b) against a borrower more than once with respect to each payday loan agreement, regardless of the number of dishonoured instruments of payment accumulated with respect to that payday loan agreement.

(3) Subsection 33 (2) of the Act is amended by adding “or (1.1)” at the end.

(4) Section 33 of the Act is amended by adding the following subsections:

Consequence

(3) If the lender contravenes subsection (1) or (1.1), the borrower is only required to repay the advance to the lender and is not liable to pay the cost of borrowing or any default charges.

Transition

(4) Clause (1) (b) and subsections (1.1) and (3) do not apply to a payday loan agreement that was in existence before the day this subsection came into force.

Same

(5) Clause (1) (b), as it read before the day this subsection came into force, applies to a payday loan agreement that was in existence before the day this subsection came into force.

3 (1) Section 44 of the Act is amended by adding the following subsection:

Illegal default charges, interest

(1.1) A payment referred to in subsection (1) includes interest or a default charge received by a licensee from a borrower to which the licensee is not entitled under this Act or that the borrower is not liable to pay under this Act.

(2) Subsection 44 (4) of the Act is amended by striking out “Subsections (1)” at the beginning and substituting “Subsections (1), (1.1)”.

4 Section 77 of the Act is amended by adding the following paragraphs:

24. changing the maximum rate of interest that a lender may charge for the purposes of subsection 32.1 (3).

24.1 changing the maximum fee for the purposes of clause 33 (1) (b).

Commencement

5 This Schedule comes into force 30 days after the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 17
PLANNING ACT**

1 Section 37 of the *Planning Act* is repealed and the following substituted:

Community benefits charges

Definitions

37 (1) In this section,

“specified date” means the specified date for the purposes of section 9.1 of the *Development Charges Act, 1997*; (“date précisée”)

“valuation date” means, with respect to land that is the subject of development or redevelopment,

- (a) the day before the day the building permit is issued in respect of the development or redevelopment, or
- (b) if more than one building permit is required for the development or redevelopment, the day before the day the first permit is issued. (“date d’évaluation”)

Community benefits charge by-law

(2) The council of a local municipality may by by-law impose community benefits charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies.

What charge can be imposed for

(3) A community benefits charge may be imposed only with respect to development or redevelopment that requires,

- (a) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34;
- (b) the approval of a minor variance under section 45;
- (c) a conveyance of land to which a by-law passed under subsection 50 (7) applies;
- (d) the approval of a plan of subdivision under section 51;
- (e) a consent under section 53;
- (f) the approval of a description under section 9 of the *Condominium Act, 1998*; or
- (g) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.

Excluded development or redevelopment

(4) A community benefits charge may not be imposed with respect to,

- (a) development of a proposed building or structure with fewer than five storeys at or above ground;
- (b) development of a proposed building or structure with fewer than 10 residential units;
- (c) redevelopment of an existing building or structure that will have fewer than five storeys at or above ground after the redevelopment;
- (d) redevelopment that proposes to add fewer than 10 residential units to an existing building or structure; or
- (e) such types of development or redevelopment as are prescribed.

Community benefits charge — relationship to development charge, etc.

(5) For greater certainty, nothing in this Act prevents a community benefits charge from being imposed with respect to land for park or other public recreational purposes or with respect to the services listed in subsection 2 (4) of the *Development Charges Act, 1997*, provided that the capital costs that are intended to be funded by the community benefits charge are not capital costs that are intended to be funded under a development charge by-law or from the special account referred to in subsection 42 (15).

In-kind contributions

(6) A municipality that has passed a community benefits charge by-law may allow an owner of land to provide to the municipality facilities, services or matters required because of development or redevelopment in the area to which the by-law applies.

Notice of value of in-kind contributions

(7) Before the owner of land provides facilities, services or matters in accordance with subsection (6), the municipality shall advise the owner of land of the value that will be attributed to them.

Deduction of value of in-kind contributions

(8) The value attributed under subsection (7) shall be deducted from the amount the owner of land would otherwise be required to pay under the community benefits charge by-law.

Community benefits charge strategy

(9) Before passing a community benefits charge by-law under subsection (2), the municipality shall prepare a community benefits charge strategy that,

- (a) identifies the facilities, services and matters that will be funded with community benefits charges; and
- (b) complies with any prescribed requirements.

Consultation

(10) In preparing the community benefits charge strategy, the municipality shall consult with such persons and public bodies as the municipality considers appropriate.

Commencement of by-law

(11) A community benefits charge by-law comes into force on the day it is passed or the day specified in the by-law, whichever is later.

Limitation

(12) Only one community benefits charge by-law may be in effect in a local municipality at a time.

Notice of by-law and time for appeal

(13) The clerk of a municipality that has passed a community benefits charge by-law shall give written notice of the passing of the by-law, and of the last day for appealing the by-law, which shall be the day that is 40 days after the day the by-law is passed.

Requirements of notice

(14) Notices required under subsection (13) must meet the prescribed requirements and shall be given in accordance with the regulations.

Same

(15) Every notice required under subsection (13) must be given no later than 20 days after the day the by-law is passed.

When notice given

(16) A notice required under subsection (13) is deemed to have been given on the prescribed day.

Appeal of by-law after passed

(17) Any person or public body may appeal a community benefits charge by-law to the Tribunal by filing with the clerk of the municipality, on or before the last day for appealing the by-law, a notice of appeal setting out the objection to the by-law and the reasons supporting the objection.

Clerk's duties on appeal

(18) If the clerk of the municipality receives a notice of appeal on or before the last day for appealing a community benefits charge by-law, the clerk shall compile a record that includes,

- (a) a copy of the by-law certified by the clerk;
- (b) a copy of the community benefits charge strategy;
- (c) an affidavit or declaration certifying that notice of the passing of the by-law and of the last day for appealing it was given in accordance with this Act; and
- (d) the original or a true copy of all written submissions and material received in respect of the by-law before it was passed.

Same

(19) The clerk shall forward a copy of the notice of appeal and the record to the Tribunal within 30 days after the last day for appealing the by-law and shall provide such other information or material as the Tribunal may require in respect of the appeal.

Affidavit, declaration conclusive evidence

(20) An affidavit or declaration of the clerk of a municipality that notice of the passing of the by-law and of the last day for appealing it was given in accordance with this Act is conclusive evidence of the facts stated in the affidavit or declaration.

L.P.A.T. hearing of appeal

(21) The Tribunal shall hold a hearing to deal with any notice of appeal of a community benefits charge by-law forwarded by the clerk of a municipality.

Notice of hearing

(22) The Tribunal shall determine who shall be given notice of the hearing and in what manner.

Powers of L.P.A.T.

(23) After the hearing, the Tribunal may,

- (a) dismiss the appeal in whole or in part;
- (b) order the council of the municipality to repeal or amend the by-law in accordance with the Tribunal's order; or
- (c) repeal or amend the by-law in such manner as the Tribunal may determine.

Limitation on powers

(24) The Tribunal may not amend or order the amendment of a by-law so as to,

- (a) increase the amount of a community benefits charge that will be payable in any particular case;
- (b) add or remove, or reduce the scope of, an exemption provided in the by-law;
- (c) change a provision for the phasing in of community benefits charges in such a way as to make a charge, or part of a charge, payable earlier; or
- (d) change the date, if any, the by-law will expire.

Dismissal without hearing

(25) Despite subsection (21), the Tribunal may, where it is of the opinion that the objection to the by-law set out in the notice of appeal is insufficient, dismiss the appeal without holding a full hearing after notifying the appellant and giving the appellant an opportunity to make representations as to the merits of the appeal.

When L.P.A.T. ordered repeals, amendments effective

(26) The repeal or amendment of a community benefits charge by-law by the Tribunal, or by the council of a municipality pursuant to an order of the Tribunal, is deemed to have come into force on the day the by-law came into force.

Refunds if L.P.A.T. repeals by-law, etc.

(27) If the Tribunal repeals or amends a community benefits charge by-law, or orders the council of a municipality to repeal or amend a community benefits charge by-law, the municipality shall refund,

- (a) in the case of a repeal, any community benefits charge paid under the by-law; or
- (b) in the case of an amendment, the difference between any community benefits charge paid under the by-law and the community benefits charge that would have been payable under the by-law as amended.

When refund due

(28) If a municipality is required to make a refund under subsection (27), it shall do so,

- (a) if the Tribunal repeals or amends the by-law, within 30 days after the Tribunal's order; or
- (b) if the Tribunal orders the council of the municipality to repeal or amend the by-law, within 30 days after the repeal or amendment by the council.

Interest

(29) The municipality shall pay interest on an amount it refunds, at a rate not less than the prescribed minimum interest rate, from the day the amount was paid to the municipality to the day it is refunded.

Application of specified provisions to by-law amendments

(30) Subsections (9) to (11) and (13) to (29) apply, with necessary modifications, to an amendment to a community benefits charge by-law other than an amendment by, or pursuant to an order of, the Tribunal.

Limitation of L.P.A.T. powers

(31) In an appeal of an amendment to a community benefits charge by-law, the Tribunal may exercise its powers only in relation to the amendment.

Maximum amount of community benefits charge

(32) The amount of a community benefits charge payable in any particular case shall not exceed an amount equal to the prescribed percentage of the value of the land as of the valuation date.

Payment under protest and appraisal provided by owner

(33) If the owner of land is of the view that the amount of the community benefits charge exceeds the amount permitted under subsection (32), the owner shall,

- (a) pay the charge under protest; and
- (b) within the prescribed time period, provide the municipality with an appraisal of the value of the land as of the valuation date.

No appraisal under subs. (33) (b)

(34) If an owner of land pays a community benefits charge under protest but does not provide an appraisal in accordance with clause (33) (b), the payment is deemed not to have been made under protest.

Appraisal provided by the municipality

(35) If the municipality disputes the value of the land identified in the appraisal referred to in clause (33) (b), the municipality shall, within the prescribed time period, provide the owner with an appraisal of the value of the land as of the valuation date.

No appraisal under subs. (35)

(36) If the municipality does not provide an appraisal in accordance with subsection (35), the municipality shall immediately refund to the owner the difference, if any, between the amount of the community benefits charge imposed by the municipality and the maximum amount determined in accordance with subsection (32) based on the value of the land identified in the appraisal referred to in clause (33) (b).

Appraisal under subs. (35) within 5%

(37) If the municipality provides an appraisal in accordance with subsection (35) and the value of the land identified in that appraisal is within 5 per cent of the value identified in the appraisal referred to in clause (33) (b), the municipality shall immediately refund to the owner the difference, if any, between the amount of the community benefits charge imposed by the municipality and the maximum amount determined in accordance with subsection (32) based on the value of the land identified in the appraisal referred to in clause (33) (b) or subsection (35), whichever identifies the higher value of the land.

Appraisal under subs. (35) not within 5%

(38) If the municipality provides an appraisal in accordance with subsection (35) and the value of the land identified in that appraisal is not within 5 per cent of the value identified in the appraisal referred to in clause (33) (b), the municipality shall request that a person selected by the owner from the list referred to in subsection (42) prepare an appraisal of the value of the land as of the valuation date.

Time period for appraisal referred to in subs. (38)

(39) The municipality shall provide the owner with the appraisal referred to in subsection (38) within the prescribed time period.

Appraisal under subs. (38)

(40) If an appraisal is prepared in accordance with subsection (38), the municipality shall immediately refund to the owner the difference, if any, between the amount of the community benefits charge imposed by the municipality and the maximum amount determined in accordance with subsection (32) based on the value of the land identified in the appraisal referred to in subsection (38).

Non-application of subs. (36), (37) and (40)

(41) For greater certainty, a refund is not required under subsection (36), (37) or (40) if the maximum amount determined in accordance with subsection (32), based on the value of the land identified in the applicable appraisal, is greater than the amount of the community benefits charge imposed by the municipality.

List of appraisers

- (42) A municipality that has passed a community benefits charge by-law shall maintain a list of at least three persons who,
- (a) are not employees of the municipality or members of its council; and
 - (b) have an agreement with the municipality to perform appraisals for the purposes of subsection (38).

Same

- (43) A municipality shall maintain the list referred to in subsection (42) until the later of,
- (a) the day on which the community benefits charge by-law is repealed; and
 - (b) the day on which there is no longer any refund that is or could be required to be made under subsection (40).

No building without payment

- (44) No person shall construct a building on the land proposed for development or redevelopment unless,
- (a) the payment required by the community benefits charge by-law has been made or arrangements for the payment that are satisfactory to the council have been made; and

- (b) any facilities, services or matters being provided in accordance with subsection (6) have been provided or arrangements for their provision that are satisfactory to the council have been made.

Special account

(45) All money received by the municipality under a community benefits charge by-law shall be paid into a special account.

Investments

(46) The money in the special account may be invested in securities in which the municipality is permitted to invest under the *Municipal Act, 2001* or the *City of Toronto Act, 2006*, as the case may be, and the earnings derived from the investment of the money shall be paid into the special account.

Requirement to spend or allocate monies in special account

(47) 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.

Reports and information

(48) A council of a municipality that passes a community benefits charge by-law shall provide the prescribed reports and information to the prescribed persons or classes of persons at such times, in such manner and in accordance with such other requirements as may be prescribed.

Application of subs. (51)

(49) Subsection (51) applies with respect to the following:

1. A special account established in accordance with subsection 37 (5), as it read on the day before section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020* comes into force.
2. A reserve fund established by a local municipality in accordance with section 33 of the *Development Charges Act, 1997* for any service other than the services described in paragraphs 1 to 20 of subsection 2 (4) of the *Development Charges Act, 1997*.

Same, services prescribed under par. 21 of s. 2 (4) of *Development Charges Act, 1997*

(50) Despite subsection (49), subsection (51) does not apply with respect to a reserve fund established for a service that is prescribed for the purposes of paragraph 21 of subsection 2 (4) of the *Development Charges Act, 1997* if the service is prescribed before the earlier of,

- (a) the day the municipality passes a community benefits charge by-law under subsection (2); and
- (b) the specified date.

Transition respecting special account and reserve fund described in subs. (49)

(51) The following rules apply with respect to a special account or reserve fund to which this subsection applies:

1. If the municipality passes a community benefits charge by-law under this section before the specified date, the municipality shall, on the day it passes the by-law, allocate the money in the special account or reserve fund to the special account referred to in subsection (45).
2. If the municipality has not passed a community benefits charge by-law under this section before the specified date, the special account or reserve fund is deemed to be a general capital reserve fund for the same purposes for which the money in the special account or reserve fund was collected.
3. Despite paragraph 2, subsection 417 (4) of the *Municipal Act, 2001* and any equivalent provision of, or made under, the *City of Toronto Act, 2006* do not apply with respect to the general capital reserve fund referred to in paragraph 2.
4. If paragraph 2 applies and the municipality passes a community benefits charge by-law under this section on or after the specified date, the municipality shall, on the day it passes the by-law, allocate any money remaining in the general capital reserve fund referred to in paragraph 2 to the special account referred to in subsection (45).

Credit under s. 38 of *Development Charges Act, 1997*

(52) If the municipality passes a community benefits charge by-law under this section before the specified date, any credit under section 38 of the *Development Charges Act, 1997* that was held as of the day before the day the by-law is passed and that relates to any services other than the services described in paragraphs 1 to 20 of subsection 2 (4) of that Act may be used by the holder of the credit with respect to a community benefits charge that the holder is required to pay under a community benefits charge by-law.

Same, services prescribed under par. 21 of s. 2 (4) of *Development Charges Act, 1997*

(53) Subsection (52) does not apply with respect to a credit that relates to a service that is prescribed for the purposes of paragraph 21 of subsection 2 (4) of the *Development Charges Act, 1997* if the service is prescribed before the date the municipality passes the community benefits charge by-law.

Transitional matters respecting repealed s. 37, etc.

Definitions

37.1 (1) In this section,

“by-law described in the repealed subsection 37 (1)” means a by-law passed under section 34 that includes, under subsection 37 (1) as it read on the day before the effective date, any requirement to provide facilities, services or matters; (“règlement municipal visé au paragraphe 37 (1) abrogé”)

“effective date” means the day section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020* comes into force. (“date d’effet”)

Continued application of repealed s. 37 (1) to (5)

(2) Despite their repeal by section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020*, the following provisions continue to apply to a local municipality until the applicable date described in subsection (5) of this section:

1. Subsections 37 (1) to (4), as they read on the day before the effective date.
2. Subsection 37 (5), as it read on the day before the effective date, except that the reference to a special account in that subsection shall be read as a reference to the special account referred to in subsection 37 (45).

By-law described in repealed s. 37 (1)

(3) On and after the applicable date described in subsection (5), the following rules apply if, before that date, the local municipality has passed a by-law described in the repealed subsection 37 (1):

1. Subsections 37 (1) to (4), as they read on the day before the effective date, continue to apply with respect to the by-law and the lands that are the subject of the by-law.
2. Subsection 37 (5), as it read on the day before the effective date, continues to apply with respect to the by-law and the lands that are the subject of the by-law, except that the reference to a special account in that subsection shall be read as a reference to the special account referred to in subsection 37 (45).
3. The development or redevelopment of the lands that are the subject of the by-law described in the repealed subsection 37 (1) is not subject to a community benefits charge by-law passed under section 37.

Non-application of subs. (3)

(4) Subsection (3) does not apply with respect to the lands that are the subject of a by-law described in the repealed subsection 37 (1) if, on or after the applicable date described in subsection (5), the by-law,

- (a) is amended to remove any requirement to provide facilities, services or matters that was included under subsection 37 (1), as it read on the day before the effective date; or
- (b) is repealed.

Applicable date

(5) The applicable date referred to in subsections (2), (3) and (4) is the earlier of,

- (a) the day the municipality passes a community benefits charge by-law under subsection 37 (2); and
- (b) the specified date for the purposes of section 9.1 of the *Development Charges Act, 1997*.

2 (1) The definition of “effective date” in subsection 42 (0.1) of the Act is amended by striking out “the day subsection 28 (1) of the *Smart Growth for Our Communities Act, 2015* comes into force” and substituting “July 1, 2016”.

(2) Section 42 of the Act is amended by adding the following subsection:

Commencement of by-law

(2) A by-law passed under this section comes into force on the day it is passed or the day specified in the by-law, whichever is later.

(3) Section 42 of the Act is amended by adding the following subsection:

Consultation

(3.1) Before passing a by-law under this section that provides for the alternative requirement authorized by subsection (3), the municipality shall consult with such persons and public bodies as the municipality considers appropriate.

(4) Section 42 of the Act is amended by adding the following subsections:

Application, subss. (4.5) to (4.24)

(4.4) Subsections (4.5) to (4.24) apply in respect of a by-law passed under this section or an amendment to such a by-law only if the by-law or amendment provides for the alternative requirement authorized by subsection (3).

Notice of by-law and time for appeal

(4.5) The clerk of a municipality that has passed a by-law under this section shall give written notice of the passing of the by-law, and of the last day for appealing the by-law, which shall be the day that is 40 days after the day the by-law is passed.

Requirements of notice

(4.6) Notices required under subsection (4.5) must meet the prescribed requirements and shall be given in accordance with the regulations.

Same

(4.7) Every notice required under subsection (4.5) must be given not later than 20 days after the day the by-law is passed.

When notice given

(4.8) A notice required under subsection (4.5) is deemed to have been given on the prescribed day.

Appeal of by-law after passed

(4.9) Any person or public body may appeal a by-law passed under this section to the Tribunal by filing with the clerk of the municipality, on or before the last day for appealing the by-law, a notice of appeal setting out the objection to the by-law and the reasons supporting the objection.

Clerk's duty on appeal

(4.10) If the clerk of the municipality receives a notice of appeal on or before the last day for appealing a by-law passed under this section, the clerk shall compile a record that includes,

- (a) a copy of the by-law certified by the clerk;
- (b) a copy of the parks plan referred to in subsection (4.1), if one exists;
- (c) an affidavit or declaration certifying that notice of the passing of the by-law and of the last day for appealing it was given in accordance with this Act; and
- (d) the original or a true copy of all written submissions and material received in respect of the by-law before it was passed.

Same

(4.11) The clerk shall forward a copy of the notice of appeal and the record to the Tribunal within 30 days after the last day for appealing the by-law and shall provide such other information or material as the Tribunal may require in respect of the appeal.

Affidavit, declaration conclusive evidence

(4.12) An affidavit or declaration of the clerk of a municipality that notice of the passing of the by-law and of the last day for appealing it was given in accordance with this Act is conclusive evidence of the facts stated in the affidavit or declaration.

L.P.A.T. hearing of appeal

(4.13) The Tribunal shall hold a hearing to deal with any notice of appeal of a by-law passed under this section forwarded by the clerk of a municipality.

Notice

(4.14) The Tribunal shall determine who shall be given notice of the hearing and in what manner.

Powers of L.P.A.T.

(4.15) After the hearing, the Tribunal may,

- (a) dismiss the appeal in whole or in part;
- (b) order the council of the municipality to amend the by-law as it relates to a requirement under subsection (3) or (6.0.1) in accordance with the Tribunal's order; or
- (c) amend the by-law as it relates to a requirement under subsection (3) or (6.0.1) in such manner as the Tribunal may determine.

Limitation on powers

(4.16) The Tribunal may not amend or order the amendment of a by-law so as to,

- (a) increase the amount of parkland that will be required to be conveyed or payment in lieu that will be required to be paid in any particular case;
- (b) add or remove, or reduce the scope of, an exemption provided in the by-law; or
- (c) change the date, if any, the by-law will expire.

Dismissal without hearing

(4.17) Despite subsection (4.13), the Tribunal may, where it is of the opinion that the objection to the by-law set out in the notice of appeal is insufficient, dismiss the appeal without holding a full hearing after notifying the appellant and giving the appellant an opportunity to make representations as to the merits of the appeal.

When L.P.A.T. ordered amendments effective

(4.18) The amendment of a by-law passed under this section by the Tribunal, or by the council of a municipality pursuant to an order of the Tribunal, is deemed to have come into force on the day the by-law came into force.

Refunds if L.P.A.T. amends by-law, orders amendment

(4.19) If the Tribunal amends a by-law passed under this section or orders the council of a municipality to amend a by-law passed under this section, the municipality shall refund,

- (a) in the case of a development or redevelopment that was subject to a requirement to convey land but not a requirement for a payment in lieu, the difference between the value of the land that was conveyed and the value of the land required to be conveyed under the by-law as amended;
- (b) in the case of a development or redevelopment that was subject to a requirement for a payment in lieu but not a requirement to convey land, the difference between the payment in lieu that was paid and the payment in lieu required under the by-law as amended; or
- (c) in the case of a development or redevelopment that was subject both to a requirement for a payment in lieu and to a requirement to convey land,
 - (i) if the amount of land that was conveyed is greater than or equal to the amount of land required to be conveyed under the by-law as amended, the payment in lieu and the difference between the value of the land that was conveyed and the value of the land required to be conveyed under the by-law as amended, or
 - (ii) if the amount of land that was conveyed is less than the amount of land required to be conveyed under the by-law as amended, the difference between the payment in lieu that was paid and the payment in lieu required under the by-law as amended.

When refund due

(4.20) If a municipality is required to make a refund under subsection (4.19), it shall do so,

- (a) if the Tribunal amends the by-law, within 30 days after the Tribunal's order; or
- (b) if the Tribunal orders the council of the municipality to amend the by-law, within 30 days after the amendment by the council.

Interest

(4.21) The municipality shall pay interest on an amount it refunds, at a rate not less than the prescribed minimum interest rate, from the day the amount was paid to the municipality or, where land was required to be conveyed, the day the building permit was issued in respect of the development or redevelopment, to the day the amount is refunded.

Same, more than one building permit

(4.22) If more than one building permit was required for the development or redevelopment in respect of which an amount is being refunded, the municipality shall pay interest, at a rate not less than the prescribed minimum interest rate, from the day the first permit was issued for the development or redevelopment to the day the amount is refunded.

Application of specified provisions to by-law amendments

(4.23) Subsections (2), (3.1) and (4.5) to (4.22) apply, with necessary modifications, to an amendment to a by-law passed under this section other than an amendment by, or pursuant to an order of, the Tribunal.

Limitation of L.P.A.T. powers

(4.24) In an appeal of an amendment to a by-law passed under this section, the Tribunal may exercise its powers only in relation to the amendment.

Non-application

(4.25) For greater certainty, subsections (3.1) and (4.5) to (4.24) do not apply to a by-law passed under this section or an amendment to a by-law passed under this section before the day subsection 2 (5) of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020* comes into force.

Transition, expiry of by-law

(4.26) A by-law passed under this section that is in force on the day subsection 2 (5) of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020* comes into force and that provides for the alternative requirement authorized by subsection (3) expires on the specified date for the purposes of section 9.1 of the *Development Charges Act, 1997* unless it is repealed earlier.

(5) Subsection 42 (6.4) of the Act is amended by adding “(4.19)” before “(6)”.

(6) Section 42 of the Act is amended by adding the following subsections:

Same, refund following appeal if by-law is amended

(10.1) In the event of a dispute between a municipality and an owner of land as to the value of land for the purposes of subsection (4.19),

- (a) the municipality shall pay the owner the amount it considers to be owed under that subsection in accordance with subsection (4.20); and
- (b) the owner shall, no later than 30 days after receiving payment, apply to the Tribunal to have the value determined for the purpose of that subsection.

Same

(10.2) An owner of land who applies to the Tribunal under subsection (10.1) shall give notice of the application to the municipality within 15 days after the application is made.

Same

(10.3) On an application under subsection (10.1), the Tribunal shall, in accordance as nearly as may be with the *Expropriations Act*, determine the value of the land.

3 Section 47 of the Act is amended by adding the following subsections:

Interpretation, “specified land”

(4.1) In subsections (4.3) to (4.16),

“specified land” means land other than land in the Greenbelt Area within the meaning of the *Greenbelt Act, 2005*.

Exclusion of land in Greenbelt Area

(4.2) For greater certainty, the land in the Greenbelt Area that is excluded from the definition of “specified land” in subsection (4.1) is the area of land designated under clause 2 (1) (a) of the *Greenbelt Act, 2005* which, pursuant to subsection 2 (2) of that Act, includes,

- (a) the areas covered by the Oak Ridges Moraine Conservation Plan established under section 3 of the *Oak Ridges Moraine Conservation Act, 2001*;
- (b) the areas covered by the Niagara Escarpment Plan established under section 3 of the *Niagara Escarpment Planning and Development Act*; and
- (c) such areas of land as may be described in the regulations made under the *Greenbelt Act, 2005*.

Site plan control and inclusionary zoning, specified land

(4.3) The Minister may, in an order made under clause (1) (a) that applies to specified land,

- (a) provide that section 41 of this Act and section 114 of the *City of Toronto Act, 2006* do not apply in respect of all or a specified part of the specified land described in the order;
- (b) require that a person who owns all or any part of the specified land described in the order enter into one or more agreements with a municipality in which all or part of the specified land is situate dealing with some or all of the matters listed in subsection (4.4); and
- (c) exercise any of the powers conferred on councils by subsections 35.2 (1) and (2) in respect of all or a specified part of the specified land described in the order.

Matters that may be dealt with in agreement

(4.4) The matters referred to in clause (4.3) (b) are the following, subject to subsection (4.6):

- I. A requirement that any development, within the meaning of subsection 41 (1), on all or a specified part of the specified land described in the order be undertaken in accordance with,
 - i. plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works as may be required by a condition imposed under paragraph 2, including facilities designed to have regard for accessibility for persons with disabilities, and
 - ii. drawings showing plan, elevation and cross-section views for each building to be erected, except a building to be used for residential purposes containing fewer than 25 dwelling units, which drawings are sufficient to display,
 - A. the massing and conceptual design of the proposed building,

- B. the relationship of the proposed building to adjacent buildings, streets and exterior areas to which members of the public have access,
 - C. the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings,
 - D. matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design,
 - E. matters relating to exterior access to each building that will contain affordable housing units or to any part of such a building, but only to the extent that it is a matter of exterior design,
 - F. the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities, and
 - G. facilities designed to have regard for accessibility for persons with disabilities.
2. Anything that may be imposed as a condition by a municipality under subsection 41 (7) of this Act or subsection 114 (11) of the *City of Toronto Act, 2006*.
 3. Anything that may be imposed as a condition by an upper-tier municipality under subsection 41 (8).

Same, Minister's direction

(4.5) If an order made under clause (1) (a) includes a requirement described in clause (4.3) (b) to enter into an agreement, the Minister may, at any time before or after the agreement has been entered into, provide the parties with written direction concerning the agreement.

Contents of Minister's direction

(4.6) Without limiting the generality of subsection (4.5), the Minister's direction may,

- (a) provide that one or more of the matters listed in subsection (4.4) shall not be dealt with in an agreement; or
- (b) specify how any matter listed in subsection (4.4) shall be addressed in an agreement.

Compliance with Minister's direction

(4.7) The parties that are required under clause (4.3) (b) to enter into an agreement shall ensure that,

- (a) if the Minister gives direction under subsection (4.5) before the agreement is entered into, the agreement complies with the direction; and
- (b) if the Minister gives direction under subsection (4.5) after the agreement is entered into, the agreement is amended to comply with the direction.

Effect of non-compliance

(4.8) A provision of an agreement entered into pursuant to a requirement described in clause (4.3) (b) is of no effect to the extent that it does not comply with a direction the Minister gives under subsection (4.5).

Same, timing of Minister's direction

(4.9) Subsection (4.8) applies whether the Minister's direction is given before or after the agreement has been entered into.

Non-application of *Legislation Act, 2006*, Part III

(4.10) Part III (Regulations) of the *Legislation Act, 2006* does not apply to a direction given by the Minister under subsection (4.5).

Restriction on matters in subs. (4.4), par. 1

(4.11) The following matters relating to buildings described in subparagraph 1 ii of subsection (4.4) shall not be dealt with in an agreement entered into pursuant to a requirement described in clause (4.3) (b):

1. The interior design.
2. The layout of interior areas, excluding interior walkways, stairs, elevators and escalators referred to in sub-subparagraph 1 ii C of subsection (4.4).
3. The manner of construction and construction standards.

Enforceability of agreement

(4.12) If an agreement is entered into between the owner of land and a municipality in accordance with a requirement described in clause (4.3) (b),

- (a) the agreement may be registered against the land to which it applies; and

- (b) the municipality may enforce the agreement against the owner and, subject to the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land.

Inclusionary zoning policies

(4.13) If an order is made under clause (1) (a) in which the Minister exercises a power described in clause (4.3) (c), the Minister may do one or both of the following:

1. Require that any owner of lands, buildings or structures that are to be developed or redeveloped under the order and the municipality in which all or part of the specified land is situate enter into one or more agreements dealing with any or all of the matters mentioned in clauses 35.2 (2) (a) to (h) and ensuring continued compliance with the matters dealt with in the agreement.
2. Require that any owner of lands, buildings or structures that are to be developed or redeveloped under the order enter into one or more agreements with the Minister dealing with any or all of the matters mentioned in clauses 35.2 (2) (a) to (h) and ensuring continued compliance with the matters dealt with in the agreement.

Same

(4.14) An order containing a requirement described in paragraph 1 of subsection (4.13) is deemed to be a by-law passed by the council of the relevant local municipality for the purposes of subsections 35.2 (3) to (9) and a municipality that is a party to an agreement mentioned in that paragraph shall take the steps required under those subsections.

Same

(4.15) If an agreement is entered into in accordance with a requirement described in subsection (4.13),

- (a) the agreement may be registered against the land to which it applies; and
- (b) the Minister may enforce the agreement against the owner and, subject to the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land.

Same

(4.16) An order made under clause (1) (a) in which the Minister exercises a power described in clause (4.3) (c) applies regardless of whether the official plan in effect in the relevant local municipality contains policies described in subsection 16 (4).

Exception re notice — order exercising powers under subs. (4.3)

(9.1) Subsection (9) does not apply with respect to an order under clause (1) (a) if, in the order, the Minister has exercised any of the powers in subsection (4.3).

4 The definition of “effective date” in subsection 51.1 (0.1) of the Act is amended by striking out “the day subsection 32 (1) of the *Smart Growth for Our Communities Act, 2015* comes into force” and substituting “July 1, 2016”.

5 Paragraph 24.1 of section 70.1 of the Act is repealed and the following substituted:

- 24.1 prescribing types of development or redevelopment for the purposes of subsection 37 (4);
- 24.1.1 prescribing requirements for the purposes of clause 37 (9) (b);
- 24.1.2 prescribing the percentage referred to in subsection 37 (32) to be applied to the value of land;
- 24.1.3 prescribing time periods for the purposes of clause 37 (33) (b) and subsections 37 (35) and (39);

AMENDMENTS TO OTHER ACTS

More Homes, More Choice Act, 2019

6 Sections 9 and 10, subsections 12 (1) to (8), 15 (1) to (5) and (7) and 17 (1) and (5) of Schedule 12 to the *More Homes, More Choice Act, 2019* are repealed.

Plan to Build Ontario Together Act, 2019

7 Schedule 31 to the *Plan to Build Ontario Together Act, 2019* is repealed.

COMMENCEMENT

Commencement

8 (1) Subject to subsection (2), this Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(2) Sections 1, 2, 4 and 5 come into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 18
PROVINCIAL OFFENCES ACT**

1 The French version of the definition of “police officer” in subsection 1 (1) of the *Provincial Offences Act* is amended by striking out “constables spéciaux” and substituting “agents spéciaux”.

2 (1) Clause 5 (2) (b) of the Act is amended by striking out “in the manner provided in the offence notice” at the end and substituting “by mail or in any other manner specified in the offence notice”.

(2) Subsection 5 (2) of the Act, as amended by subsection (1), is amended by striking out “If the offence notice includes a part with a notice of intention to appear, the defendant” at the beginning and substituting “The defendant”.

(3) Subsection 5 (3) of the Act is repealed.

(4) Section 5 of the Act is amended by adding the following subsection:

Exception

(3.1) Despite subsection (3), the requirements of that subsection may be met without personal attendance by delivering the notice of intention to appear to the court office specified in the offence notice by mail or by any other method permitted by the court office, if the offence notice was served,

- (a) on or after the day subsection 2 (4) of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* comes into force; or
- (b) before the day subsection 2 (4) of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* comes into force, unless, before that day, the defendant,
 - (i) gave notice of intention to appear under this section, requested a meeting with the prosecutor in accordance with section 5.1 or pleaded guilty under section 7 or 8, or
 - (ii) was convicted under subsection 9 (2).

(5) Subsection 5 (3.1) of the Act, as enacted by subsection (4), is repealed.

(6) Subsection 5 (4) of the Act is repealed and the following substituted:

Specified court office

(4) A notice of intention to appear is not valid unless it is given to the court office specified on the offence notice.

(7) Subsection 5 (5) of the Act is amended by striking out “under subsection (2) or (3)” and substituting “under this section”.

3 (1) Subsections 5.1 (1) and (2) of the Act are repealed and the following substituted:

Availability of meeting procedure

(1) This section applies if the offence notice indicates that an option of a meeting with the prosecutor to discuss the resolution of the offence is available.

Requesting a meeting

(2) A defendant may, instead of giving notice of intention to appear under section 5, request a meeting with the prosecutor to discuss the resolution of the offence if, within 15 days after being served with the offence notice, the defendant,

- (a) indicates the request on the offence notice; and
- (b) delivers the offence notice to the court office specified in the offence notice by mail or in any other manner specified in the offence notice.

Specified court office

(2.1) An offence notice is not valid unless it is delivered to the court office specified in the offence notice.

(2) Subsection 5.1 (2) of the Act, as re-enacted by section 3 of Schedule 35 to the *Stronger, Fairer Ontario Act (Budget Measures), 2017*, is amended by striking out “Instead of filing the notice of intention to appear” at the beginning and substituting “Instead of giving notice of intention to appear under section 5”.

(3) The French version of subsection 5.1 (3) of the Act is amended by striking out “dès que possible” and substituting “dès que matériellement possible”.

(4) Subsection 5.1 (3) of the Act, as re-enacted by section 3 of Schedule 35 to the *Stronger, Fairer Ontario Act (Budget Measures), 2017*, is amended by striking out the portion before clause (a) and substituting the following:

Types of early resolution meetings

(3) The defendant may request to attend the early resolution meeting,

.

(5) Clause 5.1 (3) (a) of the Act, as re-enacted by section 3 of Schedule 35 to the *Stronger, Fairer Ontario Act (Budget Measures), 2017*, is amended by adding “at the court office” at the end.

(6) The French version of subsection 5.1 (5) of the Act is amended by striking out “dès que possible” and substituting “dès que matériellement possible”.

(7) Subsection 5.1 (6) of the Act is amended by striking out “if unable to attend in person because of remoteness”.

(8) The French version of subsections 5.1 (10) and (11) of the Act is amended by striking out “dès que possible” wherever it appears and substituting in each case “dès que matériellement possible”.

(9) Section 5.1 of the Act is amended by adding the following subsections:

Transition

(13) This section applies to a defendant served with an offence notice before the day subsection 3 (1) of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* came into force, unless, before that day, the defendant,

- (a) gave notice of intention to appear under section 5, requested and attended a meeting with the prosecutor in accordance with this section or pleaded guilty under section 8; or
- (b) was convicted under subsection 9 (2).

Same

(14) Despite subsection (13), if the defendant requested a meeting with the prosecutor before the day referred to in that subsection and the meeting was not held but was scheduled before that day, this section applies to the defendant only if permitted by the clerk of the court.

(10) Subsections 5.1 (13) and (14) of the Act, as enacted by subsection (9), are repealed.

4 (1) Subsection 11 (2) of the Act is amended by adding “or on other evidence or information” after “if satisfied by affidavit of the defendant”.

(2) Subsection 11 (2) of the Act, as re-enacted by section 6 of Schedule 35 to the *Stronger, Fairer Ontario Act (Budget Measures), 2017*, is amended by adding “or on other evidence or information” after “if satisfied by affidavit of the defendant” in the portion before clause (a).

(3) Clauses 11 (3) (a) and (b) of the Act are repealed and the following substituted:

- (a) proceed under section 7, if the offence notice does not indicate that the option of a meeting under section 5.1 is available and the defendant wishes to proceed under section 7;
- (b) direct the clerk of the court to give notice to the defendant and the prosecutor of the time and place of their meeting under section 5.1, if the offence notice indicates that the option of a meeting under that section is available and the defendant wishes to proceed under that section; or

5 (1) Subsections 17.1 (1) and (3) of the Act are repealed and the following substituted:

Alternative to s. 17

(1) This section applies if the parking infraction notice allows for the defendant to make an appointment to discuss the parking infraction notice and, if applicable, file the notice of intention to appear.

Filing

(3) A defendant who is served with a parking infraction notice may give notice of intention to appear in court for the purpose of entering a plea and having a trial of the matter by filing a notice of intention to appear with a person designated by the regulations,

- (a) in person at the time or times specified in the parking infraction notice;
- (b) by mail; or
- (c) in any other manner specified in the parking infraction notice.

(2) Section 17.1 of the Act is amended by adding the following subsection:

Exception

(3.1) Despite subsection (3), the requirements of that subsection may be met without personal attendance by delivering the notice of intention to appear to the place specified in the parking infraction notice by mail or in any other method permitted by the applicable municipality, if the parking infraction notice was served,

- (a) on or after the day subsection 5 (2) of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* comes into force; or

- (b) before the day subsection 5 (2) of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* comes into force, unless, before that day, the defendant,
 - (i) delivered a notice of intention to appear under this section or section 18.1.1 or paid the fine, or
 - (ii) was convicted under subsection 18.2 (6).

(3) Subsection 17.1 (3.1) of the Act, as enacted by subsection (2), is repealed.

6 (1) Subsections 18.1.1 (1) and (3) of the Act are repealed and the following substituted:

Alternative to s. 18.1

(1) This section applies if the notice of impending conviction allows for the defendant to make an appointment to discuss the notice of impending conviction and, if applicable, file the notice of intention to appear.

Filing

(3) A defendant who receives a notice of impending conviction may give notice of intention to appear in court for the purpose of entering a plea and having a trial of the matter by filing a notice of intention to appear with a person designated by the regulations,

- (a) in person at the time or times specified in the notice of impending conviction;
- (b) by mail; or
- (c) in any other manner specified in the notice of impending conviction.

(2) Section 18.1.1 of the Act is amended by adding the following subsection:

Exception

(3.1) Despite subsection (3), the requirements of that subsection may be met without personal attendance by delivering the notice of intention to appear to the place specified in the notice of impending conviction by mail or in any other method permitted by the applicable municipality, if the notice of impending conviction was received,

- (a) on or after the day subsection 6 (2) of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* comes into force; or
- (b) before the day subsection 6 (2) of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* comes into force, unless, before that day, the defendant,
 - (i) delivered a notice of intention to appear under this section or section 17.1 or paid the fine, or
 - (ii) was convicted under subsection 18.2 (6).

(3) Subsection 18.1.1 (3.1) of the Act, as enacted by subsection (2), is repealed.

7 Subsection 19 (2) of the Act is amended by striking out “or otherwise” and substituting “or on other evidence or information”.

8 (1) Subsection 26 (2) of the Act is repealed and the following substituted:

Service

- (2) A summons shall be served by a provincial offences officer,
 - (a) by delivering it personally to the person to whom it is directed or, if that person cannot conveniently be found, by leaving it for the person at the person’s last known or usual place of residence with an individual who appears to be at least sixteen years of age and resident at the same address; or
 - (b) in any other manner permitted by the regulations.

(2) Section 26 of the Act is amended by adding the following subsection:

Regulations

(7) The Lieutenant Governor in Council may make regulations specifying how a summons may be served on a person for the purposes of clause (2) (b), and setting out when such service is deemed to have been effected.

9 Section 45 of the Act is amended by adding the following subsection:

Same, participation by electronic method

(3.1) If the defendant is making a plea by electronic method under section 83.1, the court may accept a plea of guilty only if, in addition to subsection (3), the court is satisfied that,

- (a) the defendant does not believe that the defendant’s ability to conduct a defence is compromised by participating by electronic method; and

- (b) the defendant is not being unduly influenced in making the plea by circumstances or persons at the location where the defendant is physically located.

10 Subsection 76.1 (1) of the Act is amended by adding “or the rules of court” after “under this Act”.

11 Section 83.1 of the Act is repealed and the following substituted:

Participation in proceedings by electronic method

83.1 (1) In this section,

“electronic method” means video conference, audio conference, telephone conference or other method determined by the regulations.

Same

(2) Subject to this section, in any proceeding under this Act or any step in a proceeding under this Act, any person, including a defendant, a prosecutor, a witness, an interpreter, a justice or the clerk of the court, may participate by an electronic method made available by the court office.

Excepted proceedings, circumstances

(3) Subsection (2) does not apply with respect to proceedings or steps in a proceeding, or in circumstances, that are specified by the regulations.

Requirement to appear in person

(4) A justice may order a person to appear in person if the justice is satisfied that the interests of justice require it or it is necessary for a fair trial.

Same

(5) In making a determination under subsection (4), the justice shall consider any factors set out in the regulations.

Direction re method

(6) A justice may, subject to subsection (7), by order specify which of available electronic methods must or may be used.

Limitation re methods

(7) The electronic method that may be used in a proceeding or step in a proceeding is subject to any limitations specified by the regulations as to which electronic methods may be used in the proceeding or step.

Duties of the clerk

(8) If an offence notice indicates that the option of a meeting under section 5.1 is available, the clerk of the court at the court office indicated in the offence notice shall ensure that the court office has the means available to allow a defendant or prosecutor to attend by electronic method.

Oaths

(9) If evidence is given under oath by electronic method, the oath may be administered by the same electronic method.

Interpretation

(10) A provision of this Act, the regulations or the rules of court that presumes that participation would be in person shall not be read as limiting the application of this section, and shall be read in a manner consistent with this section.

Territorial jurisdiction

(11) A hearing in a proceeding by electronic method under this section is deemed to meet the requirements of subsections 29 (1) and (2) regardless of where a justice is physically located during the hearing.

Application in appeals

(12) This section applies, with necessary modifications, with respect to appeals under Part VII, and, for the purpose, references in this section to a court and to a justice shall be read as including reference to a court and to a judge respectively, as those terms are defined for the purposes of that Part.

Transition

(13) This section applies with respect to a proceeding whether it was commenced before, on or after the day section 11 of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* came into force.

Regulations

(14) The Lieutenant Governor in Council may make regulations.

- (a) respecting anything that, in this section, may or must be done by regulation;

- (b) requiring the payment of fees for using electronic methods, fixing the amounts of the fees, and specifying circumstances in which and conditions under which a justice or another person designated in the regulations may waive the payment of a fee.

12 The French version of section 89 of the Act is amended by striking out “introduite” and substituting “accomplie”.

13 Subsection 141 (2) of the Act is amended by striking out “file with the Superior Court of Justice for use on the application, all material concerning the subject-matter of the application” at the end and substituting “ensure that all material concerning the subject-matter of the application is filed with the Superior Court of Justice for use on the application”.

14 (1) Subsection 158.1 (1) of the Act is repealed and the following substituted:

Electronic warrants

Submission of information

(1) A provincial offences officer may submit an information on oath, by a means of electronic communication that produces a writing, to a justice designated for the purpose by the Chief Justice of the Ontario Court of Justice.

(2) Clause 158.1 (4) (a) of the Act is repealed.

(3) Subsection 158.1 (6) of the Act is amended by adding “and” at the end of clause (a) and by striking out clause (b).

(4) Clause 158.1 (8) (b) of the Act is amended by striking out “telecommunication” and substituting “electronic communication”.

15 The French version of the following provisions of the Act is amended by striking out “à sa face même” wherever it appears and substituting in each case “à première vue”:

1. Clauses 9 (2) (a) and (b) and subsection 9 (3).
2. Subsection 9.1 (2).
3. Clause 18.2 (2) (a).
4. Subsection 18.4 (2).
5. Subsection 36 (1).

16 The French version of the following provisions of the Act is amended by striking out “à sa face” wherever it appears and substituting in each case “à première vue”:

1. Subsection 18.3 (1).
2. Subsection 18.3 (2).

Stronger, Fairer Ontario Act (Budget Measures), 2017

17 Sections 2 and 16 of Schedule 35 to the *Stronger, Fairer Ontario Act (Budget Measures), 2017* are repealed.

Commencement

18 (1) Subject to subsections (2) to (5), this Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(2) Subsections 2 (2), (3) and (5) and 3 (10) come into force on the first anniversary of the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(3) Subsections 5 (1) and (3) and 6 (1) and (3) come into force on a day to be named by proclamation of the Lieutenant Governor.

(4) Subsections 3 (2), (4) and (5) come into force on the later of the day section 3 of Schedule 35 to the *Stronger, Fairer Ontario Act (Budget Measures), 2017* comes into force and the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(5) Subsection 4 (2) comes into force on the later of the day section 6 of Schedule 35 to the *Stronger, Fairer Ontario Act (Budget Measures), 2017* comes into force and the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 19
PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT**

1 The *Public Transportation and Highway Improvement Act* is amended by adding the following sections:

No hearings of necessity

11.1 (1) Subsections 6 (2) to (5), section 7 and subsections 8 (1) and (2) of the *Expropriations Act* do not apply to an expropriation of land under section 11.

Transition

(2) If a decision under subsection 8 (2) of the *Expropriations Act* has not been made in respect of an intended expropriation of land under section 11 before the day section 1 of Schedule 19 of the *COVID-19 Economic Recovery Act, 2020* comes into force,

- (a) no hearing shall be held on the matter under section 7 of the *Expropriations Act*;
- (b) any hearing on the matter that has been commenced is deemed to be terminated on the day section 1 of Schedule 19 of the *COVID-19 Economic Recovery Act, 2020* comes into force; and
- (c) no report on the matter shall be given under subsection 7 (6) of the *Expropriations Act*.

This section prevails

(3) This section applies despite subsection 2 (4) of the *Expropriations Act*.

Alternative process

11.2 (1) The Minister may establish a process for receiving comments from property owners about a proposed expropriation under section 11 and for considering those comments.

How process established

(2) The Minister may make regulations establishing the process or may establish the process by another means.

Statutory Powers Procedure Act

(3) The *Statutory Powers Procedure Act* does not apply to a process for receiving and considering comments about a proposed expropriation under this section.

Commencement

2 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 20
TRANSIT-ORIENTED COMMUNITIES ACT, 2020**

Definitions

1 In this Act,

“Minister” means the Minister of Transportation or such other member of the Executive Council to whom responsibility for the administration of this Act is assigned or transferred under the *Executive Council Act*; (“ministre”)

“priority transit project” means,

- (a) the line known as the Ontario Line located in the City of Toronto,
- (b) the subway extension known as the Scarborough Subway Extension, and also known as the Line 2 East Extension, located in the City of Toronto,
- (c) the subway extension known as the Yonge Subway Extension, and also known as the Yonge North Subway Extension, extending from within the City of Toronto to within the Regional Municipality of York, or
- (d) the light rail transit extension known as the Eglinton Crosstown West Extension extending westward from within the City of Toronto at the station known as Mount Dennis; (“projet de transport en commun prioritaire”)

“transit-oriented community project” means a development project of any nature or kind and for any usage in connection with the construction or operation of a station that is part of a priority transit project, and includes a development project located on transit corridor land within the meaning of Bill 171 (*Building Transit Faster Act, 2020*), introduced on February 18, 2020. (“projet communautaire axé sur le transport en commun”)

Designation of transit-oriented community land

2 (1) The Lieutenant Governor in Council may, by order in council, designate land as transit-oriented community land if, in the opinion of the Lieutenant Governor in Council, it is or may be required to support a transit-oriented community project.

Public notice

(2) The Minister shall publish notice of each designation made under subsection (1) on a Government of Ontario website.

Expropriations, no hearings of necessity

3 (1) Subsections 6 (2) to (5), section 7 and subsections 8 (1) and (2) of the *Expropriations Act* do not apply to an expropriation of land, within the meaning of that Act, if,

- (a) at least some part of the land is designated under subsection 2 (1) as transit-oriented community land; and
- (b) the expropriation is for a transit-oriented community project.

Conflict

(2) Subsection (1) applies despite subsection 2 (4) of the *Expropriations Act*.

Process for comments

(3) The Minister may establish a process for receiving comments from property owners about a proposed expropriation and for considering those comments.

Same, regulations

(4) The Minister may make regulations establishing a process described in subsection (3).

Statutory Powers Procedure Act

(5) The *Statutory Powers and Procedure Act* does not apply to a process for receiving and considering comments about a proposed expropriation established under subsection (3) or by regulations made under subsection (4).

AMENDMENTS TO OTHER ACTS**Ministry of Infrastructure Act, 2011**

4 (1) The *Ministry of Infrastructure Act, 2011* is amended by adding the following section:

Investing in a transit-oriented community project

7.1 (1) The Minister may, subject to the approval of the Lieutenant Governor in Council, establish, acquire, manage, participate in or otherwise deal with corporations, partnerships, joint ventures or other entities for the purpose of investing assets in, supporting or developing transit-oriented community projects related to priority transit projects.

Borrowing and risk management

(2) When acting under subsection (1), the Minister may borrow or manage financial risks as long as,

- (a) the Minister of Finance has, in writing, approved the borrowing or management; and
- (b) the Ontario Financing Authority co-ordinates and arranges the borrowing or management, unless otherwise agreed to in writing by the Minister of Finance.

Investment policy

(3) The Minister shall ensure that every entity referred to in subsection (1) invests any funds that it receives either directly or indirectly from the Minister in accordance with an investment policy that has been approved in writing by the Minister of Finance.

Regulations

(4) The Lieutenant Governor in Council may make regulations,

- (a) prescribing and governing any additional powers that the Minister may require in order to carry out the activities set out in subsection (1);
- (b) prescribing and governing any limitations to permitted activities for the purposes of subsection (1);
- (c) prescribing provisions of the *Corporations Act*, *Business Corporations Act* and *Corporations Information Act* that apply or do not apply to any particular corporation referred to in subsection (1) and, in the case of provisions prescribed as applying, prescribing such modifications of those provisions as the Lieutenant Governor in Council considers necessary or advisable;
- (d) providing that an entity referred to in subsection (1) is or is not a Crown agent;
- (e) prescribing and respecting the governance structure, purposes, powers or duties for a partnership, joint venture or other entity referred to in subsection (1) that is not a corporation;
- (f) respecting any other matter that the Lieutenant Governor in Council considers necessary or advisable for the purposes of this section, including to ensure that an entity referred to in subsection (1) may effectively carry out its purposes, powers and duties.

Definitions

(5) In this section,

“priority transit project” and “transit-oriented community project” have the same meaning as in the *Transit-Oriented Communities Act, 2020*.

(2) Subsection 19 (2) of the Act is amended by adding the following paragraph:

2.1 Section 7.1.

COMMENCEMENT AND SHORT TITLE**Commencement**

5 (1) If Bill 171 (*Building Transit Faster Act, 2020*), introduced on February 18, 2020, receives Royal Assent, the Act set out in this Schedule comes into force on the later of,

(a) the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent; and

(b) the day Bill 171 receives Royal Assent.

(2) The Act set out in this Schedule does not come into force if Bill 171 does not receive Royal Assent.

Short title

6 The short title of the Act set out in this Schedule is the *Transit-Oriented Communities Act, 2020*.

Denise Holmes

From: Minister, MECP (MECP) <Minister.MECP@ontario.ca>
Sent: Wednesday, July 8, 2020 7:11 PM
To: Denise Holmes
Subject: Letter from the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks regarding Environmental Assessment modernization

Good evening,

I am writing to inform you about the Ministry of the Environment, Conservation and Parks next steps in our government's Made-in-Ontario Environment Plan commitment to build an environmental assessment (EA) program that ensures strong environmental oversight and a strong economy.

The current process for environmental assessments is slow and ineffective. It can take up to six years for some projects, slowing down important infrastructure projects that help Ontario communities, such as installing electricity infrastructure. Even projects subject to a streamlined process, such as new roads and bridges, can be further delayed by administrative burden, impacting the timely construction of basic infrastructure.

That's why, last year our government released a [discussion paper](https://prod-environmental-registry.s3.amazonaws.com/2019-04/EA%20Discussion%20Paper.pdf) (<https://prod-environmental-registry.s3.amazonaws.com/2019-04/EA%20Discussion%20Paper.pdf>) outlining the challenges with our current framework and introducing our vision for a modernized EA program, as the first step in our plan to update the nearly 50-year-old *Environmental Assessment Act* (EAA).

As we committed in our Made-in-Ontario Environment Plan, we want to improve the environmental assessment program by eliminating duplication and reducing delays on projects that matter most to Ontario communities. To start, we amended the EAA through the *More Homes, More Choice Act, 2019* to exempt low-impact projects, such as constructing roadside parks and adding bike lanes from requiring an environmental assessment. Projects like these are routine activities that have benefits to communities but little to no environmental impacts.

As part of our government's proposed COVID-19 Economic Recovery Act, we are now proposing to move forward with the next phase of environmental assessment modernization, to further reduce delays and focus our resources on projects with a higher potential for environmental impacts so that we can help communities get important infrastructure projects built faster, while maintaining strong environmental oversight.

Building infrastructure projects faster, including transit and highways, will help boost Ontario's economic recovery, create thousands of jobs, put more opportunities within the reach of businesses, create more affordable housing, and ensure a higher standard of living in every community across the province.

The proposal includes the items outlined below:

Proposed amendments to the *Environmental Assessment Act* (EAA)

Through the COVID-19 Economic Recovery Act, our government has proposed amendments to the EAA, which allow us to move forward with our next phase of our modernization plans, while at the

same time supporting the government economic recovery goals by making it possible for us to find efficiencies in the environmental assessment process of important public works.

The legislation would allow us, through subsequent regulations and proclamations, to allow online submissions, reduce the average time by half for the largest projects and match the potential environmental impact of a project to the level of study required.

The proposed changes are aimed at getting important infrastructure projects built faster, while maintaining strong environmental oversight by focusing on projects that have the most potential to impact the environment.

We posted an information notice on the environmental registry to provide information about the proposed legislative changes to the EAA that will be proceeding through the legislative process. Please refer to <https://ero.ontario.ca/notice/019-2051> for more information.

Amendments to Class Environmental Assessments (Class EAs)

My ministry is also seeking input on proposed amendments to 8 Class EAs. These proposed changes would support our modernization initiative as they would exempt low-impact projects from the requirements of the *Environmental Assessment Act*, eliminate duplication and find efficiencies in the planning process. This would speed up projects that are important to communities, such as erosion, repair, or remediation initiatives, or important upgrades to machinery such as waterpower generators.

My ministry is seeking input on these proposed amendments during a **45-day** comment period, closing on **August 22, 2020**. Details of this proposal may be found at <https://ero.ontario.ca/notice/019-1712>.

Exempting Regulations

In addition, my ministry is also proposing regulatory exemptions from the *Environmental Assessment Act* to eliminate duplication and reduce delays for projects and activities related to Indigenous land claim settlements and other agreements with Indigenous communities dealing with land, projects within provincial parks and conservation reserves, and select highway projects being planned by the Ministry of Transportation. Some of these projects and activities are already subject to other legislation or planning processes that would provide the appropriate level of assessment and consultation. Other projects may be exempted from the EAA but would still be subject to conditions such as requirements to post notifications or undertake technical studies as appropriate.

My ministry is seeking input on these proposed amendments during a **45-day** comment period, closing on **August 22, 2020**.

For details of the proposal regarding land claim settlement activities and other agreements with Indigenous communities dealing with land, please refer to <https://ero.ontario.ca/notice/019-1805>.

For details of the proposal regarding projects in provincial parks and conservation reserves please refer to <https://ero.ontario.ca/notice/019-1804>.

For details of the proposals for select Ministry of Transportation projects, please refer to <https://ero.ontario.ca/notice/019-1882> and <https://ero.ontario.ca/notice/019-1883>.

Information about the proposed Class EA amendments can be found on the environmental registry. We ask that you submit any comments that you may have through the instructions provided, and by the deadlines listed above.

Should you have questions about any of the proposals, you can contact us at EAmmodernization.MECP@ontario.ca.

We look forward to your suggestions and comments on our modernization initiatives.

Sincerely,

Jeff Yurek
Minister of the Environment, Conservation and Parks

Denise Holmes

From: Caroline Mach <forestmanager@dufferinmuseum.com>
Sent: Friday, June 12, 2020 2:15 PM
To: Caroline Mach
Subject: Dufferin County Forest Operating Plan Review

During 2020, the County of Dufferin is developing a new five-year operating plan for the 1,066 hectare (2,636 acre) Dufferin County Forest. The County Forest is made up of fourteen tracts located throughout Dufferin County, the largest of which is the 607 hectare (1,501 acre) Main Tract located north of the hamlet of Mansfield.

The operating plan will guide the use and management of the Dufferin County Forest over the next five years (2021-2026) to ensure the health and viability of this important community resource.

You can find more information and the relevant documents [here](#) and [here](#).

Any feedback regarding the draft plan should be made in writing to the office below, through the Feedback tab at www.DufferinCounty.ca, or through www.JoinInDufferin.com prior to **September 30, 2020**.

Thank you
Caroline

Caroline Mach, R.P.F. | County Forest Manager | Public Works Department | County of Dufferin
519-941-1114 ext. 4011 | forestmanager@dufferinmuseum.com | 936029 Airport Rd., Mulmur, ON L9V 0L3
Usual office hours are Tuesday-Saturday 9-5.

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⚠ Notice to Residents Duf

DUFFERIN COUNTY (/) > SERVICES (/SERVICES) > FOREST (/SERVICES/FOREST) > DUFFERIN COUNTY FOREST OPERATING PLAN REVIEW

Dufferin County Forest Operating Plan Review

During 2020, the County of Dufferin is developing a new five-year operating plan for the 1,066 hectare (2,636 acre) Dufferin County Forest. The County Forest is made up of fourteen tracts located throughout Dufferin County (https://www.dufferincounty.ca/sites/default/files/forest/FOREST_TRACTS_2018.pdf), the largest of which is the 607 hectare (1,501 acre) Main Tract (<https://www.dufferincounty.ca/sites/default/files/forest/main%20tract%20trail%20map.pdf>) located north of the hamlet of Mansfield.



The operating plan will guide the use and management of the Dufferin County Forest over the next five years (2021-2026) to ensure the health and viability of this important community resource.

Learn About Proposed Activities

CK-OR-GENERAL-INQUIRY-COU

The draft plan is available here (<https://www.dufferincounty.ca/sites/default/files/forest/2021-2026-draft-operating-plan.pdf>). You can submit your comments using this form ([https://www.dufferincounty.ca/sites/default/files/forest/Comment Sheet Fillable.pdf](https://www.dufferincounty.ca/sites/default/files/forest/Comment%20Sheet%20Fillable.pdf)) if you wish. (/index.php/)

Due to the COVID-19 pandemic, we are not currently planning on holding open houses as part of the review process. You are welcome to contact County staff (<mailto:forestmanager@dufferinmuseum.com>) to discuss the draft plan. If you require a hard copy of the draft plan for your review, please contact us (<mailto:forestmanager@dufferinmuseum.com>) so that we can accommodate your request.

Click here (<http://eepurl.com/RtadP>) to be added to our electronic mailing list.

Have Your Say

Any feedback regarding the draft plan should be made in writing directly to the County Forest Manager (<mailto:forestmanager@dufferinmuseum.com>), through the Feedback tab at www.DufferinCounty.ca (www.DufferinCounty.ca), or through www.JoinInDufferin.com (<https://joinindufferin.com/county-forest-operating-plan>) prior to **September 30, 2020**.

The feedback received will be considered in the development of the final operating plan which will be released in the fall of 2020.

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- Local Municipalities (/index.php/explore-county#local-municipalities)
- Mapping (<https://dufferincounty.maps.arcgis.com/home/in>)

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Climate Change (/index.php/climatechange)

Careers (/index.php/government/careers)

Weed Control & Nuisance Wildlife (/index.php/business-government#weed-control-amp-nuisance-wildlife)

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Offices (/index.php/contact#offices)

Key Contacts (/index.php/contact#key-contacts)

Feedback & General Inquiries (/index.php/form-centre/do-you-have-feedback-or-general-inquiry-county-dufferin)

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Home » Dufferin County Forest Operating Plan Review

Key Dates

June 2020

Draft Plan Completion and Release for Feedback

September 30 2020

Deadline for Draft Plan Feedback

August 31 is the deadline to submit written comments on the draft operating plan. Complete the survey, or send your comments by e-mail or postal mail.

October 2020

Presentation of Final Plan to County Council/Infrastructure & Environmental Services Committee

November 2020

Release of Final Plan (after County Council Approval)

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Our Forest, Our Future:
Dufferin County Forest Operating Plan
2021-2026



draft

EXECUTIVE SUMMARY

The Dufferin County Forest is a 1,066 hectare (2,636 acre) multi-tract forested area owned and managed by the County of Dufferin. The Forest serves important functions in terms of erosion and water control, natural heritage protection, biodiversity, wildlife habitat, recreational opportunities, and support of the rural economy through timber production and employment opportunities.

Our Forest, Our Future: Dufferin County Forest Management Plan 2016-2036 was approved by County Council on March 10, 2016. The recreational use policy for the County Forest was approved on May 11, 2017. This five year operating plan (2021-2026) outlines how environmental, economic, and social sustainability will be achieved for the Dufferin County Forest over the next five years, building on the County's strategies as outlined in the twenty-year management plan (2016-2036).

The goal of the twenty-year management plan is: *To protect the quality and integrity of ecosystems in the Dufferin County Forest, including air, water, land and biota; and, where quality and integrity have been diminished, to encourage restoration or remediation to healthy conditions; while providing a variety of social and economic benefits to the public.*

In order to achieve this goal, the following key actions will be taken in each of the three areas of sustainability during the period of this operating plan:

Environmental Sustainability

- ❖ provide proper environmental conditions for wild life;
- ❖ protect against floods and erosion;
- ❖ maintain natural forest characteristics as much as possible and;
- ❖ protect the Forest from the threats of invasive species and climate change by improving overall forest health and by maintaining, and, where possible, increasing, biodiversity.

Economic Sustainability

- ❖ maintain sustainable levels of timber harvesting throughout the planning period;
- ❖ seek forest certification to increase the demand for timber products from the County Forest and;
- ❖ continue to develop alternative revenue streams that will not compromise environmental sustainability.

Social Sustainability

- ❖ continue to work with the Friends of the Dufferin County Forest on the implementation of on-the-ground activities in the Forest;
- ❖ continue to gain input into management of the Forest from the Dufferin County Forest Advisory Team;
- ❖ maintain an active relationship with users and other stakeholders;
- ❖ promote the benefits of forest protection/conservation;
- ❖ continue to inform residents of Dufferin County, in particular, youth, about the County Forest and;
- ❖ continue to update and implement the recreational use policy that was approved on May 11, 2017.

draft

TABLE OF CONTENTS

1.0 INTRODUCTION	9
2.0 CURRENT RESOURCES OF THE DUFFERIN COUNTY FOREST	10
2.1 Forest Inventory.....	15
Regeneration.....	16
Understorey Vegetation	16
2.2 Wildlife	16
2.3 High Conservation Value Forests	17
2.4 Forest Health	18
Evaluation of Insect and Disease Populations	18
Alien Invasive Plants.....	18
Abiotic Factors	19
Wildfires and Prescribed Burns	19
Access Restriction.....	19
2.5 Ecosystem Services	19
2.6 Aggregates	20
2.7 Recreation	21
2.8 Public Relations and Education	24
2.9 Research.....	26
3.0 OUR FOREST, OUR FUTURE: DUFFERIN COUNTY FOREST OPERATING PLAN 2021-2026 ...	26
3.1 Goal	26
3.2 Land Use	26
Natural Forest	27
Managed Forest	27
Recreation Forest.....	27
3.3 Environmental Sustainability.....	28
Sustainable Timber Harvesting.....	28
Pre-Harvest Silvicultural Prescriptions.....	29
White-Tailed Deer Winter Concentration Areas.....	29

High Conservation Value Forests.....	30
Evaluation of Insect and Disease Populations	30
Red Pine Decline.....	30
Oak Wilt	31
Emerald Ash Borer	31
Alien Invasive Plants.....	32
Wildfires and Prescribed Burns	33
Soil Erosion.....	33
Climate Change	33
Ecosystem Services	37
3.4 Economic Sustainability	38
Forest Certification.....	38
Financial Stability	38
Property Assessment, Acquisition and Disposition.....	38
3.5 Social Sustainability.....	41
Recreational Use of the County Forest Policy	41
Friends of the Dufferin County Forest (FDCF).....	41
Dufferin County Forest Advisory Team (DCFAT).....	41
Access Restriction.....	42
Human Health.....	42
Signs	42
Information Products	42
Presentations, Schools, Walks, and Tours	43
Conifer Plantation Thinning Demonstration Area	43
Interpretive Trails	43
Cultural Heritage Resources	43
Researchers.....	43
4.0 MONITORING.....	43
4.1 Environmental Sustainability.....	44
Cut Inspections	44
Forest Inventory.....	44
4.2 Economic Sustainability	45
4.3 Social Sustainability.....	45
5.0 REPORTING	46
6.0 THE FUTURE OF THE PLANNING PROCESS.....	46

APPENDIX A: GLOSSARY	47
APPENDIX B: ACRONYMS & INITIALISMS	53
APPENDIX C: SPECIES ABBREVIATIONS	53
APPENDIX D: CONVERSION FACTORS	54
APPENDIX E: COUNTY FOREST BY-LAW 2017-39 CONSOLIDATED VERSION	54
APPENDIX F: RELATED MUNICIPAL POLICIES AND BY-LAWS	80
APPENDIX G: RELATED PROVINCIAL POLICIES AND LEGISLATION	80
APPENDIX H: REFERENCES	80

LIST OF TABLES

Table 1: Tracts of the Dufferin County Forest.....	12
Table 2: Summary of Estimated Production Forest Area and Volume, Dufferin County Forest.....	15
Table 3: Annual Harvest Area and Volume 2000-2019.....	15
Table 4: High Conservation Value Forests in the Dufferin County Forest.....	17
Table 5: Alien Invasive Plants Present in the Dufferin County Forest.....	18
Table 6: Predicted Presence of Tree Species in Dufferin County Under Various Climate Change Scenarios.....	36
Table 7: Aggregate Resources in the Dufferin County Forest.....	21
Table 8: Ecosystem Service Values for Tracts of the Dufferin County Forest.....	20
Table 9: Land Use Classes for Dufferin County Forest Tracts.....	27
Table 10: Sustainable Timber Management Area Projections by Planning Period for all Forest Types 2014-2053.....	29
Table 11: Proposed Selection Harvesting 2021-2026.....	29
Table 12: Natural Heritage and Socio-Economic Assessment of Dufferin County Forest Properties	40

LIST OF FIGURES

Figure 1: Tracts of the Dufferin County Forest.....	11
Figure 2: Kiosk at Main Tract Parking Lot.....	21
Figure 3: Main Tract Wayfinding Sign.....	22
Figure 4: Forest Use Permits (Hunting) Issued for the Dufferin County Forest 1999 to 2018-19.....	23
Figure 5: Main Tract Interpretive Trail Brochure.....	24
Figure 6: Driving Tour Brochure.....	25

1.0 INTRODUCTION

This operating plan applies to the Dufferin County Forest, a 1,066 ha (2,636 acre) multi-tract forested area owned and managed by the County of Dufferin. The Forest serves important functions in terms of erosion and water control, natural heritage protection, biodiversity, wildlife habitat, recreational opportunities, and support of the rural economy through timber production and employment opportunities.

From the first purchase of property in 1930 until 1991, the Forest was managed on behalf of the County by what is now the Ministry of Natural Resources and Forestry (MNR). This relationship was governed by twenty-year agreements made under the *Forestry Act*. In 1991, the most recent of these agreements expired. This fact, combined with changes to the MNR's private land forestry policy, resulted in the development of a new management plan for the Forest in which the County took the lead role, assisted by MNR. Dufferin was the first County in Ontario to take the lead in developing a management plan for its forest properties. The process to develop the plan started in earnest in July, 1994 with the hiring of a Forest Management Plan Author. Less than one year later, on June 8, 1995, Dufferin County Council approved the final draft of the plan. Throughout the process, there was participation from the MNR, a Forest Advisory Team, and the general public, all of whom provided valuable input and comments.

In 1995, the County took over the control and co-ordination of all activities having to do with the Dufferin County Forest. In order to fulfill this new role, Dufferin hired a County Forest Manager, the first County in Ontario to do so.

In 2005, the Dufferin County Forest celebrated its 75th anniversary.

In 2013, work began on a new twenty-year forest management plan, as the 1995-2015 plan was nearing expiration. Preparatory activities conducted in 2013 included a forest inventory, user surveys (online and on-site), mailing to forest property neighbours and users regarding management plan development, random household survey, and an initial meeting of the Forest Plan Advisory Team. In 2014, work continued with the development of a draft management plan, meetings of the Forest Plan Advisory Team, public open houses, and a public comment period. At its October session, County Council deferred further action on the forest management plan and the associated recreation policy to the new Council.

During 2015 work continued on the development of a new twenty-year forest management plan and associated recreation policy. Early in the year, the Forest Operation Review Committee was established in order to consider the County's forest operation at a high level. The Committee met three times, moving quickly from a high level review of the County Forest operation to a review of an updated draft of the twenty-year forest management plan. Once the forest management plan was approved by County Council, the Committee proceeded to the development of the associated recreation policy.

The long-term forest management plan, *Our Forest, Our Future: Dufferin County Forest Management Plan 2016-2036*, was approved by County Council on March 10, 2016. The Recreational Use Policy was passed by County Council on May 11, 2017. The associated by-law (2017-39) was passed by County Council on September 14, 2017. The by-law has since undergone several updates, the most

recent version is in Appendix E.

This five year operating plan (2021-2026) outlines how environmental, economic, and social sustainability will be achieved for the Dufferin County Forest over the next five years, building on the County's strategies as outlined in the twenty-year management plan (2016-2036).

2.0 CURRENT RESOURCES OF THE DUFFERIN COUNTY FOREST

The Dufferin County Forest is a former agreement forest of 1,066 hectares (2,636 acres). The forest is divided into fourteen tracts located in all of Dufferin's rural municipalities: Amaranth, East Garafraxa, Grand Valley, Melancthon, Mono, and Mulmur. The largest single area is the Main Tract (607 hectares, 1,501 acres) in Mulmur Township. Figure 1 shows the location of the individual tracts within Dufferin County. Table 1 describes the significant characteristics of the Dufferin County Forest on a tract-by-tract basis.

draft

Figure 1: Tracts of the Dufferin County Forest

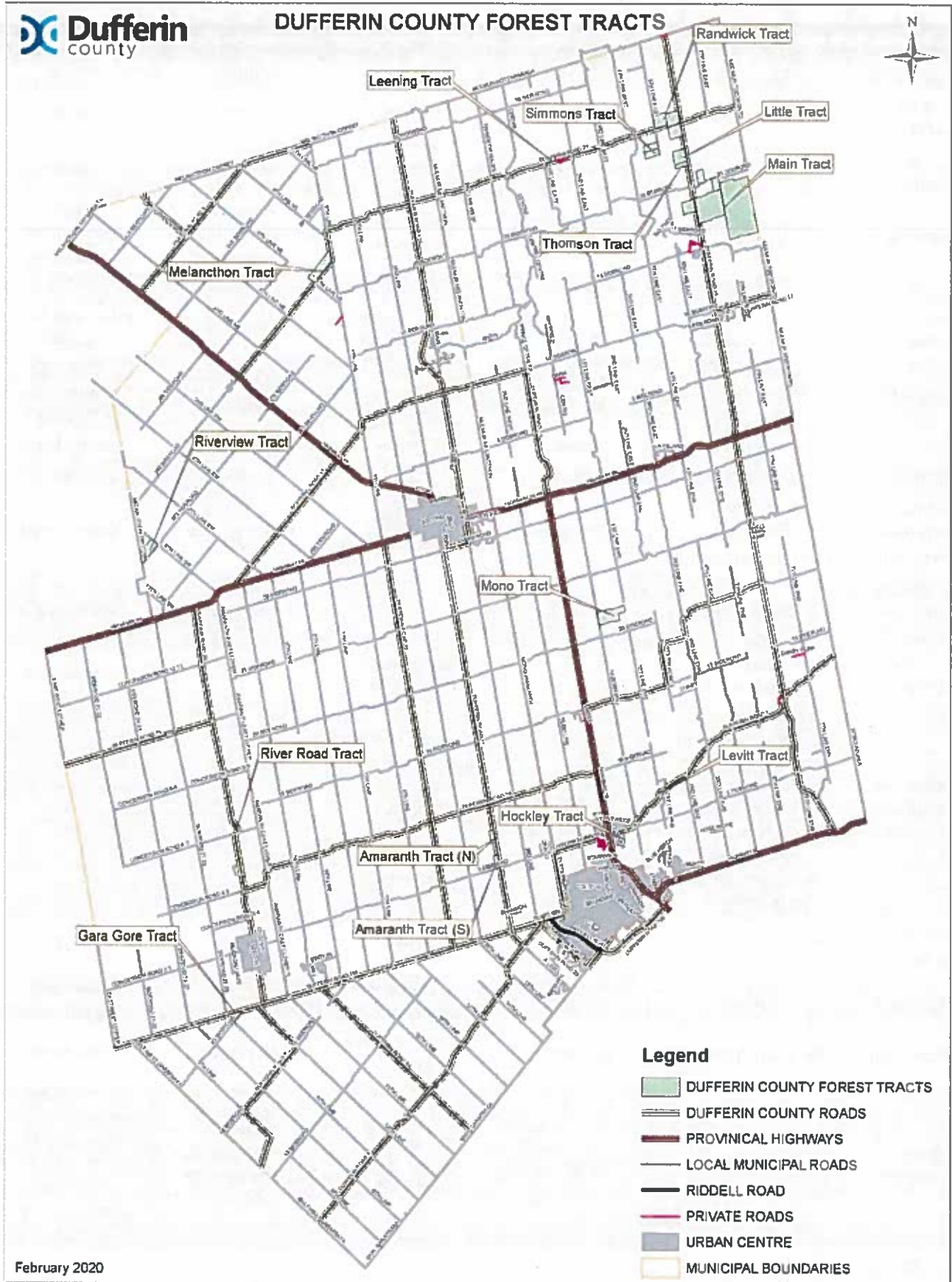


Table 1: Tracts of the Dufferin County Forest

Tract	Amaranth North/South	Gara Gore	Hockley	Leening	Levitt
Municipality	Amaranth	East Garafraxa	Mono	Mulmur	Mono
Area (ha/acres)	24/59	15/37	20/51	8/20	4/10
Year Acquired	1940	1934	1976	1976	2010
Zoning	environmental protection	environmental protection	environmental protection	Niagara Escarpment Rural Area	Niagara Escarpment Natural Area
C.A.	NVCA	GRCA	NVCA	NVCA	NVCA
Parent Material	---/ loess or alluvium over loam till	loam and silt loam till	loess or alluvium over loam till	glacial till	esker and kame gravel
Topography	smooth basin/ smooth very gently sloping	smooth gently sloping	smooth moderately sloping	irregular steeply sloping	irregular moderately sloping
Soil Type	---/fine sandy loam	loam	silt loam	loamy	sandy loam
Drainage	---/imperfect	good	good	good	good
Primary Overstorey Covertypes	Laurel Wetland Complex/ tolerant hardwoods	white spruce	Orangeville Wetland Complex	white spruce	white cedar
Secondary Overstorey Covertypes	---/white spruce	---	---	white pine	hard maple
Invasive Plant Species	---/European buckthorn	---	European buckthorn	---	periwinkle
Known Wildlife Species	snapping turtle, muskrat, raccoon, beaver, mink, fox, coyote, white-tailed deer, colonial waterbirds, pied- billed grebe, northern harrier, mink frog/---	---	muskrat, beaver, mink, fox, coyote, raccoon, waterfowl, various amphibians and reptiles	---	---
Cistern(s)/ Fire Pond(s)	0/0	0/0	0/0	0/0	0/0
Aggregate	other	other	secondary significance	other	tertiary significance
Recreation	few trails/few trails	few trails	one interpretive trail	few trails	few trails
Special Features	wetland/---	---	significant woodland, wetland	activities restricted as stipulated by donor	activities restricted as stipulated by donor, SAR, deer winter concentration area

--- insufficient data

Table 1: Tracts of the Dufferin County Forest (continued)

Tract	Little	Main	Melancthon	Mono	Randwick
Municipality	Mulmur	Mulmur	Melancthon	Mono	Mulmur
Area (ha/acres)	44/109	607/1,501	59/146	71/175	117/289
Year Acquired	1972-1973	1930-1963	1945	1942, 1963	1940-1944
Zoning	open space	open space	open space conservation/ general agricultural	open space	open space
C.A.	NVCA	NVCA	GRCA	NVCA	NVCA
Parent Material	outwash sand	outwash sand-sandy loam till	esker and kame gravel	outwash fine sand	outwash sand
Topography	smooth very gently sloping	irregular very steeply sloping	smooth basin/ irregular steeply sloping	irregular moderately sloping	smooth very gently sloping
Soil Type	loam sand	loam sand-sandy loam	sandy loam	sandy loam	loam sand
Drainage	good	good	good	good	good
Primary Overstorey Covertypes	mixedwood	red pine	Melancthon 1 Wetland Complex	red pine	red pine
Secondary Overstorey Covertypes	---	red oak	white spruce	tolerant hardwoods	tolerant hardwoods
Invasive Plant Species	Scots pine	autumn olive, dog-strangling vine, European buckthorn, garlic mustard, Norway maple, Scots pine	garlic mustard	dog-strangling vine, garlic mustard	dog-strangling vine, garlic mustard, Scots pine
Known Wildlife Species	white-tailed deer, wild turkey, small mammals	white-tailed deer, ruffed grouse, wild turkey, fox, porcupine, racoon, small mammals	bullfrogs, muskrat, racoon, beaver, white-tailed deer, colonial waterbirds	white-tailed deer, wild turkey, small mammals	white-tailed deer, wild turkey, small mammals
Cistern(s)/ Fire Pond(s)	0/0	0/0	0/1	0/0	0/2
Aggregate	tertiary significance	tertiary significance	primary significance	tertiary significance	tertiary significance
Recreation	one interpretive trail	extensive trail system, one interpretive trail	two trails	extensive trail system	extensive trail system
Special Features	significant woodland, creek	significant woodland, ANSI, Pine River floodplain, deer winter concentration area, SAR, linkage	significant woodland, wetland, deer winter concentration area	significant woodland, linkage	SAR, significant woodland, wetland, shoreline

--- insufficient data

Table 1: Tracts of the Dufferin County Forest (continued)

Tract	River Road	Riverview	Simmons	Thomson
Municipality	Grand Valley	Melancthon	Mulmur	Mulmur
Area (ha/acres)	5/12	40/99	40/99	12/29
Year Acquired	1963	1949	1967-1968	2018
Zoning	environmental protection	open space conservation/ general agricultural	open space	countryside area/environmental protection for creek
C.A.	GRCA	GRCA	NVCA	NVCA
Parent Material	fine sandy loam material over outwash gravel	loam till	outwash sand	outwash sand
Topography	smooth very gently sloping	smooth level/smooth gently sloping	smooth very gently sloping	smooth very gently sloping
Soil Type	fine sandy loam	loam	loam sand	loam sand
Drainage	good	poor/good	good	good
Primary Overstorey Covertypes	red pine	Melancthon 2 Wetland Complex	red pine	white spruce
Secondary Overstorey Covertypes	---	white pine	white pine	mixedwood
Invasive Plant Species	---	---	Scots pine	Scots pine
Known Wildlife Species	---	bullfrogs, muskrat, racoon, ruffed grouse, waterfowl, small game	white-tailed deer, wild turkey, small mammals	---
Cistern(s)/ Fire Pond(s)	0/0	0/1	0/0	0/0
Aggregate	other	tertiary significance	tertiary significance	tertiary significance
Recreation	no trails	two trails	extensive trail system	no trails
Special Features	---	significant woodland, wetland	significant woodland	creek

--- insufficient data

2.1 Forest Inventory

The most recent inventory of the Dufferin County Forest was conducted in 2013. A summary of the estimated production forest¹ area and volume is shown in Table 2.

Table 2: Summary of Estimated Production Forest Area and Volume, Dufferin County Forest

Working Group	Area (ha)	% of Total Area	Volume (m ³)	% of Total Volume
Red Pine	328	37	73,202	48
Red Oak	218	25	24,951	16
Mixedwood	112	13	19,342	13
White Pine	90	10	15,928	10
Hard Maple	77	9	7,843	5
White Spruce	55	6	10,928	7
Bottomland	7	0.8	1,196	0.8
Total	887	100.8¹	153,390	99.8¹

¹Totals are not equal to 100 due to rounding.

Due to the overall relatively low volume of wood that is removed from the Dufferin County Forest annually, there are no mills that depend on it for a significant portion of their supply. The thinning of red pine plantations produces pulpwood, sawlogs, and poles. Hardwood sawlogs and fuelwood are supplied through improvement harvests in the hardwood stands. The standing trees are sold on a tender basis. Buyers of standing timber from the Dufferin County Forest have come from all over Ontario. Table 3 shows the annual harvest area and volume 2000-2019.

Table 3: Annual Harvest Area and Volume 2000-2019

Year	Area Harvested (ha)	Volume Harvested (m ³)
2000	28.8	1,094
2001	43.3	2,010
2002	30.0	1,540
2003	34.0	1,469
2004	31.0	1,744
2005	28.0	1,409
2006	35.0	972
2007	47.0	1,911
2008	60.0	2,235
2009	58.0	2,436
2010	36.0	1,308
2011	20.0	1,237
2012	33.0	1,322
2013	32.0	3,170
2014	18.0	421
2015	38.0	1,344
2016	63.0	4,333
2017	48.0	2,157

¹ Production forest: all productive forest land managed primarily for human benefit, unless otherwise reassigned.

Year	Area Harvested (ha)	Volume Harvested (m ³)
2018	29.0	1,958
2019	0 ¹	0 ¹
Average	35.6	1,704

¹ Due to unforeseen circumstances, there were no timber sales in 2019.

Regeneration

Regeneration is the term used to describe young trees with a DBH (diameter at breast height) of 6-8 cm. Trees taller than breast height (1.3 m) are classed as advanced regeneration, trees less than breast height are classed as early regeneration. The quantity and species of regeneration depends mainly on the shade tolerance of the species forming the overstorey. Species which are shade intolerant (e.g. red pine, poplar) regenerate with great difficulty under their own canopy. The understorey in these stands will be limited or will be formed by more shade tolerant species such as maple or ash. Shade tolerant species will usually regenerate under their own canopy.

In the Dufferin County Forest, most regeneration is hard (sugar) maple (*Acer saccharum*), white ash (*Fraxinus americana*), white pine (*Pinus strobus*), ironwood (*Ostrya virginiana*), red maple (*Acer rubrum*), and beech (*Fagus grandifolia*). Early red oak (*Quercus rubra*) regeneration occurs in some areas where there is red oak in the overstorey.

Ninety-two percent of the forest area has advanced regeneration. The lack of regeneration on 8% of the forest may be caused by high overstorey density, lack of a seed source for species that would normally grow in the understorey, or otherwise inhospitable site conditions for regeneration.

Understorey Vegetation

Besides regeneration, most forest stands have some shrubs, plants, mosses, and grasses and sedges in the undestorey. The species and amount of these varies with the site type, stand history, and current stand structure. The most common plants in the undestorey are: maple-leaved viburnum, red osier dogwood, raspberry, bracken fern, Canada mayflower, sarsaparilla, mosses, and grasses.

2.2 Wildlife

Animals which are present in the Dufferin County Forest include: white-tailed deer, ruffed grouse, wild turkeys, woodcocks, Canada geese, mallards, wood ducks, pheasants, snapping turtles, muskrats, raccoons, beavers, mink, coyotes, foxes, porcupines, cottontail rabbits and various small mammals. Not all of these species exist on all of the tracts, as some are associated with wetland habitat types (e.g. snapping turtle), while others are associated with upland types. The main wildlife species known to be associated with each tract can be found in Table 1.

The Ministry of Agriculture and Food lists a number of shrubs in its *Farm Forestry and Habitat Management* guide that are important for many different wildlife species. Of those, Virginia creeper, wild grape, red osier dogwood, alternate-leaved dogwood, elderberry, staghorn sumac, and wild apple are known to exist in the Dufferin County Forest.

The Ministry of Natural Resources and Forestry, which is responsible for wildlife management in

Ontario, does not collect census data for the wildlife species in the Dufferin County Forest. Wildlife management is based on a habitat management approach, i.e. the forest is managed for different habitat types rather than being directly managed for different wildlife species. The Dufferin County Forest currently includes the following habitat types: non-treed wetlands, treed wetlands/bottomland conifers, bottomland hardwoods, creeks, ponds, mixedwoods, upland tolerant hardwoods, upland oak, and conifer plantations.

Deer winter concentration areas are important for the survival of white-tailed deer over the winter. Generally speaking, these areas provide conifer cover which intercepts snow, allowing deer to move around with lower energy losses. The “core” of a deer yard is that portion of the yard where use by deer is highest during winters that are severe. The Levitt, Main, and Melancthon Tracts are part of identified deer winter concentration areas. The Hockley, Leening, and Mono Tracts are adjacent to identified deer winter concentration areas.

Habitat types other than those listed above which are adjacent to the Dufferin County Forest include cultivated fields, meadows, river valleys, stream corridors, and small woodlands.

2.3 High Conservation Value Forests

In the Dufferin County Forest, there are a number of high conservation value forests that require special attention in the planning process. These can be grouped as follows: evaluated wetlands; old growth forest; Areas of Natural and Scientific Interest (ANSIs); species at risk habitat; and critical fish habitat. The County has determined that the Little Tract is an area of developing old growth forest. The wetland and ANSI designations have been determined by the Ministry of Natural Resources and Forestry. The Leening and Levitt Tracts, which have restrictions on their use through the terms of donation, are also within the Niagara Escarpment Plan Area. A summary of the high conservation value forests is shown in Table 4; the values are described in more detail in the twenty-year forest management plan.

Table 4: High Conservation Value Forests in the Dufferin County Forest

Tract (Compartments)	Working Group	Area (ha)	Conservation Value
Amaranth (42a), Laurel Wetland Complex	Mr	12	provincially significant wetland
Amaranth (43b, 43c), Farmington Swamp	hardwoods	10	locally significant wetland
Hockley, Orangeville Wetland Complex	Ce, Po	20	provincially significant wetland
Leening	Po, Pw, Sw	8	Niagara Escarpment Rural Area; donor restrictions
Levitt	Ce	4	Niagara Escarpment Natural Area; donor restrictions
Little	mixedwood	44	developing old growth
Main (11, 20a, 21b, 23c, 24a, 25a, 26-30, 31a, 31d), Oak Ridges South Slope Forest	Or	266	life science ANSI
Main (31b, 31c)	Po	24	locally significant wetland

Tract (Compartments)	Working Group	Area (ha)	Conservation Value
Melancthon (33a, 33c, 33d, 34a, 35a), Melancthon 1	Ce	48	provincially significant wetland
Randwick (4d), Walker's Creek Wetland	Ce	2	locally significant wetland
Riverview (37a, 38c, 38d), Melancthon 2	Po	13	locally significant wetland
Total		451	

2.4 Forest Health

The health of the forest is impacted by numerous factors, many of which are a natural part of the forest ecosystem. Overall, the Dufferin County Forest is in good health. Increasing forest diversity and promoting vigorous growth will strive to maintain the healthy condition in the face of some notable threats, both biotic and abiotic.

Evaluation of Insect and Disease Populations

Insects and diseases are monitored by the MNR's Forest Health Technicians, the Canadian Food Inspection Agency, and County Forest staff. Specifically, emerald ash borer, Asian long-horned beetle, Sirex woodwasp, gypsy moth, beech bark disease, butternut canker, and red pine decline are of primary concern. Red pine decline is a complex of issues, the remaining are alien invasive species and therefore have the potential to cause a great deal of harm due to lack of native parasites and predators and the ability to take over ecological niches occupied by native species. Other than Asian long-horned beetle, emerald ash borer, and Sirex woodwasp these are all known to be in the Dufferin County Forest. Emerald ash borer has been detected in Dufferin County, but is not confirmed to be present in the County Forest.

Alien Invasive Plants

Alien invasive plants have great potential to alter the ecology of the terrestrial habitats of the Dufferin County Forest. Since the Dufferin County Forest does not contain a significant number of watercourses, aquatic invasive species are of lesser concern. The invasive species recorded in the 2013 forest inventory were Manitoba maple, European buckthorn, and garlic mustard; none in extensive amounts. During the summer of 2015, the trails in the most-visited tracts – Hockley, Little, Main, Mono, and Randwick - were surveyed for dog-strangling vine (*Vincetoxicum rossicum* and *V. nigrum*). One small patch was found, in the Mono Tract. Since then, dog-strangling vine has been found in one location at the Main Tract and one location at the Randwick Tract. Table 5 shows the known presence of the higher risk alien invasive plants in the tracts of the Dufferin County Forest.

Table 5: Higher Risk Alien Invasive Plants Present in the Dufferin County Forest

Tract	Autumn Olive	Dog-Strangling Vine	European Buckthorn	Garlic Mustard	Japanese Knotweed	Norway Maple	Periwinkle	Scots Pine
Amaranth North								
Amaranth South			X					

Tract	Autumn Olive	Dog-Strangling Vine	European Buckthorn	Garlic Mustard	Japanese Knotweed	Norway Maple	Periwinkle	Scots Pine
Gara Gore								
Hockley			X					
Leening								
Levitt							X	
Little								X
Main	X	X	X	X		X		X
Melancthon				X				
Mono		X		X				
Randwick		X		X				X
River Road								
Riverview								
Simmons								X
Thomson								X

Abiotic Factors

Abiotic factors (fire, extreme weather) can also have a significant impact on forest health, and these are expected to increase with climate change.

Wildfires and Prescribed Burns

In order to reduce the potential for wildfires, the County has maintained the fire ponds at the Melancthon, Riverview, and Randwick (two) tracts that were established by MNRF; equipped all tracts with signs indicating the rural address (emergency number) and “In case of emergency, call 9-1-1.”; and made it illegal through the County Forest by-law (2017-39 as amended) to have campfires in the Forest.

Access Restriction

The main entrances at all of the tracts have been gated to reduce unauthorized vehicular access and the related activities of dumping, illegal removal of wood, partying, soil erosion, and introduction of invasive plant species.

2.5 Ecosystem Services

Ecosystem services are benefits that flow to society from nature. These benefits include such things as: decomposition of and detoxification of human wastes, carbon sequestration, erosion prevention, water holding capacity, pollution absorption, and the improvement of physical and mental health.

Ecosystem services are being given monetary value so that more of the benefits and values of natural areas are explicitly taken into account when making decisions that impact those natural areas. To date, these mostly include decisions about future development and compensating landowners who voluntarily conserve and/or enhance ecosystem services on their properties. Measuring more of the ecosystem services explicitly allows us to better assess the potential impact of our decisions on ecosystem health.

In 2009, the MNRF commissioned a report titled *Estimation of Ecosystem Service Values for Southern Ontario*. The study took into consideration a number of ecosystem values, including recreation,

aesthetic/amenity, other cultural services, pollination and seed dispersal, habitat refuge and biodiversity, atmospheric regulation, soil retention and erosion control, water quality maintenance and nutrient/waste regulation, water supply and regulation, and disturbance avoidance².

As the MNR was willing to provide the County with the dataset used to produce the report, ecosystem service values for the tracts of the Dufferin County Forest were determined. The tracts with wetlands were rated the highest, namely Amaranth and Hockley. Ecosystem service values for all of the tracts are shown in Table 6. Ecosystem service values were taken into consideration when designating the High Conservation Value Forests.

Table 6: Ecosystem Service Values for Tracts of the Dufferin County Forest

Tract	Natural Heritage	Estimated Ecosystem Service Value \$/year
Amaranth	provincially significant wetland	\$2.1 million - \$5.7 million
Gara-Gore	n/a	\$132,000 - \$330,000
Hockley	significant woodland, provincially significant wetland	\$1.8 million - \$4.8 million
Leening	Niagara Escarpment Rural Area	\$44,000 - \$105,600
Levitt	SAR, Niagara Escarpment Natural Area, deer winter concentration area	\$35,200 - \$88,000
Little	significant woodland, creek	\$96,800 - \$193,600
Main	significant woodland, ANSI, Pine River floodplain, deer winter concentration area, SAR, linkage	\$1.3 million - \$2.7 million
Melancthon	significant woodland, provincially significant wetland, deer winter concentration area	\$519,200 - \$1.3 million
Mono	significant woodland, linkage	\$156,200 - \$312,400
Randwick	SAR, significant woodland, wetland, creek	\$257,400 - \$514,800
River Road	n/a	\$11,000 - \$22,000
Riverview	significant woodland, locally significant wetland	\$220,000 - \$528,000
Simmons	significant woodland	\$88,000 - \$176,000
Thomson	creek	\$30,000-\$60,000

2.6 Aggregates

Aggregate extraction will not occur in the current operating plan period (2021-2026). Such activity conflicts with the other environmental and resource management objectives of this plan, as it would necessitate removal of the forest cover and alteration of the landscape. However, the County will assess the aggregate resources on all newly acquired forest properties in order to maintain a current database of all resources associated with the Dufferin County Forest. Table 7 summarizes the aggregate resources present in the Dufferin County Forest, compiled from the *Aggregate*

² Disturbance avoidance is the ability of natural environments to shield humans and their infrastructure from extreme weather events such as high winds and floods.

resources inventory of Dufferin County, southern Ontario; Ontario Geological Survey, Aggregate Resources Inventory Paper 163—Revision 2.

Table 7: Aggregate Resources in the Dufferin County Forest

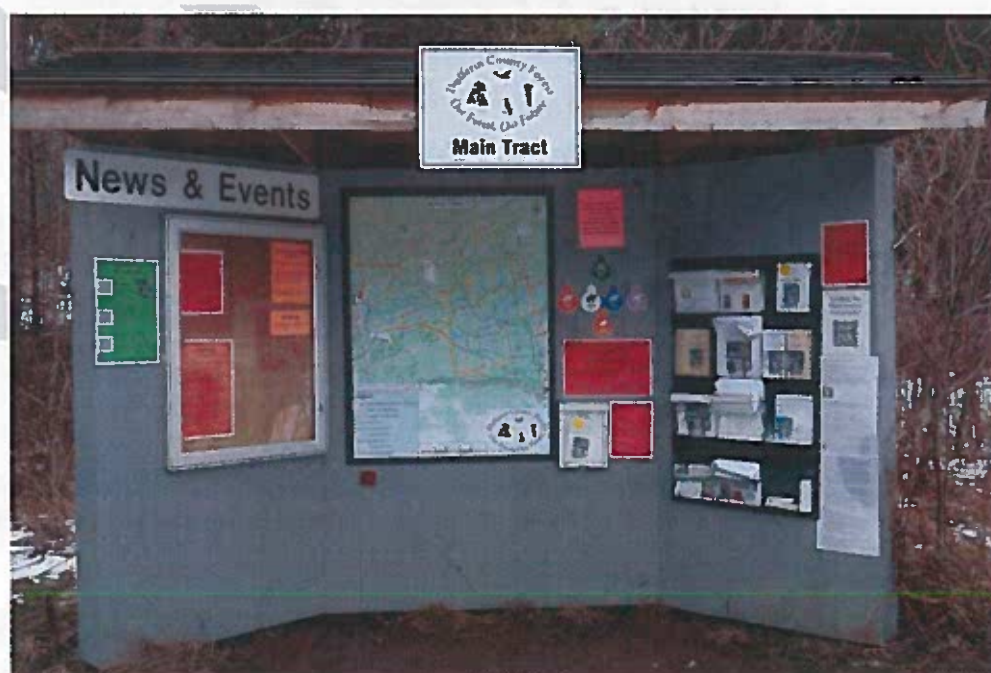
Tract	Municipality	Description of Aggregate Resource
Amaranth	Amaranth	other surficial deposits or exposed bedrock
Gara-Gore	East Garafraxa	other surficial deposits or exposed bedrock
Hockley	Mulmur	selected sand and gravel resource area, secondary significance
Leening	Mulmur	other surficial deposits or exposed bedrock
Levitt	Mono	sand and gravel deposit, tertiary significance
Little	Mulmur	sand and gravel deposit, tertiary significance
Main	Mulmur	sand and gravel deposit, tertiary significance
Melancthon	Melancthon	selected sand and gravel resource area, primary significance; sand and gravel deposit, tertiary significance
Mono	Mono	sand and gravel deposit, tertiary significance
Randwick	Mulmur	sand and gravel deposit, tertiary significance
River Road	Grand Valley	other surficial deposits or exposed bedrock
Riverview	Melancthon	sand and gravel deposit, tertiary significance; other surface deposits or exposed bedrock
Simmons	Mulmur	sand and gravel deposit, tertiary significance
Thomson	Mulmur	sand and gravel deposit, tertiary significance

2.7 Recreation

The recreational use policy for the County Forest was passed on May 11, 2017. The policy is supported by a County Forest by-law (2017-39 as amended) which was passed on September 14, 2017. The current by-law (which includes the recreational use policy) can be found in Appendix E. The by-law/policy has undergone several amendments.

In 2018, a new information kiosk was erected at the Main Tract parking lot. The information available at the kiosk is being

Figure 2: Kiosk at Main Tract Parking Lot



updated and expanded on an ongoing basis.

Most of the tracts have at least a rudimentary trail system that is, depending on the tract, used for a variety of recreational activities including dog walking, hiking, wildlife viewing, nature appreciation, cross-country skiing, snowmobiling, mountain biking, and horseback riding.

The Little Tract has a parking area, a sign describing the history of the Tract, and an interpretive trail.

The Hockley Tract has a parking area, fully accessible trail, and interpretive signs.

The Main Tract has a parking area, an interpretive trail, an information kiosk, and a staging/camping area for large, organized recreational events.

Wayfinding signs have been installed throughout the Main Tract.

Figure 3: Main Tract Wayfinding Sign



All of the entrances to the County Forest tracts have rural address numbers posted for wayfinding and emergencies.

The Mansfield Outdoor Centre, a private recreational complex, leases trails in the southern part of the Main Tract for cross-country skiing, generating revenue anywhere between \$500 and \$1,000 annually for the County, based on the number of skiers in the prior season.

Ontario Federation of Snowmobile Clubs (OFSC) trails run through the Main Tract, Randwick Tract, Riverview Tract, Mono Tract, and adjacent to the Simmons Tract.

The recreational use policy outlined a new process and requirements for organized recreational events. There are currently about eight groups with about 14 events annually, mostly in the Main Tract, but also in the Mono Tract.

Hunting in the Dufferin County Forest focuses on white-tailed deer and wild turkey. The shotgun portion of the controlled white-tailed deer hunt takes place annually for five days at the beginning

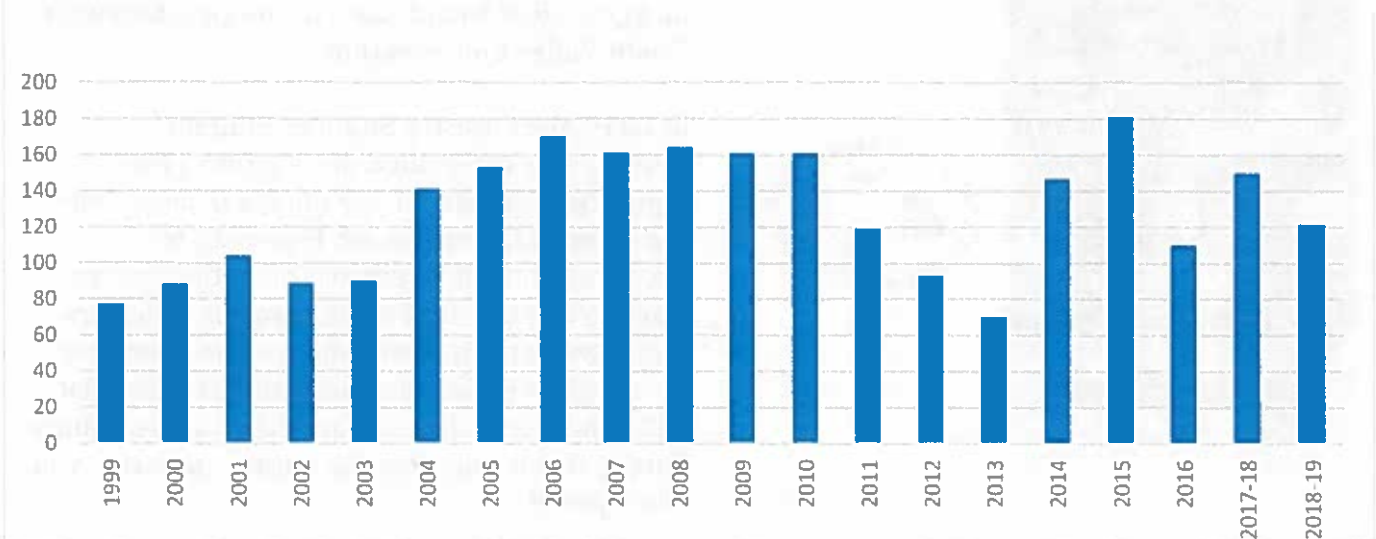
of November and five days at the beginning of December. The wild turkey shotgun hunt takes place from April 25 to May 31, as well as following Thanksgiving for a period of just under two weeks. The seasons for small game vary, but usually take place over the fall and winter. The hunting seasons and numbers of tags are determined each year by the Ministry of Natural Resources and Forestry (MNR) on a Wildlife Management Unit (WMU) basis. This ensures that wildlife populations in any given area are not exposed to undue hunting pressure. In the case of game animals, such as white-tailed deer, the number of tags in a given Wildlife Management Unit is determined on the basis of hunter success during the previous season and weather conditions over the past year. For example, a particularly hard winter will probably mean that fewer animals survived and a lower number of tags will be issued. Every year, the MNR publishes a guide for hunters explaining the current year's regulations and seasons. These guides are available from MNR offices across the province, at locations where hunting licenses are sold, and at www.ontario.ca/hunting.

Temporary signs were posted at a number of the tracts showing the dates of the spring wild turkey hunt, the fall wild turkey shotgun hunt, and the two five-day periods of the fall deer shotgun hunt. This is done to inform users of the concentration of hunters in the Forest during those periods. Additional signs urging hunters to "Exercise Extreme Caution" were posted around the southern section of the Randwick Tract from before the start of the fall wild turkey shotgun hunt until the end of the spring wild turkey hunt (beginning of October to May 31). The "No hunting" signs that were posted along the boundary between the southern section of the Randwick Tract and the private land to the west in 1999 were monitored; no new signs were necessary.

Hunting is currently not allowed in the following tracts: north portion of Amaranth, Hockley, Leening, Levitt, Little, Mono, and Thomson.

Starting in 1997, the County adopted a permit system for hunters in order to pay for advertisements and signs informing non-hunters about the main hunting seasons (wild turkey and white-tailed deer). This was done to increase safety for all users of the Dufferin County Forest. Figure 4 shows the number of permits sold annually since 1999.

Figure 4: Forest Use Permits (Hunting) Issued for the Dufferin County Forest 1999 to 2018-19



The local Ontario Federation of Snowmobile Clubs (OFSC) member clubs (Dufferin, Orangeville, and Alliston & District) posted signs indicating the location of the OFSC trails through the Main, Randwick, Simmons, Riverview, and Mono Tracts of the Dufferin County Forest.

2.8 Public Relations and Education

The County continues to make efforts to increase the knowledge about the County Forest within Dufferin County.

The primary activities conducted on an ongoing basis are:

1. placement and replacement of signs identifying all of the tracts and outlining the main stipulations of the County Forest by-law (2017-39 as amended);
2. tree and plant identification walks;
3. maintenance of the County Forest section on the County of Dufferin website (www.dufferincounty.ca);
4. attendance at various local events, including the spring home show;
5. production and periodic updating of various information products, including a general County Forest brochure; a recreational use brochure; a hunting brochure; a brochure describing the Little Tract interpretive trail; a brochure describing the Main

Figure 5: Main Tract Interpretive Trail Brochure

Dufferin County Forest

See the forest and the trees

This pamphlet guides you along an interpretive trail at the Main Tract of the Dufferin County Forest. The Main Tract is located at 937513 Airport Road (on the east side, about 10 km north of Highway 89)

Please respect the Main Tract:

- No camping
- No campfires
- No motorized vehicles except snowmobiles on designated OFSC trails
- No littering or dumping



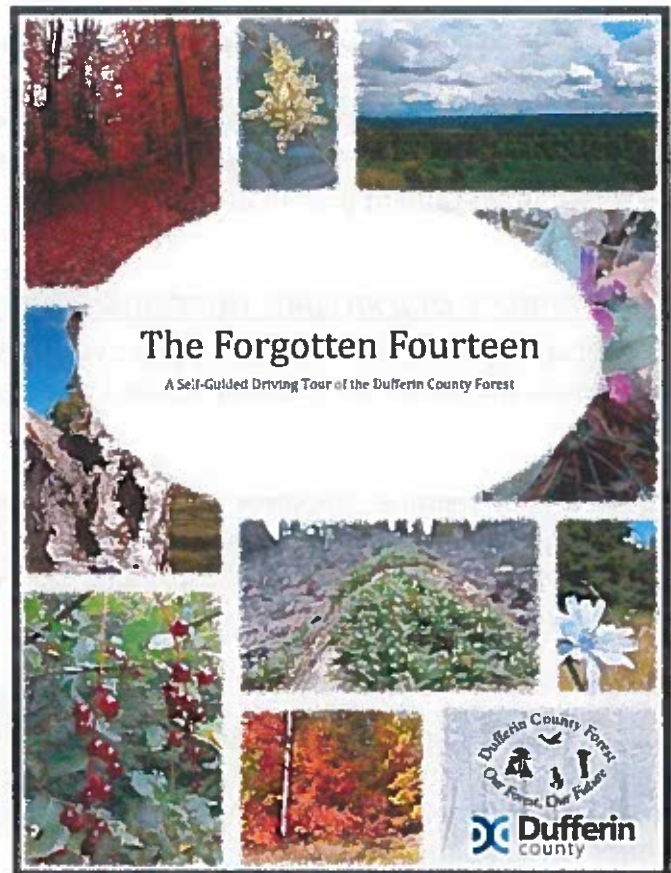
Tract interpretive trail; a trail map brochure for the Main Tract; and a brochure describing the driving tour.

There are interpretive trails at the Hockley, Little, and Main Tracts to educate users about the forest and forest management. In 2016-17, the Forestry Summer Student developed and established the interpretive trail at the Main Tract (Figure 5). In 2018, a plan for adding elements for the visually impaired to the trail at the Hockley Tract was developed by the Forestry Summer Student. In the short-term, some of these elements are being added to the natural playground at Island Lake, in co-operation with Credit Valley Conservation.

In 2019, the Forestry Summer Student developed a self-guided driving tour (*The Forgotten Fourteen: A Self-Guided Driving Tour of the Dufferin County Forest*, Figure 6), to encourage people to explore all of the fourteen tracts of the County Forest, many of which are unknown to even those who use the Main Tract on a regular basis. The tour includes clues that will complete a phrase that relates to the County Forest. If you complete the phrase correctly, you win a prize!

To assist in public education about forest management, a conifer plantation thinning demonstration area was established adjacent to the Main Tract parking lot in 1997. The area (2.5 hectares) was planted with red pine and some spruce in 1967. It was divided into four sections that were thinned in 1998 as follows: 50% removal, 25% removal, 33% removal, and 0% removal. The second thinning in half of each of the original four sections took place in 2009. The third thinning of seven of the resulting eight sections took place in 2017. The result of this is four sections that have been thinned three times, three sections that have been thinned twice, and one section that has not been thinned at all. This will enable the public to observe the impact of various thinning regimes on the growth of the trees and on the development of regeneration and understorey plants. Disks were collected from the trees at the time of thinning so that comparisons in annual ring growth can be made. The demonstration area is a valuable tool in the education of landowners and the general public on the effects of conifer plantation thinning.

Figure 6: Driving Tour Brochure



In 2018, the Forestry Summer Student researched the possibility of finding remnants of buildings at the County Forest tracts. The tracts that were researched were Main, Randwick, Little/Thomson, and Simmons. The research involved the following:

- i. searching through the Land Titles for the different properties to find the owners of the various properties and then reviewing the Tax Assessments for those same properties. The tax records reveal not only who owned the property but who was occupying the property (tenant, owner, not occupied, etc.), if the land was "built upon" (i.e. had a house), the value of the land and, if it was occupied, how many people were living on it;
- ii. the ownership records were compared with the 1861 through 1901 census records to see the occupations of the owners. A "farmer" indicated a higher likelihood of someone living on the land.
- iii. the 1881 Simcoe County Atlas Maps (for Mono & Mulmur Township) and more modern maps were reviewed to determine the most likely location for a farm house; and
- iv. newspapers were examined to see if there were any reports of what was happening on the land e.g. farming, logging.

This research produced two notable results:

- i. the sign describing the community of Rookery Creek that is currently posted at the Little Tract should be more appropriately posted at the Thomson Tract and will, therefore, be relocated; and
- ii. what appears to be a building foundation was discovered at the Simmons Tract, inside

the entrance at 878214 5th Line EHS (Mulmur).

2.9 Research

A procedure for researchers to have access to the Dufferin County Forest has been developed. There have not been any research projects conducted in the County Forest since the passing of the long-term forest management plan in 2016.

3.0 OUR FOREST, OUR FUTURE: DUFFERIN COUNTY FOREST OPERATING PLAN 2021-2026

This operating plan follows the goal, objectives, and actions developed in the long-term forest management plan in 2016. These have been reviewed and are still applicable to the management of the Forest.

In the following sections, the three objectives of environmental sustainability, economic sustainability, and social sustainability are presented as having equal importance. However, in situations where they may come into conflict, environmental sustainability will take precedence over the others.

3.1 Goal

To protect the quality and integrity of ecosystems in the Dufferin County Forest, including air, water, land and biota; and, where quality and integrity have been diminished, to encourage restoration or remediation to healthy conditions; while providing a variety of social and economic benefits to the public.

3.2 Land Use

Development and site alteration shall not be permitted in significant woodlands in Ecoregions 6E and 7E (including the Dufferin County Forest) in accordance with Section 2.1.5 b) of *the Provincial Policy Statement (2020)* Further, there will be no development in the Leening and Levitt Tracts, as defined in the *Niagara Escarpment Planning and Development Act (1990)*.

The Dufferin County Official Plan (2017) proposes the preparation of a Natural Heritage System Strategy and includes a map of a County Preliminary Natural Heritage System. The County Forest is included as part of the preliminary system. The goal, objectives, and actions outlined in this document align with the objectives for natural heritage and water resources in the Official Plan. The County is currently undergoing a Municipal Comprehensive Review that will further address the role of the County Forest within the Natural Heritage System.

In order to facilitate future land use decisions, tracts (and sometimes parts of tracts) have been assigned to one of three classes that correspond to the three areas of sustainability described in this plan:

1. areas where the main focus is environmental sustainability are designated as natural forest;
2. areas where the main focus is economic sustainability are designated as managed forest; and
3. areas where the main focus is social sustainability (recreation) are designated as recreation forest.

Natural Forest

These areas correspond to those identified as High Conservation Value Forests in Table 4. The only forest management activities that will be conducted in these areas will be maintenance or enhancement of notable features. In particular, this applies to the Oak Ridges South Slope Forest Area of Natural and Scientific Interest (ANSI) in the Main Tract, which, if left unmanaged, will succeed to a maple-beech forest and lose many of the characteristics that are the reason for the ANSI designation.

Managed Forest

These areas are currently all of those that are not designated as Natural Forest. Forest management activities that conform to the goal and actions of the long-term forest management plan will be conducted.

Recreation Forest

There are currently no areas that are designated as Recreation Forest.

Table 8 shows the land use classes for the current tracts that make up the Dufferin County Forest. Tracts (or parts of tracts) that are added to the County Forest portfolio will be assigned to land use classes based on which of the three areas of sustainability are the main focus for the property (or part of the property). This will be done as soon as possible following acquisition.

Table 8: Land Use Classes for Dufferin County Forest Tracts

Tract (Compartments)	Land Use Class	Area (ha)	Conservation Value	Standard Forest Management ¹
Amaranth (42a), Laurel Wetland Complex	natural	12	provincially significant wetland	no
Amaranth (43b, 43c), Farmington Swamp	natural	10	locally significant wetland	no
Amaranth (43a)	managed	2		yes
Gara-Gore (44a)	managed	15		yes
Hockley (49), Orangeville Wetland Complex	natural	20	provincially significant wetland	no
Leening (50)	natural	8	Niagara Escarpment Rural Area; donor restrictions	no
Levitt (51)	natural	4	Niagara Escarpment Natural Area; donor restrictions	no
Little (48)	natural	47	developing old growth	no
Main (7-10, 12-19, 21a, 22, 23a, 23b, 24b, 24c, 25b, 25c)	managed	316		yes
Main (11, 20a, 21b, 23c, 24a, 25a, 26-30, 31a, 31d), Oak Ridges South Slope Forest	natural	266	life science ANSI	no

Tract (Compartments)	Land Use Class	Area (ha)	Conservation Value	Standard Forest Management ¹
Main (31b, 31c)	natural	24	locally significant wetland	no
Melancthon (32a, 32b, 32c, 33a, 33b, 33d)	managed	12		yes
Melancthon (33a, 33c, 33d, 34a, 35a), Melancthon 1	natural	48	provincially significant wetland	no
Mono (39-40, 46)	managed	68		yes
Randwick (1-4c, 5-6)	managed	115		yes
Randwick (4d), Walker's Creek Wetland	natural	2	locally significant wetland	no
River Road (45)	managed	3		yes
Riverview (36, 37b, 37c, 37d, 37e, 38a, 38b)	managed	27		yes
Riverview (37a, 38c, 38d), Melancthon 2	natural	13	locally significant wetland	no
Simmons (47)	managed	42		yes
Thomson (52)	managed	12	creek	yes
Total		1066		

¹In areas designated as "no" removal of hazard trees and invasive species may occur, as well as forest management activities that maintain or enhance notable features.

3.3 Environmental Sustainability

Action 1: Do not develop the County Forest properties.

Action 2: Harvest timber on a sustainable basis.

Action 3: Strive to improve stand quality.

Action 4: Emulate natural disturbances during all forest management operations to the extent possible.

Action 5: Promote the characteristics of a natural forest such as snags, cavity trees, downed trees, and mast trees.

Action 6: Promote natural regeneration.

Action 7: Maintain an up-to-date list of relevant species at risk and ensure that forest management operations are in accordance with their habitat requirements in areas where they are identified.

Action 8: Manage disturbances (invasive plants, wildfire, insects and disease, extreme weather events) for the overall health of the forest, while ensuring that human life and private property are protected from such disturbances.

Action 9: Minimize the impacts of climate change.

Action 10: Minimize the impacts of recreational activities.

Sustainable Timber Harvesting

The report *Sustainable Timber Management of the Dufferin County Forest*, produced in conjunction with the 2013 forest inventory, shows that selection harvesting of an average of 30 ha per year is sustainable over the long-term (Table 9).

Table 9: Sustainable Timber Management Area Projections by Planning Period for all Forest Types 2014-2053

Period	Total Area (ha)	Average Annual Area (ha)
2014-2023	424	42.4
2024-2033	440	43.9
2034-2043	374	37.1
2044-2053	318	31.7
Average	389	38.78

This figure is only slightly more than the average annual harvest from 2000-2019 which was 35.6 ha (Table 3). The County will target an average of 30 ha/year for selection harvesting. It is expected that areas harvested on an annual basis will fluctuate, and may change from those proposed in Table 10, depending on size of individual stands, silvicultural priorities, market conditions, and unpredictable natural events such as severe storms or insect or disease infestation.

Table 10: Proposed Selection Harvesting 2021-2026

Tract (Compartments)	Working Group	Area (ha)
2021-2026		
Randwick (2b, 3b)	hardwoods	10
Randwick (5a, 6a)	white pine	12
Randwick (5b)	red pine	14
Main (8a)	red pine	2
Main (9b, 9c, 10c)	white pine	17
Main (11a, 11b)	mixedwood	23
Main (15c)	mixedwood	15
Main (16b)	red pine	4
Main (17b)	mixedwood	14
Main (23c, 24c)	red pine	7
Main (24a)	hardwoods	6
Main (26a)	red pine	8
Simmons (47c)	mixedwood	6
Total		138

Pre-Harvest Silvicultural Prescriptions

A number of the environmental sustainability actions will be fulfilled through pre-harvest silvicultural prescriptions. The purpose of the pre-harvest silvicultural prescription is to provide a framework for collecting information and making decisions regarding how to best use the natural productivity and potential of a site to serve specified management goals. The prescriptions must take into account not only the physical characteristics of the stand (including soils, hydrology, existing vegetation, and wildlife), but also the landowner’s objectives for that stand. All silvicultural prescriptions for the stands in the Dufferin County Forest must conform to the objectives for the forest as stated in this operating plan.

White-Tailed Deer Winter Concentration Areas

Areas of the Dufferin County Forest that are identified white-tailed deer winter concentration areas will be managed so that critical characteristics of the core areas and yarding areas are maintained.

Briefly, this means maintaining as much conifer cover as possible in core areas and yarding areas. Due to the location of the core areas within the Dufferin County Forest (Levitt Tract, south end of Main Tract, and Melancthon Tract) it is not expected that there will be commercial harvesting within most of the core areas.

Maintaining openings to provide food sources in the white-tailed deer summer range is considered to be unnecessary given that the tracts of the Dufferin County Forest exist within a mosaic of meadows, regenerating fields and cultivated fields, and are largely not fenced, allowing deer easy access to adjacent properties.

High Conservation Value Forests

High conservation value forests (HCVFs) have particular values that require special attention during planning and management. In general, the HCVFs that are part of the Dufferin County Forest (Table 4) will undergo carefully considered, limited management aimed at maintaining or enhancing the feature(s) for which they are valued. In addition, recreational use in these areas will, in many cases, be restricted in order to support the maintenance/enhancement of values.

The County of Dufferin will ensure that the only management activities conducted in evaluated wetlands are those necessary to maintain or rehabilitate the wetland.

Areas of the Dufferin County Forest that are identified as habitat of species at risk will be managed so that the habitat requirements of these species are maintained.

Management activities in the Oak Ridges South Slope Forest ANSI will seek to maintain or enhance characteristics that the ANSI is being protected for.

Evaluation of Insect and Disease Populations

The County of Dufferin will assess insect and disease populations based on information provided by the MNR's Forest Health Technicians, County Forest staff, and the Canadian Food Inspection Agency. Emerald ash borer, Asian long-horned beetle, gypsy moth, hemlock woolly adelgid, oak wilt, beech bark disease, butternut canker, and red pine decline are of primary concern. Of these, gypsy moth, beech bark disease, butternut canker, and red pine decline are known to be in the Dufferin County Forest. Monitoring of these key insects and diseases will continue and integrated pest management plans will be developed as necessary.

Generally, forest management activities will tend to increase the diversity of the Forest and promote improved health and more vigorous growth, thereby reducing the potential impacts of insects and diseases. To further reduce the Forest's susceptibility, the following will apply to all forest management activities:

1. careful matching of species to site for reforestation;
2. promotion of a diversity of native species;
3. management of insects and diseases using an Integrated Pest Management approach and;
4. protection of the site, residual stems, and regeneration during all activities, including recreation.

Red Pine Decline

In recent years, the red pine plantations have started to suffer from red pine decline. This phenomenon is manifesting itself as the relatively rapid (sometimes in a matter of months) decline

and death of red pine trees older than about sixty years. In the 2013 forest inventory, 50 ha (15%) of the red pine stands were identified as suffering from red pine decline. The County of Dufferin has participated in a southern Ontario-wide research project to attempt to determine the cause of this decline. The results of the research suggest that a combination of factors is involved, including two types of root rot (*Armillaria ostoyae* and *Heterobasidium annosum*), several years of drought, and alkaline soil. When the trees are growing in soil that has an alkaline base their rooting depth can be significantly reduced. In long periods of dry weather, this reduced rooting depth puts the trees under moisture stress and makes them more susceptible to root rots and other insect and disease attacks. As a result of the research project, some management strategies have been formulated, as described in *Modified Management Recommendations for the Establishment and Management of Red Pine Plantations*. These management recommendations will be used to guide red pine plantation management in the Dufferin County Forest. In general, older red pine stands that are declining will be managed in such a way as to speed succession toward tolerant hardwoods while maximizing timber values.

Oak Wilt

Oak wilt is an exotic invasive disease that kills all species of oak, preferring those in the red oak group (red oak and black oak). The Canadian Food Inspection Agency (the lead agency in dealing with exotic invasives) is working hard to keep oak wilt out of Ontario, but it is currently only 500 m from the border (on Belle Island in the Detroit River). Infected red oak trees can die in as little as 30 days. Red oak is a significant component of a number of stands in the Dufferin County Forest, particularly in the Main Tract. Many of these stands are also part of the Oak Ridges South Slope Area of Natural and Scientific Interest, which is recognized in part for its oak component. In addition, in 2005 red oak was declared as the official tree of Dufferin County.

Prior to oak wilt being found in Dufferin County, the following strategies are being implemented:

- i. public education to increase the number of people able to identify oak wilt and therefore increasing the chances of finding it and identifying it before it is widespread;
- ii. public education regarding the dangers of moving firewood, therefore reducing the chances of oak wilt arriving in Dufferin County through that avenue;
- iii. in the Dufferin County Forest, an immediate stop to harvesting of stands containing more than 5 m²/ha of red oak between April 1 and July 31. During this time of year, the sap-feeding beetles, which spread oak wilt and are attracted to open wounds on oak trees, are most active; and
- iv. public education to discourage private landowners from pruning or harvesting red oak between April 1 and July 31.

Once oak wilt is found in Ontario, a second phase of restrictions will be introduced. These will likely include a lengthening of the period during which pruning or harvesting of red oak is not permitted, as well as an expansion of pruning and harvesting restrictions to County operations outside of the County Forest (e.g. contracts for roadside tree pruning and removal).

Once oak wilt is found in the Dufferin County Forest, management strategies such as trenching to break root grafts will likely have to be implemented in order to contain or eradicate it.

Emerald Ash Borer

In 2013, the presence of emerald ash borer was confirmed in Dufferin County, at the south end of Orangeville. Public education regarding this pest is ongoing through events, information at the

County Forest office and on the website, and responses to inquiries. Since there is relatively little ash in the County Forest, and it has been in ill health since before the advent of emerald ash borer, it is anticipated that the impact of the emerald ash borer will not be significant in the County Forest itself. Dead or dying ash that are considered to be hazard trees due to their proximity to trails will be removed as soon as possible after they are identified. Stands with an ash component will be managed in accordance with the strategies outlined in *Managing Ash in Farm Woodlots; Some Suggested Prescriptions* (Williams & Schwan, 2011).

Alien Invasive Plants

Alien invasive plants have great potential to alter the ecology of the terrestrial habitats of the Dufferin County Forest. Since the Forest does not contain a significant number of watercourses, aquatic invasive species are of lesser concern.

An invasive plant species management plan will be developed, focusing on high risk invasive plant species.

Of those invasive species noted as present in the forest, garlic mustard (*Allaria petiolata*), European buckthorn (*Rhamnus cathartica*), dog-strangling vine (*Vincetoxicum rossicum* and *V. nigrum*) and Norway maple (*Acer platanoides*) are rated as high risk in the *A Guide to the Identification and Control of Exotic Invasive Species in Ontario's Hardwood Forests* (Derickx and Antunes, 2013) based on their potential environmental, economic, and social impacts.

While garlic mustard, dog-strangling vine, and European buckthorn are still not widespread in the Dufferin County Forest, it is anticipated that their presence will increase over time, due to their invasive nature and their spread being magnified by increased recreational use. (Seeds of these species can be transported from one area to another on bicycle tires, horses' hooves, and peoples' footwear.) The presence of invasive species will be monitored, particularly: in High Conservation Value Forests, before and after forest management operations, and along recreational trails. Where deemed necessary, appropriate control measures will be implemented in order to minimize the spread and invasion of these species in the County Forest.

The mature ornamental Norway maple at the former site of Camp Dufferin at the Main Tract will be removed. There are no other known areas in the County Forest where there are Norway maple.

Although Scots pine (*Pinus sylvestris*) is not rated as a high risk species, it is a persistent invader of old field sites. Other than at the Little Tract, there are no significant areas of Scots pine in the County Forest. These are being removed on an ongoing basis. Scots pine invading the roadsides at the County Forest tracts are also being removed as time permits. The County has supported the Town of Mono's Scots pine eradication program by actively removing Scots pine from its own properties in the Town of Mono.

Other species that are rated as high risk that the County will be monitoring include Japanese knotweed (*Fallopia japonica*), and periwinkle (*Vinca minor*).

The website will be used to inform forest users about invasive species and give tips on how to reduce and prevent their spread. This information will be supplemented with signs placed at strategic locations in the Forest. The Friends of the Dufferin County Forest will assist with invasive species education and control.

Forest harvesting equipment will be required to arrive onsite clean and free of mud in order to reduce the spread of invasive plant species. On a tender by tender basis, restrictions may also be placed on the time of year that harvesting operations can take place in order to reduce the spread.

The County will keep abreast of developments with regard to the spread and control of invasive species through the Ontario Invasive Plant Council and the Invasive Species Centre.

Wildfires and Prescribed Burns

The fighting of wildfires on the County Forest properties will be conducted as described in individual municipal Emergency Plans. Roads in the Forest will be maintained and will act as firebreaks. In order to minimize the occurrence of wildfires, campfires will not be allowed. Signs may be posted at key locations in the County Forest reminding users that there are no campfires permitted, to carefully extinguish their cigarettes etc.

While wildfires have the potential to do great damage to the forest, prescribed burning (the knowledgeable application of fire to a specific land area to accomplish predetermined forest management or other land-use objectives) is an important forest management tool. This is especially true for the maintenance of mid-successional communities such as the red oak stands in the Dufferin County Forest. Therefore, although every effort will be made to control and suppress wildfires, prescribed burning will remain a part of the management strategy for the Dufferin County Forest.

Soil Erosion

In areas where there are currently erosion problems, the County will take reasonable measures to establish ground cover and stabilize the area.

The County of Dufferin will conduct periodic inspections of areas that have had erosion problems in the past and areas that are prone to erosion. If it is deemed necessary, these areas will have restricted recreational use until such time as the area is stabilized. If the County determines that the erosion problem will continue, recreational use may be restricted permanently.

One of the predicted consequences of climate change is an increase in extreme weather events. Practising continuous cover forestry will minimize soil erosion that could result from more frequent more intense precipitation events.

Climate Change

The following projections, from *Climate change projections for Ontario: An updated synthesis for policymakers and planners*, were developed using a composite global climate model, averaging four models (CanESM2, MIROC-ESM-CHEM, CESM1-CAMS, and hadGEM2-ES). The ranges given below represent the ranges over three Representation Concentration Pathways (RCP 2.6, RCP 4.5, RCP 8.5)³ as described in the Intergovernmental Panel on Climate Change Fifth Assessment Report.

³ The Representation Concentration Pathways (RCPs) represent different levels of increased radiative forcing measured in watts/m². Radiative forcing, or climate forcing, is the difference of insolation (sunlight) absorbed by the Earth and energy radiated back to space. A positive forcing (more incoming energy) warms the system, while negative forcing (more outgoing energy) cools it. Causes of radiative forcing include changes in insolation and the concentrations of radiatively active gases, commonly known as greenhouse gases and aerosols. The higher the RCP value, the more warming is predicted for the year 2100 relative to pre-industrial values. All of the considered pathways are possible

Climate change scenarios for the Lake Huron Sub-Basin indicate that by 2040, we can expect changes within the following ranges compared to the 1971-2000 baseline data:

Mean Winter Temperature: +2.6°C to +2.9°C (36.7°F to 37.2°F)

Mean Winter Precipitation: +35.2 mm to +31.4 mm (+1.4" to +1.2")

Mean Summer Temperature: +1.9°C to +2.1°C (+35.4°F to +35.8°F)

Mean Summer Precipitation: +5.6 mm to -2.8 mm (+0.2" to -0.1")

Mean Annual Temperature: +2.3°C to +2.5°C (+36.1°F to +36.5°F)

Mean Annual Precipitation: +80.2 mm to +67.5 mm (+3.2" to +2.7")

In practical terms, these projections will mean more snowstorms and ice storms as both winter temperatures and winter precipitation are predicted to increase. Summers could be wetter or slightly drier than in the past. What is becoming clear is that precipitation events will be more extreme, more often resulting in flooding, erosion and sedimentation, and tree damage.

Since trees are unable to move other than through natural seed dispersal, and have long life spans, their ability to adapt to a rapidly changing climate on an individual basis is limited. However, there are some actions that will be taken to make the Forest as a whole more resilient to the impacts of climate change.

The key strategy will be to maintain, and where possible, increase, the diversity of species in the County Forest. In this way, if some species are affected by climate change more than others, the forest as a whole will be more able to absorb the effects. Therefore, the County will continue its management strategy of maintaining diverse tolerant hardwood stands and converting single species conifer plantations to tolerant hardwood or mixedwood stands. Increasing the diversity of the Forest has the added benefit of maintaining its carbon storage capacity over a longer period of time and enhancing biodiversity.

Through the ongoing active management of the majority of the County Forest properties, stands will be maintained in a vigorously growing, healthy state, thereby better to resist the impacts of climate change. Stands that are declining due to pests, diseases, extreme weather events, or other factors related to climate change will have modified management strategies applied to them in order to bring them to a healthy state as quickly as possible. In the most extreme cases, this may include liquidating (clearcutting) the stand and re-planting the site.

Increased summer precipitation could have a positive impact on the growth and vigour of the forests on some of the properties as they are "high and dry", with very well drained, sandy soil, if this is not outbalanced by higher summer temperatures that create drought conditions. This would apply primarily to the Main, Mono, Randwick, and Simmons Tracts.

Rapidly changing water levels combined with increased sedimentation due to extreme precipitation events have the potential to adversely impact the wetland properties that are part of the Dufferin County Forest, namely Amaranth, Gara Gore, Hockley, Melancthon, and Riverview.

outcomes, depending the level at which greenhouse gas emissions continue.

One of the predicted consequences of climate change is an increase in extreme weather events. Managing the forest properties for greater diversity and resiliency and improving overall forest health will increase their ability to withstand such events. Practising continuous cover forestry will minimize soil erosion that could result from intense precipitation events. If required, areas will be re-planted following extreme weather events.

Climate change is likely to impact the spread and severity of non-native and possibly native species that are not currently significant threats to the ecosystems of the Dufferin County Forest. First, sleeper species may become invasive in a changing climate. Second, traditionally only non-native species have been considered to have the capacity to become “invasive” as the ecosystems they are invading are not adapted to their presence. However, the example of the mountain pine beetle in western Canada has demonstrated that climate change can allow the expansion (both in terms of range and population size) of a native species to such an extent that it can be considered invasive. The County will keep abreast of developments with regard to the spread and control of invasive species primarily through the Ontario Invasive Plant Council and the Invasive Species Centre. Monitoring and control of invasive species will occur as outlined in previous sections of this document; additional species will be considered for management and/or control as is deemed necessary.

The federal government has done extensive work⁴ on predicting the future ranges of tree species under various climate change scenarios. Data for the species common in the Dufferin County Forest, as well as those that may move into the area from further south, is shown in Table 11.

In the short term (2011-2040) we can expect the loss of white spruce, Norway spruce, balsam fir, and larch, even under the best-case scenario. This would impact the Gara Gore and Mono Tracts most, where white spruce and Norway spruce, respectively, form a significant proportion of the canopy. Both of these tracts also have a significant component of spruce regeneration. It may become necessary to artificially regenerate these tracts so that the future forest is not dominated by spruce that will be negatively impacted by the changing climate.

Looking ahead to the period 2071-2100, under the worst-case scenario predictions, it is expected that the Dufferin County area will lose all of the now common conifer species: red pine, white pine, hemlock, white spruce, Norway spruce, larch, and balsam fir.

Although red pine is currently the most common working group in the Dufferin County Forest (37% of total area), management regimes will reduce its dominance over time in favour of a more diverse, mixedwood condition.

Red oak, the second most common working group in the Dufferin County Forest (25% of total area), is expected to remain on the landscape even under the worst-case scenario predictions.

The remaining working groups are expected to fare as follows:

1. mixedwood (13% of total area): may lose some individual species, but overall its diversity should enable it to remain on the landscape;
2. white pine (10% of total area): is unlikely to remain on the landscape under the long-term (2071-2100) worst-case scenario;

⁴ For further details go to www.planthardiness.gc.ca.

3. hard (sugar) maple (9% of total area): is expected to remain on the landscape even under the worst-case scenario;
4. white spruce (6% of total area): is unlikely to remain on the landscape even under the short-term (2011-2040) best-case scenario; and
5. bottomland (0.8% of total area): is largely eastern white cedar and therefore unlikely to remain on the landscape under the long-term (2071-2100) worst-case scenario.

The species losses predicted through climate change are compounded by known insect and disease issues. For example, white ash is predicted to remain on the landscape even under the worst-case climate change scenario, but its presence has already been reduced significantly by the emerald ash borer.

Table 11: Predicted Presence of Tree Species in Dufferin County Under Various Climate Change Scenarios

Species	MaxEnt Composite AR5 RCP 2.6 2011-2040 (shorter term better case)	MaxEnt Composite AR5 RCP 8.5 2011-2040 (shorter term worse case)	MaxEnt Composite AR5 RCP 2.6 2071-2100 (longer term better case)	MaxEnt Composite AR5 RCP 8.5 2071-2100 (longer term worse case)
Species Currently Present in the Wild in Dufferin County				
red oak	P	P	P	P
sugar (hard) maple	P	P	P	P
red (soft) maple	P	P	P	P
white ash ¹	P	P	P	P
black ash ¹	P	P	P	A
largetooth aspen	P	P	P	A
trembling aspen	P	P	P	A
American beech ¹	P	P	P	P
white birch	P	P	M	A
American chestnut ¹	P	P	P	A
butternut ¹	P	P	P	P
red pine	P	P	P	A
white pine	P	P	P	M
white spruce	M	M	A	A
Norway spruce	M	M	M	A
larch	M	M	M	A
balsam fir	A	A	A	A
hemlock	P	P	P	A
eastern white cedar	P	P	P	A
Species Not Currently Present in the Wild in Dufferin County, But Present in the Deciduous Forest Region²				
Kentucky coffeetree	M	P	P	M
cucumber-tree	P	P	P	A

Species	MaxEnt	MaxEnt	MaxEnt	MaxEnt
	Composite AR5 RCP 2.6 2011-2040 (shorter term better case)	Composite AR5 RCP 8.5 2011-2040 (shorter term worse case)	Composite AR5 RCP 2.6 2071-2100 (longer term better case)	Composite AR5 RCP 8.5 2071-2100 (longer term worse case)
tulip tree	P	P	P	P
sassafras	P	P	P	P
black maple	P	P	P	M
blue ash ¹	P	P	P	M
pumpkin ash ¹	P	P	P	P
eastern flowering dogwood ¹	P	P	P	P
northern catalpa	P	P	P	M
black walnut	P	P	P	P
shagbark hickory	P	P	P	P
sycamore	P	P	P	P

¹ Declining on the landscape largely due to pressure from non-native pests or diseases.

² This region borders the southeast shore of Lake Huron and the northern shores of Lakes Erie and Ontario.

Of concern in relation to climate change is the fact that virtually all of the regeneration in the Dufferin County Forest currently happens naturally and, as such, is adapted to the current climate conditions. This means that the young trees are adapted to the current growing conditions in the area, but not necessarily to future growing conditions. At the same time, it is illogical to destroy naturally-established trees to replace them, at significant expense, with trees that may not be adapted to future growing conditions either.

Where natural regeneration is not sufficient and planting is necessary in order to maintain tree cover or planting is required to regenerate an area following disturbance, there is a possibility of establishing trees that are genetically better adapted to warmer regions of Ontario. However, it is unclear how effective this would be as current climate change predictions include not just warming, but also changes in precipitation patterns and increasing frequency and severity of storm events. Therefore, there are no current plans to establish trees (or tree species) that are adapted to warmer regions in the Dufferin County Forest. If it becomes apparent that this strategy needs to change, consideration will be given first to planting trees of existing tree species that are grown from seed from warmer seed zones and second to tree species from warmer regions (e.g. the deciduous forest region) that are not currently native to Dufferin County.

Ecosystem Services

The ecosystem services of the County Forest will generally be maintained through the application of the land use restrictions as described in section 3.2: There will be no development or site alteration, as defined in the *Provincial Policy Statement (2020)*, in the Dufferin County Forest. Further, there will be no development in the Leening and Levitt Tracts, as defined in the *Niagara Escarpment Planning and Development Act*.

In addition, the overall management strategy for the County Forest, increasing diversity and resiliency and improving forest health, will contribute to the maintenance and improvement of the

ecosystem services provided by the Forest properties.

3.4 Economic Sustainability

Action 1: Pursue third party forest certification.

Action 2: Generate revenue from the Dufferin County Forest without compromising its environmental sustainability.

Action 3: Assess the natural heritage and socio-economic significance of the Dufferin County Forest in order to facilitate the acquisition and disposition of properties.

Forest Certification

During the 2021-2026 planning period, the County will begin the process of gaining certification of its forest management operations. Forest certification is defined as: *a procedure whereby an independent third party inspects forest management and utilization practices to assess compliance with a set of ecological, economic and social standards for sustainable forestry.* There are two primary reasons for pursuing forest certification. First, since it is an independent assessment of forest management it serves to increase the confidence of the public in the management of the County Forest. Second, the demand for wood products from certified forests is increasing, giving such products increased market access and, in some cases, premium prices.

Financial Stability

One of the County's objectives for the Dufferin County Forest is that it generate revenue to support operations. At the same time, it is important to remember the non-monetary contributions of the Dufferin County Forest:

1. the Main Tract is one of few, large, publicly-accessible natural areas in Dufferin County;
2. the Forest contributes significant ecosystem services (for details see section 2.5);
3. the Forest, and in particular the Main Tract, is important for outdoor recreation and;
4. the Dufferin County Forest properties add to the value of the areas in which they are located both in aesthetic and monetary terms.

In order to make revenues more predictable, attempts will be made to level out the value of the wood products removed from the forest, while ensuring that the environmental sustainability of the forest is not compromised.

The County will investigate possible sources of revenue and implement those that it deems feasible as long as they do not conflict with the other objectives of this plan.

Property Assessment, Acquisition and Disposition

In the past, the properties that make up the Dufferin County Forest were acquired by the County in a somewhat haphazard way. Since then, natural heritage and socio-economic assessments were done (Table 12) so that future acquisitions and dispositions of property would be subject to a more objective assessment. The underlying rationale is to increase the overall natural heritage and socio-economic value of the Dufferin County Forest within existing budget constraints.

The following will be considered as the priorities for acquisition:

1. properties adjacent to the Main Tract (large area of contiguous forest);

2. evaluated wetlands, especially those designated as provincially significant and;
3. significant natural areas as defined in the *Provincial Policy Statement (2020)*, in particular those that are adjacent to existing tracts of the Dufferin County Forest.

All forest properties that are being considered for acquisition will be assessed in terms of the criteria described in Table 12. Consideration will also be given to the following:

1. the cost of the property (e.g. if the property is donated there are minimal costs);
2. future maintenance costs over and above those that exist for all County Forest tracts (e.g. if the property has buildings) and;
3. any restrictions that the owner wishes to place on present and future uses of the property, including (but not limited to) those related to: use of the land, property, onsite buildings and/or facilities; special agreements and covenants; and financial and legal liabilities.

Any property disposition will be conducted in accordance with current County policy, as well as requiring the purchaser to comply with key aspects of this management plan as a condition of sale.

Despite the foregoing, active property acquisition or disposition is not contemplated within the period of this operating plan.

Table 12: Natural Heritage and Socio-Economic Assessment of Dufferin County Forest Properties

Tract	Natural Heritage	Ecosystem Service Value	Size	Species Variety	Site	Distance From Population Centre	Recreation Potential	Land Value (2012)	Total	Rank
Amaranth	provincially significant wetland	4	2	2	3	5	1	2	19	4
Gara-Gore	n/a	3	2	1	5	5	0	1	17	5
Hockley	significant woodland, provincially significant wetland	4	2	1	3	5	2	2	19	4
Leening	Niagara Escarpment Rural Area	2.5	1	2	5	3	0	1	14.5	8
Levitt	SAR, Niagara Escarpment Natural Area, deer winter concentration area	3	1	1	3	5	1	1	15	7
Little	significant woodland, creek	2	3	1	5	2	2	1	16	6
Main	significant woodland, ANSI, Pine River floodplain, deer winter concentration area, SAR, linkage	2	5	5	5	3	2	5	27	1
Melancthon	significant woodland, provincially significant wetland, deer winter concentration area	3	4	2	3	1	1	1	15	7
Mono	significant woodland, linkage	2	4	3	5	5	2	4	25	2
Randwick	SAR, significant woodland, wetland, creek	2	5	3	5	2	2	5	24	3
River Road	n/a	2	1	1	5	4	0	1	14	9
Riverview	significant woodland, locally significant wetland	2.5	3	2	3	1	1	1	13.5	10
Simmons	significant woodland	2	3	3	5	2	1	3	19	4
Thomson	creek	2	2	3	5	2	0	2	16	6

Criteria Used in Assessing Properties

1. Natural Heritage

as defined in the *Provincial Policy Statement (2020)*

2. Ecosystem Service Value Flow (\$/year/hectare) (refer to section 5.7 for details)

\$44-\$440: 1; \$2,200-\$4,400: 2; \$8,800-\$22,000: 3; \$88,000-\$237,600: 4

3. Size

under 10 hectares: 1; 10-30 hectares: 2; 31-50 hectares: 3; 51-75 hectares: 4; over 75 hectares: 5

4. Species Variety (number of overstorey working groups)

one working group: 1; two working groups: 2; three working groups: 3; four working groups: 4; more than four working groups: 5

5. Site (average site class from Plonski's yield tables)

site class three: 3; site class two: 4; site class one or better: 5

6. Distance From Population Centre (Orangeville)

over 50 kilometres: 1; 41-50 kilometres: 2; 31-40 kilometres: 3; 20-30 kilometres: 4; under 20 kilometres: 5

7. Recreation Potential

one point for each of: i. good trail system; ii. important or unique natural heritage feature(s)

8. Land Value (2012)

under \$300,000: 1; \$300,001-\$600,000: 2; \$600,001-\$900,000: 3; \$900,001-\$1,200,000: 4; over \$1,200,000: 5

3.5 Social Sustainability

Action 1: Develop a recreation policy for the Dufferin County Forest.

Action 2: Increase public awareness within Dufferin County and the surrounding area of the Dufferin County Forest and the opportunities and values it provides.

Action 3: Work in conjunction with the Museum of Dufferin to identify, protect and, where appropriate, promote cultural heritage resources.

Action 4: Cooperate with researchers and research agencies.

Recreational Use of the County Forest Policy

A recreational use policy for the County Forest was passed on May 11, 2017. The policy is supported by a County Forest by-law (2017-39 as amended). The current by-law (which includes the recreational use policy) can be found in Appendix E. The by-law/policy has already undergone several amendments and will continue to be amended as needed.

Friends of the Dufferin County Forest (FDCF)

The County of Dufferin has established the Friends of the Dufferin County Forest to assist in various aspects of the management of the County Forest. This group is mainly involved in on-the-ground activities in the Forest, such as trail maintenance and construction, trail safety and signs, invasive species removal, promotion and education about the County Forest, and removal of litter. During the period of this operating plan, the County will continue to be involved with the activities of the Friends of the Dufferin County Forest.

Dufferin County Forest Advisory Team (DCFAT)

The Dufferin County Forest Advisory Team (DCFAT) is a group made up of five members of the public residing in Dufferin County, along with one member of the County's Infrastructure and Environmental Services Committee. Representation is solicited to coincide with each new term of County Council, or as required to replace or add members.

The purpose of the Dufferin County Forest Advisory Team (DCFAT) is to:

- provide community input and advice to County staff regarding the Dufferin County Forest Management Plan and Dufferin County Forest Recreational Use Policy and;
- assist County staff in communicating plan and policy revisions.

During the period of this operating plan, the County will continue to consult with the Dufferin County Forest Advisory Team on matters dealing with the management of the Dufferin County Forest.

Access Restriction

The County will continue to maintain gates and other methods of access restriction to the forest tracts in order that unauthorized motorized vehicle use, dumping, illegal removal of wood, partying and introduction of invasive plant species can be curtailed.

Human Health

The County Forest plays an important role in the health and well-being of the community. It is a low cost outdoor venue for physical activity for those living in or visiting the region. Many people find the forest environment enjoyable simply because of its peace and tranquility compared with the rest of their daily lives. As well, trees absorb carbon dioxide and pollutants from the air and release oxygen, providing very real air quality (and consequently, health) benefits.

However, the Forest also has the potential to have a negative impact on human health. The County will post information on the County Forest website regarding forest-related human health issues such as west nile virus, lyme disease, and poison ivy. Printed information regarding these issues will be available through the Museum of Dufferin and at public events where there is a County Forest presence. The primary information source regarding these topics will be the local health unit. Other human health issues will be added as appropriate.

Signs

During the 2021-2026 planning period, the County will post red dots inside the perimeter of all of the forest properties as described in the *Trespass to Property Act*. Signs that are currently posted in the Forest will be replaced as needed.

A sign will be erected at the entrance to the Main Tract to provide information about recreational events, hunting seasons, and general reminders about recreational use.

Other signs being considered for the Main Tract include "you are here" style maps, intersection signs, and pictographic signs indicating permitted trail uses.

Information Products

The County of Dufferin will continue to produce and update information products such as brochures, maps, and hunting information packages. These will be distributed through County offices, by postal mail, at the Main Tract kiosk, at the Museum of Dufferin, and on the website. The County of Dufferin will handle requests for information, comments, and complaints about the Dufferin County Forest in a timely and appropriate fashion. In order to help maintain the balance between recreational use and environmental sustainability, the County Forest will not be actively promoted outside Dufferin County.

More of a focus of promotion will be on the Little Tract, as the “Jewel of Dufferin’s Natural Heritage”. The existence of off-road parking, an interpretive trail, and interesting natural features as the old growth forest develops will be used to draw potential users.

Presentations, Schools, Walks, and Tours

The County of Dufferin will ensure that knowledgeable guides are available to give tours of the Dufferin County Forest at the public’s request, as well as organizing at least one event in the forest annually for the general public. These may be held in conjunction with National Wildlife Week, National Forest Week, Arbor Day, or Earth Day. Presentations for schools and other groups will be dealt with on an as-requested basis. School group activities may include a practical project in the forest such as invasive species removal or species inventory. The County Forest will be promoted at appropriate local events.

Conifer Plantation Thinning Demonstration Area

The most recent thinning of the demonstration area at the Main Tract took place in 2017. This entailed a further thinning of all of the established blocks, which resulted in four blocks that have been thinned three times, three that have been thinned twice and one that has not been thinned at all. The next thinning is planned to take place in 2027.

Interpretive Trails

An interpretive trail focusing on wetland features will be established at the Melancthon Tract. Consideration will be given to expanding the Little Tract interpretive trail into the adjoining Thomson Tract. The interpretive trails at the Little Tract, Main Tract, and Hockley Tract will be maintained.

Cultural Heritage Resources

In cooperation with the Museum of Dufferin, the County will, as appropriate, identify, protect, and promote any identified cultural heritage resources within the Dufferin County Forest. County Forest staff will continue to attempt to make contact with archaeological classes that would be willing to excavate the site of what appears to be a building foundation at the Simmons Tract.

Researchers

Researchers wishing to use the Dufferin County Forest will be encouraged to do so, as long as their project does not interfere with other objectives for the Forest. The County will work to promote the County Forest as a research location in order to increase the detail of its flora and fauna inventory.

4.0 MONITORING

In order to ensure that all activities related to the Dufferin County Forest are achieving the objectives described in this operating plan, a number of monitoring activities will be undertaken. In cases where monitoring shows that objectives are not being achieved, management actions will be adapted in an effort to achieve the stated objectives.

Input from Forest users, especially in regard to enhancing inventory information, will be welcomed. Where necessary, information will be verified prior to being added to the inventory database.

4.1 Environmental Sustainability

There are two methods for assessing if forest management operations and silvicultural activities are meeting stated environmental objectives: cut inspections and forest inventory.

Cut Inspections

Cut inspections in the Dufferin County Forest will be conducted according to the following guidelines:

1. Inspections will be conducted at least weekly in areas where forest management operations are ongoing.
2. An inspection will be conducted within one week of the end of forest management operations.
3. Every inspection will ensure compliance with the applicable tender Specifications and Scope of Work, including:
 - i. the Contractor shall carry out operations in a professional manner, to minimize damage to unmarked trees, roads, trails, fences, culverts, bridges, etc.;
 - ii. the Contractor shall conduct logging so as to minimize damage to the residual stand and developing regeneration, and to agree with the County of Dufferin upon the method of felling forwarding and skidding prior to commencement of operations;
 - iii. the Contractor shall ensure that all roads, trails and watercourses remain free of logging debris, and roads are passable at all times;
 - iv. where fire hazard conditions make harvesting under this Tender dangerous, the County of Dufferin may, from time to time, notify the Contractor to suspend such operations for such a period as the County of Dufferin deems advisable, and the Contractor agrees to immediately suspend such operations for that period;
 - v. the Contractor shall cut all trees or rows that are marked in orange or yellow paint, utilize and remove all merchantable wood 2.54 metres in length and: in plantations down to 10 cm diameter outside bark top end; in natural stands where sawlogs are being cut, down to 20 cm diameter outside bark top end; in natural stands where fuelwood is being cut, down to 10 cm diameter outside bark top end; and
 - vi. the Contractor shall cut trees so that the stump heights are not over 30 cm. The stump height may not be greater than its diameter and not over 60 cm. The butt mark is to remain.

Forest Inventory

Forest inventory in the production forest area of the Dufferin County Forest will be conducted according to the following guidelines:

1. A forest inventory will be conducted for newly acquired properties within five years of their acquisition.
2. A forest inventory will be conducted in individual stands prior to the development of a prescription for forest management and within 18 months of the conclusion of a forest management operation. If a stand has not been subject to a forest management operation for a period of 15 years, a forest inventory will be conducted.
3. The forest inventory will include (at minimum):
 - i. a quantitative inventory of overstorey tree vegetation (variable-radius plot sampling);

- ii. a quantitative inventory of regeneration (fixed-radius plot sampling);
- iii. a quantitative inventory of understorey non-tree vegetation (fixed-radius plot sampling)
- iv. a quantitative inventory of invasive plant species (fixed-radius plot sampling) and;
- v. a quantitative or qualitative, as appropriate, inventory of wildlife, water resources, topography, aesthetics, and special habitat features.

In addition to cut inspections and forest inventory, the County of Dufferin will do the following to ensure that environmental sustainability is being achieved:

1. Annual inspections will be conducted in areas that are prone to erosion. Areas where erosion is reported by users will be inspected within three months of being reported.
2. The potential for insect and disease outbreak will be assessed as information is collected or reported.
3. Key invasive plant species will be monitored along recreational trails on an ongoing basis to allow for early detection and rapid response to reduce invasion potential.
4. Annually, the area of timber sold from the Dufferin County Forest will be monitored.
5. An identification and assessment of aggregate deposits will be conducted for newly acquired properties within five years of their acquisition.
6. Forest management operations that are conducted by contractors, such as non-commercial thinning, cleaning, or marking, will be audited by the County, the specific procedures will depend on the operation.

4.2 Economic Sustainability

In order to ensure that the forest is economically sustainable, the County of Dufferin will do the following:

1. A budget for the Dufferin County Forest, including projected revenues and expenses and a capital budget, will be presented annually to Dufferin County Council.
2. The natural heritage and socio-economic value of the forest properties will be re-evaluated every ten years, in conjunction with operating plan development.
3. The criteria used for assessing the significance of the properties will be revisited every ten years, in conjunction with operating plan development, to ensure that they are still facilitating the achievement of the County of Dufferin's objectives for the Forest.

4.3 Social Sustainability

The Recreational Use of the County Forest policy (and associated by-law) is reviewed on an ongoing basis to ensure that its purposes are being met.

Anecdotally it is clear that recreational use of the County Forest, and in particular the Main Tract, is increasing. However, there is very little data to support these observations. In 2020, the County will embark on a program to measure recreational use in the Forest. This program will initially include three elements:

1. in-person counting/surveying of users;
2. trail counters; and
3. traffic counters.

The focus will be on the Main Tract, although other tracts may be added to the program over time.

In addition, to ensure that the social sustainability objectives are being met, the County of Dufferin

will do the following:

1. Maintain involvement with the Dufferin County Forest Advisory Team and the Friends of the Dufferin County Forest as well as other user groups and stakeholders;
2. Conduct informal oral (as opportunities arise) and formal written (every ten years or, if needed, more frequently) surveys of users and non-using ratepayers to determine if:
 1. they have gained knowledge about the Dufferin County Forest;
 2. there still exist knowledge gaps that the County of Dufferin can fill and;
 3. they have any safety or access concerns.
4. Assimilate and act on comments/concerns from users on an ongoing basis.
5. Maintain a dialogue with researchers and research agencies working in the Dufferin County Forest.

5.0 REPORTING

All activities pertaining to the Dufferin County Forest will be reported as follows:

1. reports on specific subjects, as required, to Dufferin County Council.
2. an annual report to Dufferin County Council and the ratepayers of Dufferin County.
3. a budget for the upcoming year and a financial report for the past year, presented to Dufferin County Council as part of the established budgetary process.

6.0 THE FUTURE OF THE PLANNING PROCESS

Future land use decisions will be dealt with in the context of the three land use classes outlined in section 3.2.

Two additional five year operating plans will be written to fulfill the twenty-year management plan; for the periods 2026-2031 and 2031-2036. The operating plans will be supported by Annual Reports and Annual Work Schedules.

Toward the end of the twenty year management plan, a new twenty year plan will be written for the period 2036-2056. This plan will include a five year operating plan for the period 2036-2041.

APPENDIX A: Glossary

alien: plants, animals and micro-organisms that have been accidentally or deliberately introduced into areas beyond their native range. Synonyms may include introduced, non-native, and exotic.

ANSI: Area of Natural and Scientific Interest. ANSIs are areas of land and water that represent significant geological (earth science) and biological (life science) features. Earth science ANSIs include areas that contain examples of rock, fossil and landform features in Ontario. These features are the result of billions of years of geological processes and landscape evolution. Life science ANSIs are areas that contain examples of the many natural landscapes, communities, plants and animals found in the 14 natural regions of the province. The *Ministry of Natural Resources and Forestry* identifies ANSIs that are “provincially significant” by surveying regions and evaluating sites to decide which have the highest value for conservation, scientific study and education.

barren and scattered: productive forest land which, because of natural or artificial disturbance, contains only scattered trees (*stocking* below 0.25) or no trees at all with either shrub cover or bare soil, but no significant regeneration.

basal area: the cross sectional area of a stem at breast height (1.3m), most commonly accumulated as square metres per hectare. Also see *normal basal area*.

biodiversity: the variety and variability (in time and space) among living organisms and the ecological complexes in which they occur. Biodiversity can be measured at the genetic, species and landscape levels.

bog: see *wetland*

breast height: 1.3m above the ground

carr: see *wetland*

conifer (softwood): needle-bearing tree that produces seeds in cones.

continuous cover forestry: is an approach to the sustainable management of forests whereby forest stands are maintained in a permanently irregular structure, which is created and sustained through the selection and harvesting of individual trees.

deciduous forest region: The deciduous forest is the southernmost region in Ontario, dominated by agriculture and urban areas. This forest generally has the greatest diversity of tree species, while at the same time having the lowest proportion of forest. It has most of the tree and shrubs species found in the Great Lakes–St. Lawrence forest region, and also contains black walnut, butternut, tulip, magnolia, black gum, many types of oaks, hickories, sassafras and red bud — species commonly found in Ohio, Pennsylvania and the Carolinas in the USA. The deciduous forest region has the most diverse forest life in Ontario, including many rare mammals, birds, plants, insects, reptiles and amphibians. This region is also referred to as

the Carolinian.

deer winter concentration area (deer yard): a forested area deer traditionally migrate to and where they spend the winter months. The “core” of a deer yard is that portion of the yard where use by deer is highest during winters that are severe. Boundaries of a deer yard tend to change over time.

Department of Lands and Forests: see *Ministry of Natural Resources and Forestry (MNR)*

development means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process;
- b) works subject to the *Drainage Act*; or
- c) for the purposes of policy 2.1.4(a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a). (*Provincial Policy Statement, 2020*)

development: includes a change in the use of any land, building or structure. (*Niagara Escarpment Planning and Development Act*)

diameter at breast height (DBH): the diameter of a tree taken at a height of 1.3m above the ground

ecosystem services: the benefits that people obtain, either directly or indirectly, from ecological systems. These services can be understood in ecological terms and they can also be translated into economic terms through valuation studies. These services are the foundation of human well-being and they also represent a significant part of the total economic value of our landscape and economy. And yet their value is most often uncounted, assumed to be ‘zero’. It is therefore important to be able to estimate the economic value of ecosystem services. Increasingly valuation is recognized as another useful tool in environmental decision making to weigh tradeoffs between conservation and land development.

endangered: a species that lives in the wild in Ontario but is facing imminent *extinction* or *extirpation*

even-aged: condition of a *stand* in which relatively small age differences exist between individual trees. The maximum difference in age is usually twenty years. Also see *uneven-aged*.

extinct: a species that no longer lives anywhere in the world

extirpated: a species that lives somewhere in the world, and at one time lived in the wild in Ontario, but no longer lives in the wild in Ontario

fen: see *wetland*

forest inventory: sample survey of a forest area to provide an estimate of timber by volume,

species, products, size, and other characteristics. Also assesses understorey and ground vegetation, wildlife, water resources, aesthetics and special characteristics of the forest. Also see *timber inventory*.

forestry purposes: includes the production of wood and wood products, provision of proper environmental conditions for wild life, protection against floods and erosion, recreation, and protection and production of water supplies; (*Forestry Act*, R.S.O. 1990)

Great Lakes–St. Lawrence forest region: The Great Lakes–St. Lawrence forest is the second largest forest region in Ontario. This forest extends along the St. Lawrence River across central Ontario to Lake Huron and west of Lake Superior along the border with Minnesota. The southern portion of the Great Lakes–St. Lawrence forest extends into the populated areas of Ontario. The Great Lakes–St. Lawrence forest is dominated by hardwood forests, featuring species such as maple, oak, yellow birch, white and red pine. Coniferous trees such as white pine, red pine, hemlock and white cedar, commonly mix with deciduous broad-leaved species, such as yellow birch, sugar and red maples, basswood and red oak. Much of the forest in the Great Lakes–St. Lawrence forest is uneven aged, meaning that young and old trees can be found within the same group of trees.

hardwood: leaf-bearing trees whose seeds are not produced in cones.

high conservation value forest: forest land managed primarily to exert beneficial influence on soil, water, landscape, or for any other purpose when production of merchantable timber, if any, is incidental

high-grading (selective cutting): the cutting of the largest and most merchantable trees in a stand. There are relatively few or no control measures.

Integrated Pest Management (IPM): refers to the practice of preventing or reducing damage caused by pests by using the best available information, along with a variety of ecologically and economically sustainable approaches and control methods.

intolerant: used to describe trees which do not tolerate shade (e.g. red pine, poplar). Also see *tolerant*.

invasive: *alien* species whose introduction or spread negatively impact native biodiversity, the economy and/or society, including human health.

managed forest: land use designation for areas of the Dufferin County Forest where the main focus is economic sustainability.

marsh: see *wetland*

Ministry of Natural Resources and Forestry (MNR): the provincial ministry responsible for natural resources, including forests, wetlands, waters, and fish and wildlife. The MNR was formerly known as the Department of Lands and Forests and the Ministry of Natural Resources (MNR).

mixedwood: a *stand* in which both the *conifer* and *hardwood* components are greater than 30%

native: usually, a species known to have existed on a site prior to the influence of humans.

natural forest: land use designation for areas of the Dufferin County Forest where the main focus is environmental sustainability.

normal basal area: the basal area for a given *working group* on a particular *site class* at a particular age, as given by Plonski's Normal Yield tables.

prescribed burning: the knowledgeable application of fire to a specific land area to accomplish predetermined forest management or other land-use objectives

private land: land not vested in Her Majesty in right of Ontario, but includes unpatented land that is located or sold under the *Public Lands Act*. Also see *public lands*.

productive forest land: all forest areas capable of growing commercial trees and not withdrawn from such use

production forest: all productive forest land managed primarily for human benefit, unless otherwise reassigned

public lands: the lands vested in Her Majesty in right of Ontario and under the management of the Minister [of Natural Resources], and includes the lands in respect of which a lease, licence of occupation or permit has been granted or issued under the *Mining Act*, the *Provincial Parks Act* or the *Public Lands Act*. Also see *private land*.

recreation forest: land use designation for areas of the Dufferin County Forest where the main focus is social sustainability (recreation).

regeneration: the renewal of a tree crop whether by natural (self-sown seed or by vegetative means) or artificial means (sowing and planting). This term may also be used to describe the young crop itself.

selective cutting: see *high-grading*

selection system: a periodic partial cutting, controlled by basal area, using vigour and risk characteristics to determine individual tree selection

shelterwood system: an *even-aged silvicultural system* where in order to provide a source of seed and/or protection for regeneration, the old crop is removed in two or more successive cuttings

significant means:

a) in regard to *wetlands*, *coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time;

b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources and Forestry;

c) in regard to other features and areas in policy 2.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;

d) in regard to *mineral* potential, an area identified as provincially significant through evaluation procedures developed by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and

e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*.

Criteria for determining significance for the resources identified in sections (c)-(d) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation. (*Provincial Policy Statement, 2020*)

silviculture: the science and art of cultivating forest crops. More particularly, the theory and practice of controlling the establishment, composition, constitution and growth of forests. Silviculture is a combination of three forestry activities: 1) timber harvest; 2) forest renewal; 3) subsequent maintenance of the new forest.

silvicultural system: a process, following accepted silvicultural principles, in which crops constituting forests are tended, harvested, and regenerated, resulting in the production of crops of distinctive form. Systems are conveniently classified according to the method of harvesting the mature stands with a view to regeneration and according to the type of crop produced.

site alteration means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site. For the purposes of policy 2.1.4(a), site alteration does not include underground or surface mining of minerals or advanced exploration on mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as in the Mining Act. Instead, those matters shall be subject to policy 2.1.5(a). (*Provincial Policy Statement, 2020*)

site class: a measure of the relative productivity of a site. Site classes 1a and X are the most productive; site class 3 is the least productive. Site class is determined using Plonski's Normal Yield Tables.

sleeper species: non-native species already present in an ecosystem that have the potential to be invasive, but are limited by factors such as climate or other species.

special concern: a species that lives in the wild in Ontario, is not endangered or threatened, but

may become threatened or endangered due to a combination of biological characteristics and identified threats

species at risk (SAR): species that are determined to need special care by an independent committee of experts, the Committee on the Status of Species at Risk in Ontario (COSSARO), which consists of people with expertise in scientific disciplines or Aboriginal Traditional Knowledge. Species at risk fall into one of five categories, depending on the degree of risk: *extinct, extirpated, endangered, threatened, or special concern.*

stand: a community of trees possessing sufficient uniformity in composition, constitution, age, arrangement or condition to be distinguishable from adjacent communities.

stocking: the actual *basal area* as a fraction of the *normal basal area*. Stocking can be more than 1.

supercanopy tree: a living tree that sticks up well above the main canopy of a forest stand.

swamp: see *wetland*

threatened: a species that lives in the wild in Ontario, is not *endangered*, but is likely to become *endangered* if steps are not taken to address factors threatening it

timber inventory: sample survey of a forest area to provide an estimate of timber by volume, species, products, size and other characteristics. Also see *forest inventory*.

tolerant: used to describe trees that can regenerate under a canopy (e.g. maple, hemlock). Also see *intolerant*.

uneven-aged: the condition of a stand in which trees markedly differ in age. Also see *even-aged*.

wetland: land that is seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils (characterized by an abundance of moisture) and has favoured the dominance of water-tolerant plants. The four major types of wetlands are **swamps, marshes, bogs** and **fens**. A **carr** is a waterlogged, wooded community, characterized by alders and willows. Wetlands in Ontario are evaluated based on their biological, hydrological, socio-economic and special features and designated as either provincially or locally significant.

	Vegetation	Water	Soil	General Location
bog	sphagnum moss	water from runoff and precipitation only	thick layer of peat (decomposed sphagnum moss), which is highly acidic, extends beneath bog	common to northern Ontario, but some in the south
fen	grasses, sedges	some flow-through	neutral and alkaline	rare in Ontario

	Vegetation	Water	Soil	General Location
marsh	cattails, sedges, rushes	very efficient at supplying water and nutrients to vegetation; occasional flooding; maintain some open water (less than 2 m in depth); will dry out during extended droughts	mineral; high organic matter content near surface	southern Ontario
swamp	shrubs and trees (e.g. soft maple and cedar)	occasional flooding	organically rich mineral soils	most common wetland in southern Ontario

working group: an inventory aggregation for management purposes. An aggregate of *stands*, including potential forest areas assigned to this category, having the same predominant species, and management under the same rotation and broad silvicultural system.

APPENDIX B: Acronyms & Initialisms

ANSI	Area of Natural and Scientific Interest
BA	Basal Area
CFIA	Canadian Food Inspection Agency
CO	Conservation Officer
DBH	Diameter at Breast Height
DCF	Dufferin County Forest
GIS	Geographic Information System
GPS	Global Positioning System
GRCA	Grand River Conservation Authority
MNR	Ministry of Natural Resources
MNRF	Ministry of Natural Resources and Forestry
MOC	Mansfield Outdoor Centre
MoD	Museum of Dufferin
NEC	Niagara Escarpment Commission
NVCA	Nottawasaga Valley Conservation Authority
OFRI	Ontario Forest Research Institute
OFSC	Ontario Federation of Snowmobile Clubs
SAR	Species at Risk
USDA	United States Department of Agriculture
WIA	Woodlands Improvement Act
WMU	Wildlife Management Unit

APPENDIX C: Species Abbreviations

Ab	black ash
Aw	white ash
Bd	basswood

Be	American beech
Bn	butternut
Bw	white birch
Ch	cherry
C	other conifers
Ce	eastern white cedar
Elm	American elm
H	other hardwoods
He	eastern hemlock
I	ironwood
La	tamarack/larch
Mh	hard/sugar maple
Mr	red maple
Or	red oak
Pj	jack pine
Po	poplar/aspens
Pw	white pine
Sb	black spruce
Sw	white spruce
Wn	black walnut

APPENDIX D: Conversion Factors

1 hectare (ha) = 10,000 m² = 2.47 acres

1 metre (m) = 3.26 feet = 1.09 yards

1 cubic metre (m³) = 35.7 cubic feet = 0.42 cords = 227 f.b.m.

APPENDIX E: County Forest By-Law 2017-39 Consolidated Version

(including County Forest Recreational Use Policy 4-6-1)



Dufferin County Forest County Forest By-Law 2017-39 Consolidated Version

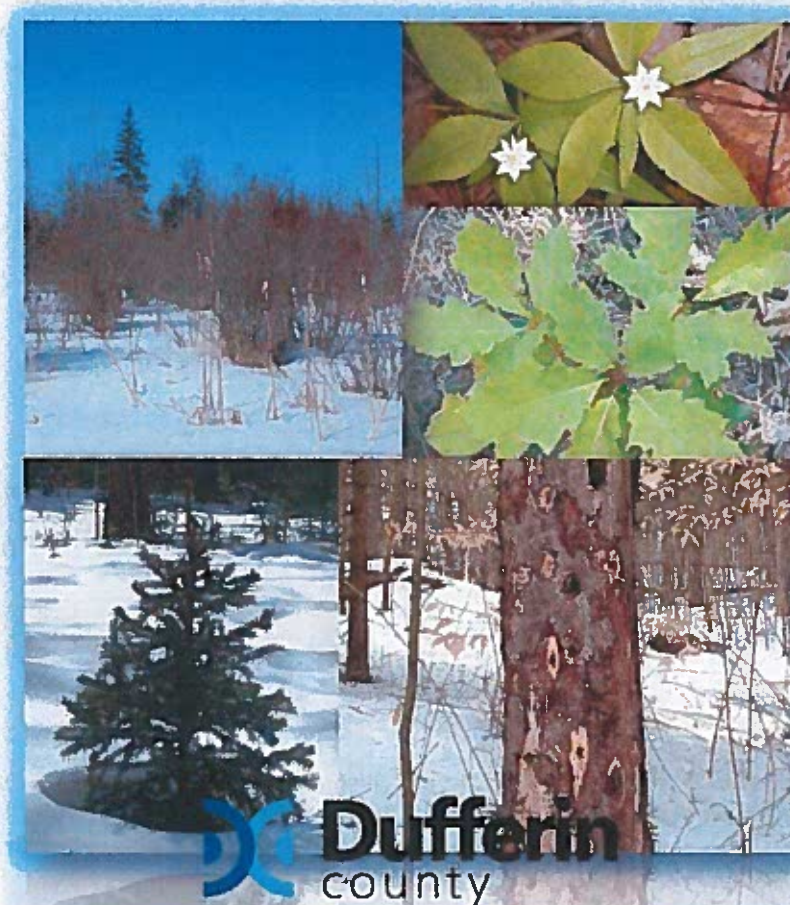
Amended By:

By-law 2018-25 - June 14, 2018 (Amended to Include Thomson Tract)

By-Law 2019-20 – April 11, 2019 (Amend Section 17, Schedule A & Schedule C)

By-Law 2020-31 – March 12, 2020 (Amend Section 7, 17 & 20, Schedule A & C)

(including County Forest Recreational Use Policy 4-6-1)



CORPORATION OF THE COUNTY OF DUFFERIN

BY-LAW NUMBER 2017-39

**BEING A BY-LAW TO GOVERN THE LANDS
KNOWN AS THE DUFFERIN COUNTY FOREST
AND TO REPEAL BY-LAW 2003-50**

WHEREAS by Section 8 of the Municipal Act, 2001, S.O. 2001, c 25, the Council of the Corporation of the County of Dufferin has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS by the *Trespass to Property Act*, R.S.O. 1990, c. T.21, as amended, the Council of the Corporation of the County of Dufferin is authorized to prohibit entry to land occupied by the Corporation of the County of Dufferin and the carrying on of certain activities on such land and for these purposes give notice thereof;

AND WHEREAS the Council of the Corporation of the County of Dufferin on May 11, 2017 approved the Dufferin County Forest Recreational Use Policy, which outlines the County's policies with regard to the recreational use of the lands occupied by the Corporation and generally known as the Dufferin County Forest;

NOW THEREFORE BE IT ENACTED BY THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN ENACTS AS FOLLOWS:

Definitions

1. For the purposes of this by-law:

"Chief Administrative Officer" means the Chief Administrative Officer of the Corporation of the County of Dufferin;

"Council" means the Council of the Corporation of the County of Dufferin;

"County" means the Corporation of the County of Dufferin;

"Dufferin County Forest" and "Forest" means the forest lands owned by the Corporation of the County of Dufferin consisting of about 1,066 hectares in fourteen tracts generally known as: Amaranth Tract, Gara-Gore Tract, Hockley Tract, Leening Tract, Levitt Tract, Little Tract, Main Tract, Melancthon Tract, Mono Tract, Randwick Tract, Riverview Tract, River Road Tract, Simmons Tract, and Thomson Tract and further depicted in Schedule A (Dufferin County Forest Recreational Use Policy 4-6-1- Appendix A); **[Amended by By-Law 2018-25, June 14, 2018]**

"firearm" includes an air gun, pellet gun, bow or crossbow;

"hunting" includes, lying in wait for, searching for, being on the trail of, pursuing, chasing or shooting at wildlife, whether or not the wildlife is killed, injured, captured or harassed, or

capturing or harassing wildlife, except that "hunting" does not include, trapping, or lying in wait for, searching for, being on the trail of or pursuing wildlife for a purpose other than attempting to kill, injure, capture or harass it, unless the wildlife is killed, injured, captured or harassed as a result, and "hunt" and "hunter" have corresponding meanings;

"motorized snow vehicle" means a self-propelled vehicle designed to be driven primarily on snow;

"motor vehicle" means a motor vehicle within the meaning of the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as may be amended from time to time and;

"management" includes all activities deemed by the Corporation of the County of Dufferin to be consistent with the goal and objectives set out in the document approved by Council on March 10, 2016 entitled *Our Forest, Our Future: Dufferin County Forest Management Plan 2016-2036* and amendments;

"property use agreement" means an agreement between the County and a person, user group, or organization outlining all requirements for use of the Dufferin County Forest;

"run at large" means being at any place other than the premises of the owner of the dog and not under the control of the owner ("under the control of" means when a dog is unleashed, that the dog is close to its owner, within sight and earshot of its owner, and it responds to voice commands and it is prevented from approaching within one metre of any animal or person without such person's consent);

"unmanned air vehicle" means a power-driven aircraft, other than a model aircraft, that is designed to fly without a human operator on board.

Uses declared

2. The Council of the Corporation of the County of Dufferin hereby declares the use of the lands known as the Dufferin County Forest to be for "forestry purposes", that is to include the production of wood and wood products, provision of proper environmental conditions for wildlife, protection against floods and erosion, recreation, and protection and production of water supplies. Schedule A shows permitted and restricted activities divided according to the land use classes in *Our Forest, Our Future: Dufferin County Forest Management Plan 2016-2036*. Users of the Dufferin County Forest shall abide by the Code of Conduct for County Forest Users as outlined in the Dufferin County Forest Recreational Use Policy. Users of the Dufferin County Forest shall not engage in any activity within a tract of the Dufferin County Forest other than those activities marked with a "y" for the tract in question on Schedule A (Dufferin County Forest Recreational Use Policy 4-6-1 – Appendix A) ;

Exceptions

3. This by-law shall not apply to an employee of the Corporation of the County of Dufferin while acting in the course of his or her employment in managing the Dufferin County Forest or any part thereof, or any person authorized by an employee of the Corporation of the County of Dufferin to carry out any duty relating to the management of the Dufferin County Forest or any part thereof.

Motor vehicles

4. No person shall enter the Dufferin County Forest or any part thereof for the purpose of bringing into the Forest any motor vehicle for the purpose of operating said motor vehicle in the Dufferin County Forest with the following exceptions:

a. Parking

any person who enters the Dufferin County Forest or any part thereof for the purpose of bringing into the Forest any vehicle which is drawn or propelled by a motor or any means of power other than by muscular power, to park such vehicle in any area marked or designated for parking or;

b. Motorized snow vehicles

any person who enters the Dufferin County Forest on a motorized snow vehicle on a designated Ontario Federation of Snowmobile Clubs (O.F.S.C.) trail, remains on such designated trails while in the Forest, and is in possession of a valid O.F.S.C. trail permit or;

c. Electric Vehicles

any person who enters the Dufferin County Forest on an electrically powered vehicle who has mobility difficulties and/or who is retrieving game.

Campfires

5. No person shall have an open campfire at any time in the Dufferin County Forest or any part thereof.

Curfew

6. No person shall remain in the Dufferin County Forest or any part thereof between the hours of 12:00 a.m. (24:00 hours) and 5:00 a.m. (5:00 hours) local time for any purpose, including camping, without prior written permission from the County Forest Manager or his or her designate.

Garbage disposal

7. No person shall discard refuse, including yard or garden waste, in the Dufferin County Forest or any part thereof. **[Amended by By-Law 2020-31, March 12, 2020]**

Animal Excrement

8. Any person who owns, harbours or possesses or is in control of any animal shall be responsible for the removal and sanitary disposition of any excrement of the said animal forthwith.

Vandalism

9. No person shall remove, alter, damage or destroy any property of the County in the Dufferin County Forest.

Construction

10. No person shall place signs, construct roads or trails, or construct obstacles such as ramps and bridges on any roads or trails in the Dufferin County Forest without prior written permission from the County Forest Manager or his or her designate.

Safety

11. All persons mountain biking, horseback riding, or snowmobiling in the Dufferin County Forest must wear an appropriate helmet.
12. No person in the Dufferin County Forest shall use an audio device that impairs their awareness of other users.

Unmanned Aerial Vehicles

13. The use of unmanned air vehicles ("drones") is not permitted in the Dufferin County Forest without prior written permission from the County Forest Manager or his or her designate.

Dogs

14. Dogs are not allowed to run at large in the Dufferin County Forest.

Foraging

15. No person shall disturb, cut, kill, remove or harm any plant, tree or natural object in the Dufferin County Forest, including for the purposes of foraging.

Signs and Markers

16. No person shall disobey a posted sign or marker within a County Forest, including signs that restrict uses permitted on individual trails, as designated in Schedule C.

Designated Trails & Trail Additions

17. A group wishing to establish and maintain a trail or trail system in the Dufferin County Forest is required to seek the approval of the County of Dufferin.
- a) If the primary consideration is safety of users, re-routes of existing trails will be at the discretion of the County Forest Manager in consultation with the Director of Public Works/County Engineer.
 - b) If the primary consideration is not safety, trail changes will be brought to a meeting of the Dufferin County Forest Advisory Team (DCFAT) for discussion and forwarded to the County Infrastructure and Environment Committee for approval.
 - c) The above guidelines will apply to any trail changes to the map that forms Schedule C of By-law 2017-39, whether they are completely new trails, or

additions of existing but unmaintained/unmapped trails. [Amended by By-Law 2020-31, March 12, 2020]

Events

18. No person or group shall have an organized event in the Dufferin County Forest without obtaining a permit.

Hunting

19. There shall be no hunting in the Dufferin County Forest except in accordance with all of the following:
- a. as permitted under the *Fish and Wildlife Conservation Act*, 1997, S.O. 1997, c. 41, and the associated regulations;
 - b. in a tract and during a time of year where hunting is listed as permitted in Schedule A; and a permit issued under s. 20 of this By-law, including any terms or conditions of such permit.

Permit Required

20. All persons wishing to hunt in the Dufferin County Forest must be a member of a recognized organization that provides a minimum of \$5 million liability insurance for its members while they are engaged in hunting activities and obtain a Forest User Permit (Hunting) from the County that shall be in the form described in Schedule B and will be valid from the date of issue or October 1, whichever is later, until the following May 31. Forest Use Permits (Hunting) must be authorized by the signature of the County Forest Manager or his or her designate. [Amended by By-Law 2020-31, March 12, 2020]

Treestands and Blinds

21. Treestands and blinds must be of a freestanding, portable design and must be removed after every use.

Discharge of Firearms

22. No person shall discharge a firearm at any time for any reason in the parts of the Dufferin County Forest where hunting is not permitted according to Schedule A.
23. No person shall discharge a firearm in any part of the Dufferin County Forest for any reason between June 1 and September 30.
24. No person shall discharge a firearm in any part of the Dufferin County Forest for the purpose of patterning/sighting said firearm.

Offences

25. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine or penalty as provided for in the *Provincial Offences Act*, R.S.O.

1990, c. P.33, as may be amended from time to time.

Enforcement

26.

- a. Any police officer, provincial offences officer, or employee of the County designated by the Chief Administrative Officer is authorized to inform any person of the provisions of this by-law and to request compliance therewith.
- b. In addition to any other authority they may have, any police officer, provincial offences officer or municipal law enforcement officer, is authorized to order any persons believed by such officer or employee to be contravening or who has contravened any of this by-law,
 - i. to desist from the activity constituting or contributing to such contravention;
 - ii. to remove from the Dufferin County Forest anything owned by or in the control of such person which the officer believes is or was involved in such contravention, or
 - iii. to leave the Dufferin County Forest.
- c. Any police officer, provincial offences officer or municipal law enforcement officer may enforce the provisions of this by-law.
- d. Where any person contravenes any of the provisions of this by-law, or fails to comply with the order referred to in subsection (b) hereof, the permission and licence of such person to remain in the Dufferin County Forest is revoked.

Severability

27. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in full force and effect.
28. By-law 2003-50 is hereby repealed.
29. Schedules A, B and C shall form part of this by-law.

This by-law shall come into full force and effect on the date of passing.

READ a first, second and third time and finally passed this 14th day of September, 2017.

Darren White, Warden

Pam Hillock, Clerk

Schedule A – County Forest Recreational Policy 4-6-01 – By-Law 2017-39



POLICY & PROCEDURE MANUAL

SECTION	RECREATION AND CULTURE	POLICY NUMBER	4-6-1
SUB-SECTION	County Forest	EFFECTIVE DATE	May 11, 2017
SUBJECT	Dufferin County Forest Recreational Use		
AUTHORITY	Community Services Dufferin Oaks – April 25, 2017 Council Motion #23 - May 11, 2017 Amended – Public Works – April 26, 2018 Council – May 10, 2018 Amended – Infrastructure & Environmental Services – February 28, 2019 Council – March 14, 2019 Amended – Infrastructure & Environmental Services – January 23, 2020 Council – February 13, 2020		

PURPOSE:

To effectively manage recreational use of the Dufferin County Forest in accordance with the social, environmental, and economic sustainability objectives in *Our Forest, Our Future: Dufferin County Forest Management Plan 2016-2036*.

STATEMENT:

This policy applies to all tracts of the Dufferin County Forest.

PROCEDURES:

- 1. Generally Accepted Uses**
Unless otherwise restricted in this policy and associated by-law, generally accepted outdoor recreational activities are permitted in the Dufferin County Forest.
- 2. Main Permitted and Restricted Activities by Land Use Classes**
Appendix A shows the main permitted and restricted activities divided according to the land use classes in *Our Forest, Our Future: Dufferin County Forest Management Plan 2016-2036* (Table 7, pgs. 36-37).
- 3. Trails**
Users must stay on established trails at all times while in the Dufferin County Forest.
- 4. Motorized Vehicles**
Motorized vehicles, other than snowmobiles, are not permitted in the Dufferin County Forest.
- 5. Electric Vehicles**
Access by electric motorized vehicles is permitted for users with mobility difficulties and for game retrieval.

Recreational Use of the County Forest

POLICY NUMBER 4-6-1

6. Parking

Parking is permitted only in designated areas.

7. Hunting, Fishing, Trapping

In general, hunting is not permitted in all tracts of the Dufferin County Forest, please refer to Appendix A for tracts where hunting is permitted.

There is no hunting or discharge of firearms allowed in any Dufferin County Forest between June 1 and September 30.

Patterning/sighting of firearms is not permitted in the Dufferin County Forest.

Between October 1 and May 31, hunting and discharge of firearms are permitted only on the tracts as listed in Appendix A and within the seasons and other restrictions and requirements as determined by the Ontario Ministry of Natural Resources and Forestry.

Only temporary portable tree stands, which must be removed after every use, are permitted.

Hunters are required to purchase a permit from the County for hunting in the Dufferin County Forest. The permit will be valid from October 1 of a given year until the following May 31. If deemed necessary, the County may restrict the number of permits issued.

All hunters must be members in good standing of a recognized organization that provides a minimum of \$5 million liability insurance for its members while they are engaged in hunting activities and are required to present proof of membership prior to obtaining a permit to hunt in the Dufferin County Forest. **[Amended by By-Law 2020-31, March 12, 2020]**

Fishing is permitted only within seasons and other restrictions and requirements as determined by the Ontario Ministry of Natural Resources and Forestry. However, there are no significant fishing opportunities in the Dufferin County Forest.

Trapping is permitted only within the seasons and other restrictions and requirements as determined by the Ontario Ministry of Natural Resources and Forestry and only at the following tracts: Melancthon, Riverview, and Amaranth South. Trapping areas will be assigned on a first come, first serve basis, renewable annually at the County's discretion. All trappers are required to present proof of membership in the Ontario Fur Managers Federation prior to being granted permission to trap.

8. Snowmobiling

Snowmobiling in the Dufferin County Forest is permitted on designated Ontario Federation of Snowmobile Clubs (OFSC) trails only. Snowmobilers must display a current OFSC trail permit and follow all OFSC rules/regulations while using the designated trails in the Dufferin County Forest.

9. Foraging

In order to conserve the natural environment, users are not permitted to disturb, cut, kill, remove or harm any plant, tree or natural object in the Dufferin County Forest, including for the purposes of foraging.

10. Dogs

Dogs must be under control or on-leash at all times within the Dufferin County Forest.

Recreational Use of the County Forest	POLICY NUMBER	4-6-1
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11. Safety

The use of audio devices that impair your awareness of other users is not permitted in the Dufferin County Forest.

Helmets are required for anyone mountain biking, horseback riding, or snowmobiling in the Dufferin County Forest.

12. Campfires

Campfires are not permitted in the Dufferin County Forest.

13. Respect for Property

Discarding of garbage, including yard or garden waste, in the Dufferin County Forest is not permitted. [Amended by By-Law 2020-31, March 12, 2020]

Willful damage to any structures in the Dufferin County Forest is not permitted.

14. Drones

Use of drones in the Dufferin County Forest is not permitted without prior authorization from the County Forest Manager or his/her designate.

15. Mansfield Outdoor Centre

The County of Dufferin has a long-standing exclusive land use agreement with the Mansfield Outdoor Centre for lease of designated trails in the south part of the Main Tract for cross-country skiing between December 1 of a given year and March 31 of the following year. The agreement will be renewed annually at the County's discretion.

16. Organized Recreational Events

Non-profit groups wishing to hold an event/tour for more than 30 people in the Dufferin County Forest will be required to obtain a County Forest Event Permit. For-profit/commercial groups of any size wishing to hold an event/tour in the Dufferin County Forest will be required to obtain a County Forest Event Permit (Appendix B). [Amended by By-Law 2019-20, April 11, 2019]

Groups are advised to inquire as to date availability for events as soon as possible (at least three months in advance of event date) to avoid disappointment. In order to minimize conflicts, only one event per tract per day will be granted an event permit.

Groups participating in forest stewardship activities such as trail building, trail maintenance, and garbage removal are not required to have an event permit for such activities.

Access to the open area at the Main Tract for overnight stays/event staging will be limited to groups holding organized recreational events having a valid County Forest Event Permit. [Amended by By-Law 2019-20, April 11, 2019]

There will be no camping permitted in the Dufferin County Forest other than as part of an event for which there is a valid County Forest Event Permit. [Amended by By-Law 2019-20, April 11, 2019]

17. Separation of Trail Uses

The County Forest Manager or his/her designate will work with stakeholders to establish separate designated trails in the Main Tract for user groups. Trail maps will be distributed to users through a variety of means and signs will indicate designated trails in the Main Tract.

Recreational Use of the County Forest	POLICY NUMBER	4-6-1
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[Amended by By-Law 2019-20, April 11, 2019]

18. Fees

Fees for recreational use of the Dufferin County Forest will be established in the County's fees by-law and will be available on the County website and by request.

19. Forest Management

Forest management activities will be conducted so as to minimize impacts on designated recreational trails.

20. Dufferin County Forest Advisory Team

The County will establish a team made up of five residents of Dufferin County and one member of the Infrastructure and Environmental Services Committee. **[Amended by By-Law 2019-20, April 11, 2019]** The team will meet at least once annually to discuss the management of the Dufferin County Forest. The purpose of the team will be to ensure that the interests of stakeholders in the Dufferin County Forest are represented and effectively communicated to the County of Dufferin. Representation will be solicited from the general public to coincide with the new term of County Council, or as required to replace or add members. The Terms of Reference for the Dufferin County Forest Advisory Team are in Appendix C.

21. Code of Conduct for Dufferin County Forest Users

These guidelines have been adapted from various sources.

a. General Rules

Expect and respect other trail users.

- Remember that on shared use trails there are a variety of other users enjoying the trail with you.
- Keep to the right to allow other users to pass on your left. When stopping for a break, move to the side to allow others room to pass
- Stay on the trail; don't create new trails.
- Respect neighboring landowners by staying off private property.
- Avoid excessive noise.
- Leave the trail as you found it; whatever you pack in, pack out
- Maintain control of your pets. Carry a leash for your dog and be prepared to use it. "Stoop and flick" when waste is on the trail.
- Some trails may close seasonally or during forest management activities. Obey trail closure signs.
- Check the trail conditions. If you are leaving tracks over ½" (1.25 cm) deep don't use the trail.
- Do not scare horses by approaching silently or rapidly. When approaching from the front, stop and let them pass unless the rider indicates otherwise. If approaching from behind, alert the horse and rider from about 30 feet (nine metres) away with a friendly "hello". Ask the rider the best way to pass.
- During hunting seasons wear bright coloured clothing to increase visibility.
- Obey all signs.

Recreational Use of the County Forest

POLICY
NUMBER

4-6-1

- Yield on trails according to the following:



b. Walkers, Hikers, Runners, Snowshoers

- Remember that on shared use trails there are a variety of other users enjoying the trail with you.
- Do not scare horses by approaching silently or rapidly. When approaching from the front, stop and let them pass unless the rider indicates otherwise. If approaching from behind, alert the horse and rider from about 30 feet (nine metres) away with a friendly "hello". Ask the rider the best way to pass.
- Keep control of your pets, particularly when sharing the trail with mountain bikers, children, horses or snowmobiles.
- Don't walk on groomed cross-country ski trails.

c. Equestrians (adapted from: Headwaters Horse Country)

- Remember that on shared use trails there are a variety of other users enjoying the trail with you.
- Wear a helmet
- Before heading out on the trail, get informed about where horses are permitted and not permitted. Obey trail closure and seasonal use signs. Ride only on trails that are marked as being open to horses and stay on those trails. Don't make new trails or use unsigned trails. In winter, stay off groomed cross-country ski trails.
- Horses can cause a lot of damage to the trail. Do your best to leave the trail as you found it. Avoid going on wet trails even if there are no closed signs posted. If your horse leaves tracks deeper than ½" (1.25 cm) stay off the trail.
- Kick manure off the trail (hikers and bikers will appreciate it). Take out what you take in and nothing else (leave the wildflowers and wild life behind). Manure and trailer contents must be removed from parking lots and disposed of offsite. Do not dispose of on gravel roads.
- Before taking your horse on the trail, train him to handle situations that may occur there. Horses that kick, bite or are very spooky are not safe on a shared trail. Always ride with a more experienced horse and rider especially if you or your horse are new to trail riding.
- Enjoy your ride at a leisurely pace especially when your view of the trail ahead is restricted. To avoid damaging the trail or causing injury to other trail users, keep to a walk or a gentle trot. Never gallop on the trail.
- Keep to the right when meeting oncoming trail users. If you are passing someone in front of you, make sure they know you are behind them. Pass in single file on the left after getting their permission to pass. If they are traveling with dogs or children, ensure they have them under control before passing. If others are passing you, tell them the safest way to get by. If you stop for a rest, move to the right side of the trail so that others have room to pass.

Recreational Use of the County Forest	POLICY NUMBER	4-6-1
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- Whoever is travelling uphill is given the right of way so that they don't lose momentum. This applies for bikers, hikers and horse riders.
 - When you hear or see other trail users, speak up to let them know you are there. Call out a friendly greeting so they aren't caught by surprise as they come around a corner. You can decrease negative encounters by educating non-horse people in a friendly and respectful manner about how to safely approach and pass horses.
 - Always be prepared for the worst case scenario. Carry identification on yourself and on your horse in case you become separated. Let someone know where you are going and when you expect to return. Carry a basic first aid kit as well as a cellphone, water and some food.
 - It is highly recommended that you have off-farm liability insurance coverage that will protect you in case you lose control of your horse and damages ensue
- d. Cyclists (adapted from: International Mountain Bicycling Association Canada)**
- Remember that on shared use trails there are a variety of other users enjoying the trail with you.
 - Do your utmost to let your fellow trail users know you're coming — a friendly greeting or bell ring are good methods. Try to anticipate other trail users as you ride around corners. Bicyclists should yield to other non-motorized trail users, unless the trail is clearly signed for bike-only travel. Bicyclists traveling downhill should yield to ones headed uphill, unless the trail is clearly signed for one-way or downhill-only traffic. In general, strive to make each pass a safe and courteous one.
 - Respect trail and road closures — ask the County Forest Manager or his/her designate for clarification if you are uncertain about the status of a trail. Do not trespass on private land. Obtain permits or other authorization as required.
 - Be sensitive to the dirt beneath you. Wet and muddy trails are more vulnerable to damage than dry ones. When the trail is soft, consider riding in a different area. This also means staying on existing trails and not creating new ones to bypass soft areas. Don't cut switchbacks. Be sure to pack out at least as much as you pack in.
 - Inattention for even a moment could put yourself and others at risk. Obey all bicycle speed regulations and recommendations, and ride within your limits.
 - Do not scare horses by approaching silently or rapidly. When approaching from the front, stop and let them pass unless the rider indicates otherwise. If approaching from behind, alert the horse and rider from about 30 feet (nine metres) away with a friendly "hello". Ask the rider the best way to pass.
 - Know your equipment, your ability and the area in which you are riding and prepare accordingly. Strive to be self-sufficient: keep your equipment in good repair and carry necessary supplies for changes in weather or other conditions. Always wear a helmet and appropriate safety gear.
 - Don't ride on groomed cross-country ski trails.
- e. Cross-Country Skiers**
- Remember that on shared use trails there are a variety of other users enjoying the trail with you.
 - Use common sense and personal awareness, particularly in intense cold or when sharing the trail with snowmobiles.
 - Keep to the right to allow other users to pass to your left. Be alert for other trail users and ski in control, particularly when your vision of the terrain ahead is restricted. Always assume that there could be someone up ahead, and be prepared to stop.
 - Do not ski late in the day. Plan to be off the trail by dusk.
 - Carry sufficient wax, food, drink, and clothing for unexpected eventualities.

Recreational Use of the County Forest	POLICY NUMBER	4-6-1
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- Keep track of your progress and where you are. For remote areas, leave your itinerary and expected return time with someone. Obey all posted signs and warnings. Keep off closed trails.
- Do not stop where you obstruct the trail or are not visible from above or at a bend.
- Before merging onto a trail, look both ways (particularly uphill), and yield to others. When going downhill or passing others, ski in control to avoid the persons below and beside you.
- Do not scare horses by approaching silently or rapidly. When approaching from the front, stop and let them pass unless the rider indicates otherwise. If approaching from behind, alert the horse and rider from about 30 feet (nine metres) away with a friendly "hello". Ask the rider the best way to pass.

f. Snowmobilers

- Remember that on shared use trails there are a variety of other users enjoying the trail with you.
- Wear a helmet
- Be safety conscious. Be aware. Ride with care.
- Stay on the designated Ontario Federation of Snowmobile Clubs (OFSC) trails.
- Enjoy wildlife viewing opportunities, but avoid stressing any species.
- Avoid sudden stops and starts and quick directional changes with acceleration.
- Slow down when your vision of the trail ahead is restricted, at night, or over unfamiliar terrain.
- Always assume there could be other trail users ahead, and be prepared for a controlled stop.
- Keep your speed and engine rpm low and steady when approaching and passing other trail users, homes, etc.
- Slow down, communicate, and be courteous when approaching or passing other trail users.
- Your snowmobile may scare a horse. When approaching from the front, stop, turn off your machine, and let them pass unless the rider indicates otherwise. Approach slowly from behind, allow the rider to signal when it is alright to pass. If the horse reacts, stop and wait for the rider to regain control.
- Park and dismount from your snowmobile and walk to sensitive, scenic, historic and cultural areas.
- Remove your helmet when talking to other trail users.
- Don't ride on groomed cross-country ski trails.
- When parking along a trail, park snowmobiles in single file over to the right as far as possible to avoid obstructing the trail. Ensure you are visible and turn off your machine.
- Obey all laws, regulations and by-laws regulating the operation of your snowmobile.

g. Hunting, Fishing, Trapping

- Remember that on shared use trails there are a variety of other users enjoying the trail with you.
- Obey all laws, regulations and by-laws regulating hunting, fishing, and trapping.
- Be well-practiced and know your firearm's capabilities and limitations.
- When shooting, do so accurately and safely.
- Insist that other hunters obey all laws and report lawbreakers.
- Avoid offensive behaviour and situations, such as displaying your harvest on your vehicle or behaving coarsely during or after the hunt.
- Make full use of the animals you take.
- Respect neighboring landowners by staying off private property.

Our Forest, Our Future: Dufferin County Forest Operating Plan 2021-2026

Recreational Use of the County Forest - Policy 4-6-1

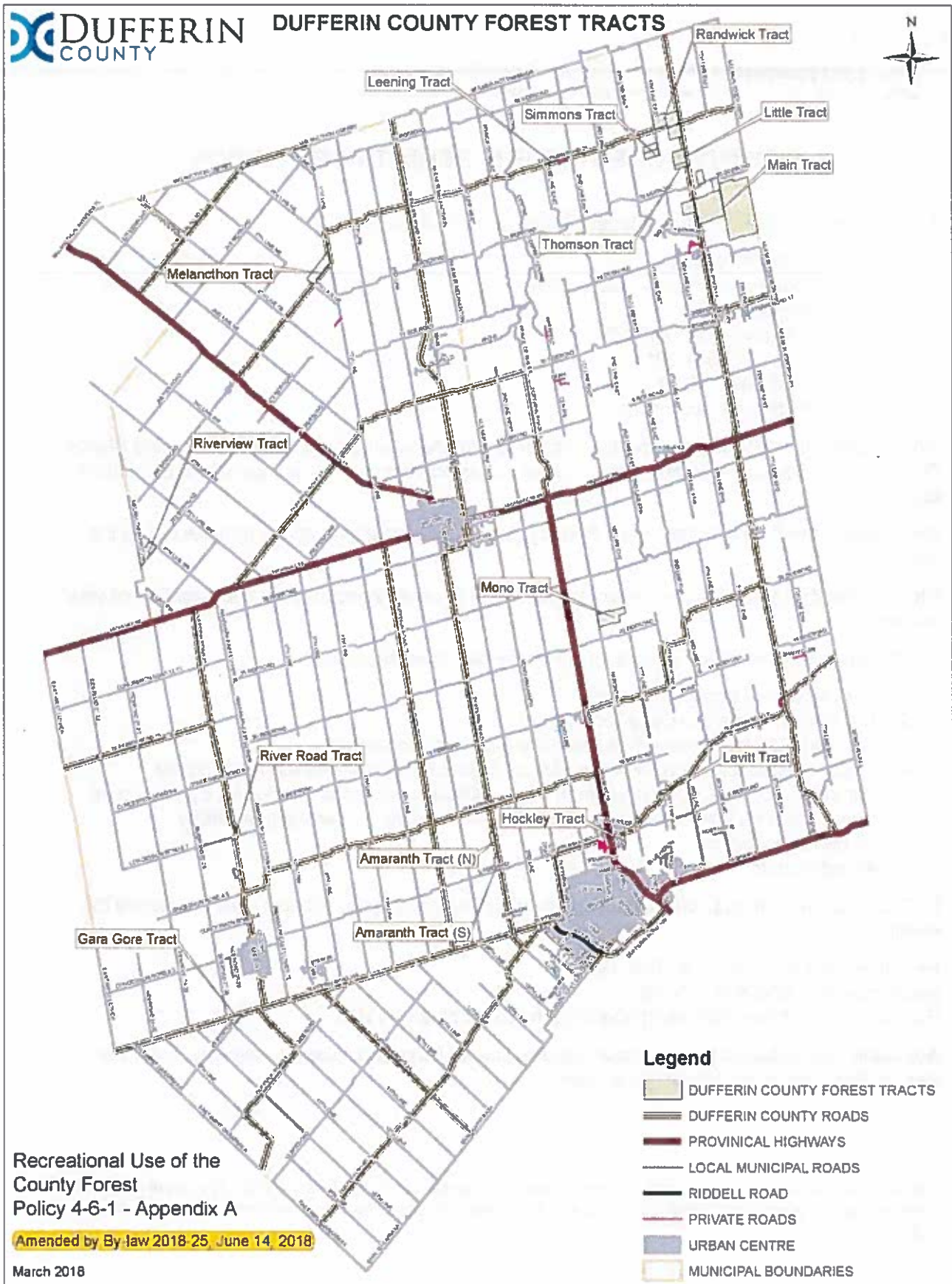
Appendix A: Male Permitted and Restricted Activities by Land Use Class
(Amended by By-law 2018-25, June 14, 2018)

Tract & Compartments	Land Use Class	Area (ha)	Hiking/Running/Nature Appreciation	Biking/Snowshoeing	Fat (Winter) Mtn Biking	Mtn Biking
Amaranth (42a) Laurel Wetland Complex	natural	12	y	y	n	n
Amaranth (43b, 43c) Farmington Swamp	natural	10	y	y	y	y
Amaranth (43a)	managed	2	y	y	y	n
Gara-Gara (44a)	managed	15	y	y	y	y
Hockley (49) Orangeville Wetland Complex	natural	20	y	y	y	y
Leesing (50)	natural	6	y	y	n	n
Levitt (51)	natural	4	y	y	n	n
Little (48)	natural	47	y	y	n	n
Main (7-10, 12-19, 21a, 22, 23a, 23b, 24a, 24c, 25b, 25c)	managed	310	y	y	y	y
Main (11, 20a, 21b, 23c, 24a, 25a, 26-30, 31a, 31d), Oak Ridge South Slope Forest	natural	200	y	y	y	y
Main (31b, 31c)	natural	24	y	y	y	y
Melanchon (32a, 32b, 32c, 33a, 33b, 33c)	managed	12	y	y	y	y
Melanchon (33a, 33c, 33d, 34a, 35a) Melanchon 1	natural	40	y	y	y	y
Mono (39-43, 46)	managed	68	y	y	y	y
Randwick (1-4c, 5-8)	managed	115	y	y	y	y
Randwick (4d), Walker's Creek Wetland	natural	2	y	y	y	y
River Road (45)	managed	3	n	n	n	n
Riverview (36, 37b, 37c, 37d, 37e, 38a, 38b)	managed	27	y	y	y	y
Riverview (37a, 38c, 38d), Melanchon 2	natural	13	y	y	y	y
Simmons (47)	managed	42	y	y	y	y
Thomson	managed	12	y	y	n	n

Tract & Compartments	Land Use Class	Area (ha)	Horseback Riding	Hunting	OFBC Trails	Other Motorized Vehicles
Amaranth (42a) Laurel Wetland Complex	natural	12	n	n	n	n
Amaranth (43b, 43c) Farmington Swamp	natural	10	y	y (except June 1-Sept 30)	n	n
Amaranth (43a)	managed	2	y	y (except June 1-Sept 30)	n	n
Gara-Gara (44a)	managed	15	y	y (except June 1-Sept 30)	n	n
Hockley (49) Orangeville Wetland Complex	natural	20	n	n	n	n
Leesing (50)	natural	6	n	n	n	n
Levitt (51)	natural	4	n	n	n	n
Little (48)	natural	47	n	n	n	n
Main (7-10, 12-19, 21a, 22, 23a, 23b, 24a, 24c, 25b, 25c)	managed	310	y	y (except June 1-Sept 30)	y	n
Main (11, 20a, 21b, 23c, 24a, 25a, 26-30, 31a, 31d), Oak Ridge South Slope Forest	natural	200	y	y (except June 1-Sept 30)	n	n
Main (31b, 31c)	natural	24	y	y (except June 1-Sept 30)	n	n
Melanchon (32a, 32b, 32c, 33a, 33b, 33c)	managed	12	y	y (except June 1-Sept 30)	n	n
Melanchon (33a, 33c, 33d, 34a, 35a) Melanchon 1	natural	40	y	y (except June 1-Sept 30)	n	n
Mono (39-43, 46)	managed	68	n	n	y	n
Randwick (1-4c, 5-8)	managed	115	y	y (except June 1-Sept 30)	y	n
Randwick (4d), Walker's Creek Wetland	natural	2	y	y (except June 1-Sept 30)	n	n
River Road (45)	managed	3	n	n	n	n

Recreational Use of the County Forest - Policy 4-6-1

Tract & Compartments	Land Use Class	Area (ha)	Horseback Riding	Hunting	OFBC Trails	Other Motorized Vehicles
Riverview (36, 37b, 37c, 37d, 37e, 38a, 38b)	managed	27	y	y (except June 1-Sept 30)	y	n
Riverview (37a, 38c, 38d), Melanchon 2	natural	13	y	y (except June 1-Sept 30)	n	n
Simmons (47)	managed	42	y	y (except June 1-Sept 30)	n	n
Thomson	managed	12	n	n	n	n



Appendix B



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

COUNTY FOREST EVENT PERMIT APPLICATION

Applications must be submitted at least 90 days prior to the event.

Submit to: County of Dufferin
Corporate Services – Clerk's Office
55 Zina Street
Orangeville ON L9W1E5
Phone 519-941-2816
Fax 519-941-4565
info@dufferincounty.ca

Once submitted, you will receive confirmation of receipt. Applications will be reviewed by the Clerk's Office and the County Forest Manager. You will be contacted regarding your permit status within 30 days.

Once issued, the County Forest Event Permit must be available for viewing at all times during the event.

Please note that acceptance of your application is in no way approval or confirmation of your request.

The following documentation is required before the permit will be issued:

1. Completed and signed application
2. The signed Terms and Conditions page
3. The signed Hold and Save Harmless and Indemnity Agreement
4. Proof of Insurance in the minimum amount of \$5 million dollars liability showing the Corporation of the County of Dufferin as an additional insured and including a provision for cross liability for insurance against all damages or claims for damages or liability
5. An event description
6. An event route map

NOTE: Your event description must be approved by the County prior to being used to promote the event.

Fee Schedule (as per By-Law 2015-41):

Application Fee: \$50 plus 13% HST

Per Person Event Fee: \$2/Person Attending the Event plus 13% HST

Application fee is due upon permit approval. Permits will be issued following payment of fee. Per Person Event fee is due following the event.

The personal information collected on this form is collected under the authority of By-Law 2017-39 and will be used to issue the County Forest Event Permit. Questions about this collection should be addressed to the Clerk at 519-941-2816 x2503.



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

COUNTY FOREST EVENT PERMIT APPLICATION

Applicant Information

Applicant Name:

Organization/Group:

Mailing Address:

Email Address:

Phone Number:

Event Information

Name of Event:

Date: From:

To:

Number of Participants:

Type of Event:

For Profit

Non Profit

Intended Use:

Camping

Cross Country Skiing

Hiking

(Check all that apply)

Horseback Riding

Mountain Biking

Snowshoeing

Other:

Forest Tract Requested:

Brief Description of Event:

Description of Route Markings:

Print Name:

Signature:

Date:

For Office Use Only

Received By:

Date Received:

Reviewed By County Forest Manager:

Date Reviewed:

Event Description Approved

Special Permission Letter from Forest Manager

of Participants Confirmed

Application Fee Received

Proof of Insurance Received

Indemnity Agreement Received

Event Route Map Received

Terms & Conditions Signed

Permit Issued – Permit #:

The personal information collected on this form is collected under the authority of By-Law 2017-39 and will be used to issue the County Forest Event Permit. Questions about this collection should be addressed to the Clerk at 519-941-2816 x2503.



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

COUNTY FOREST EVENT PERMIT APPLICATION

Terms and Conditions

- The user is responsible for complying with regulations set out in By-law 2017-39 and the Dufferin County Forest Recreational Use Policy (Policy No. 4-6-1).
- The user's event description must be approved by the County prior to being used to promote the event.
- The user is responsible for all costs relating to maintaining the property for use made of it during the event. The County has no obligation to maintain or repair the trails and/or bridges on the property for the benefit of the user. The user is responsible for ensuring that the event route is passable prior to, and following, the event.
- The user is prohibited from cutting any trees, branches or brush without prior written approval from the County Forest Manager or designate.
- The user agrees that any cutting or other damages, that in the opinion of the County Forest Manager or designate, has been caused by the users shall be rectified at the user's expense upon written notice by the County.
- The route of the event must follow the route set out in the permit application.
- No new trails may be created for the event without prior written approval from the County Forest Manager or designate.
- The user is responsible for posting signage on all trails and/or bridges or other signage as requested by the County. Any signs for the event may be posted no sooner than two weeks prior to the event date and must be removed no later than two weeks after the event. If the user is holding multiple events in a calendar year that use the same route(s), event signage may remain in place until two weeks after the final event of the calendar year.
- All trails and/or bridges on the property must remain open to the public for other permitted uses and the public shall be allowed to use them without being charged a fee by the user.
- Upon completion of the event, the user will restore the property to a state, which in the opinion of the County Forest Manager or designate, is as good as or better than the original condition prior to the event.
- The County reserves the right to cancel an event permit in case of predicted severe weather.
- In order to reduce the chances of introduction of invasive species, no firewood is to be brought in to the camping area from outside the Main Tract. [Amended by By-Law 2020-31, March 12, 2020]

The personal information collected on this form is collected under the authority of By-Law 2017-39 and will be used to issue the County Forest Event Permit. Questions about this collection should be addressed to the Clerk at 519-941-2816 x2503.



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

- For events that include participants staying overnight/camping, at least one portable toilet must be provided for the use of participants. [Amended by By-Law 2020-31, March 12, 2020]
- The user agrees to comply with all applicable municipal, provincial, federal and other laws, statutes, ordinances and requirements.
- The County may refuse to issue or revoke the permit if the user does not provide the necessary supporting documentation or fails to comply with By-law 2017-39 and the Dufferin County Forest Recreational Use Policy.
- The County of Dufferin reserves the right to add any conditions as required. If conditions are not being adhered to, the County of Dufferin may stop, suspend or cancel the event.

As the organizer and person responsible for the event, I have read, understand and agree to abide by the rules and the conditions set forth by these above terms and conditions.

Print Name:

Signature:

Date:

The personal information collected on this form is collected under the authority of By-Law 2017-39 and will be used to issue the County Forest Event Permit. Questions about this collection should be addressed to the Clerk at 519-941-2816 x2503.



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

COUNTY FOREST EVENT PERMIT APPLICATION
Save and Hold Harmless and Indemnity Agreement

The User, _____, agrees to indemnify, save harmless, and waive all rights against the County of Dufferin from and against all suits and claims for loss, damage, accident, death, or injury of any nature or kind whatsoever arising out of or connected with the use and maintenance of the property or any preparation or construction of or on the property by the user, its members, employees, agents, or any other person using the property.

Print Name:

Signature:

Date:

The personal information collected on this form is collected under the authority of By-Law 2017-39 and will be used to issue the County Forest Event Permit. Questions about this collection should be addressed to the Clerk at 519-941-2816 x2503.

Recreational Use of the County Forest – Policy 4-6-1

Appendix C: Terms of Reference – Dufferin County Forest Advisory Team

Purpose:

The purpose of the Dufferin County Forest Advisory Team (DCFAT) is to:

- provide community input and advice to County staff regarding the Dufferin County Forest Management Plan and Dufferin County Forest Recreational Use Policy and;
- assist County staff in communicating plan and policy revisions.

Dufferin County Forest Goal:

To protect the quality and integrity of ecosystems in the Dufferin County Forest, including air, water, land and biota; and, where quality and integrity have been diminished, to encourage restoration or remediation to healthy conditions; while providing a variety of social and economic benefits to the public.

Assumptions:

- recreational pursuits in the forest are a privilege, not a right;
- the Dufferin County Forest is not parkland, preserve or for single-use, however, some areas may not be suitable for all activities and;
- the Dufferin County Forest is owned and managed by the Corporation of the County of Dufferin, and is not Crown land.

Criteria for Analysis of Recreational Activities/Events:

- activity must have minimal environmental impact;
- activity must not have significant impact upon other forest users;
- activity must be compatible with forest management activities;
- activity must not pose significant liability concerns to the County and;
- activity should not require significant County staff intervention for administration or policing.

Membership:

Representation will be solicited from the general public to coincide with the new term of County Council, or as required to replace or add members. Five members will be selected according to the following criteria:

- commitment to advancing the purpose of the Dufferin County Forest Advisory Team;
- interest and respect for a broad range of issues regarding the management of the Dufferin County Forest;
- respect for the procedures agreed to by the members;
- willingness to serve as a volunteer on the Advisory Team;
- aged 18 or over; and
- resident of Dufferin County.

In addition, one member of the Infrastructure and Environmental Services Committee will be appointed to the Dufferin County Forest Advisory Team. **[Amended by By-Law 2019-20, April 11, 2019]**

Structure:

The Advisory Team will meet at least once annually to discuss items relevant to its purpose. The County Forest Manager or his/her designate will attend all meetings and assist as required. The Advisory Team may choose to obtain feedback from recreational users and the broader public when deemed necessary.

Schedule B

The Forest Use Permit (Hunting) will take the form of a card with the following information:



Forest Use Permit (Hunting)
Dufferin County Forest

The permittee named on the reverse must be in possession of this use permit at all times while using the Dufferin County Forest and must present the use permit on request to authorized personnel. This use permit is not transferable.

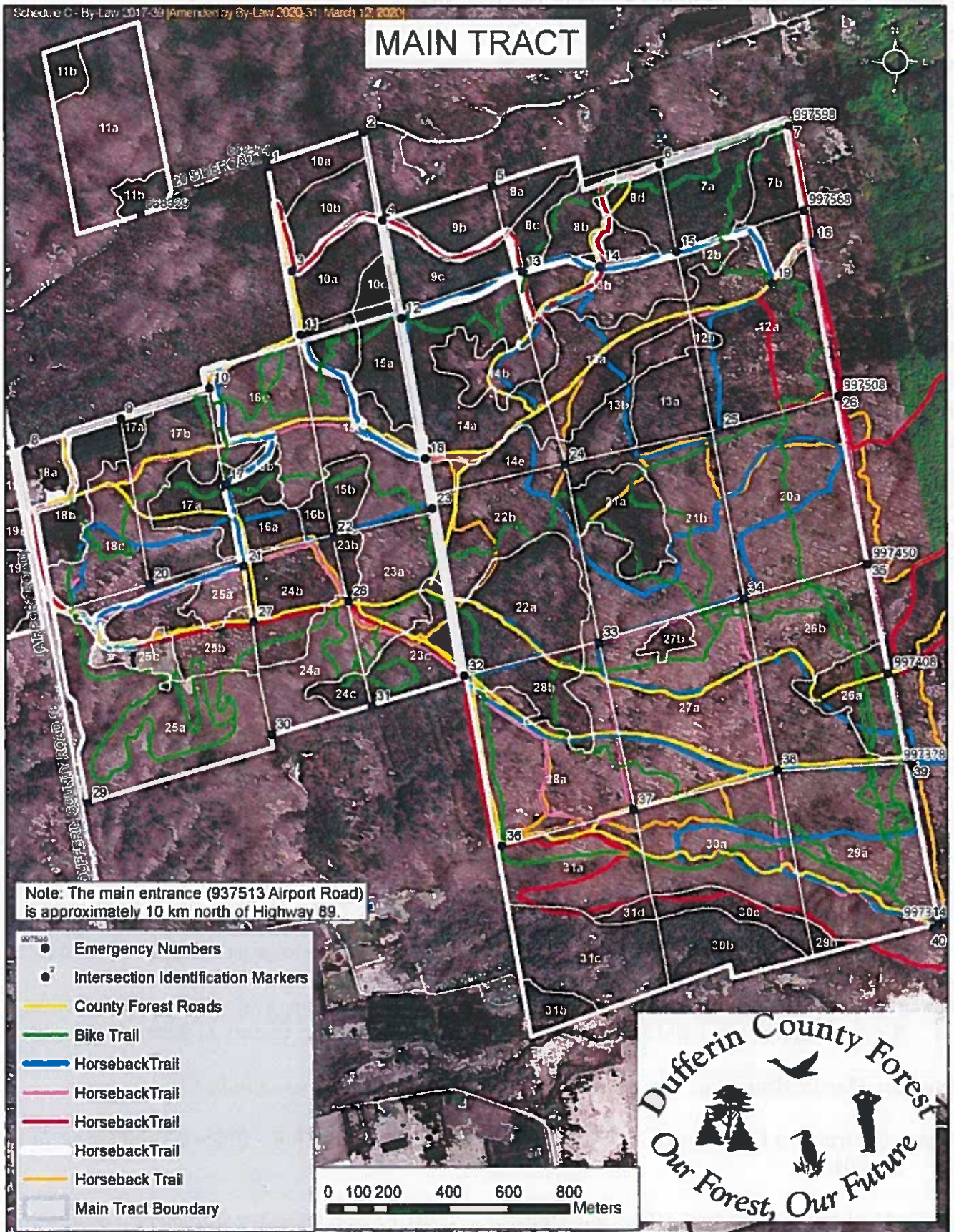
This permit entitles

to hunt in the Dufferin County Forest provided that he/she is in compliance with the *Fish and Wildlife Conservation Act* and its associated regulations, and County of Dufferin By-law 2017-38. This forest use permit is valid from the date of issue or October 1, whichever is later, until the following May 31.

Date of Issue

Authorized
Signature

Number: DCF-W



APPENDIX F: Related Municipal Policies and By-Laws

Recreational Use of the County Forest By-Law 2017-39 (as amended)
Dufferin County Official Plan
Dufferin Local Municipal Official Plans and Zoning By-Laws
Fees By-Law (including County Forest) 2012-08
Recreational Use of the County Forest Policy (4-6-1)
Reserve Funds By-Law (including County Forest) 2002-45

APPENDIX G: Related Provincial Policies and Legislation

Endangered Species Act
Fish and Wildlife Conservation Act
Forestry Act
The Niagara Escarpment Plan
Niagara Escarpment Planning and Development Act
Planning Act
Professional Foresters Act
A Silvicultural Guide to Managing Southern Ontario Forests

APPENDIX H: References

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- Neumann, Martin, Bruce, Ian, and Associates. (1993). *Farm Forestry and Habitat Management*.
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- Robinson, Suzanne, Biologist, Midhurst District, Ministry of Natural Resources and Forestry. (April, 2014). Pers. comm.
- Silv-Econ Ltd. (2014). *Sustainable Timber Management of the Dufferin County Forest*.
- Troy, Austin and Bagstad, Ken. (2009). *Estimation of Ecosystem Service Values for Southern Ontario*. Spatial Informatics Group, LLC. Pleasanton, CA.
- Williams, Peter and Schwan, Terry. (2011). *Managing Ash in Farm Woodlots; Some Suggested Prescriptions*.

draft



Dufferin County Forest Operating Plan 2021-2026 Draft Plan Comments

For questions/completed forms:
Caroline Mach, R.P.F., County Forest Manager
c/o Museum of Dufferin
936029 Airport Road, Mulmur, ON L9V 0L3
phone: 519-941-1114 x 4011 or 877-941-7787 x 4011
e-mail: forestmanager@dufferinmuseum.com

The best way to reach me is by e-mail as I continue to work remotely.

Comment Deadline: September 30, 2020

1. Are you currently a user of the Dufferin County Forest? yes no

If yes, please check **up to three** activities that you use the County Forest for:

- | | |
|---|---|
| <input type="checkbox"/> hiking | <input type="checkbox"/> cross-country skiing |
| <input type="checkbox"/> dog walking | <input type="checkbox"/> dogsledding |
| <input type="checkbox"/> wildlife viewing/photography | <input type="checkbox"/> snowmobiling |
| <input type="checkbox"/> nature appreciation | <input type="checkbox"/> hunting |
| <input type="checkbox"/> horseback riding | <input type="checkbox"/> wild turkey |
| <input type="checkbox"/> mountain biking/fat biking (non-motorized) | <input type="checkbox"/> white-tailed deer |
| <input type="checkbox"/> mushroom picking | <input type="checkbox"/> small game |
| <input type="checkbox"/> off-roading (dirt bike, ATV) | <input type="checkbox"/> other _____ |

If yes, which tracts do you use the most (**choose up to three**)?

- | | |
|------------------------------------|-------------------------------------|
| <input type="checkbox"/> Main | <input type="checkbox"/> Melancthon |
| <input type="checkbox"/> Amaranth | <input type="checkbox"/> Mono |
| <input type="checkbox"/> Gara Gore | <input type="checkbox"/> Randwick |
| <input type="checkbox"/> Hockley | <input type="checkbox"/> Riverview |
| <input type="checkbox"/> Leening | <input type="checkbox"/> River Road |
| <input type="checkbox"/> Levitt | <input type="checkbox"/> Simmons |
| <input type="checkbox"/> Little | <input type="checkbox"/> Thomson |

2. How important are the following County Forest values to you?

(1-least important, 3-most important)

availability for recreation 1 2 3

existence features 1 2 3

(e.g. biodiversity, soil and water protection, carbon sequestration)

income generation for the County 1 2 3

wildlife habitat 1 2 3

other, please specify _____ 1 2 3

3. Do you feel that the signs at selected tracts and newspaper advertisements that the County has used since 1995 to inform Forest users about hunting seasons have been effective?

yes no

Why or why not?

4. In general, do you feel that the County has done a good job of keeping users and the general public informed about what is happening with the Dufferin County Forest?

yes no

Why or why not?

5. Do you have any suggestions for new low-cost revenue sources for the County Forest operation?

6. What infrastructure improvements (if any) would you like to see in the County Forest (check all that apply)?

portable toilets, please specify at which tract(s) _____

signs describing permitted uses

wayfinding signs, please specify at which tract(s) _____

informational signs e.g. describing the history of the forest

other signs, please specify _____

more accessible trails

parking areas, please specify at which tract(s) _____

other

7. Other comments you have on the operating plan (use additional sheets if necessary):

If you would like to be added to our electronic mailing list, please provide your contact information below.

Name:

Email:

The personal information on this form is collected in accordance with Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990 and will be used to send an electronic newsletter. Questions about this collection should be directed to the County Forest Manager at 519.941.2816 x 4011.

Submit

Print



Our Forest, Our Future:
Dufferin County Forest Management Plan
2016-2036



ACKNOWLEDGEMENTS

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EXECUTIVE SUMMARY

The Dufferin County Forest is a 1,054 hectare (2,606 acre) multi-tract forested area owned and managed by the County of Dufferin. The Forest serves important functions in terms of erosion and water control, natural heritage protection, biodiversity, wildlife habitat, recreational opportunities, and support of the rural economy through timber production and employment opportunities.

This twenty-year management plan (2016-2036) outlines how environmental, economic, and social sustainability will be achieved for the Dufferin County Forest, building on the County's strategies as outlined in the previous management plan (1995-2015). This plan includes an integrated five year operating plan for the period 2016-2021. As part of the development of the three subsequent five year operating plans, an assessment of the twenty year management plan will occur. As with any planning document, regular analysis will take place to ensure that current circumstances are being sufficiently addressed in the plan.

The goal of the management plan has not changed: *To protect the quality and integrity of ecosystems in the Dufferin County Forest, including air, water, land and biota; and, where quality and integrity have been diminished, to encourage restoration or remediation to healthy conditions; while providing a variety of social and economic benefits to the public.*

In order to achieve this goal, the following key actions will be taken in each of the three areas of sustainability:

Environmental Sustainability

- ❖ provide proper environmental conditions for wild life;
- ❖ protect against floods and erosion;
- ❖ maintain natural forest characteristics as much as possible and;
- ❖ protect the Forest from the threats of invasive species and climate change by maintaining, and, where possible, increasing, biodiversity.

Economic Sustainability

- ❖ maintain sustainable levels of timber harvesting throughout the planning period;
- ❖ seek forest certification to increase the demand for timber products from the County Forest and;
- ❖ continue to develop alternative revenue streams that will not compromise environmental sustainability.

Social Sustainability

- ❖ maintain an active relationship with users and other stakeholders;
- ❖ promote the benefits of forest protection/conservation;
- ❖ continue to inform residents of Dufferin County, in particular, youth, about the County Forest and;
- ❖ develop a separate detailed recreation policy, that is consistent with the overall forest management plan, to manage recreational use, in particular in the Main Tract.

TABLE OF CONTENTS

1.0 INTRODUCTION	11
2.0 PHYSICAL FEATURES OF DUFFERIN COUNTY	11
2.1 Topography, Geology, and Soils.....	11
2.2 Hydrology	13
2.3 Climate.....	13
3.0 DEMOGRAPHICS AND ECONOMY OF DUFFERIN COUNTY.....	15
4.0 HISTORY OF THE DUFFERIN COUNTY FOREST	16
5.0 CURRENT RESOURCES OF THE DUFFERIN COUNTY FOREST	19
5.1 Forest Inventory.....	24
Overstorey Tree Vegetation	24
Regeneration.....	25
Understorey Vegetation	26
5.2 Wildlife	26
5.3 High Conservation Value Forests	27
Laurel Wetland Complex (provincially significant)	27
Orangeville Wetland Complex (provincially significant)	27
Melancthon 1 (provincially significant)	28
Terra Nova Complex (provincially significant).....	28
Walker's Creek Wetland (locally significant)	28
Melancthon 2 (locally significant)	28
Leening and Levitt Tracts.....	28
Little Tract.....	29
Areas of Natural and Scientific Interest (ANSIs).....	29
Species at Risk.....	29
Critical Fish Habitat	29
5.4 Forest Health	29
5.5 Aggregates.....	30
5.6 Recreation	30

5.7 Public Relations and Education	33
5.8 Research.....	34
5.9 Ecosystem Services	34
6.0 OUR FOREST, OUR FUTURE: DUFFERIN COUNTY FOREST MANAGEMENT PLAN 2016-2036	35
6.1 Goal	35
6.2 Land Use	35
Natural Forest.....	36
Managed Forest	36
Recreation Forest.....	36
6.3 Environmental Sustainability.....	37
Sustainable Timber Harvesting	38
Pre-Harvest Silvicultural Prescriptions.....	39
Silvicultural Practices for Working Groups	40
White-Tailed Deer Winter Concentration Areas	42
High Conservation Value Forests	42
Evaluation of Insect and Disease Populations.....	42
Wildfires and Prescribed Burns	43
Alien Invasive Plants	43
Climate Change	44
Soil Erosion.....	45
6.4 Economic Sustainability	45
Forest Certification.....	45
Financial Stability	45
Property Assessment, Acquisition and Disposition.....	46
6.5 Social Sustainability.....	48
Recreational Use of the County Forest Policy.....	48
Access Restriction	48
Human Health.....	48
Signs.....	49
Information Products	49
Presentations, Schools, Walks, and Tours.....	49
Conifer Plantation Thinning Demonstration Area	49
Interpretive Trails	49
Cultural Heritage Resources.....	50

Researchers	50
7.0 MONITORING	50
7.1 Environmental Sustainability.....	50
Cut Inspections.....	50
Forest Inventory.....	51
7.2 Economic Sustainability	51
7.3 Social Sustainability.....	52
8.0 REPORTING	52
9.0 THE FUTURE OF THE PLANNING PROCESS.....	52
APPENDICES.....	54
A: Glossary	54
B: Acronyms	60
C: Species Abbreviations	60
D: Conversion Factors.....	61
E: Recreational Use of the County Forest Policy Summary	61
F: Related Municipal Policies and By-Laws.....	61
G: Related Provincial Policies and Legislation	61
H: References.....	62
I: Tract Maps Showing Land Use Classes.....	64

LIST OF TABLES

Table 1: Tracts of the Dufferin County Forest	21
Table 2: Summary of Estimated Production Forest Area and Volume, Dufferin County Forest	24
Table 3: Annual Harvest Area and Volume 1995-2015.....	25
Table 4: High Conservation Value Forests in the Dufferin County Forest.....	27
Table 5: Aggregate Resources in the Dufferin County Forest.....	30
Table 6: Ecosystem Service Values for Tracts of the Dufferin County Forest.....	35
Table 7: Land Use Classes for Dufferin County Forest Tracts.....	36
Table 8: Sustainable Timber Management Area Projections by Planning Period for all Forest Types 2014-2053.....	38
Table 9: Proposed Selection Harvesting 2016-2036	38
Table 10: Natural Heritage and Socio-Economic Assessment of Dufferin County Forest Properties	47

LIST OF FIGURES

Figure 1: Population of Dufferin County	15
Figure 2: Tracts of the Dufferin County Forest.....	20
Figure 3: Forest Use Permits (Hunting) Issued for the Dufferin County Forest 1997-2015.....	32

1.0 INTRODUCTION

This plan applies to the Dufferin County Forest, a 1,054 ha (2,606 acre) multi-tract forested area owned and managed by the County of Dufferin. The Forest serves important functions in terms of erosion and water control, natural heritage protection, biodiversity, wildlife habitat, recreational opportunities, and support of the rural economy through timber production and employment opportunities.

This forest management plan, *Our Forest, Our Future*, emphasizes user and community participation and a sustainability-based approach to forest management.

In order to maintain this emphasis throughout the planning process, the County of Dufferin:

1. made the protection of the quality and integrity of the natural environment the primary goal of the plan;
2. surveyed the public, both groups and individuals, through surveys and open houses;
3. established a Forest Plan Advisory Team (FPAT), representing the main user groups and the general public, to advise the County during the initial planning process and;
4. established a Forest Operation Review Committee (FORC) to conduct a high level review of the County Forest operation prior to continuing the development of the forest management plan and recreation policy.

The *Dufferin County Forest Management Plan* outlines the goal and actions that will guide the sustainability of the 1,054 ha (2,606 acre) Dufferin County Forest over the next twenty years.

This forest management plan was developed around the same time as the first Official Plan for Dufferin County. The Official Plan proposes the preparation of a Natural Heritage System Strategy and includes a Natural Heritage System map. The County Forest is included as part of the Natural Heritage System. The goal, objectives, and actions outlined in this document align with the objectives for natural heritage and water resources in the Official Plan.

2.0 PHYSICAL FEATURES OF DUFFERIN COUNTY

2.1 Topography, Geology, and Soils

Dufferin County, along with its neighbours, Grey, Wellington and Simcoe Counties, is located on a high, undulating plain which forms the "Roof of Ontario". The elevation of the "roof" ranges from 467 to 583 metres above sea level (1,541-1,924 feet). The location of the roof's peak is under much debate, but the *Physiography of Southern Ontario* puts it near the village of Singhampton, just north of Dufferin County. There, the elevation reaches 583 m (1,924 feet). Although the peak of the roof is not within Dufferin County, Dufferin does have the highest seat of government in southern Ontario. Orangeville is located at an elevation of 450 m (1,485 feet).

The elevation in the northeast corner of the county is 260 m (858 feet) above sea level, rising to 380 m (1,254 feet) above sea level in the southeast corner. West of the Niagara Escarpment, the land slopes to the north, from 470 m (1,551 feet) above sea level in the southwest to 530 m (1,749 feet) above sea level in the northwest.

Dufferin County rests on Precambrian rock, estimated to be between 800 and 1100 million years old. In the period between 500 and 300 million years ago, this area was covered by a vast sea. On the floor of this sea settled sand, ooze, mud, shells, tiny sea animals, and all manner of marine debris. Time and pressure eventually turned this layer into rocks of various types and hardness. About 250 million years ago, the sea retreated, leaving a flat, unbroken plain. Rivers flowed over the old seabed, eroding the rocks. The softer rocks, such as the shales, eroded quickly, whereas the harder dolomites and limestones resisted the eroding power of the rivers.

Over several hundred million years, this continued erosion produced the Niagara Escarpment. In Dufferin County, the Escarpment runs through the local municipalities of Mono and Mulmur in a roughly north-south direction.

Dufferin County has been subjected to repeated glaciations and the bedrock is covered by glacial drift varying in thickness from several centimetres to 170 m (561 feet). The soils of Dufferin County have developed directly from this drift. Dufferin County is underlain by sedimentary strata of the Ordovician and Silurian ages. The Ordovician lie to the east and the Silurian to the west of the Niagara Escarpment. The uppermost strata of the Silurian rocks consist of dolomite, shale and sandstone. These rocks are underlain by grey and buff dolomites.

The upper formations of the Ordovician age are the only ones which occur in Dufferin County. Uppermost and adjacent to the Niagara Escarpment are the reddish shales of the Queenston formation. These are underlain by greyish shales.

Dufferin County is characterized by gently undulating ground moraine. Steep slopes, associated with the kame moraines, occur in Mulmur, Mono, and the south part of East Garafraxa. The glaciers also left behind spillways, which today are important sources of gravel. Gravel can be found in many pockets around the County, but the most important deposits are north of Orangeville and in the Grand River Valley.

The glaciers also created the Dundalk till plain which covers the municipalities of Melancthon, Amaranth, East Garafraxa and Grand Valley. The plain is high and flat, supporting the County's agriculture, but is also poorly drained and contains many areas of wetland.

The surface deposits in Dufferin County are of glacial origin. They form the parent material from which the soils have developed. The surface deposits are classified as till, outwash, kame, esker, deltaic, and lacustrine. These classifications indicate the mode of deposition and the texture of the deposit. Glacial till, which covers a large portion of Dufferin County, is a non-sorted mixture of rock fragments and soil particles ranging in size from sand to clay.

Gently undulating till plains cover most of the municipalities of Amaranth, East Garafraxa, Grand Valley, and Melancthon. Most of this area has a superficial deposit of silt. The silt is thinnest near the west side of the county and is thickest in the area between Shelburne and Honeywood.

A part of the Port Huron morainic system forms the core of the region in most of Mulmur and Mono. The kame moraines are very hilly and stony and consist of a mixture of sand and gravel materials, but with clay till, coarse, stony, sandy loam till, and loam till, covered with up to one metre of silt or fine sandy loam.

Dufferin County's glacial heritage did not leave behind many rich mineral deposits. There were deposits of oil discovered in the early settlement days, but none were large enough to support a petroleum industry. In the early years of settlement, there were also rumours of gold and silver deposits, but none were ever found.

Organic deposits exist throughout Dufferin County, the largest of them is Luther Marsh.

Generally speaking, the Dufferin County Forest tracts located in the eastern half of Dufferin County are on drier, upland sites whereas those in the western half are on wetter, lowland sites.

2.2 Hydrology

Dufferin County has no large lakes, but it has many rivers. The Grand, Nottawasaga, Credit, Humber, and Saugeen rivers all have their headwaters in or near Dufferin County.

The Grand River drains the western half of Dufferin County, an area of 6,734 km² (2,626 square miles) and occupies the largest catchment basin in southwestern Ontario. Its main tributaries are the Conestogo, Nith, and Speed. In the upper reaches of the Grand River, valley cutting has been restricted by bedrock. North of the village of Grand Valley the drainage is poor, making wetlands prevalent in Melancthon Township. The depth of the river valley increases between Grand Valley and Elora, going from 18 m to 30 m (59 to 99 feet). The Grand River flows south for a distance of about 265 km (164 miles), ending up in Lake Erie just south of Dunnville.

The Nottawasaga River drains the eastern half of Dufferin County. Two of its tributaries, the Pine River and the Boyne River, rise west of the Niagara Escarpment and flow in an easterly direction. The main branch of the Nottawasaga system rises south of Shelburne and flows through the Hockley Valley. The valleys of this system are deeper than those of the Grand River system, often having gradients of more than 20 metres per kilometre (four feet per mile). The Nottawasaga flows into Georgian Bay where its mouth forms the delta of Wasaga Beach, the longest freshwater beach in the world. The Pine River runs through the south end of the Main Tract of the Dufferin County Forest.

The Credit River collects some of its tributaries from the area around Orangeville before flowing south and east to finally empty itself into Lake Ontario just west of Highway 10.

The Humber River begins its journey in the southeast corner of Mono before continuing southward through Metropolitan Toronto and into Lake Ontario at the boundary between the former cities of Etobicoke and York.

The Saugeen has its headwaters just outside the northwest border of Dufferin County, but it does collect some tributaries from within the County before continuing its flow into Lake Huron.

2.3 Climate

Canadian Climate Normals Station Data from Environment Canada (1981-2010) reports the following for Orangeville:

Mean Winter Temperature: -6°C (21°F)

Mean Summer Temperature: 18°C (64°F)

Mean Frost-Free period: 132 days
Mean Annual Precipitation: 90 cm (3')
Mean Annual Snowfall: 152 cm (5')

Both precipitation and snowfall are greatest on the western side of Dufferin County, where there is also poor drainage resulting in prolonged wet soil conditions.

The following projections, from *Climate change projections for Ontario: An updated synthesis for policymakers and planners*, were developed using a composite global climate model, averaging four models (CanESM2, MIROC-ESM-CHEM, CESM1-CAMS, and hadGEM2-ES). The ranges given below represent the ranges over three Representation Concentration Pathways (RCP 2.6, RCP 4.5, RCP 8.5)¹ as described in the Intergovernmental Panel on Climate Change Fifth Assessment Report.

Climate change scenarios for the Lake Huron Sub-Basin indicate that by 2040, we can expect changes within the following ranges compared to the 1971-2000 baseline data:

Mean Winter Temperature: +2.6°C to +2.9°C (36.7°F to 37.2°F)
Mean Winter Precipitation: +35.2 mm to +31.4 mm (+1.4" to +1.2")

Mean Summer Temperature: +1.9°C to +2.1°C (+35.4°F to +35.8°F)
Mean Summer Precipitation: +5.6 mm to -2.8 mm (+0.2" to -0.1")

Mean Annual Temperature: +2.3°C to +2.5°C (+36.1°F to +36.5°F)
Mean Annual Precipitation: +80.2 mm to +67.5 mm (+3.2" to +2.7")

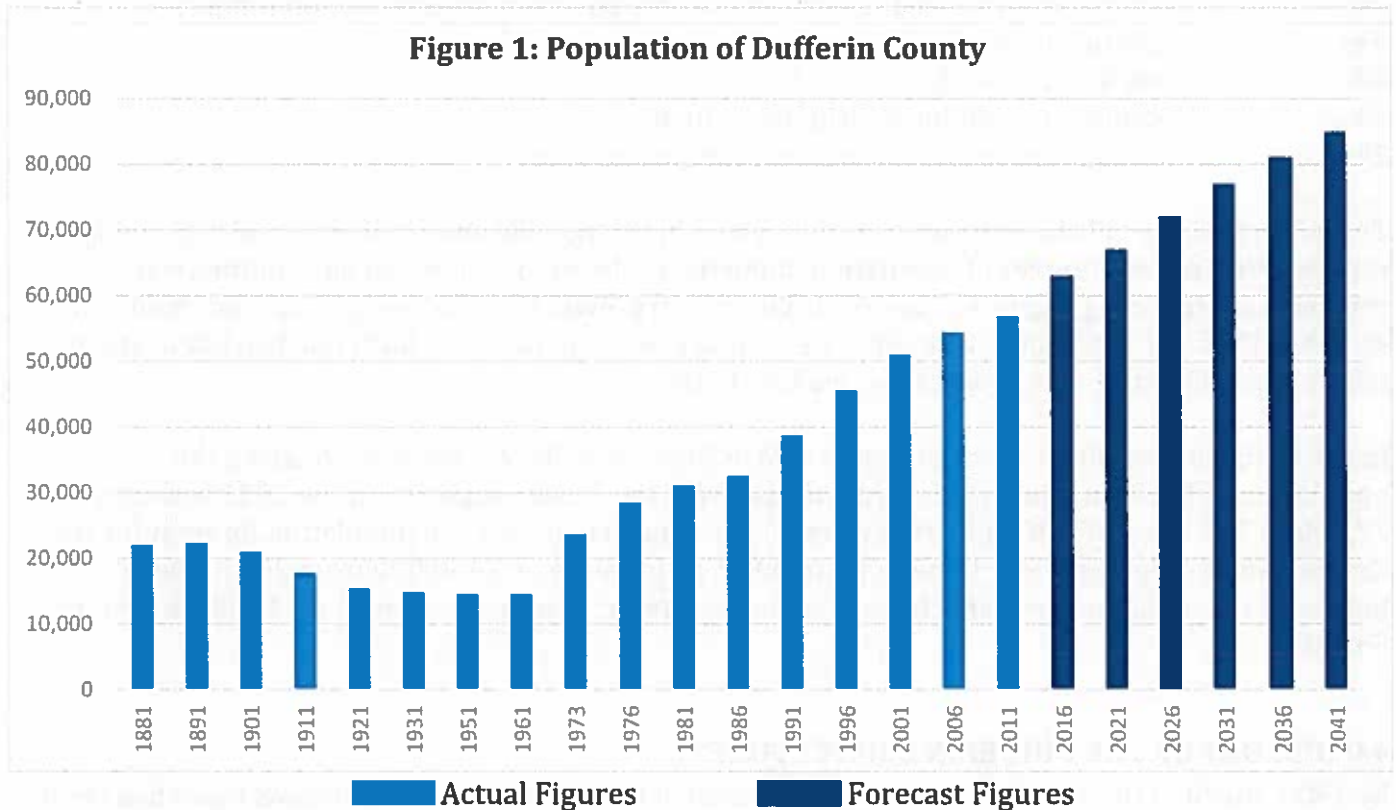
Applying the ranges above to the Canadian Climate Normals Station Data from Environment Canada (1981-2010) noted at the start of this section would produce the following ranges for the new means (where data overlaps):

Mean Winter Temperature: -3.4°C to -3.1°C (25.9°F to 26.4°F)
Mean Summer Temperature: 19.9°C to 20.1°C (67.8°F to 68.2°F)
Mean Annual Precipitation: 98.0 cm to 96.8 cm (3.2' to 3.2')

¹ The Representation Concentration Pathways (RCPs) represent different levels of increased radiative forcing measured in watts/m². Radiative forcing, or climate forcing, is the difference of insolation (sunlight) absorbed by the Earth and energy radiated back to space. A positive forcing (more incoming energy) warms the system, while negative forcing (more outgoing energy) cools it. Causes of radiative forcing include changes in insolation and the concentrations of radiatively active gases, commonly known as greenhouse gases and aerosols. The higher the RCP value, the more warming is predicted for the year 2100 relative to pre-industrial values. All of the considered pathways are possible outcomes, depending on the level at which greenhouse gas emissions continue.

3.0 DEMOGRAPHICS AND ECONOMY OF DUFFERIN COUNTY

Dufferin County was one of the last areas of southern Ontario to be settled. Its rough terrain and lack of large water bodies were the two main factors that resulted in the delay in settlement. When settlement did begin in earnest in the mid-1800s, it was mostly Protestant Irish families that emigrated to Dufferin County to escape the potato famine. By 1871, the population of Dufferin County had reached 16,689. As the number of settlers increased, so did the amount of land clearing. Trees were seen not only as a valuable product for overseas markets, but also as an obstacle to the planting of wheat, corn, and other crops. Figure 1 shows the population of Dufferin County from 1881-2041.



The majority of the settlers of Dufferin County came from the British Isles, particularly Northern Ireland. This heritage is reflected in the current population of Dufferin County; in the 2011 census 91% of the people in the County said that their first language was English. Other ethnic backgrounds represented in significant numbers include Dutch, German, Italian, Polish, Portuguese, and Spanish.

In 2011, 67% of the population of Dufferin lived in the three urban centres of Orangeville, Shelburne, and Grand Valley.

In the past, the economy of Dufferin County was based on agriculture. Livestock raising and mixed farming were the main enterprises, with dairy farms prevailing close to large centres of population. The most common crops included hay, mixed grains, oats, wheat, and potatoes. Beef, poultry, dairy, and market gardening operations were also important. In 2011, there were 795 farms in Dufferin County covering an area of 69,745 hectares (172,344 acres). This was down from 1986 when there were 1,079 farms covering an area of 85,360 hectares (210,929 acres). Although a portion of Dufferin's economy still depends on agriculture, it is diversifying.

According to the 2006 census², the population of Dufferin County aged 15 years or older was employed in the following industries:

24%	sales and service occupations
19%	trades, transport, and equipment operators and related occupations
16%	business, finance and administration occupations
11%	management occupations
9%	occupations unique to processing, manufacturing and utilities
7%	occupations in social science, education, government service, and religion
4%	natural and applied sciences and related occupations
4%	health occupations
4%	occupations unique to primary industry
2%	occupations in art, culture, recreation, and sport

The commercial retail and service sector is centred in Orangeville and Shelburne and is growing rapidly. With recent influxes of population, industries related to residential and commercial construction (building, supplies, real estate) have also grown. Manufacturing is also an important sector of Dufferin's economy. Tourism is becoming more significant, as local tourism associations take a more proactive role in attracting visitors to the area.

In the Hemson Consulting report, *Greater Golden Horseshoe Growth Forecasts to 2041*, the population of Dufferin County is forecast to rise from the 56,881 reported in the 2011 census to 77,000 in 2031 and 85,000 in 2041 (Figure 1). The same report gives a population forecast for the Greater Golden Horseshoe of 13,476,000 in 2041, an increase of 4,450,000 from 2011. These increases in population are expected to increase the recreational pressure on the Dufferin County Forest.

4.0 HISTORY OF THE DUFFERIN COUNTY FOREST

By 1900, much of Dufferin County had been cleared of trees to facilitate farming. As there had been no reforestation, the trees disappeared, and so did the lumber companies. Many farmers who had supplemented their income with logging fell on hard times. The removal of the tree cover had far-reaching effects: without stabilization, the thin, sandy soils were eroded by wind and water. This made farming impossible. However, Dufferin was not alone in this predicament. Similar settlement patterns in other parts of southern Ontario had created similar problems. As early as 1908, the Ontario Department of Agriculture had published a *Report on the Reforestation of Waste Lands in Southern Ontario*. This report outlined the development of blowsands that had resulted from large-scale land clearing. It also described the economic and environmental benefits of reforestation:

"The policy of putting these lands under forest management has many arguments in its favour. It will pay as a financial investment; assist in insuring a wood supply; protect the headwaters of streams; provide breeding ground for wild game, provide object lessons in forestry, and prevent citizens from developing under conditions which can end only in failure."

In Dufferin County, land reclamation through planting began in 1905. Gradually, tree planting

² Employment data is not available as part of the 2011 census information provided by Statistics Canada.

gained momentum, as people realized that trees were not primarily a nuisance in land-clearing, but were important for stabilization of soils, maintenance of water supplies, and ongoing timber production. This change in opinion could not have come about without the leadership provided by local municipalities. In 1914, Orangeville planted 4,000 trees; further plantings occurred in 1916, 1924, 1925, 1926, and 1932. Mulmur planted 16,000 trees in 1924. This was followed by more plantings in 1925, 1927, and 1928. Mono began planting in 1925, and by 1952 there were 228,300 trees planted on lands in Mono that were formerly barren.

From aerial photography taken of Dufferin County in 1953, it was estimated that there were approximately 19,600 ha (49,000 acres) of grass and meadow (poor pasture) and wooded pasture (grazed woodlands) that were suitable for reforestation and woodland management. Reclaiming the majority of these areas would require planting of about one million trees per year for thirty years. By March 31, 1974 over 17 million trees had been planted in Dufferin County.

In 1953, the Grand River Valley Conservation Authority initiated a forest management agreement with the Department of Lands and Forests (now the Ministry of Natural Resources and Forestry) with the purchase of 190 ha (475 acres) in the municipality of Grand Valley. Many of the lands owned by the Conservation Authority are important water source and water-holding areas. However, they also have value in terms of wildlife, recreation, and timber production.

In 1967, Woodlands Improvement Act (WIA) Agreements began to take hold in Dufferin County. These agreements provided private landowners with assistance from the Department of Lands and Forests in the planting and management of their woodlands. In 1982, the 9000th Woodlands Improvement Act Agreement in Ontario was signed in Dufferin County. The WIA Agreement program was terminated by the provincial government in the mid-1990s.

In 1930, the County of Dufferin, following the lead taken by the County of Simcoe in 1922, signed a forest management agreement with the Department of Lands and Forests under the auspices of the *Counties Reforestation Act*, marking a significant step in the reclamation of barren lands in Dufferin County.

The Dufferin County Forest began its existence on July 3, 1930 when a motion was introduced at the Dufferin County Council meeting requesting the Ontario Forestry Branch to secure options on lands in Mulmur Township for reforestation purposes. This motion was instigated by County Treasurer James Henderson. The first purchase of land for what would become the Dufferin County Forest was made on November 7, 1930. It consisted of 305 ha (753 acres) on Concession VIII in Mulmur Township. Over the next 80-plus years numerous properties were added, bringing the current area of the Dufferin County Forest up to 1,054 ha (2,606 acres).

Although the Dufferin County Forest is, and always was, owned by the County of Dufferin, until 1995 it was managed by the provincial government on the County's behalf. On November 26, 1930, the County of Dufferin signed its first Forest Management Agreement with the Department of Lands and Forests. The agreement was made under the *Counties Reforestation Act*; later coming under the jurisdiction of the *Forestry Act* R.S.O. 1950.

In 1959, the *Forestry Amendment Act* was passed which allowed the Minister of Lands and Forests to make interest-free loans to any Conservation Authority or municipality to assist in the buying of land for forestry purposes, provided that the land was reforested and managed under an agreement

with the Department. This was significant at a time when interest rates were high, and land prices in southern Ontario were rising rapidly. To date, the County of Dufferin has received \$28,297.20 in grants under this provision. The current *Forestry Act* R.S.O. 1990 stipulates that lands bought with a grant cannot be sold or used for purposes inconsistent with forestry purposes without the approval of the Minister of Natural Resources and Forestry.

The second agreement between the County of Dufferin and the Department of Lands and Forests was signed in November, 1960 for a twenty year period commencing April 1, 1960. Amendments to the *Forestry Act* now made it possible for the County to receive a grant from the Minister of Lands and Forests for the purchase of lands to be used for forestry purposes. The grant could be up to the amount of 50% of the cost of the land plus 50% of the reasonable solicitor's fees and costs involved in securing title to the land plus an amount equal to the value of the timber on the land. The term "forestry purposes" was also changed, to include not only timber production and reclamation of waste land, but also improving wildlife environment, recreation, flood control, and water conservation.

The *Forestry Amendment Act, 1967* re-defined forestry purposes to the extent that the Department of Lands and Forests and the County of Dufferin felt that it would be expedient to terminate the existing agreement and prepare a new one. Under the new definition the term forestry purposes included "the production of wood and wood products, provision of proper environmental conditions for wild life, protection against floods and erosion, recreation, and protection and production of water supplies". This agreement was signed on September 14, 1971 to cover the twenty year period commencing April 1, 1971.

When this agreement expired (April 1, 1991), the County of Dufferin decided that increased demands on the forest properties, as well as changes to the Ministry of Natural Resources and Forestry's agreement forest program, meant it could not simply sign a new agreement. The County decided that a comprehensive management plan would have to be prepared for the Dufferin County Forest before a new agreement was signed. Dufferin was the first County in Ontario to take the lead in developing a management plan for its forest properties.

In the spring of 1992, the County of Dufferin approached the Faculty of Forestry at the University of Toronto to have the fourth year forestry class prepare plans for the Dufferin County Forest as part of their thesis work. These plans were presented to the County of Dufferin and the Ministry of Natural Resources and Forestry in April, 1993.

In December, 1993 the County of Dufferin and the Ministry of Natural Resources and Forestry (MNR) approved the Terms of Reference for a new management plan. Subsequently, the County of Dufferin, in partnership with the MNR, hired a management plan author to develop a forest management plan for the period 1995-2015.

On June 8, 1995, Dufferin County Council approved *Our Forest, Our Future: Dufferin County Forest Management Plan 1995-2015*. Throughout the process, there was participation from the MNR, a Forest Advisory Team, and the general public, all of whom provided valuable input and comments.

In 1995, the County took over the control and co-ordination of all activities having to do with the Dufferin County Forest. In order to fulfil this new role, Dufferin hired a County Forest Manager, the first County in Ontario to do so.

On March 13, 1997, the County signed a Memorandum of Understanding with the Ministry of Natural Resources and Forestry (MNR). This Memorandum, which expired in 2002, outlined the County's and the Ministry's responsibilities in the management of the Dufferin County Forest. Since the expiration of that agreement, the County has been wholly responsible for all aspects of the management of the Dufferin County Forest.

The Ministry of Natural Resources and Forestry (MNR) provided specific data with regard to natural heritage features, Species at Risk, and ecosystem services to support the development of this forest management plan. However, the MNR did not designate a representative for the Forest Plan Advisory Team or provide an overall review of the draft forest management plan.

5.0 CURRENT RESOURCES OF THE DUFFERIN COUNTY FOREST

The Dufferin County Forest is a former agreement forest of 1,054 hectares (2,606 acres). The forest is divided into thirteen tracts located in all of Dufferin's rural municipalities: Amaranth, East Garafraxa, Grand Valley, Melancthon, Mono, and Mulmur. The largest single area is the Main Tract (607 hectares, 1,501 acres) in Mulmur Township. Figure 2 shows the location of the individual tracts within Dufferin County.

Figure 2: Tracts of the Dufferin County Forest

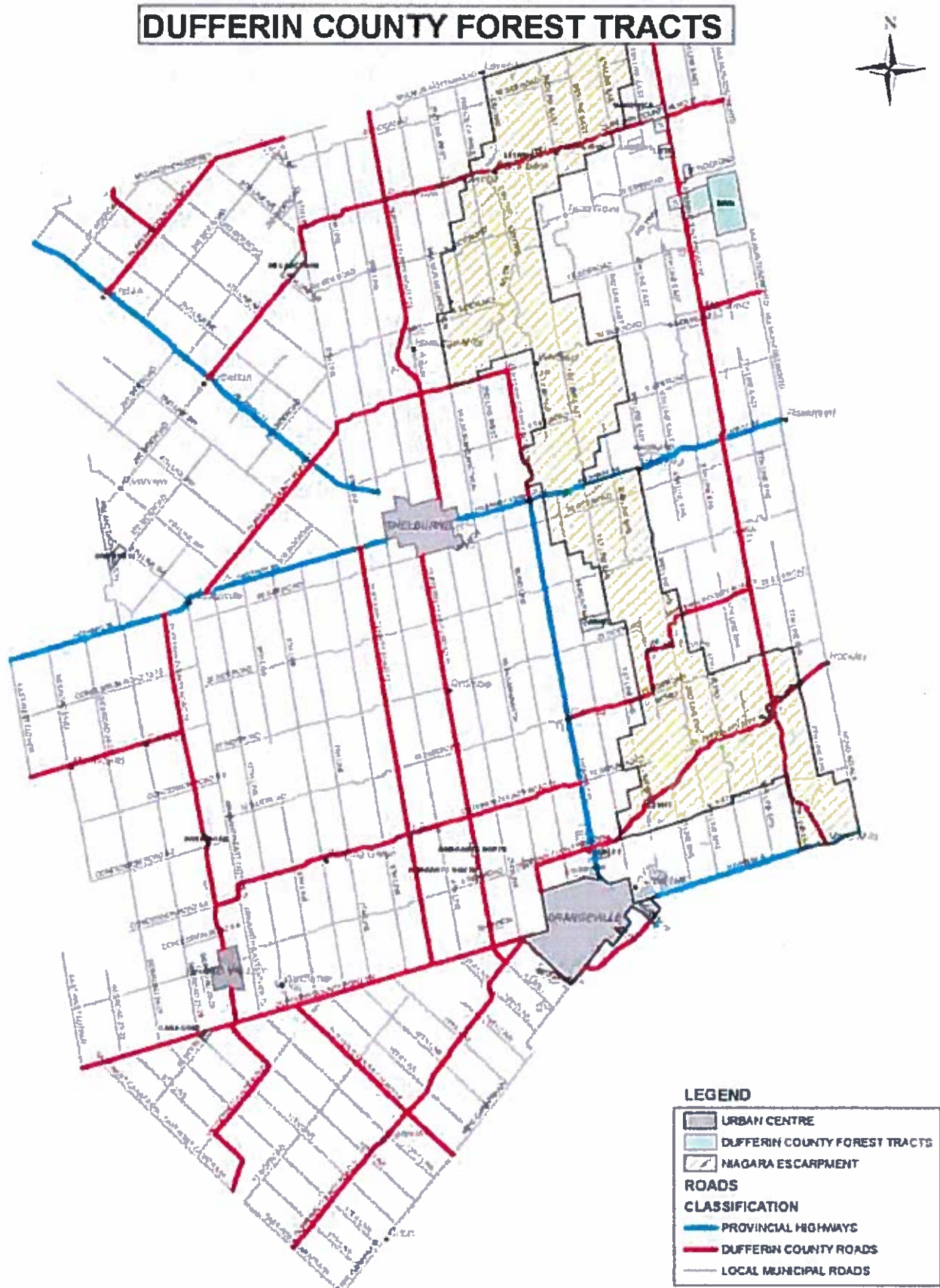


Table 1 describes the significant characteristics of the Dufferin County Forest on a tract-by-tract basis.

Table 1: Tracts of the Dufferin County Forest

Tract	Amaranth North/South	Gara Gore	Hockley	Leening
Municipality	Amaranth	East Garafraxa	Mono	Mulmur
Area (ha/acres)	24/59	15/37	20/51	8/20
Year Acquired	1940	1934	1976 ³	1976 ⁴
Zoning	environmental protection	environmental protection	environmental protection	Niagara Escarpment Rural Area
Parent Material	---/ loess or alluvium over loam till	loam and silt loam till	loess or alluvium over loam till	glacial till
Topography	smooth basin/ smooth very gently sloping	smooth gently sloping	smooth moderately sloping	irregular steeply sloping
Soil Type	---/fine sandy loam	loam	silt loam	loamy
Drainage	---/imperfect	good	good	good
Primary Overstorey Coverture	Laurel Wetland Complex/ tolerant hardwoods	white spruce	Orangeville Wetland Complex	white spruce
Secondary Overstorey Coverture	---/white spruce	---	---	white pine
Invasive Plant Species	---	---	European buckthorn	---
Known Wildlife Species	snapping turtle, muskrat, raccoon, beaver, mink, fox, coyote, white-tailed deer, colonial waterbirds, pied-billed grebe, northern harrier, mink frog/---	---	muskrat, beaver, mink, fox, coyote, raccoon, waterfowl, various amphibians and reptiles	---
Cistern(s)/ Fire Pond(s)	0/0	0/0	0/0	0/0
Aggregate	other	other	secondary significance	other
Recreation	few trails/few trails	few trails	one interpretive trail	few trails
Special Features	wetland/---	---	significant woodland, wetland	activities restricted as stipulated by donor

--- indicates insufficient data

³ Did not become part of the County Forest until 1995.

⁴ Did not become part of the County Forest until 1995.

Table 1: Tracts of the Dufferin County Forest (continued)

Tract	Levitt	Little	Main	Melancthon
Municipality	Mono	Mulmur	Mulmur	Melancthon
Area (ha/acres)	4/10	44/109	607/1,501	59/146
Year Acquired	2010	1972-1973	1930-1963	1945
Zoning	Niagara Escarpment Natural Area	open space	open space	open space conservation/general agricultural
Parent Material	esker and kame gravel	outwash sand	outwash sand-sandy loam till	esker and kame gravel
Topography	irregular moderately sloping	smooth very gently sloping	irregular very steeply sloping	smooth basin/irregular steeply sloping
Soil Type	sandy loam	loam sand	loam sand-sandy loam	sandy loam
Drainage	good	good	good	good
Primary Overstorey Covertypes	white cedar	mixedwood	red pine	Melancthon 1 Wetland Complex
Secondary Overstorey Covertypes	hard maple	---	red oak	white spruce
Invasive Plant Species	---	---	garlic mustard, European buckthorn	---
Known Wildlife Species	---	white-tailed deer, wild turkey, small mammals	white-tailed deer, ruffed grouse, wild turkey, fox, porcupine, racoon, small mammals	bullfrogs, muskrat, racoon, beaver, white-tailed deer, colonial waterbirds
Cistern(s)/ Fire Pond(s)	0/0	0/0	0/0	0/1
Aggregate	tertiary significance	tertiary significance	tertiary significance	primary significance
Recreation	few trails	one interpretive trail	extensive trail system	two trails
Special Features	activities restricted as stipulated by donor, SAR, deer winter concentration area	significant woodland, creek	significant woodland, ANSI, Pine River floodplain, deer winter concentration area, SAR, linkage	significant woodland, wetland, deer winter concentration area

--- indicates insufficient data

Table 1: Tracts of the Dufferin County Forest (continued)

Tract	Mono	Randwick	River Road	Riverview	Simmons
Municipality	Mono	Mulmur	Grand Valley	Melancthon	Mulmur
Area (ha/acres)	71/175	117/289	5/12	40/99	40/99
Year Acquired	1942, 1963	1940-1944	1963	1949	1967-1968
Zoning	open space	open space	environmental protection	open space conservation/general agricultural	open space
Parent Material	outwash fine sand	outwash sand	fine sandy loam material over outwash gravel	loam till	outwash sand
Topography	irregular moderately sloping	smooth very gently sloping	smooth very gently sloping	smooth level/smooth gently sloping	smooth very gently sloping
Soil Type	sandy loam	loam sand	fine sandy loam	loam	loam sand
Drainage	good	good	good	poor/good	good
Primary Overstorey Covertypes	red pine	red pine	red pine	Melancthon 2 Wetland Complex	red pine
Secondary Overstorey Covertypes	tolerant hardwoods	tolerant hardwoods	---	white pine	white pine
Invasive Plant Species	garlic mustard, dog-strangling vine	garlic mustard	---	---	---
Known Wildlife Species	white-tailed deer, wild turkey, small mammals	white-tailed deer, wild turkey, small mammals	---	bullfrogs, muskrat, racoon, ruffed grouse, waterfowl, small game	white-tailed deer, wild turkey, small mammals
Cistern(s)/ Fire Pond(s)	0/0	0/2	0/0	0/1	0/0
Aggregate	tertiary significance	tertiary significance	other	tertiary significance	tertiary significance
Recreation	extensive trail system	extensive trail system	no trails	two trails	extensive trail system
Special Features	significant woodland, linkage	SAR, significant woodland, wetland, shoreline	---	significant woodland, wetland	significant woodland

--- indicates insufficient data

5.1 Forest Inventory

The most recent inventory of the Dufferin County Forest was conducted in 2013. A summary of the estimated production forest⁵ area and volume is shown in Table 2.

Table 2: Summary of Estimated Production Forest Area and Volume, Dufferin County Forest

Working Group	Area (ha)	% of Total Area	Volume (m ³)	% of Total Volume
Red Pine	328	37	73,202	48
Red Oak	218	25	24,951	16
Mixedwood	110	13	19,242	13
White Pine	88	10	15,708	10
Hard Maple	77	9	7,843	5
White Spruce	47	5	9,872	6
Bottomland	7	0.8	1,196	0.9
Total	875	99.8¹	152,014	98.9¹

¹Totals are not equal to 100 due to rounding.

Overstorey Tree Vegetation

The **red pine** (*Pinus resinosa*) working group makes up about 328 ha (37%) of the production forest. All of the red pine stands were planted in order to stabilize the light, sandy soils. Only 21 ha are less than 60 years old. Past selection system regimes have resulted in the red pine plantations developing an understorey of white pine and tolerant hardwoods.

Red oak (*Quercus rubra*) makes up the next largest working group in the production forest - about 218 ha (25%). There are 14 hectares (5%) in the 31-40 age class, the other stands are all 70 years or older. The red oak stands are all of natural origin.

The **mixedwood group** makes up 110 ha (13%) of the area of the Dufferin County Forest. The stands are either mixed hardwood with a significant component of red pine and/or white pine (*Pinus strobus*), or balsam fir (*Abies balsamea*) or eastern white cedar (*Thuja occidentalis*) associated with various hardwoods.

The **white pine** working group makes up about 88 ha (10%) of the production forest. White pine grows in association with red pine, white spruce (*Picea glauca*), red oak, poplar (*Populus spp.*) and ash (*Fraxinus spp.*). The stands of white pine are a mix of planted and natural. Thirty-nine hectares (44%) of the white pine is less than 30 years old, the remainder is 50 years or older.

The **hard maple** (*Acer saccharum*) working group makes up about 77 ha (9%) of the production forest. The stands are of natural origin and are located in the Mono and Main tracts. The dominant trees in the hard maple stands are all 65 years or over.

The **white spruce** working group makes up about 47 ha (5%) of the production forest. All of it is planted on lowland sites in Mono, Amaranth, Melancthon, Riverview, and Gara-Gore tracts. The white spruce is all between the ages of 56 and 66 years.

The **bottomland** stands are associated with lowland areas, but are not quite wetlands. There are

⁵ Production forest: all productive forest land managed primarily for human benefit, unless otherwise reassigned.

only two of these in the production forest area, one dominated by ash, the other by cedar.

Due to the overall relatively low volume of wood that is removed from the Dufferin County Forest annually, there are no mills that depend on it for a significant portion of their supply. The thinning of red pine plantations produces pulpwood, sawlogs, and poles. Hardwood sawlogs and fuelwood are supplied through improvement harvests in the hardwood stands. The standing trees are sold on a tender basis. Buyers of standing timber from the Dufferin County Forest have come from all over Ontario. Table 3 shows the annual harvest area and volume 1995-2015.

Table 3: Annual Harvest Area and Volume 1995-2015

Year	Area Harvested (ha)	Volume Harvested (m ³)
1995	26.8	2,427
1996	26.7	2,210
1997	29.7	2,153
1998	35.6	2,049
1999	29.0	2,012
2000	28.8	1,094
2001	43.3	2,010
2002	30.0	1,540
2003	34.0	1,469
2004	31.0	1,744
2005	28.0	1,409
2006	35.0	972
2007	47.0	1,911
2008	60.0	2,235
2009	58.0	2,436
2010	36.0	1,308
2011	20.0	1,237
2012	33.0	1,322
2013	32.0	3,170
2014	18.0	421
2015	38.0	1,344
Average	34.3	1,737

Regeneration

Regeneration is the term used to describe young trees with a DBH (diameter at breast height) of 6-8 cm. Trees taller than breast height (1.3 m) are classed as advanced regeneration, trees less than breast height are classed as early regeneration. The quantity and species of regeneration depends mainly on the shade tolerance of the species forming the overstorey. Species which are shade intolerant (e.g. red pine, poplar) regenerate with great difficulty under their own canopy. The understorey in these stands will be limited or will be formed by more shade tolerant species such as maple or ash. Shade tolerant species will usually regenerate under their own canopy.

In the Dufferin County Forest, most regeneration is hard (sugar) maple, white ash (*Fraxinus americana*), white pine, ironwood (*Ostrya virginiana*), red maple (*Acer rubrum*), and beech (*Fagus grandifolia*). Early red oak regeneration occurs in some areas where there is red oak in the

overstorey.

Ninety-two percent of the forest area has advanced regeneration. The lack of regeneration on 8% of the forest may be caused by high overstorey density, lack of a seed source for species that would normally grow in the understorey, or otherwise inhospitable site conditions for regeneration.

Understorey Vegetation

Besides regeneration, most forest stands have some shrubs, plants, mosses, and grasses and sedges in the understorey. The species and amount of these varies with the site type, stand history, and current stand structure.

In the Dufferin County Forest, the most common plants in the understorey are: maple-leaved viburnum, red osier dogwood, raspberry, bracken fern, Canada mayflower, sarsaparilla, mosses, and grasses.

5.2 Wildlife

Animals which are present in the Dufferin County Forest include: white-tailed deer, ruffed grouse, wild turkey, woodcock, Canada geese, mallards, wood ducks, pheasants, snapping turtle, muskrat, raccoon, beaver, mink, coyote, fox, porcupine, cottontail rabbits and other small mammals. Not all of these species exist on all of the tracts, as some are associated with wetland habitat types (e.g. snapping turtle), while others are associated with upland types. The main wildlife species known to be associated with each tract can be found in Table 1.

The Ministry of Agriculture and Food lists a number of shrubs in its *Farm Forestry and Habitat Management* guide that are important for many different wildlife species. These species are highbush cranberry, red osier dogwood, alternate-leaved dogwood, nannyberry, elderberry, staghorn sumac, serviceberry, ninebark, bittersweet, virginia creeper, wild apple, wild grape, and American hazelnut. Of these, red osier dogwood, alternate-leaved dogwood, elderberry, sumac, and wild apple are known to exist in the Dufferin County Forest.

The Ministry of Natural Resources and Forestry, which is responsible for wildlife management in Ontario, does not collect census data for the wildlife species in the Dufferin County Forest. Wildlife management is based on a habitat management approach, i.e. the forest is managed for different habitat types rather than being directly managed for different wildlife species. The Dufferin County Forest currently includes the following habitat types: non-treed wetlands, treed wetlands/bottomland conifers, bottomland hardwoods, creeks, ponds, mixedwoods, upland tolerant hardwoods, upland oak, and conifer plantations.

Deer winter concentration areas are important for the survival of white-tailed deer over the winter. Generally speaking, these areas provide conifer cover which intercepts snow, allowing deer to move around with lower energy losses. The "core" of a deer yard is that portion of the yard where use by deer is highest during winters that are severe. The Levitt, Main, and Melancthon Tracts are part of identified deer winter concentration areas. The Hockley, Leening, and Mono Tracts are adjacent to identified deer winter concentration areas.

Habitat types other than those listed above which are adjacent to the Dufferin County Forest include cultivated fields, meadows, river valleys, stream corridors, and small woodlands.

5.3 High Conservation Value Forests

In the Dufferin County Forest, there are a number of high conservation value forests that require special attention in the planning process. These can be grouped as follows: evaluated wetlands; old growth forest; Areas of Natural and Scientific Interest (ANSIs); species at risk habitat; and critical fish habitat. The County has determined that the Little Tract is an area of developing old growth forest. The wetland and ANSI designations have been determined by the Ministry of Natural Resources and Forestry. The Leening and Levitt Tracts, which have restrictions on their use through the terms of donation, are also within the Niagara Escarpment Plan Area. A summary of the high conservation value forests is shown in Table 4; the values are described in more detail in the sections following.

Table 4: High Conservation Value Forests in the Dufferin County Forest

Tract (Compartments)	Working Group	Area (ha)	Conservation Value
Amaranth (42a), Laurel Wetland Complex	Mr	12	provincially significant wetland
Amaranth (43b, 43c), Farmington Swamp	hardwoods	10	locally significant wetland
Hockley, Orangeville Wetland Complex	Ce, Po	20	provincially significant wetland
Leening	Po, Pw, Sw	8	Niagara Escarpment Rural Area; donor restrictions
Levitt	Ce	4	Niagara Escarpment Natural Area; donor restrictions
Little	mixedwood	44	developing old growth
Main (11, 20a, 21b, 23c, 24a, 25a, 26-30, 31a, 31d), Oak Ridges South Slope Forest	Or	266	life science ANSI
Main (31b, 31c)	Po	24	locally significant wetland
Melancthon (33a, 33c, 33d, 34a, 35a), Melancthon 1	Ce	48	provincially significant wetland
Randwick (4d), Walker's Creek Wetland	Ce	2	locally significant wetland
Riverview (37a, 38c, 38d), Melancthon 2	Po	13	locally significant wetland
Total		451	

Laurel Wetland Complex (provincially significant)

The Laurel Wetland Complex is located on Cons. I-IV in Amaranth Township. The Amaranth Tract (Con. III, Lot 8) is part of this complex, which is 95% swamp and 5% marsh. The area provides habitat for a number of wildlife species including snapping turtles, muskrat, raccoon, beaver, mink, fox, coyote, white-tailed deer, and colonial waterbirds.

Orangeville Wetland Complex (provincially significant)

The Hockley Tract is part of the Orangeville Wetland Complex, which includes much of the area in the vicinity of the Island Lake Conservation Area at the headwaters of the Credit (flowing south into Lake Ontario) and Nottawasaga (flowing north into Georgian Bay) Rivers. The wetland complex is

58.6% marsh, 41.2% swamp, and 0.2% bog. This area provides habitat for muskrat, beaver, mink, fox, coyote, raccoon, waterfowl, and various amphibian and reptile species. The Island Lake Conservation Area also has numerous recreational opportunities, including nature appreciation, hiking, summer and winter fishing, canoeing, kayaking, and outdoor education.

Melancthon 1 (provincially significant)

Most of the Melancthon Tract is part of this wetland complex, which is 90.4% swamp and 9.6% bog. This area provides habitat for bullfrogs, muskrat, racoon, beaver, white-tailed deer, and colonial waterbirds.

Terra Nova Complex (provincially significant)

The Terra Nova Complex is adjacent to the Main Tract of the Dufferin County Forest, in Mulmur Township. The complex is 94% swamp and 6% marsh. The area provides habitat for bullfrogs, snapping turtles, muskrat, raccoon, beaver, mink, fox, coyote, white-tailed deer, and colonial waterbirds. The Terra Nova Complex is regionally significant as a white-tailed deer winter concentration area and as a spawning and rearing area for brook trout and rainbow trout. It is locally significant as an area of waterfowl production.

Walker's Creek Wetland (locally significant)

The Walker's Creek Swamp is located on Cons. VI-VIII in Mulmur Township and in Tosorontio Township (Simcoe County). The creek runs through the northwest corner of the Randwick Tract (Con. VI, Lot 26). The wetland is 82% swamp and 18% marsh. It provides habitat for snapping turtles, muskrat, raccoon, beaver, mink, fox, coyote, white-tailed deer, and colonial waterbirds.

Melancthon 2 (locally significant)

The wetland known as Melancthon 2 is located on Cons. IX and X in Melancthon Township. Part of it is within the Riverview Tract of the Dufferin County Forest. The wetland is 86% carr, 9% swamp, and 5% marsh. This area provides habitat for bullfrogs, muskrat, and raccoon. The Melancthon 2 wetland provides good winter cover for ruffed grouse and small game. It also has local significance as an area of waterfowl production.

Leening and Levitt Tracts

The Leening and Levitt Tracts are both within the Niagara Escarpment Plan Area. The Leening Tract is designated as Rural Area, the Levitt Tract as Natural Area. These designations, in and of themselves, do not restrict forestry operations on the properties. However, the donor of the Leening Tract placed a condition that does have an impact: *"...so long as the said lands shall be used for Conservation purposes which purpose shall be deemed to be complied with so long as the natural topography of the lands is not altered, buildings are not erected, no part of the said lands is excavated, the existing flora is not disturbed, and the existing fauna is not interfered with, provided that additional trees may be planted from time to time."* The interpretation of this has been that the Tract is to be preserved, with no forestry operations taking place. The Levitt Tract can be managed, provided that the management is, *"...in accordance with good and proper forestry management practices."* The County has decided that since they are part of the Niagara Escarpment Plan Area, these Tracts qualify for designation as High Conservation Value Forests, meaning that any management that occurs will be carefully considered in the context of both the donor restrictions and its potential impacts on existing values.

Little Tract

When the County took over management of the Dufferin County Forest from the Ministry of Natural Resources and Forestry, the Little Tract was one of few areas of upland forest left relatively unmanaged (there was one small improvement harvest, in 1991-92, since the County purchased the property in 1971). In addition to this, the Tract had a significant component of large white pine trees that appeared to date from around the time of European settlement. These factors prompted the County to restrict recreational activities and forest management in the Tract, allowing the area to develop into old growth forest.

Areas of Natural and Scientific Interest (ANSIs)

In the Dufferin County Forest, there is one ANSI, the Life Science Oak Ridges South Slope Forest. It is located at the southern end of the Main Tract. This ANSI is associated with the Oak Ridges Moraine and represents warmer-than-normal forest associations on sand in Site Region 6. The cover is currently a sugar maple-red oak forest with some red and white pine. In the Pine River floodplain area the species include white ash, yellow and white birch, basswood, cedar, hemlock, balsam fir, and some elm.

Species at Risk

Butternut trees have been located at three of the tracts. No other species at risk have been recorded on the Dufferin County Forest properties (S. Robinson, pers. comm., April, 2014).

Critical Fish Habitat

There are no areas of critical fish habitat in the Dufferin County Forest.

5.4 Forest Health

The health of the forest is impacted by numerous factors, many of which are a natural part of the forest ecosystem. Overall, the Dufferin County Forest is in good health. Increasing forest diversity and promoting vigorous growth should maintain the healthy condition in the face of some notable threats, both biotic and abiotic.

Insects and diseases are monitored by MNR's Forest Health Technicians, the Canadian Food Inspection Agency, and County Forest staff. Specifically, emerald ash borer, Asian long-horned beetle, Sirex woodwasp, gypsy moth, beech bark disease, butternut canker, and red pine decline are of primary concern. Red pine decline is a complex of issues (further detailed in section 6.3), the remaining are alien invasive species and therefore have the potential to cause a great deal of harm due to lack of native parasites and predators and the ability to take over ecological niches occupied by native species. Other than Asian long-horned beetle, emerald ash borer, and Sirex woodwasp these are all known to be in the Dufferin County Forest. Emerald ash borer has been detected in Dufferin County, but is not confirmed to be present in the County Forest.

Alien invasive plants have great potential to alter the ecology of the terrestrial habitats of the Dufferin County Forest. Since the Dufferin County Forest does not contain a significant number of watercourses, aquatic invasive species are of lesser concern. The invasive species recorded in the 2013 forest inventory were Manitoba maple, European buckthorn, and garlic mustard; none in extensive amounts. During the summer of 2015, the trails in the most-visited tracts – Hockley, Little, Main, Mono, and Randwick - were surveyed for dog-strangling vine (*Vincetoxicum rossicum* and *V. nigrum*). One small patch was found, in the Mono Tract. From general observation, there is

Scots pine growing on the boundaries of a number of the properties. There are mature ornamental Norway maple at the former site of Camp Dufferin at the Main Tract.

Abiotic factors (fire, extreme weather) can also have a significant impact on forest health, and these can be expected to increase with the predicted effects of climate change (further detailed in section 6.3).

In order to reduce the potential for wildfires, the County has maintained the fire ponds in Melancthon, Riverview, and Randwick (two) tracts that were established by MNR; equipped all tracts with signs indicating the rural address (emergency number) and "In case of emergency, call 9-1-1."; and made it illegal through the County Forest by-law (2003-50) to have campfires in the Forest.

The main entrances at all of the tracts have been gated to reduce unauthorized vehicular access and the related activities of dumping, illegal removal of wood, partying and introduction of invasive plant species.

5.5 Aggregates

Aggregate extraction will not occur in the current management period (2016-2036). It conflicts with the other environmental and resource management objectives of this plan, as it would necessitate removal of the forest cover and alteration of the landscape. However, the County will assess the aggregate resources on all newly acquired forest properties in order to maintain a current database of all resources associated with the Dufferin County Forest. Table 5 summarizes the aggregate resources present in the Dufferin County Forest, compiled from the *Aggregate Resources Inventory of Dufferin County Southern Ontario*.

Table 5: Aggregate Resources in the Dufferin County Forest

Tract	Municipality	Description of Aggregate Resource
Amaranth	Amaranth	other surficial deposits or exposed bedrock
Gara-Gore	East Garafraxa	other surficial deposits or exposed bedrock
Hockley	Mulmur	selected sand and gravel resource area, secondary significance
Leening	Mulmur	other surficial deposits or exposed bedrock
Levitt	Mono	sand and gravel deposit, tertiary significance
Little	Mulmur	sand and gravel deposit, tertiary significance
Main	Mulmur	sand and gravel deposit, tertiary significance
Melancthon	Melancthon	selected sand and gravel resource area, primary significance; unlicensed pit
Mono	Mono	sand and gravel deposit, tertiary significance
Randwick	Mulmur	sand and gravel deposit, tertiary significance
River Road	Grand Valley	other surficial deposits or exposed bedrock
Riverview	Melancthon	sand and gravel deposit, tertiary significance
Simmons	Mulmur	sand and gravel deposit, tertiary significance

5.6 Recreation

Most of the tracts have a trail system that is used for a variety of recreational activities including hiking, wildlife viewing, nature appreciation, cross-country skiing, snowmobiling, mountain biking,

and horseback riding.

Little Tract has a parking area, a sign showing the trail system, a supply of interpretive trail brochures, and individual signposts at the stops on the interpretive trail.

The Hockley Tract has a parking area, fully accessible trail, and interpretive signs.

The Main Tract has a parking area and an unforested area used for large, organized recreational events.

All of the entrances to the County Forest tracts have rural address numbers posted for wayfinding and emergencies.

The Mansfield Outdoor Centre, a private recreational complex, leases the southern part of the Main Tract for the winter months for cross-country skiing, generating revenue anywhere between \$500 and \$1,000 annually for the County, based on the number of skiers in the prior season.

The Ontario Federation of Snowmobile Clubs (OFSC) trails run through the Main Tract, Randwick Tract, Riverview Tract, Mono Tract, and beside the Simmons Tract.

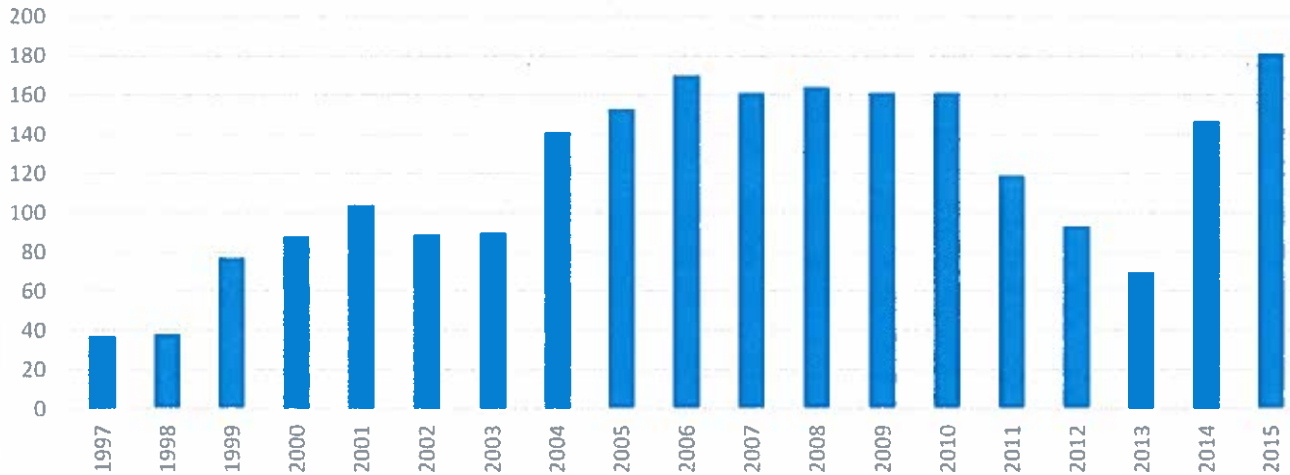
The process for organized recreational events has been modified several times since the passing of the last management plan. Currently, it appears to be working well for both the County and the user groups. Events have increased from two groups having four or five events annually to eight groups with 14 events annually in the last couple of years. Groups having events for more than twenty participants pay a fee for use of the Forest.

Hunting in the Dufferin County Forest focuses on white-tailed deer and wild turkey. The shotgun portion of the controlled white-tailed deer hunt takes place annually for five days in November and five days in December. The controlled wild turkey hunt takes place in May of each year for a period of approximately five weeks, and in October for a period of just under two weeks. The seasons for small game vary, but usually take place over the fall and winter. The hunting seasons and numbers of tags are determined each year by the Ministry of Natural Resources and Forestry (MNR) on a Wildlife Management Unit basis. This ensures that wildlife populations in any given area are not exposed to undue hunting pressure. In the case of game animals, such as white-tailed deer, the number of tags in a given Wildlife Management Unit is determined on the basis of hunter success during the previous season and weather conditions over the past year. For example, a particularly hard winter will probably mean that fewer animals survived and a lower number of tags will be issued. Every year, the MNR publishes a guide for hunters explaining the current year's regulations and seasons. These guides are available from MNR offices across the province, at locations where hunting licences are sold, and at www.ontario.ca/hunting.

Hunting is currently not allowed in the following tracts: north portion of Amaranth, Hockley, Leening, Levitt, Little, and Mono.

Starting in 1997, the County adopted a permit system for hunters in order to pay for advertisements and signs informing non-hunters about the main hunting seasons (wild turkey and white-tailed deer). This was done to increase safety for all users of the Dufferin County Forest. Figure 3 shows the number of permits sold annually since 1997.

Figure 3: Forest Use Permits (Hunting) Issued for the Dufferin County Forest 1997-2015



A user survey was conducted online from April, 2013 to March, 2014. This was supplemented by onsite surveys at some of the tracts during the summer of 2013. In total, there were 786 responses to the survey.

The results of this survey showed that the majority (66%) of respondents visit the County Forest on weekends. The most frequented tracts are: Main (54%), Hockley (21%), and Mono (6%). Surprisingly, 16% of respondents were not sure which tract of the County Forest they had visited. Highly ranked activities included mountain biking (54%), horseback riding (27%), and hiking/walking (13%). Most people make between one and five visits to the County Forest each season, with visits in spring, summer, and fall being almost equal. The users are split almost equally between men (58%) and women (42%). The distribution of users' age follows a bell curve, with the maximum in the 50-54 year age class.

When asked how they learned about the County Forest, 41% of respondents said that they have used it for many years and 36% found out by word of mouth.

When asked what one change they would make to the Dufferin County Forest, most of the responses fell into the following categories:

1. further physical separation of recreational uses, in particular mountain bikers and horseback riders;
2. improved maps and signs;
3. improved facilities such as washrooms, garbage cans, parking and;
4. allowing/disallowing various uses such as motorized vehicles, hunting, and logging

5.7 Public Relations and Education

During the last planning period (1995-2015), the County made a significant effort to increase the public knowledge about the County Forest.

The primary activities conducted on an ongoing basis were:

1. placement and replacement of signs identifying all of the tracts and outlining the main stipulations of the County Forest by-law (2003-50);
2. tree and plant identification walks;
3. establishment and maintenance of a County Forest website;
4. attendance at various local events, including the spring and fall home shows;
5. production and periodic updating of a County Forest brochure and;
6. production and periodic updating of a brochure describing the Little Tract interpretive trail.

In order to capture attitudes about the County Forest from non-users, a notice asking people to complete an online survey (or phone in for a paper copy) was distributed to 2,800 randomly chosen property owners distributed over all eight municipalities in numbers relative to total population. There were 105 responses to the survey.

Those respondents who use the County Forest were directed to complete the same information as in the user survey. Those who do not use the County Forest were asked why not and whether or not they thought it important that the County continue to manage the Forest. (It was assumed that those who use the Forest think it is important for the County to continue managing it.)

The respondents in this survey were almost evenly split between those who use the Forest (51%) and those that don't (49%). The results of those who use the Forest correlated with the user survey results with the following exceptions:

1. a greater number of respondents use the Mono Tract (37%), 33% use Main Tract, and 14% use Hockley Tract;
2. hiking/walking (49%) was the primary activity and;
3. they learned about the Forest mostly by living close by (47%) or they've used it for many years (39%).

Of those that didn't use the Forest, most didn't know that the public could use it (57%) and a large number didn't know that it existed (38%). An overwhelming majority (98%) agreed that it was important for the County to continue managing the Forest. Reasons given centred mostly around conservation/protection of natural areas, whether for the benefit of humans, the benefit of wildlife, their intrinsic value, or a combination of these reasons.

To assist in public education about forest management, a conifer plantation thinning demonstration area was established adjacent to the Main Tract parking lot in 1997. The area (2.5 hectares) was planted with red pine and some spruce in 1967. It was divided into four sections that were thinned in 1998 as follows: 50% removal, 25% removal, 33% removal, and 0% removal. The second thinning in half of each of the original four sections took place in 2009. This will enable the public to observe the impact of various thinning regimes on the growth of the trees and on the development of regeneration and understorey plants. Disks were collected from the trees at the time of both thinnings so that comparisons in annual ring growth can be made. The demonstration area is a valuable tool in the education of landowners and the general public on the effects of conifer

plantation thinning.

In advance of the well at the Little Tract being decommissioned to Ministry of the Environment and Climate Change standards, the hand pump was removed and accessioned into the Dufferin County Museum & Archives collection in November, 2015. Currently, there are no identified cultural heritage resources in the Dufferin County Forest.

5.8 Research

A procedure for researchers to have access to the Dufferin County Forest has been developed. In the last planning period, all requests for access for research purposes were granted. The three primary research projects were:

1. a study to examine natural and assisted regeneration and understorey development in red pine (*Pinus resinosa*) plantations (Paul Richardson, Ontario Aggregate Resources Corporation/University of Waterloo);
2. a study to determine the cause(s) of widespread red pine decline in southern Ontario (John McLaughlin, Ontario Forest Research Institute) and;
3. a study to determine the impact of prescribed burning and overstorey removal on regeneration of red oak (*Quercus rubra*) (Dan Dey, Ontario Forest Research Institute).

5.9 Ecosystem Services

Ecosystem services are benefits that flow to society from nature. These benefits include such things as: decomposition of and detoxification of human wastes, carbon sequestration, erosion prevention, water holding capacity, pollution absorption, and the improvement of physical and mental health.

Ecosystem services are now being given monetary value so that more of the benefits and values of natural areas are explicitly taken into account when making decisions that impact those natural areas. To date, these mostly include decisions about future development and compensating landowners who voluntarily conserve and/or enhance ecosystem services on their properties. Measuring more of the ecosystem services explicitly allows us to better assess the potential impact of our decisions on ecosystem health.

In 2009, the MNRF commissioned a report titled *Estimation of Ecosystem Service Values for Southern Ontario*. The study took into consideration a number of ecosystem values, including recreation, aesthetic/amenity, other cultural services, pollination and seed dispersal, habitat refuge and biodiversity, atmospheric regulation, soil retention and erosion control, water quality maintenance and nutrient/waste regulation, water supply and regulation, and disturbance avoidance⁶.

As the MNRF was willing to provide the County with the dataset used to produce the report, ecosystem service values for the tracts of the Dufferin County Forest were determined. The tracts with wetlands were rated the highest, namely Amaranth and Hockley. Ecosystem service values for all of the tracts are shown in Table 6. Ecosystem services values were taken into consideration when designating the High Conservation Value Forests.

⁶ Disturbance avoidance is the ability of natural environments to shield humans and their infrastructure from extreme weather events such as high winds and floods.

Table 6: Ecosystem Service Values for Tracts of the Dufferin County Forest

Tract	Natural Heritage	Estimated Ecosystem Service Value \$/year
Amaranth	provincially significant wetland	\$2.1 million – \$5.7 million
Gara-Gore	n/a	\$132,000 - \$330,000
Hockley	significant woodland, provincially significant wetland	\$1.8 million - \$4.8 million
Leening	Niagara Escarpment Rural Area	\$44,000 - \$105,600
Levitt	SAR, Niagara Escarpment Natural Area, deer winter concentration area	\$35,200 - \$88,000
Little	significant woodland, creek	\$96,800 - \$193,600
Main	significant woodland, ANSI, Pine River floodplain, deer winter concentration area, SAR, linkage	\$1.3 million - \$2.7 million
Melancthon	significant woodland, provincially significant wetland, deer winter concentration area	\$519,200 - \$1.3 million
Mono	significant woodland, linkage	\$156,200 - \$312,400
Randwick	SAR, significant woodland, wetland, creek	\$257,400 - \$514,800
River Road	n/a	\$11,000 - \$22,000
Riverview	significant woodland, locally significant wetland	\$220,000 - \$528,000
Simmons	significant woodland	\$88,000 - \$176,000

6.0 OUR FOREST, OUR FUTURE: DUFFERIN COUNTY FOREST MANAGEMENT PLAN 2016-2036

In preparing this forest management plan, a strategic planning approach was used. First, an overall goal was developed for the management of the forest properties. Within the scope of the goal, there are three objectives: social sustainability, environmental sustainability, and economic sustainability. Each of these objectives will be achieved through a number of actions. Where specified, the actions will occur during the period of the embedded operating plan (2016-2021), otherwise they will continue over the entire period of the management plan (2016-2036).

In the following sections, the three objectives of social sustainability, environmental sustainability, and economic sustainability, are presented as having equal importance. However, in situations where they may come into conflict, environmental sustainability will take precedence over the others.

6.1 Goal

To protect the quality and integrity of ecosystems in the Dufferin County Forest, including air, water, land and biota; and, where quality and integrity have been diminished, to encourage restoration or remediation to healthy conditions; while providing a variety of social and economic benefits to the public.

6.2 Land Use

There will be no development or site alteration, as defined in the *Provincial Policy Statement (2014)*, in the Dufferin County Forest. Further, there will be no development in the Leening and Levitt

Tracts, as defined in the *Niagara Escarpment Planning and Development Act*.

In order to facilitate future land use decisions, tracts (and sometimes parts of tracts) have been assigned to one of three classes that correspond to the three areas of sustainability described in this plan:

1. areas where the main focus is environmental sustainability are designated as natural forest;
2. areas where the main focus is economic sustainability are designated as managed forest; and
3. areas where the main focus is social sustainability (recreation) are designated as recreation forest.

Permitted recreational uses associated with each of the three classes will be determined as part of the development of the Recreational Use of the County Forest Policy.

Properties (or parts of properties) added to the County Forest portfolio will be assigned to land use classes based on which of the three areas of sustainability are the main focus for the property (or part of the property). This will be done as soon as possible following acquisition.

Natural Forest

These areas correspond to those identified as High Conservation Value Forests in Table 4. The only forest management activities that will be conducted in these areas will be maintenance or enhancement of notable features. In particular, this applies to the Oak Ridges South Slope Forest ANSI in the Main Tract, which, if left unmanaged, will succeed to a maple-beech forest and lose many of the characteristics that are the reason for the ANSI designation.

Managed Forest

These areas are all of those that are not designated as Natural Forest. Forest management activities that conform to the goal and actions of this forest management plan will be conducted.

Recreation Forest

There are currently no areas that are designated as Recreation Forest.

Table 7: Land Use Classes for Dufferin County Forest Tracts

Tract (Compartments)	Land Use Class	Area (ha)	Conservation Value	Standard Forest Management ¹
Amaranth (42a), Laurel Wetland Complex	natural	12	provincially significant wetland	no
Amaranth (43b, 43c), Farmington Swamp	natural	10	locally significant wetland	no
Amaranth (43a)	managed	2		yes
Gara-Gore (44a)	managed	15		yes
Hockley (49), Orangeville Wetland Complex	natural	20	provincially significant wetland	no
Leening (50)	natural	8	Niagara Escarpment Rural Area; donor restrictions	no

Tract (Compartments)	Land Use Class	Area (ha)	Conservation Value	Standard Forest Management ¹
Levitt (51)	natural	4	Niagara Escarpment Natural Area; donor restrictions	no
Little (48)	natural	47	developing old growth	no
Main (7-10, 12-19, 21a, 22, 23a, 23b, 24b, 24c, 25b, 25c)	managed	316		yes
Main (11, 20a, 21b, 23c, 24a, 25a, 26-30, 31a, 31d), Oak Ridges South Slope Forest	natural	266	life science ANSI	no
Main (31b, 31c)	natural	24	locally significant wetland	no
Melancthon (32a, 32b, 32c, 33a, 33b, 33d)	managed	12		yes
Melancthon (33a, 33c, 33d, 34a, 35a), Melancthon 1	natural	48	provincially significant wetland	no
Mono (39-40, 46)	managed	68		yes
Randwick (1-4c, 5-6)	managed	115		yes
Randwick (4d), Walker's Creek Wetland	natural	2	locally significant wetland	no
River Road (45)	managed	3		yes
Riverview (36, 37b, 37c, 37d, 37e, 38a, 38b)	managed	27		yes
Riverview (37a, 38c, 38d), Melancthon 2	natural	13	locally significant wetland	no
Simmons (47)	managed	42		yes
Total		1054		

¹In areas designated as "no" removal of hazard trees and invasive species may occur, as well as forest management activities that maintain or enhance notable features.

Maps of all of the tracts of the County Forest showing the land use classes are in Appendix I.

6.3 Environmental Sustainability

Action 1: Do not develop the County Forest properties.

Action 2: Harvest timber on a sustainable basis.

Action 3: Strive to improve stand quality.

Action 4: Emulate natural disturbances during all forest management operations to the extent possible.

Action 5: Promote the characteristics of a natural forest such as snags, cavity trees, downed trees, and mast trees.

Action 6: Promote natural regeneration.

Action 7: Maintain an up-to-date list of relevant species at risk and ensure that forest management operations are in accordance with their habitat requirements in areas where they are identified.

Action 8: Manage disturbances (invasive plants, wildfire, insects and disease, extreme weather events) for the overall health of the forest, while ensuring that human life and private property are protected from such disturbances.

Action 9: Minimize the impacts of climate change.

Action 10: Minimize the impacts of recreational activities.

Sustainable Timber Harvesting

The report *Sustainable Timber Management of the Dufferin County Forest*, produced in conjunction with the 2013 forest inventory, shows that selection harvesting of an average of 30 ha per year is sustainable over the long-term (Table 8).

Table 8: Sustainable Timber Management Area Projections by Planning Period for all Forest Types 2014-2053

Period	Total Area (ha)	Average Annual Area (ha)
2014-2023	424	42.4
2024-2033	440	43.9
2034-2043	374	37.1
2044-2053	318	31.7
Average	389	38.78

This figure is only slightly more than the average annual harvest from 1995-2015 which was 34.3 ha (Table 3). The County will target an average of 30 ha/year for selection harvesting. It is expected that areas harvested on an annual basis will fluctuate, and may change from those proposed in Table 9, depending on size of individual stands, silvicultural priorities, market conditions, and unpredictable natural events such as severe storms or insect or disease infestation.

Table 9: Proposed Selection Harvesting 2016-2036

Tract (Compartments)	Working Group	Area (ha)
2016-2021		
Randwick (3a, 3d, 4b, 6b)	red pine	27
Main (12b, 13d)	mixedwood	15
Main (13c, 22b)	mixedwood	21
Main (14c, 14d)	red pine	6
Main (18b, 19c)	red pine	7
Main (25a)	hardwoods	28
Melancthon (32a, 32b, 33a, 33b, 33d)	conifers	15
Riverview (36a, 36c, 36d, 37c, 37f, 38e)	conifers	10
Gara-Gore (44a)	spruce	15
Total		144
2021-2026		
Randwick (3c, 4e)	white pine	7
Randwick (5a, 6a)	white pine	12
Main (8a, 9a, 10a, 11d)	red pine	23
Main (9c, 10c, 11c)	white pine	11
Main (11a, 11b)	mixedwood	16
Main (14a, 15a, 16b)	red pine	14
Main (15c)	mixedwood	15

Our Forest, Our Future: Dufferin County Forest Management Plan 2016-2036

Tract (Compartments)	Working Group	Area (ha)
Main (19a)	mixedwood	22
Main (21a)	red pine	4
Main (23c, 24c)	red pine	7
Main (24a)	hardwoods	6
Main (26a)	red pine	8
Simmons (47c)	mixedwood	6
Total		151
2026-2031		
Randwick (2b, 3b)	hardwoods	10
Randwick (2c, 4a, 4c, 6c)	red pine and white pine	16
Randwick (5b)	red pine	14
Main (7a, 7b, 8d)	red pine	19
Main (8b, 8c, 9b, 10b)	white pine	18
Main (13a, 13b)	red pine	10
Main (16c)	hardwoods	14
Main (17b)	hardwoods	14
Main (19b)	red pine	17
Main (28b)	mixedwood	6
Mono (40b)	red pine	12
Simmons (47b)	white pine	12
Total		150
2031-2036		
Randwick (2a)	red pine	11
Main (14b)	mixedwood	10
Main (18c)	hardwoods	10
Main (20a)	hardwoods	25
Main (21c)	hardwoods	20
Main (22a, 28c)	red pine	17
Main (29a)	hardwoods	26
Mono (39a)	red pine	14
Mono (40a, 46a)	hardwoods	15
Mono (41a)	spruce	10
Total		148

Pre-Harvest Silvicultural Prescriptions

A number of the environmental sustainability actions will be fulfilled partially through pre-harvest silvicultural prescriptions. The purpose of the pre-harvest silvicultural prescription is to provide a framework for collecting information and making decisions regarding how to best use the natural productivity and potential of a site to serve specified management goals. The prescriptions must take into account not only the physical characteristics of the stand (including soils, hydrology, existing vegetation, and wildlife), but also the landowner's objectives for that stand. All silvicultural prescriptions for the stands in the Dufferin County Forest must conform to the objectives for the forest as stated in this management plan.

Generally speaking, the prescriptions will:

1. follow *A Silvicultural Guide to Managing Southern Ontario Forests* (MNR, 2000);
2. outline how advance regeneration will be protected during harvesting;
3. provide the appropriate conditions for further regeneration;
4. protect specialized wildlife habitats (e.g. stick nests, cavity trees, mast trees) as outlined in *A Silvicultural Guide to Managing Southern Ontario Forests* (MNR, 2000) or, in cases where it contains more up-to-date relevant information, the *Forest Management Guide for Conserving Biodiversity at the Stand and Site Scales* (MNR, 2010);
5. be in accordance with *The Niagara Escarpment Plan* and the *Niagara Escarpment Planning and Development Act* and associated regulations, where applicable and;
6. maintain the critical characteristics of known white-tailed deer winter concentration areas.

Silvicultural Practices for Working Groups

Forest management activities in the Dufferin County Forest will be conducted with the following silvicultural practices in mind for individual working groups:

1. Red pine: The red pine plantations in the Dufferin County Forest will be harvested using the selection system. The harvests will remove approximately 30% of the basal area on a ten year cutting cycle, on a worst-first basis. Where there is significant tolerant hardwood (primarily sugar maple and white ash) regeneration, the stands will be managed so that they succeed to the naturally-occurring tolerant hardwoods. Where there is significant white pine regeneration, the stands will be managed so that this species is retained. Where natural regeneration is not sufficient, native tree species will be planted in order to maintain tree cover. Tree species will be chosen based on the individual site characteristics and the actions described under ***Climate Change***.

In recent years, the red pine plantations have started to suffer from red pine decline. This phenomenon is manifesting itself as the relatively rapid (sometimes in a matter of months) decline and death of red pine trees older than about sixty years. In the 2013 forest inventory, 50 ha (15%) of the red pine stands were identified as suffering from red pine decline. The County of Dufferin has participated in a southern Ontario-wide research project to attempt to determine the cause of this decline. The results of the research suggest that a combination of factors is involved, including two types of root rot (*Armillaria ostoyae* and *Heterobasidium annosum*), several years of drought, and alkaline soil. When the trees are growing in soil that has an alkaline base their rooting depth can be significantly reduced. In long periods of dry weather, this reduced rooting depth puts the trees under moisture stress and makes them more susceptible to root rots and other insect and disease attacks. As a result of the research project, some management strategies have been formulated, as described in *Modified Management Recommendations for the Establishment and Management of Red Pine Plantations*. These management recommendations will be used to guide red pine plantation management in the Dufferin County Forest. In general, older red pine stands that are declining will be managed in such a way as to speed succession toward tolerant hardwoods while maximizing timber values.

The extent of red pine plantations in the County Forest is currently around its peak, as a few of them have already had their final removal of red pine overstorey, leaving some supercanopy trees for structure and biodiversity. It is clear that the red pine plantations have served their ecological function in terms of landscape restoration, but are not a natural condition, hence their transition over time to tolerant hardwood or mixedwood stands. Since there are no red pine plantations younger than 40 years in the County Forest, and the nature of red pine is such that it will not

regenerate under selection system conditions, the supply of red pine from the County Forest will decline over time. Red pine's nature, in combination with the issue of decline described above, means that there are no plans to plant red pine even in areas where planting might be required in order to augment natural regeneration. Fortunately, the volume of wood from the Dufferin County Forest is relatively low so that local industry is not dependent on it for survival. In addition, there are numerous plantations locally on private land that are in the 40 years and younger age class.

2. Red oak: It is desirable that red oak be retained as a component of the Dufferin County Forest for reasons of wildlife habitat, biodiversity, and timber production. However, red oak is difficult to maintain using the selection system due to its mid-successional nature. Red oak will regenerate through stump sprouts and seedlings. However, in the absence of a disturbance such as fire or harvesting that will remove a significant portion of the overstorey, as well as competing understorey species, the regeneration will not grow significantly and will eventually die.

In stands where it is desirable to maintain the red oak component management activities must ensure that there is sufficient red oak regeneration. Red oak regeneration can be maintained by releasing existing regeneration and promoting new generation through prescribed burns and/or partial removal of the tolerant hardwoods in the overstorey. Partial removal of the tolerant hardwood overstorey will provide light for the shade intolerant red oaks, remove the competing tolerant regeneration, and remove the seed source for the tolerant hardwoods.

3. Mixedwood: The mixedwood stands are characterized by a mix of hardwood and conifer species. In general, these stands will be managed on a selection basis to maintain high-quality timber and wildlife habitat. Wherever possible, conifers will be retained as a component of the stand to promote diversity and as a seed source (in the case of mid-tolerant and tolerant species) for regeneration.

4. White pine: The white pine plantations in the Dufferin County Forest will be harvested using the selection system. The harvests will remove approximately 30% of the basal area on a ten year cutting cycle. Since white pine exhibits intermediate shade tolerance, the conditions after partial overstorey removal will promote white pine regeneration. In some stands, there will also be a component of tolerant hardwoods in the understorey. Therefore, the white pine plantations should develop into natural mixedwood stands.

5. Hard Maple: The tolerant hardwood stands (dominated by hard (sugar) maple) will be managed on a selection basis to maintain high-quality timber and wildlife habitat. Prior to coming under the ownership of the County of Dufferin and management by the Ministry of Natural Resources and Forestry, many of these stands were high-graded, that is all of the largest (most merchantable) trees were removed with little or no control measures. Under MNR management, this practice was discontinued, thereby increasing the value and vigour of the natural stands. The primary harvesting technique will be improvement cuts, with the condition that some snags, cavity trees, downed trees, and mast trees must be retained to further wildlife objectives as described in *A Silvicultural Guide to Managing Southern Ontario Forests* (MNR, 2000).

6. White Spruce: The white spruce plantations will be managed by removal of approximately 30% of the basal area on a ten year cutting cycle. These plantations have a significant component of spruce and hardwood natural regeneration so will likely develop into mixedwood stands as the overstorey spruce is removed.

7. *Bottomland:* The bottomland plantations will be managed using the selection system of removing approximately 30% of the basal area on a ten year cutting cycle. In addition, in order to protect these sites that have a high water table, harvesting will only be done during frozen ground conditions.

White-Tailed Deer Winter Concentration Areas

Areas of the Dufferin County Forest that are identified white-tailed deer winter concentration areas will be managed so that critical characteristics of the core areas and yarding areas are maintained. Briefly, this means maintaining as much conifer cover as possible in core areas and yarding areas. Due to the location of the core areas within the Dufferin County Forest (Levitt Tract, south end of Main Tract, and Melancthon Tract) it is not expected that there will be commercial harvesting within most of the core areas.

Maintaining openings to provide food sources in the white-tailed deer summer range is considered to be unnecessary given that the tracts of the Dufferin County Forest exist within a mosaic of meadows, regenerating fields and cultivated fields, and are largely not fenced, allowing deer easy access to adjacent properties.

High Conservation Value Forests

High conservation value forests (HCVFs) have particular values that require special attention during planning and management. In general, the HCVFs that are part of the Dufferin County Forest (Table 4) will undergo carefully considered, limited management aimed at maintaining or enhancing the feature(s) for which they are valued. In addition, recreational use in these areas will, in most cases, be restricted in order to support the maintenance/enhancement of values.

The County of Dufferin will ensure that the only management activities conducted in evaluated wetlands are those necessary to maintain or rehabilitate the wetland.

Areas of the Dufferin County Forest that are identified as habitat of species at risk will be managed so that the habitat requirements of these species are maintained.

Management activities in the Oak Ridges South Slope Forest ANSI will seek to maintain or enhance characteristics that the ANSI is being protected for.

Evaluation of Insect and Disease Populations

The County of Dufferin will assess insect and disease populations based on information provided by the MNRF's Forest Health Technicians, County Forest staff, and the Canadian Food Inspection Agency. Emerald ash borer, Asian long-horned beetle, Sirex woodwasp, gypsy moth, beech bark disease, butternut canker, and red pine decline are of primary concern. Other than Asian long-horned beetle, emerald ash borer, and Sirex woodwasp these are all known to be in the Dufferin County Forest. Emerald ash borer has been found in the south end of Dufferin County but has not yet been confirmed in the County Forest. Monitoring of these key insects and diseases will continue and management plans will be developed as necessary.

A management plan for emerald ash borer was developed in early 2012 in anticipation of its arrival in Dufferin County. Since the number of ash in the County Forest is relatively low, the impact of emerald ash borer is expected to be small. Dead or dying ash that are considered to be hazard trees

due to their proximity to trails will be removed as soon as possible after they are identified. Stands with an ash component will be managed in accordance with the strategies outlined in *Managing Ash in Farm Woodlots; Some Suggested Prescriptions* (Williams & Schwan, 2011).

Generally, forest management activities will tend to increase the diversity of the Forest and promote more vigorous growth, thereby reducing the potential impacts of insects and diseases. To further reduce the Forest's susceptibility, the following will apply to all forest management activities:

1. careful matching of species to site for reforestation;
2. promotion of a diversity of native species;
3. management of insects and diseases using an Integrated Pest Management approach and;
4. protection of the site, residual stems, and regeneration during all activities, including recreation.

Wildfires and Prescribed Burns

The fighting of wildfires on the County Forest properties will be conducted as described in individual municipal Emergency Plans. Roads in the Forest will be maintained and will act as firebreaks. In order to minimize the occurrence of wildfires, campfires will not be allowed. Signs may be posted at key locations in the County Forest reminding users that there are no campfires permitted, to carefully extinguish their cigarettes etc. Potential fire hazards, such as brush piles remaining after forest management activities, will be assessed in cooperation with local fire departments and remedied as needed.

While wildfires have the potential to do great damage to the forest, prescribed burning (the knowledgeable application of fire to a specific land area to accomplish predetermined forest management or other land-use objectives) is an important forest management tool. This is especially true for the maintenance of mid-successional communities such as the red oak stands in the Dufferin County Forest. Therefore, although every effort will be made to control and suppress wildfires, prescribed burning will remain a part of the management strategy for the Dufferin County Forest.

Alien Invasive Plants

Alien invasive plants have great potential to alter the ecology of the terrestrial habitats of the Dufferin County Forest. Since the Forest does not contain a significant number of watercourses, aquatic invasive species are of lesser concern. Of those invasive species noted as present in the forest, garlic mustard (*Allaria petiolata*), European buckthorn (*Rhamnus cathartica*), dog-strangling vine (*Vincetoxicum rossicum* and *V. nigrum*) and Norway maple (*Acer platanoides*) are rated as high risk in the *A Guide to the Identification and Control of Exotic Invasive Species in Ontario's Hardwood Forests* (Derickx and Antunes, 2013) based on their potential environmental, economic, and social impacts.

While garlic mustard, dog-strangling vine, and European buckthorn are still not widespread in the Dufferin County Forest, it is anticipated that their presence will increase over time, due to their invasive nature and their spread being magnified by increased recreational use. (Seeds of these species can be transported from one area to another on bicycle tires, horses' hooves, and peoples' footwear.) The presence of invasive species will be monitored, particularly: in High Conservation Value Forests, before and after forest management operations, and along recreational trails. Where deemed necessary, appropriate control measures will be implemented in order to minimize the spread and invasion of these species in the County Forest.

The mature ornamental Norway maple at the former site of Camp Dufferin at the Main Tract will be removed. There are no other known areas in the County Forest where Norway maple have been planted.

Although Scots pine (*Pinus sylvestris*) is not rated as a high risk species, it is a persistent invader of old field sites. Other than at the Little Tract, there are no significant areas of Scots pine in the County Forest. These are being removed on an ongoing basis. Scots pine invading the roadsides at the County Forest tracts are also being removed as time permits. The County has supported the Town of Mono's Scots pine eradication program by actively removing Scots pine from its own properties in the Town of Mono.

Other species that are rated as high risk that the County will be monitoring include Japanese knotweed (*Fallopia japonica*), and periwinkle (*Vinca minor*).

Where feasible, signs and the website will be used to inform forest users about invasive species and give tips on how to reduce and prevent their spread.

The County will keep abreast of developments with regard to the spread and control of invasive species through the Ontario Invasive Plant Council.

Climate Change

Since trees are unable to move other than through natural seed dispersal, and have long life spans, their ability to adapt to a rapidly changing climate on an individual basis is limited. However, there are some actions that will be taken to make the Forest as a whole more resilient to the impacts of climate change.

The key strategy will be to maintain, and where possible, increase, the diversity of species in the County Forest. In this way, if some species are affected by climate change more than others, the forest as a whole will be more able to absorb the effects. Therefore, the County will continue its management strategy of maintaining diverse tolerant hardwood stands and converting single species conifer plantations to tolerant hardwood or mixedwood stands. Increasing the diversity of the Forest has the added benefit of maintaining its carbon storage capacity over a longer period of time and enhancing biodiversity.

Through the ongoing active management of the majority of the County Forest properties, stands will be maintained in a vigorously growing, healthy state, thereby better to resist the impacts of climate change.

A potential issue related to climate change is that virtually all of the regeneration in the Dufferin County Forest currently happens naturally and, as such, is adapted to the current environmental conditions. This means that the young trees are adapted to the current growing conditions in the area, but not necessarily to future growing conditions. At the same time, it is illogical to destroy naturally-established trees to replace them, at significant expense, with trees that may not be adapted to future growing conditions either.

Where natural regeneration is not sufficient and planting is necessary in order to maintain tree cover, there is a possibility of establishing trees that are genetically better adapted to warmer

regions of Ontario. However, it is unclear how effective this would be as current climate change predictions include not just warming, but also changes in precipitation patterns and increasing frequency and severity of storm events. Therefore, there are no current plans to establish trees (or tree species) that are adapted to warmer regions in the Dufferin County Forest. If it becomes apparent that this strategy needs to change, consideration will be given first to planting trees of existing tree species that are grown from seed from warmer seed zones and second to tree species from warmer regions (e.g. the deciduous forest region) that are not currently native to Dufferin County.

Soil Erosion

In areas where there are currently erosion problems, the County will take reasonable measures to establish ground cover and stabilize the area.

The County of Dufferin will conduct periodic inspections of areas that have had erosion problems in the past and areas that are prone to erosion. If it is deemed necessary, these areas will have restricted recreational use until such time as the area is stabilized. If the County determines that the erosion problem will continue, recreational use may be restricted permanently.

6.4 Economic Sustainability

Action 1: Pursue third party forest certification.

Action 2: Generate revenue from the Dufferin County Forest without compromising its environmental sustainability.

Action 3: Assess the natural heritage and socio-economic significance of the Dufferin County Forest in order to facilitate the acquisition and disposition of properties.

Forest Certification

During the 2016-2021 planning period, the County will begin the process of gaining certification of its forest management operations. Forest certification is defined as: *a procedure whereby an independent third party inspects forest management and utilization practices to assess compliance with a set of ecological, economic and social standards for sustainable forestry*. There are two primary reasons for pursuing forest certification. First, since it is an independent assessment of forest management it serves to increase the confidence of the public in the management of the County Forest. Second, the demand for wood products from certified forests is increasing, giving such products increased market access and, in some cases, premium prices.

Financial Stability

One of the County's objectives for the Dufferin County Forest is that it generate revenue to support operations. At the same time, it is important to remember the non-monetary contributions of the Dufferin County Forest:

1. the Main Tract is one of few, large, publicly-accessible natural areas in Dufferin County;
2. the Forest contributes significant ecosystem services (for details see section 5.7);
3. the Forest, and in particular the Main Tract, is important for outdoor recreation and;
4. the Dufferin County Forest properties add to the value of the areas in which they are located both in aesthetic and monetary terms.

In order to make revenues more predictable, attempts will be made to level out the value of the wood products removed from the forest, while ensuring that the environmental sustainability of the

forest is not compromised.

The County will investigate possible sources of revenue and implement those that it deems feasible as long as they do not conflict with the other objectives of this plan.

Property Assessment, Acquisition and Disposition

In the past, the properties that make up the Dufferin County Forest were acquired by the County in a somewhat haphazard way. Since then, natural heritage and socio-economic assessments were done (Table 10) so that future acquisitions and dispositions of property would be subject to a more objective assessment. The underlying rationale is to increase the overall natural heritage and socio-economic value of the Dufferin County Forest within existing budget constraints.

The following will be considered as the priorities for acquisition:

1. properties adjacent to the Main Tract (large area of contiguous forest);
2. evaluated wetlands, especially those designated as provincially significant and;
3. significant natural areas as defined in the *Provincial Policy Statement (2014)*, in particular those that are adjacent to existing tracts of the Dufferin County Forest.

All forest properties that are being considered for acquisition will be assessed in terms of the criteria described in Table 10. Consideration will also be given to the following:

1. the cost of the property (e.g. if the property is donated there are minimal costs);
2. future maintenance costs over and above those that exist for all County Forest tracts (e.g. if the property has buildings) and;
3. any restrictions that the owner wishes to place on present and future uses of the property, including (but not limited to) those related to: use of the land, property, onsite buildings and/or facilities; special agreements and covenants; and financial and legal liabilities.

Any property disposition will be conducted in accordance with current County policy, as well as requiring the purchaser to comply with key aspects of this management plan as a condition of sale.

Despite the foregoing, active property acquisition or disposition is not contemplated within the period of this management plan.

Table 10: Natural Heritage and Socio-Economic Assessment of Dufferin County Forest Properties

Tract	Natural Heritage	Ecosystem Service Value	Size	Species Variety	Site	Distance From Population Centre	Recreation Potential	Land Value (2012)	Total	Rank
Amaranth	provincially significant wetland	4	2	2	3	5	1	2	19	4
Gara-Gore	n/a	3	2	1	5	5	0	1	17	5
Hockley	significant woodland, provincially significant wetland	4	2	1	3	5	2	2	19	4
Leening	Niagara Escarpment Rural Area	2.5	1	2	5	3	0	1	14.5	8
Levitt	SAR, Niagara Escarpment Natural Area, deer winter concentration area	3	1	1	3	5	1	1	15	7
Little	significant woodland, creek	2	3	1	5	2	2	1	16	6
Main	significant woodland, ANSI, Pine River floodplain, deer winter concentration area, SAR, linkage	2	5	5	5	3	2	5	27	1
Melancthon	significant woodland, provincially significant wetland, deer winter concentration area	3	4	2	3	1	1	1	15	7
Mono	significant woodland, linkage	2	4	3	5	5	2	4	25	2
Randwick	SAR, significant woodland, wetland, creek	2	5	3	5	2	2	5	24	3
River Road	n/a	2	1	1	5	4	0	1	14	9
Riverview	significant woodland, locally significant wetland	2.5	3	2	3	1	1	1	13.5	10
Simmons	significant woodland	2	3	3	5	2	1	3	19	4

Criteria Used in Assessing Properties

1. Natural Heritage

as defined in the *Provincial Policy Statement (2014)*

2. Ecosystem Service Value Flow (\$/year/hectare) (refer to section 5.7 for details)

\$44-\$440: 1; \$2,200-\$4,400: 2; \$8,800-\$22,000: 3; \$88,000-\$237,600: 4

3. Size

under 10 hectares: 1; 10-30 hectares: 2; 31-50 hectares: 3; 51-75 hectares: 4; over 75 hectares: 5

4. Species Variety (number of overstorey working groups)

one working group: 1; two working groups: 2; three working groups: 3; four working groups: 4; more than four working groups: 5

5. Site (average site class from Plonski's yield tables)

site class three: 3; site class two: 4; site class one or better: 5

6. Distance From Population Centre (Orangeville)

over 50 kilometres: 1; 41-50 kilometres: 2; 31-40 kilometres: 3; 20-30 kilometres: 4; under 20 kilometres: 5

7. Recreation Potential

one point for each of: i. good trail system; ii. important or unique natural heritage feature(s)

8. Land Value (2012)

under \$300,000: 1; \$300,001-\$600,000: 2; \$600,001-\$900,000: 3; \$900,001-\$1,200,000: 4; over \$1,200,000: 5

6.5 Social Sustainability

Action 1: Develop a recreation policy for the Dufferin County Forest.

Action 2: Increase public awareness within Dufferin County and the surrounding area of the Dufferin County Forest and the opportunities and values it provides.

Action 3: Work in conjunction with the Dufferin County Museum & Archives to identify, protect and, where appropriate, promote cultural heritage resources.

Action 4: Cooperate with researchers and research agencies.

Recreational Use of the County Forest Policy

In order to address increasing recreational pressures on the Dufferin County Forest, during the 2016-2021 planning period the County will complete a recreation policy for the Dufferin County Forest. This policy will generally include:

1. access procedures for events;
2. responsibilities of user groups that have access to the County Forest;
3. responsibilities of the County;
4. designated uses for trails in the Main Tract (and other tracts as deemed necessary) and;
5. permitted and not permitted recreational uses.

The Recreational Use of the County Forest Policy will be supported by an updated County Forest by-law to enable enforcement of various provisions.

Access Restriction

The County will continue to maintain gates and other methods of access restriction to the forest tracts in order that unauthorized motorized vehicle use, dumping, illegal removal of wood, partying and introduction of invasive plant species can be curtailed.

Human Health

The County Forest plays an important role in the health and well-being of the community. It is a low cost outdoor venue for physical activity for those living in or visiting the region. Many people find

the forest environment enjoyable simply because of its peace and tranquility compared with the rest of their daily lives. As well, trees absorb carbon dioxide and pollutants from the air and release oxygen, providing very real air quality (and consequently, health) benefits.

However, the Forest also has the potential to have a negative impact on human health. The County will post information on the County Forest website regarding forest-related human health issues such as west nile virus, lyme disease, and poison ivy. Printed information regarding these issues will be available through the Dufferin County Museum & Archives and at public events where there is a County Forest presence. The primary information source regarding these topics will be the local health unit. Other human health issues will be added as appropriate.

Signs

During the 2016-2021 planning period, the County will post yellow dots on the perimeter of all forest properties as described in the *Trespass to Property Act*. Consideration will be given to placing signs marking the corners of all of the County Forest tracts. Signs that are currently posted in the Forest will be replaced as needed. Consideration will be given to adding GPS coordinates to new signs.

Information Products

The County of Dufferin will continue to produce and update information products such as brochures, maps, and hunting information packages. These will be distributed through County offices, by postal mail, and on the website. The County of Dufferin will handle requests for information, comments, and complaints about the Dufferin County Forest in a timely and appropriate fashion. In order to help maintain the balance between recreational use and environmental sustainability, the County Forest will not be actively promoted outside of Dufferin and its surrounding area.

Presentations, Schools, Walks, and Tours

The County of Dufferin will ensure that knowledgeable guides are available to give tours of the Dufferin County Forest at the public's request, as well as organizing at least one event in the forest annually for the general public. These may be held in conjunction with National Wildlife Week, National Forest Week, Arbor Day, or Earth Day. Presentations for schools and other groups will be dealt with on an as-requested basis. School group activities may include a practical project in the forest such as invasive species removal or species inventory. The County Forest will be promoted at appropriate local events.

Conifer Plantation Thinning Demonstration Area

The next thinning of the demonstration area at the Main Tract is planned to take place in 2019. This will entail a further thinning of all of the established blocks, which will result in four blocks that have been thinned three times, three that have been thinned twice and one that has not been thinned at all.

Interpretive Trails

During the 2016-2021 planning period, an interpretive trail at the Main Tract, describing different forest management regimes, will be developed. The interpretive trails at the Little Tract and Hockley Tract will be maintained.

Cultural Heritage Resources

In cooperation with the Dufferin County Museum & Archives, the County will, as appropriate, identify, protect, and promote any identified cultural heritage resources within the Dufferin County Forest.

Researchers

Researchers wishing to use the Dufferin County Forest will be encouraged to do so, as long as their project does not unduly interfere with other objectives for the Forest. The County will work to promote the County Forest as a research location in order to increase the detail of its flora and fauna inventory.

7.0 MONITORING

In order to ensure that all activities related to the Dufferin County Forest are achieving the objectives described in this management plan, a number of monitoring activities will be undertaken. In cases where monitoring shows that objectives are not being achieved, management actions will be adapted in an effort to achieve the stated objectives.

Input from Forest users, especially in regard to enhancing inventory information, will be welcomed. Where necessary, information will be verified prior to being added to the inventory database.

7.1 Environmental Sustainability

There are two methods for assessing if forest management operations and silvicultural activities are meeting stated environmental objectives: cut inspections and forest inventory.

Cut Inspections

Cut inspections in the Dufferin County Forest will be conducted according to the following guidelines:

1. Inspections will be conducted at least weekly in areas where forest management operations are ongoing.
2. An inspection will be conducted within one week of the end of forest management operations.
3. Every inspection will ensure compliance with the applicable tender Specifications and Scope of Work, including:
 - i. the Contractor shall carry out operations in a professional manner, to minimize damage to unmarked trees, roads, trails, fences, culverts, bridges, etc.;
 - ii. the Contractor shall conduct logging so as to minimize damage to the residual stand and developing regeneration, and to agree with the County of Dufferin upon the method of felling forwarding and skidding prior to commencement of operations;
 - iii. the Contractor shall ensure that all roads, trails and watercourses remain free of logging debris, and roads are passable at all times;
 - iv. where fire hazard conditions make harvesting under this Tender dangerous, the County of Dufferin may, from time to time, notify the Contractor to suspend such operations for such a period as the County of Dufferin deems advisable, and the Contractor agrees to immediately suspend such operations for that period;
 - v. the Contractor shall cut all trees or rows that are marked in orange or yellow

- paint, utilize and remove all merchantable wood 2.54 metres in length and: in plantations down to 10 cm diameter outside bark top end; in natural stands where sawlogs are being cut, down to 20 cm diameter outside bark top end; in natural stands where fuelwood is being cut, down to 10 cm diameter outside bark top end; and
- vi. the Contractor shall cut trees so that the stump heights are not over 30 cm. The stump height may not be greater than its diameter and not over 60 cm. The butt mark is to remain.

Forest Inventory

Forest inventory in the production forest area of the Dufferin County Forest will be conducted according to the following guidelines:

1. A forest inventory will be conducted for newly acquired properties within five years of their acquisition.
2. A forest inventory will be conducted in individual stands prior to the development of a prescription for forest management and within 18 months of the conclusion of a forest management operation. If a stand has not been subject to a forest management operation for a period of 15 years, a forest inventory will be conducted.
3. The forest inventory will include (at minimum):
 - i. a quantitative inventory of overstorey tree vegetation (variable-radius plot sampling);
 - ii. a quantitative inventory of regeneration (fixed-radius plot sampling);
 - iii. a quantitative inventory of understorey non-tree vegetation (fixed-radius plot sampling)
 - iv. a quantitative inventory of invasive plant species (fixed-radius plot sampling) and;
 - v. a quantitative or qualitative, as appropriate, inventory of wildlife, water resources, topography, aesthetics, and special habitat features.

In addition to cut inspections and forest inventory, the County of Dufferin will do the following to ensure that environmental sustainability is being achieved:

1. Annual inspections will be conducted in areas that are prone to erosion. Areas where erosion is reported by users will be inspected within three months of being reported.
2. The potential for insect and disease outbreak will be assessed as information is collected or reported.
3. Key invasive plant species will be monitored along recreational trails on an ongoing basis to allow for early detection and rapid response to reduce invasion potential.
4. Annually, the area of timber sold from the Dufferin County Forest will be monitored.
5. An identification and assessment of aggregate deposits will be conducted for newly acquired properties within five years of their acquisition.
6. Forest management operations that are conducted by contractors, such as non-commercial thinning, cleaning, or marking, will be audited by the County, the specific procedures will depend on the operation.

7.2 Economic Sustainability

In order to ensure that the forest is economically sustainable, the County of Dufferin will do the following:

1. A budget for the Dufferin County Forest, including projected revenues and expenses and a capital budget, will be presented annually to Dufferin County Council.

2. The natural heritage and socio-economic value of the forest properties will be re-evaluated every ten years, in conjunction with operating plan development.

3. The criteria used for assessing the significance of the properties will be revisited every ten years, in conjunction with operating plan development, to ensure that they are still facilitating the achievement of the County of Dufferin's objectives for the Forest.

7.3 Social Sustainability

The Recreational Use of the County Forest policy will be reviewed periodically to ensure that its purposes are being met.

In addition, to ensure that the social sustainability objectives are being met, the County of Dufferin will do the following:

1. Maintain involvement with user groups and other stakeholders, primarily through the establishment of an advisory group, details of which will be outlined in the Recreational Use of the County Forest policy;

2. Conduct informal oral (as opportunities arise) and formal written (every ten years or, if needed, more frequently) surveys of users and non-using ratepayers to determine if:

1. they have gained knowledge about the Dufferin County Forest;

2. there still exist knowledge gaps that the County of Dufferin can fill and;

3. they have any safety or access concerns.

4. Assimilate and act on comments/concerns from users on an ongoing basis.

5. Maintain a dialogue with researchers and research agencies working in the Dufferin County Forest.

8.0 REPORTING

All activities pertaining to the Dufferin County Forest will be reported as follows:

1. reports on specific subjects, as required, to Dufferin County Council.

2. an annual report to Dufferin County Council and the ratepayers of Dufferin County.

3. a budget for the upcoming year and a financial report for the past year, presented to Dufferin County Council as part of the established budgetary process.

9.0 THE FUTURE OF THE PLANNING PROCESS

A Recreational Use of the County Forest policy will be developed, as described in 6.2, as soon as possible following the approval of this forest management plan.

Future land use decisions will be dealt with in the context of the three land use classes outlined in 6.1. Amendments to this forest management plan, as well as the Recreational Use of the County Forest policy, will follow any such decisions, as needed.

Some of the activities described in the management plan are specific to the period of the embedded operating plan (2016-2021), most will continue over the entire period of the management plan (2016-2036). Three additional five year operating plans will be written to fulfill the management plan; for the periods 2021-2026, 2026-2031, and 2031-2036. The operating plans will be supported by Annual Reports and Annual Work Schedules.

Toward the end of the twenty year management plan, a new twenty year plan will be written for the period 2036-2056. This plan will include a five year operating plan for the period 2036-2041.

APPENDICES

A: Glossary

alien: plants, animals and micro-organisms that have been accidentally or deliberately introduced into areas beyond their native range. Synonyms may include introduced, non-native, and exotic.

ANSI: Area of Natural and Scientific Interest. ANSIs are areas of land and water that represent significant geological (earth science) and biological (life science) features. Earth science ANSIs include areas that contain examples of rock, fossil and landform features in Ontario. These features are the result of billions of years of geological processes and landscape evolution. Life science ANSIs are areas that contain examples of the many natural landscapes, communities, plants and animals found in the 14 natural regions of the province. The *Ministry of Natural Resources and Forestry* identifies ANSIs that are “provincially significant” by surveying regions and evaluating sites to decide which have the highest value for conservation, scientific study and education.

barren and scattered: productive forest land which, because of natural or artificial disturbance, contains only scattered trees (*stocking* below 0.25) or no trees at all with either shrub cover or bare soil, but no significant regeneration.

basal area: the cross sectional area of a stem at breast height (1.3m), most commonly accumulated as square metres per hectare. Also see *normal basal area*.

biodiversity: the variety and variability (in time and space) among living organisms and the ecological complexes in which they occur. Biodiversity can be measured at the genetic, species and landscape levels.

bog: see *wetland*

breast height: 1.3m above the ground

carr: see *wetland*

conifer (softwood): needle-bearing tree that produces seeds in cones.

deciduous forest region: The deciduous forest is the southernmost region in Ontario, dominated by agriculture and urban areas. This forest generally has the greatest diversity of tree species, while at the same time having the lowest proportion of forest. It has most of the tree and shrubs species found in the Great Lakes–St. Lawrence forest region, and also contains black walnut, butternut, tulip, magnolia, black gum, many types of oaks, hickories, sassafras and red bud — species commonly found in Ohio, Pennsylvania and the Carolinas in the USA. The deciduous forest region has the most diverse forest life in Ontario, including many rare mammals, birds, plants, insects, reptiles and amphibians. This region is also referred to as the Carolinian.

deer winter concentration area (deer yard): a forested area deer traditionally migrate to and where they spend the winter months. The “core” of a deer yard is that portion of the yard where use by deer is highest during winters that are severe. Boundaries of a deer yard tend to change over time.

Department of Lands and Forests: see *Ministry of Natural Resources and Forestry (MNR)*

development means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process;
- b) works subject to the *Drainage Act*; or
- c) for the purposes of policy 2.1.4(a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a). (*Provincial Policy Statement, 2014*)

development: includes a change in the use of any land, building or structure. (*Niagara Escarpment Planning and Development Act*)

diameter at breast height (DBH): the diameter of a tree taken at a height of 1.3m above the ground

ecosystem services: the benefits that people obtain, either directly or indirectly, from ecological systems. These services can be understood in ecological terms and they can also be translated into economic terms through valuation studies. These services are the foundation of human well-being and they also represent a significant part of the total economic value of our landscape and economy. And yet their value is most often uncounted, assumed to be ‘zero’. It is therefore important to be able to estimate the economic value of ecosystem services. Increasingly valuation is recognized as another useful tool in environmental decision making to weigh tradeoffs between conservation and land development.

endangered: a species that lives in the wild in Ontario but is facing imminent *extinction* or *extirpation*

even-aged: condition of a *stand* in which relatively small age differences exist between individual trees. The maximum difference in age is usually twenty years. Also see *uneven-aged*.

extinct: a species that no longer lives anywhere in the world

extirpated: a species that lives somewhere in the world, and at one time lived in the wild in Ontario, but no longer lives in the wild in Ontario

fen: see *wetland*

forest inventory: sample survey of a forest area to provide an estimate of timber by volume, species, products, size, and other characteristics. Also assesses understorey and ground

vegetation, wildlife, water resources, aesthetics and special characteristics of the forest. Also see *timber inventory*.

forestry purposes: includes the production of wood and wood products, provision of proper environmental conditions for wild life, protection against floods and erosion, recreation, and protection and production of water supplies; (*Forestry Act*, R.S.O. 1990)

Great Lakes–St. Lawrence forest region: The Great Lakes–St. Lawrence forest is the second largest forest region in Ontario. This forest extends along the St. Lawrence River across central Ontario to Lake Huron and west of Lake Superior along the border with Minnesota. The southern portion of the Great Lakes–St. Lawrence forest extends into the populated areas of Ontario. The Great Lakes–St. Lawrence forest is dominated by hardwood forests, featuring species such as maple, oak, yellow birch, white and red pine. Coniferous trees such as white pine, red pine, hemlock and white cedar, commonly mix with deciduous broad-leaved species, such as yellow birch, sugar and red maples, basswood and red oak. Much of the forest in the Great Lakes–St. Lawrence forest is uneven aged, meaning that young and old trees can be found within the same group of trees.

hardwood: leaf-bearing trees whose seeds are not produced in cones.

high conservation value forest: forest land managed primarily to exert beneficial influence on soil, water, landscape, or for any other purpose when production of merchantable timber, if any, is incidental

high-grading (selective cutting): the cutting of the largest and most merchantable trees in a stand. There are relatively few or no control measures.

Integrated Pest Management (IPM): refers to the practice of preventing or reducing damage caused by pests by using the best available information, along with a variety of ecologically and economically sustainable approaches and control methods.

intolerant: used to describe trees which do not tolerate shade (e.g. red pine, poplar). Also see *tolerant*.

invasive: *alien* species whose introduction or spread negatively impact native biodiversity, the economy and/or society, including human health.

managed forest: land use designation for areas of the Dufferin County Forest where the main focus is economic sustainability.

marsh: see *wetland*

Ministry of Natural Resources and Forestry (MNR): the provincial ministry responsible for natural resources, including forests, wetlands, waters, and fish and wildlife. The MNR was formerly known as the Department of Lands and Forests and the Ministry of Natural Resources (MNR).

mixedwood: a *stand* in which both the *conifer* and *hardwood* components are greater than 30%

native: usually, a species known to have existed on a site prior to the influence of humans.

natural forest: land use designation for areas of the Dufferin County Forest where the main focus is environmental sustainability.

normal basal area: the basal area for a given *working group* on a particular *site class* at a particular age, as given by Plonski's Normal Yield tables.

prescribed burning: the knowledgeable application of fire to a specific land area to accomplish predetermined forest management or other land-use objectives

private land: land not vested in Her Majesty in right of Ontario, but includes unpatented land that is located or sold under the *Public Lands Act*. Also see *public lands*.

productive forest land: all forest areas capable of growing commercial trees and not withdrawn from such use

production forest: all productive forest land managed primarily for human benefit, unless otherwise reassigned

public lands: the lands vested in Her Majesty in right of Ontario and under the management of the Minister [of Natural Resources], and includes the lands in respect of which a lease, licence of occupation or permit has been granted or issued under the *Mining Act*, the *Provincial Parks Act* or the *Public Lands Act*. Also see *private land*.

recreation forest: land use designation for areas of the Dufferin County Forest where the main focus is social sustainability (recreation).

regeneration: the renewal of a tree crop whether by natural (self-sown seed or by vegetative means) or artificial means (sowing and planting). This term may also be used to describe the young crop itself.

selective cutting: see *high-grading*

selection system: a periodic partial cutting, controlled by basal area, using vigour and risk characteristics to determine individual tree selection

shelterwood system: an *even-aged silvicultural system* where in order to provide a source of seed and/or protection for regeneration, the old crop is removed in two or more successive cuttings

significant means:

a) in regard to *wetlands, coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;

b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its

contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources;

c) in regard to other features and areas in policy 2.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;

d) in regard to *mineral* potential, an area identified as provincially significant through evaluation procedures developed by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and

e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

Criteria for determining significance for the resources identified in sections (c)-(e) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation. (*Provincial Policy Statement, 2014*)

silviculture: the science and art of cultivating forest crops. More particularly, the theory and practice of controlling the establishment, composition, constitution and growth of forests. Silviculture is a combination of three forestry activities: 1) timber harvest; 2) forest renewal; 3) subsequent maintenance of the new forest.

silvicultural system: a process, following accepted silvicultural principles, in which crops constituting forests are tended, harvested, and regenerated, resulting in the production of crops of distinctive form. Systems are conveniently classified according to the method of harvesting the mature stands with a view to regeneration and according to the type of crop produced.

site alteration means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site. For the purposes of policy 2.1.4(a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 2.1.5(a). (*Provincial Policy Statement, 2014*)

site class: a measure of the relative productivity of a site. Site classes 1a and X are the most productive; site class 3 is the least productive. Site class is determined using Plonski's Normal Yield Tables.

special concern: a species that lives in the wild in Ontario, is not endangered or threatened, but may become threatened or endangered due to a combination of biological characteristics and identified threats

species at risk (SAR): species that are determined to need special care by an independent committee of experts, the Committee on the Status of Species at Risk in Ontario (COSSARO),

	Vegetation	Water	Soil	General Location
marsh	cattails, sedges, rushes	very efficient at supplying water and nutrients to vegetation; occasional flooding; maintain some open water (less than 2 m in depth); will dry out during extended droughts	mineral; high organic matter content near surface	southern Ontario
swamp	shrubs and trees (e.g. soft maple and cedar)	occasional flooding	organically rich mineral soils	most common wetland in southern Ontario

working group: an inventory aggregation for management purposes. An aggregate of *stands*, including potential forest areas assigned to this category, having the same predominant species, and management under the same rotation and broad silvicultural system.

B: Acronyms

ANSI	Area of Natural and Scientific Interest
CFIA	Canadian Food Inspection Agency
CO	Conservation Officer
DCMA	Dufferin County Museum & Archives
DCF	Dufferin County Forest
GIS	Geographic Information System
GPS	Global Positioning System
MNR	Ministry of Natural Resources
MNRF	Ministry of Natural Resources and Forestry
MOC	Mansfield Outdoor Centre
NEC	Niagara Escarpment Commission
OFRI	Ontario Forest Research Institute
OFSC	Ontario Federation of Snowmobile Clubs
SAR	Species at Risk
USDA	United States Department of Agriculture
WIA	Woodlands Improvement Act

C: Species Abbreviations

Ab	black ash
Aw	white ash
Bd	basswood
Be	American beech
Bn	butternut
Bw	white birch
Ch	cherry

which consists of people with expertise in scientific disciplines or Aboriginal Traditional Knowledge. Species at risk fall into one of five categories, depending on the degree of risk: *extinct, extirpated, endangered, threatened, or special concern.*

stand: a community of trees possessing sufficient uniformity in composition, constitution, age, arrangement or condition to be distinguishable from adjacent communities.

stocking: the actual *basal area* as a fraction of the *normal basal area*. Stocking can be more than 1.

supercanopy tree: a living tree that sticks up well above the main canopy of a forest stand.

swamp: see *wetland*

threatened: a species that lives in the wild in Ontario, is not *endangered*, but is likely to become *endangered* if steps are not taken to address factors threatening it

timber inventory: sample survey of a forest area to provide an estimate of timber by volume, species, products, size and other characteristics. Also see *forest inventory*.

tolerant: used to describe trees that can regenerate under a canopy (e.g. maple, hemlock). Also see *intolerant*.

uneven-aged: the condition of a stand in which trees markedly differ in age. Also see *even-aged*.

wetland: land that is seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils (characterized by an abundance of moisture) and has favoured the dominance of water-tolerant plants. The four major types of wetlands are **swamps, marshes, bogs** and **fens**. A **carr** is a waterlogged, wooded community, characterized by alders and willows. Wetlands in Ontario are evaluated based on their biological, hydrological, socio-economic and special features and designated as either provincially or locally significant.

	Vegetation	Water	Soil	General Location
bog	sphagnum moss	water from runoff and precipitation only	thick layer of peat (decomposed sphagnum moss), which is highly acidic, extends beneath bog	common to northern Ontario, but some in the south
fen	grasses, sedges	some flow-through	neutral and alkaline	rare in Ontario

C	other conifers
Ce	eastern white cedar
Elm	American elm
H	other hardwoods
He	eastern hemlock
I	ironwood
La	tamarack/larch
Mh	hard/sugar maple
Mr	red maple
Or	red oak
Pj	jack pine
Po	poplar/aspen
Pw	white pine
Sb	black spruce
Sw	white spruce
Wn	black walnut

D: Conversion Factors

1 hectare (ha) = 10,000 m² = 2.47 acres

1 metre (m) = 3.26 feet = 1.09 yards

1 cubic metre (m³) = 35.7 cubic feet = 0.42 cords = 227 f.b.m.

E: Recreational Use of the County Forest Policy Summary

[to be completed]

F: Related Municipal Policies and By-Laws

County Forest By-Law 2003-50

Dufferin County Official Plan

Dufferin Local Municipal Official Plans and Zoning By-Laws

Fees By-Law (including County Forest) 2012-08

Recreational Use of the County Forest Policy

Reserve Funds By-Law (including County Forest) 2002-45

G: Related Provincial Policies and Legislation

Endangered Species Act

Fish and Wildlife Conservation Act

Forestry Act

The Niagara Escarpment Plan

Niagara Escarpment Planning and Development Act

Planning Act

Professional Foresters Act

A Silvicultural Guide to Managing Southern Ontario Forests

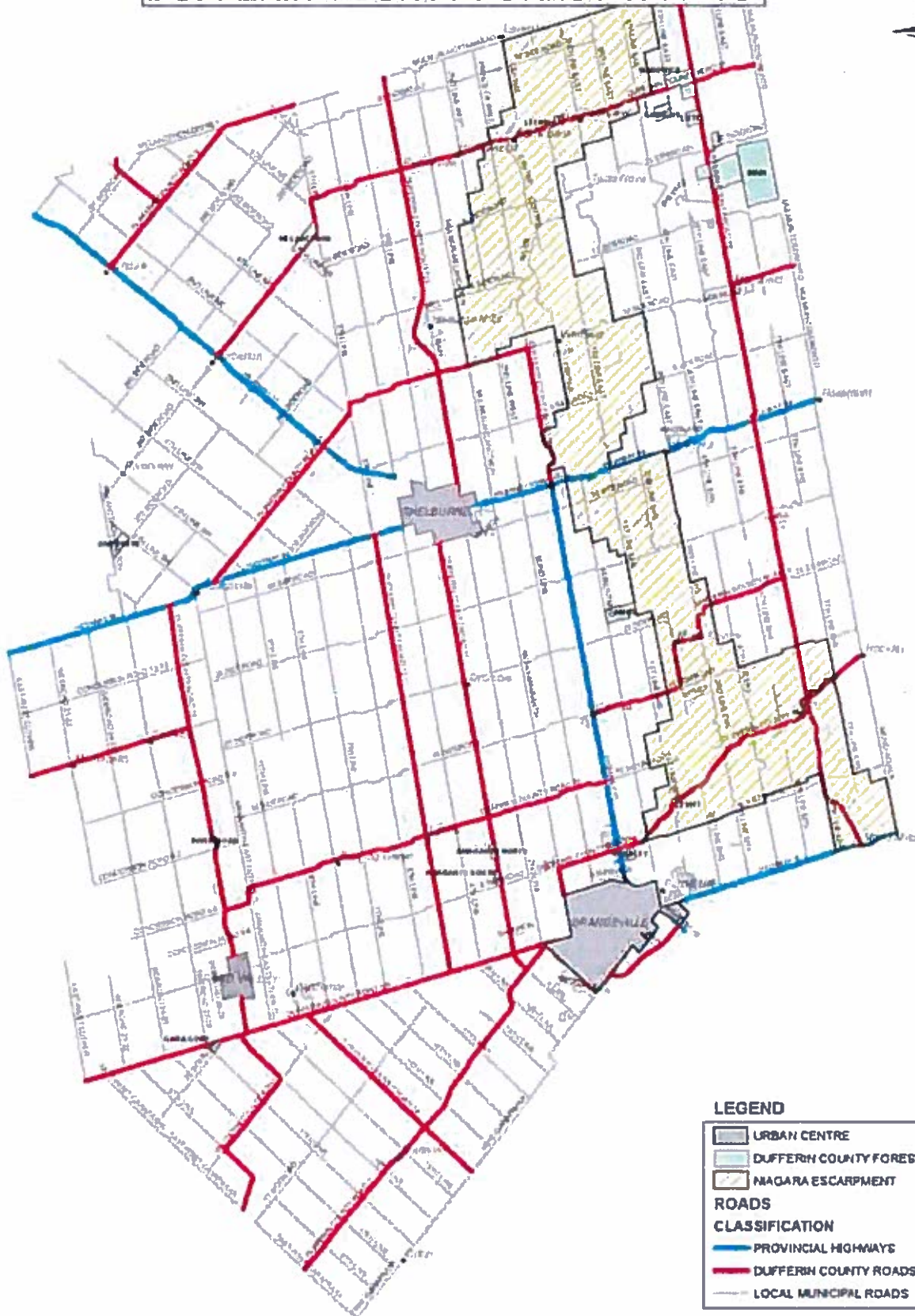
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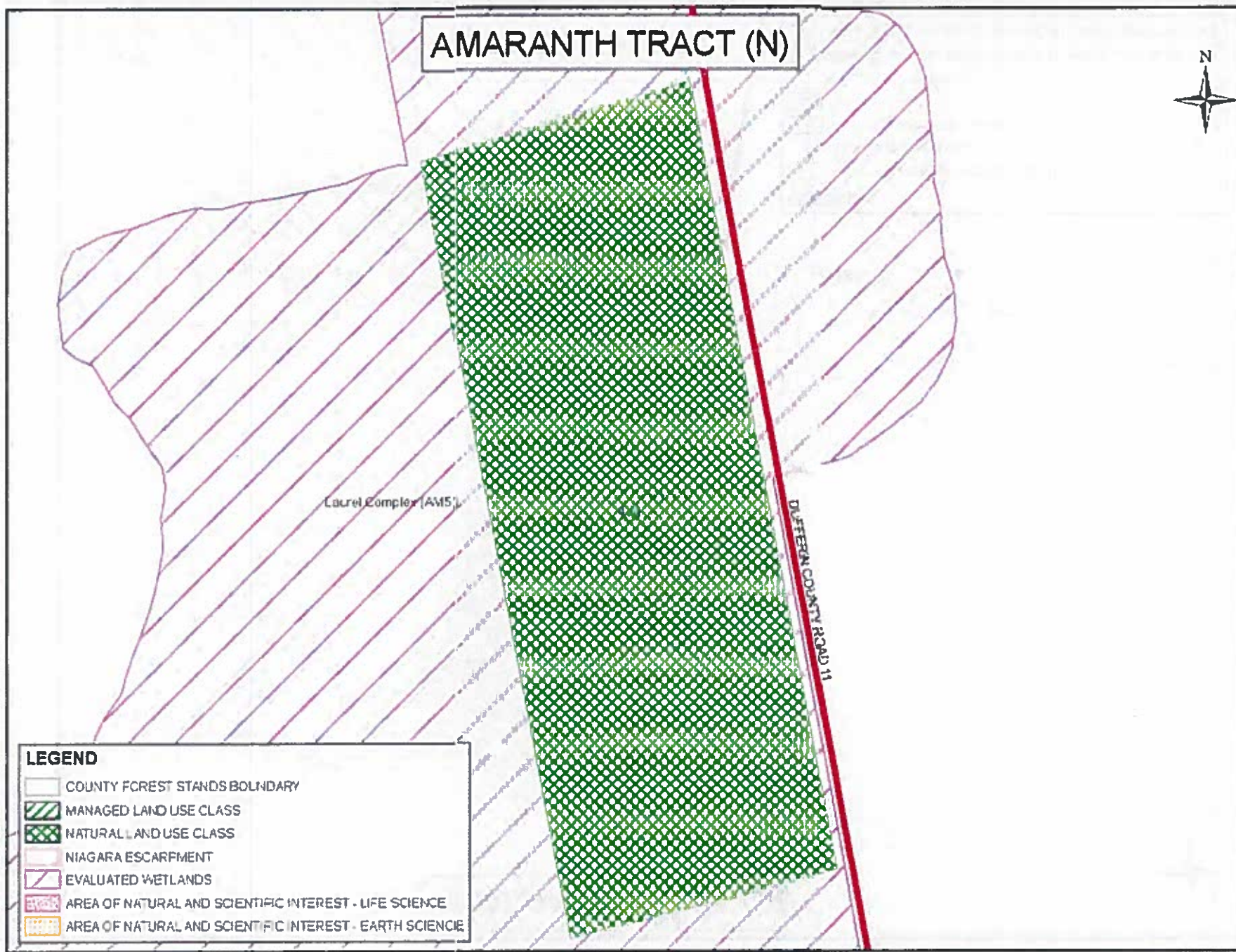
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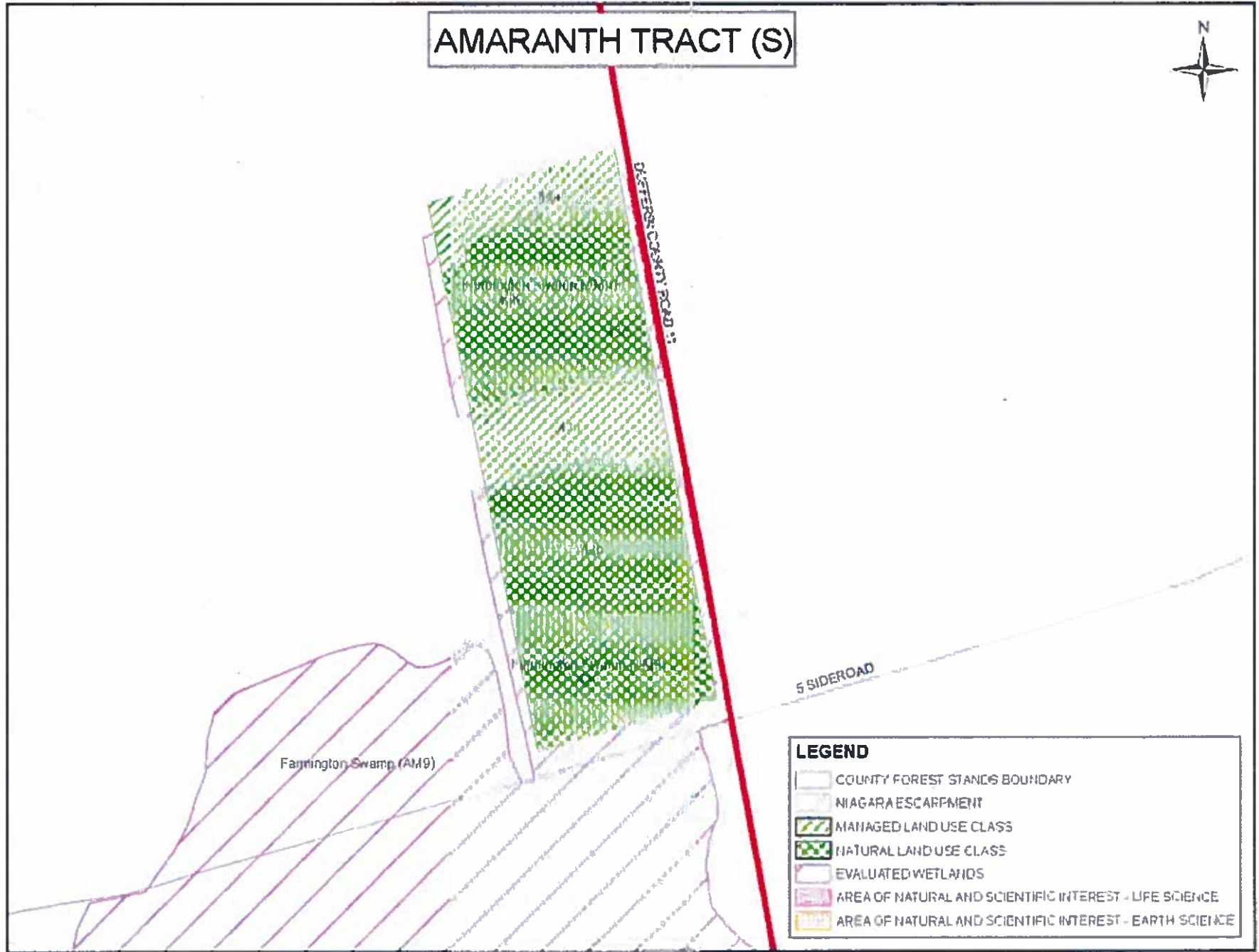
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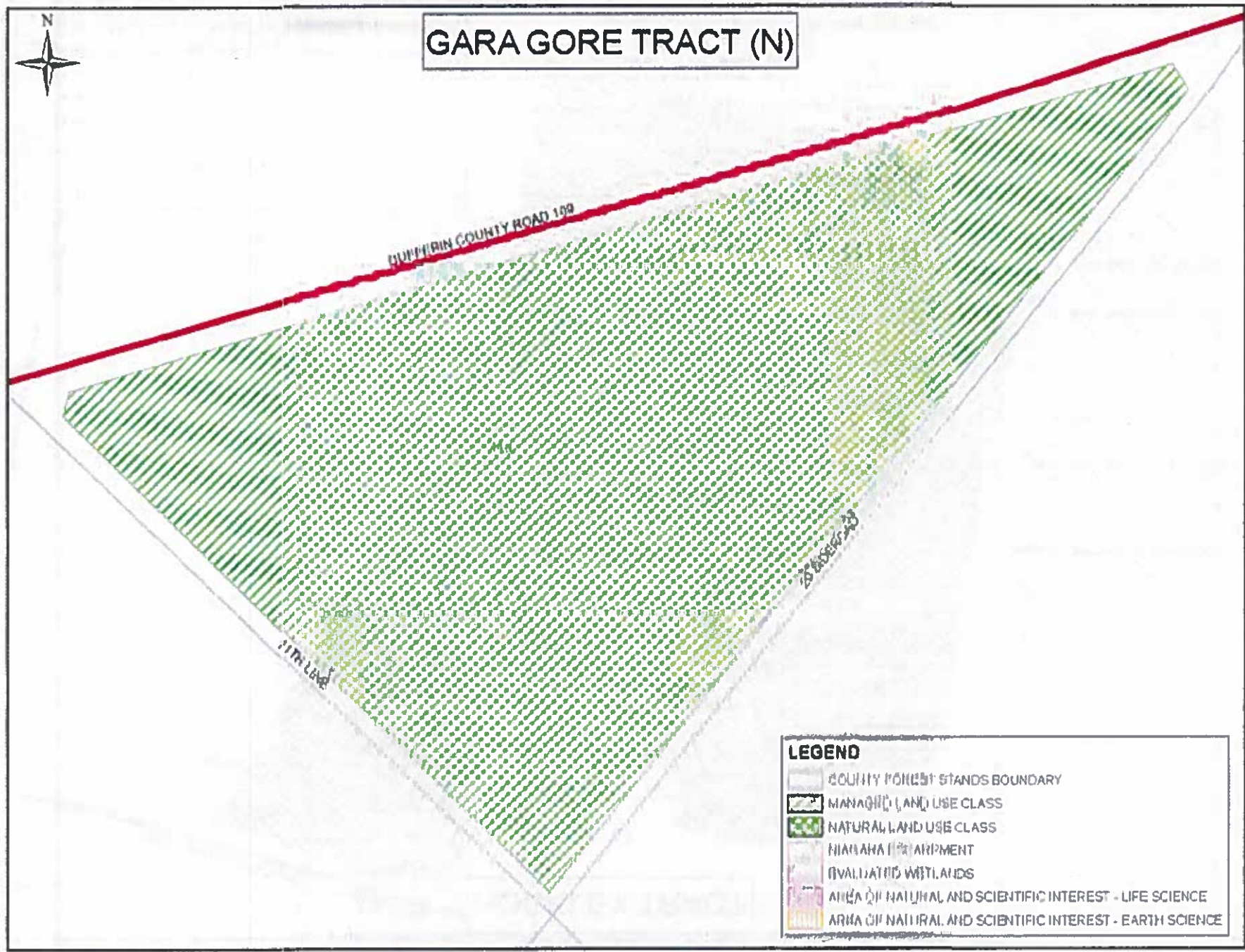
I: Tract Maps Showing Land Use Classes

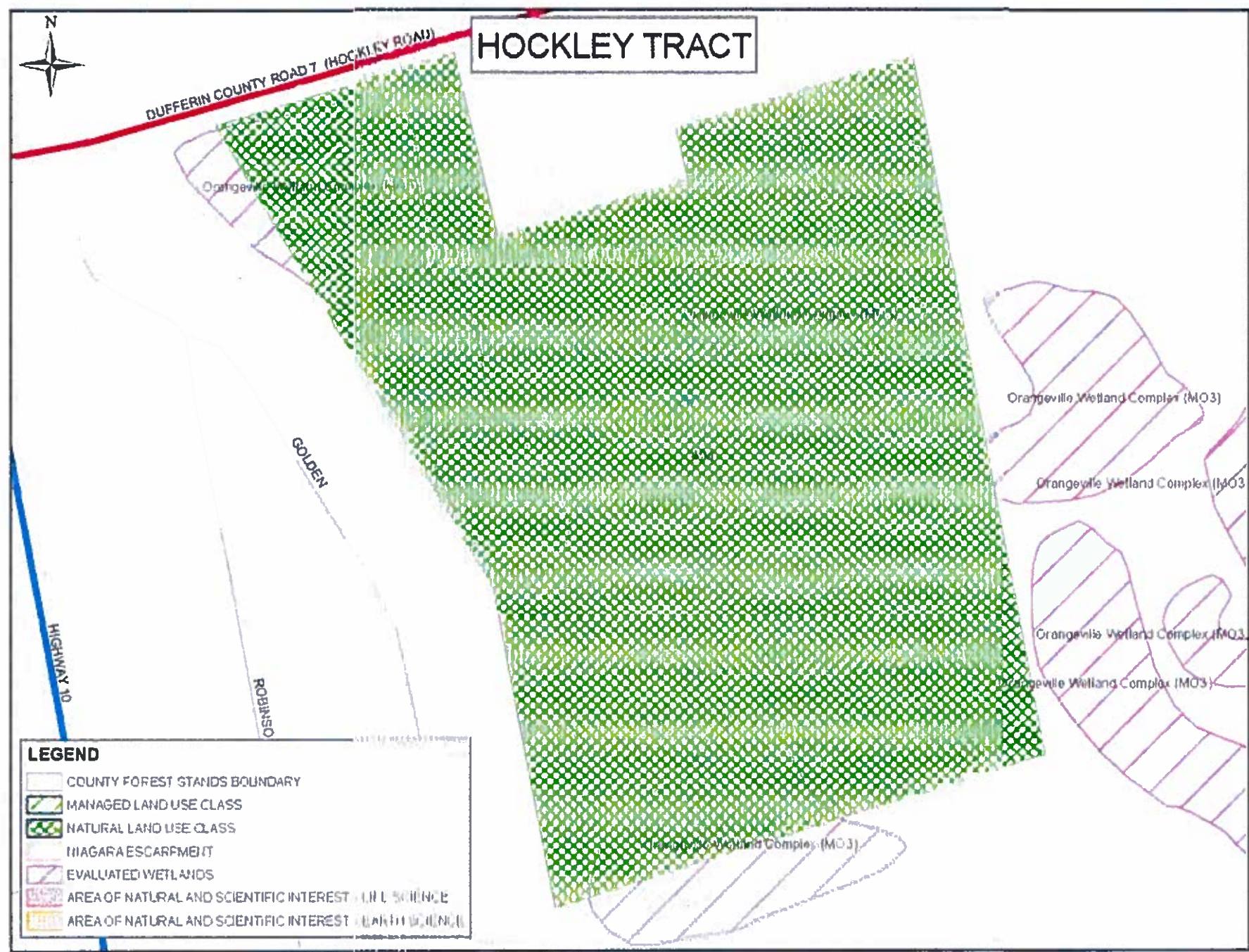
DUFFERIN COUNTY FOREST TRACTS

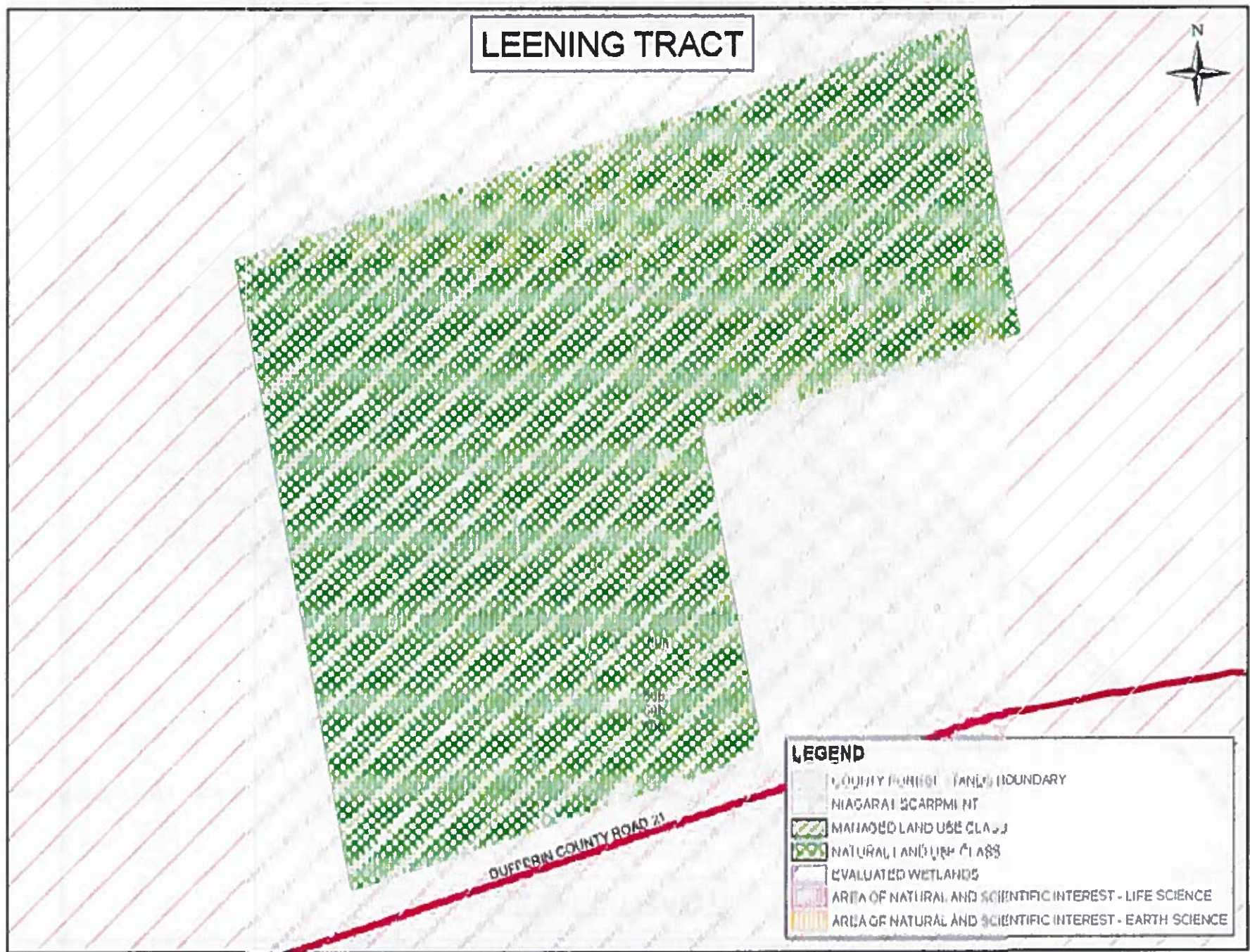


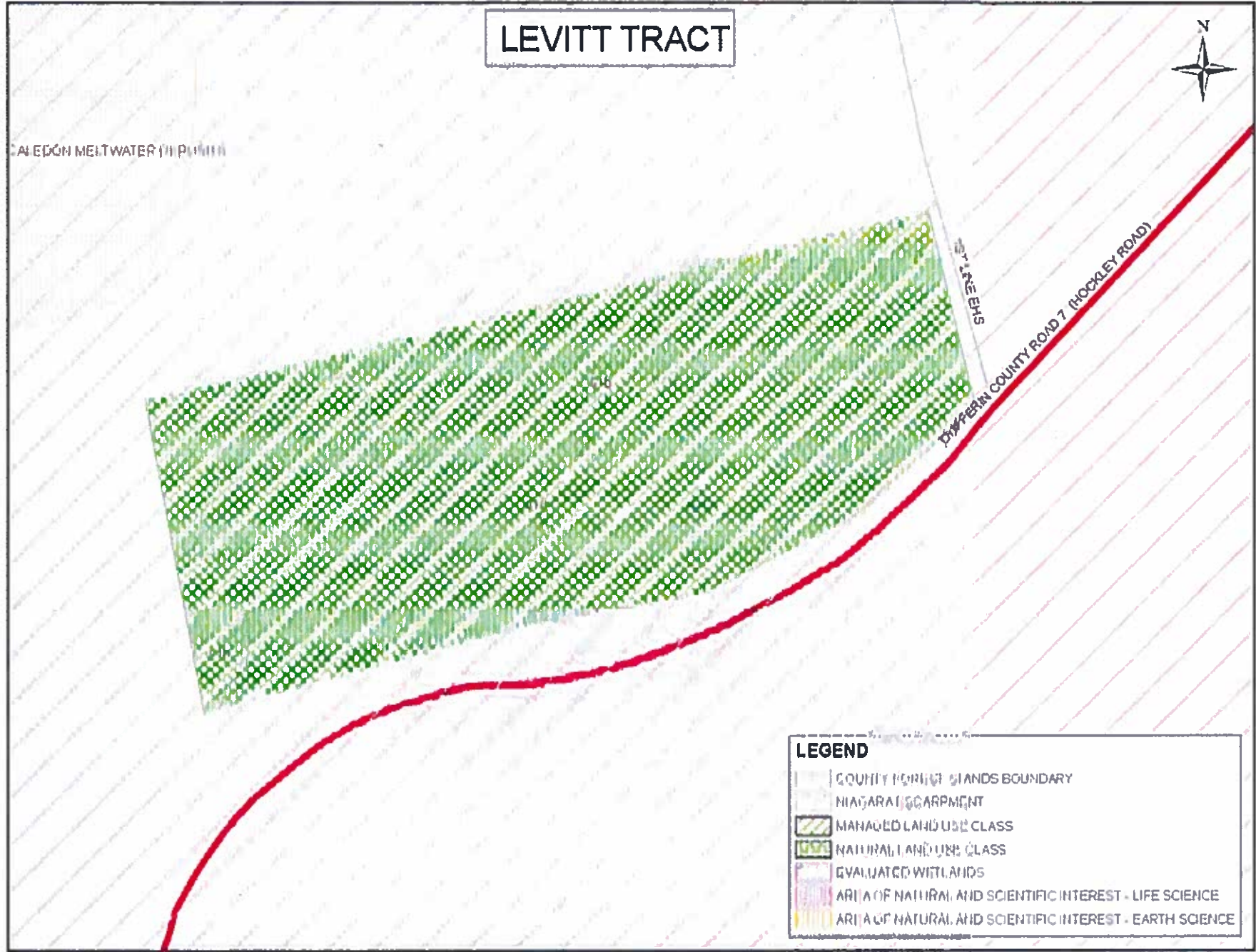




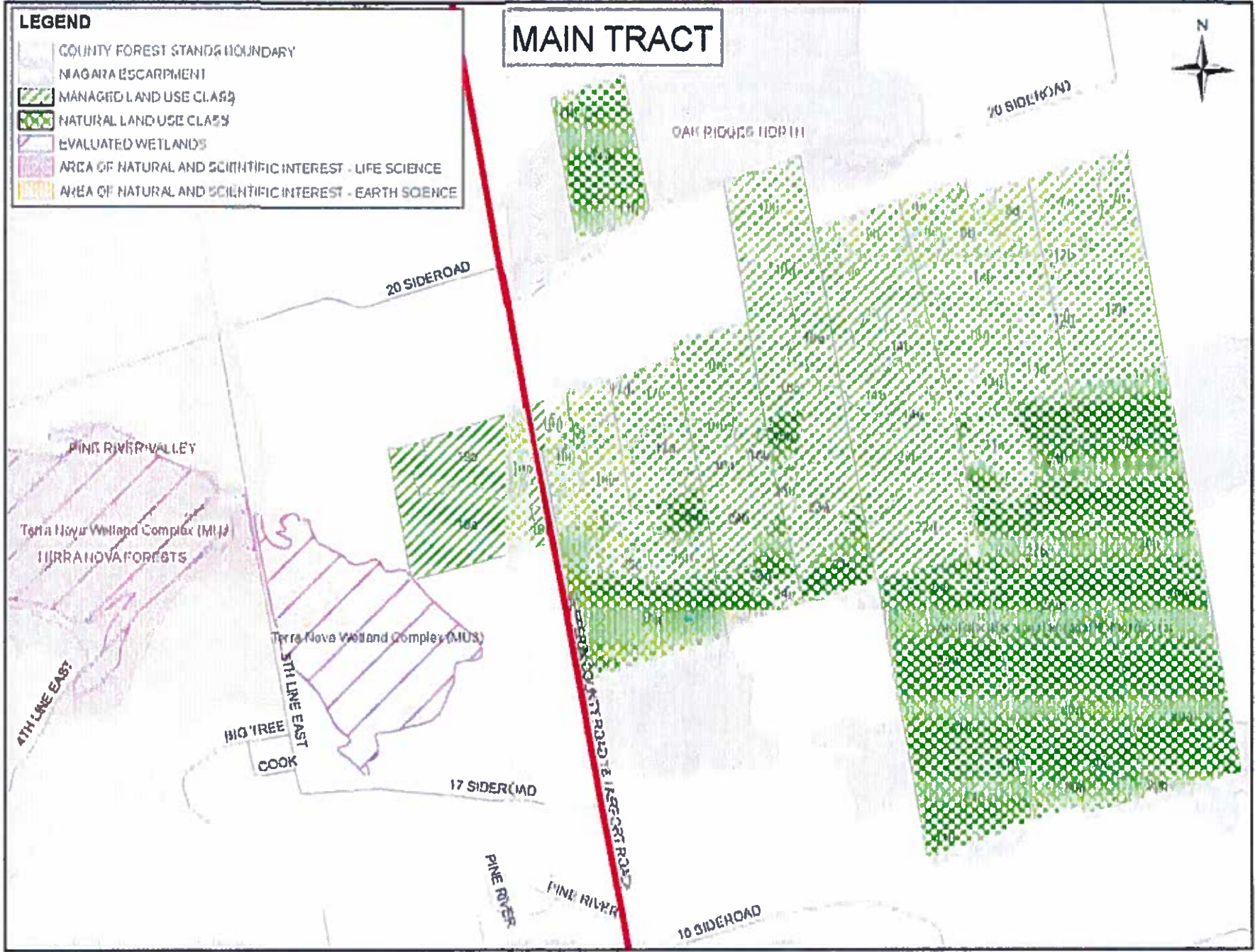


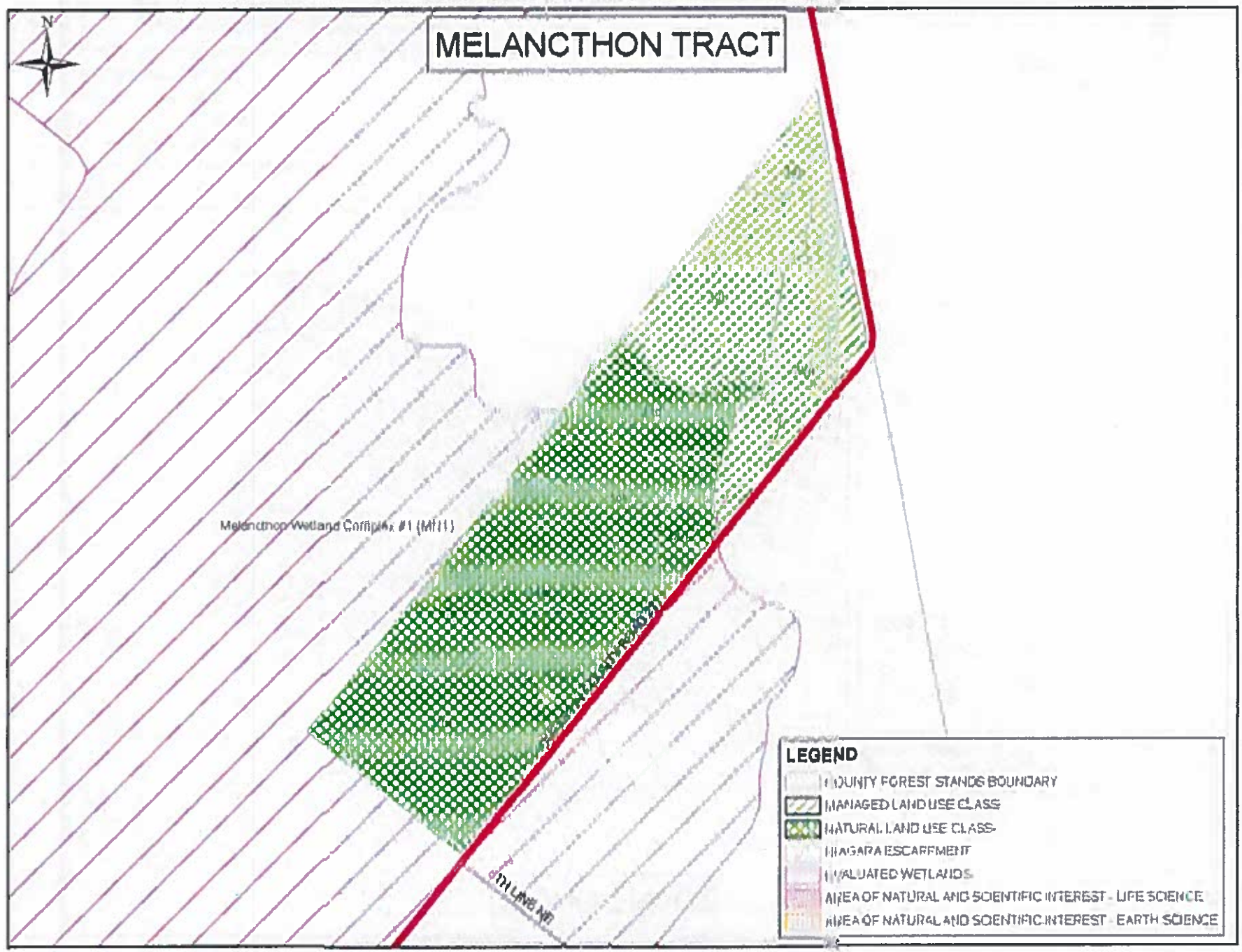


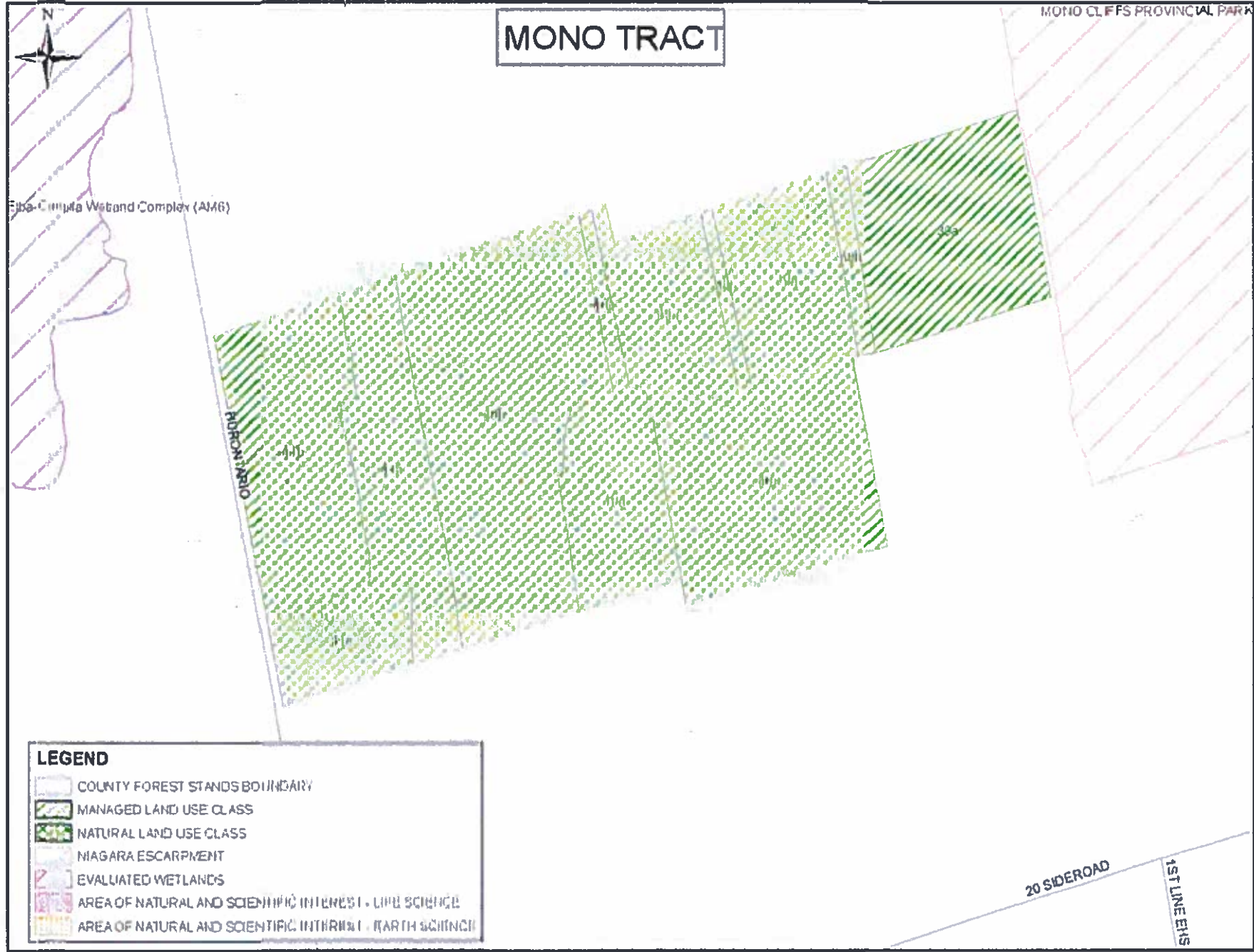


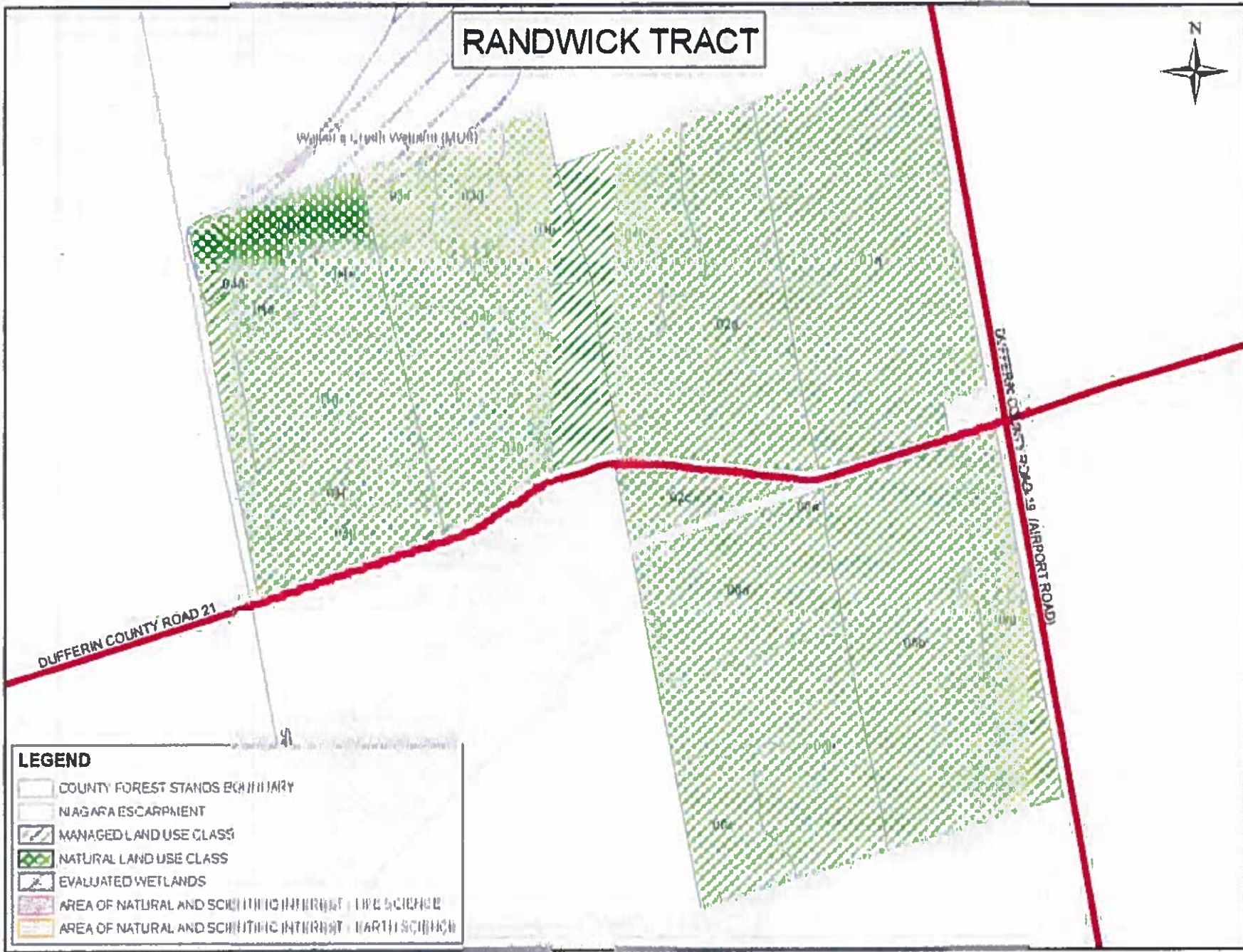


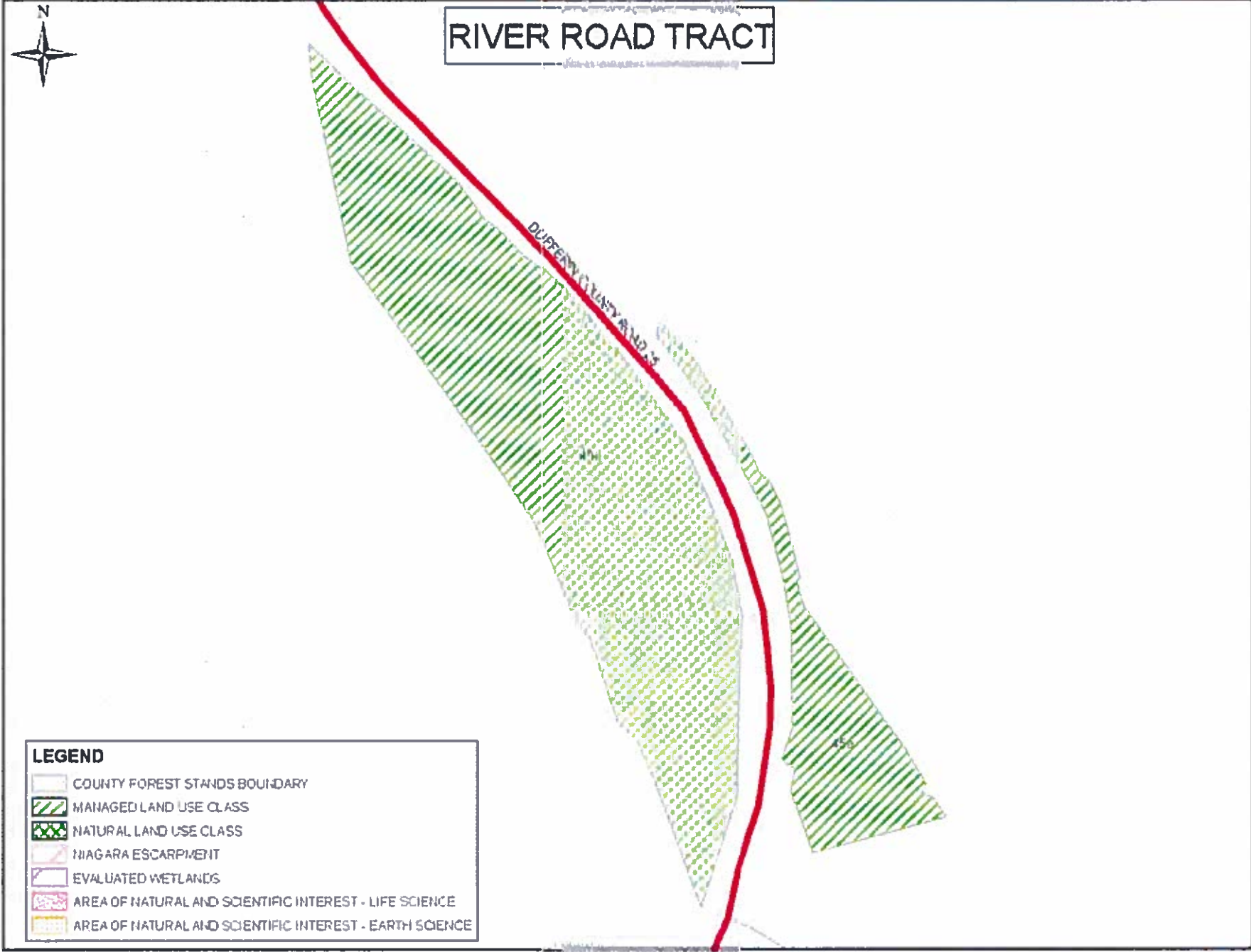


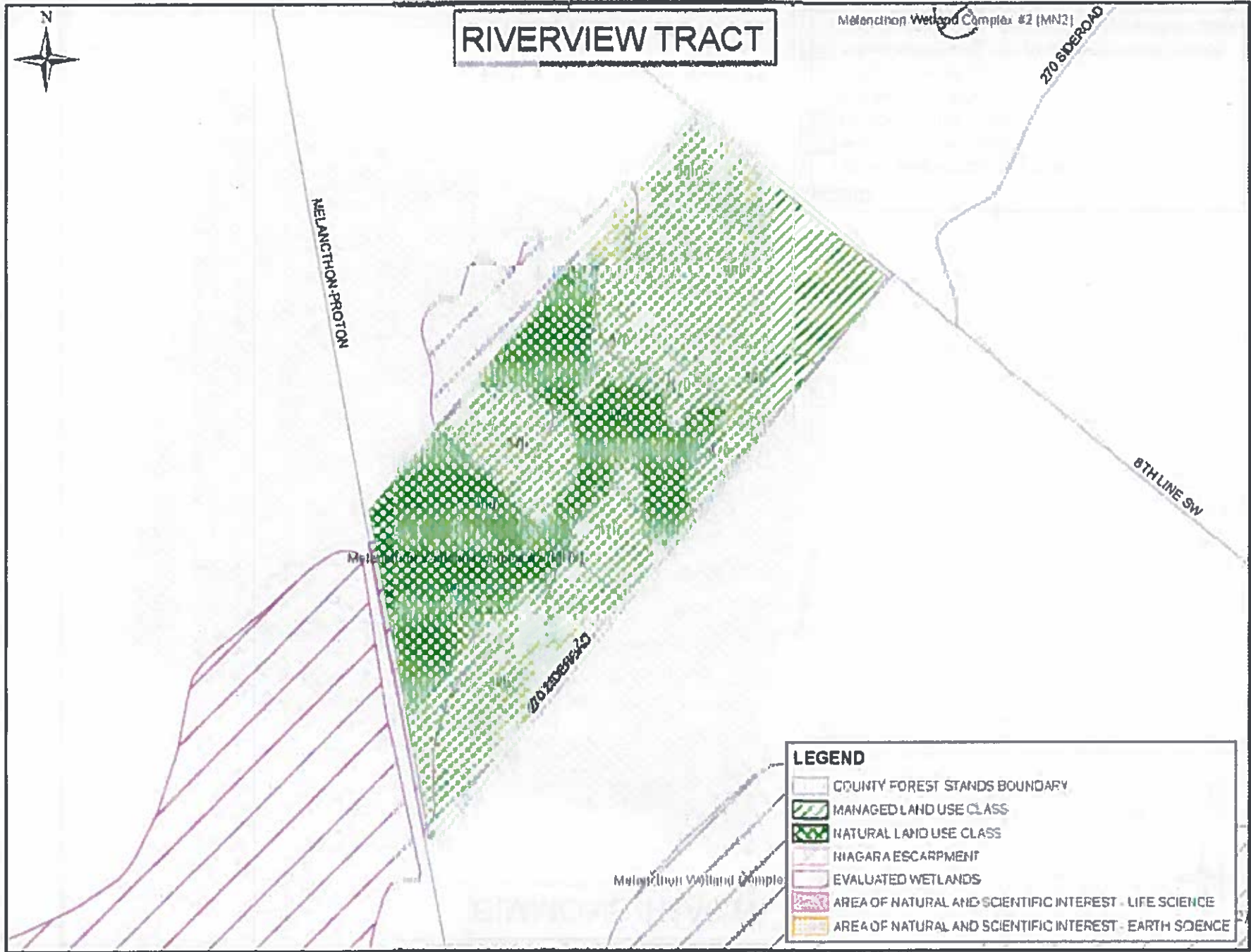


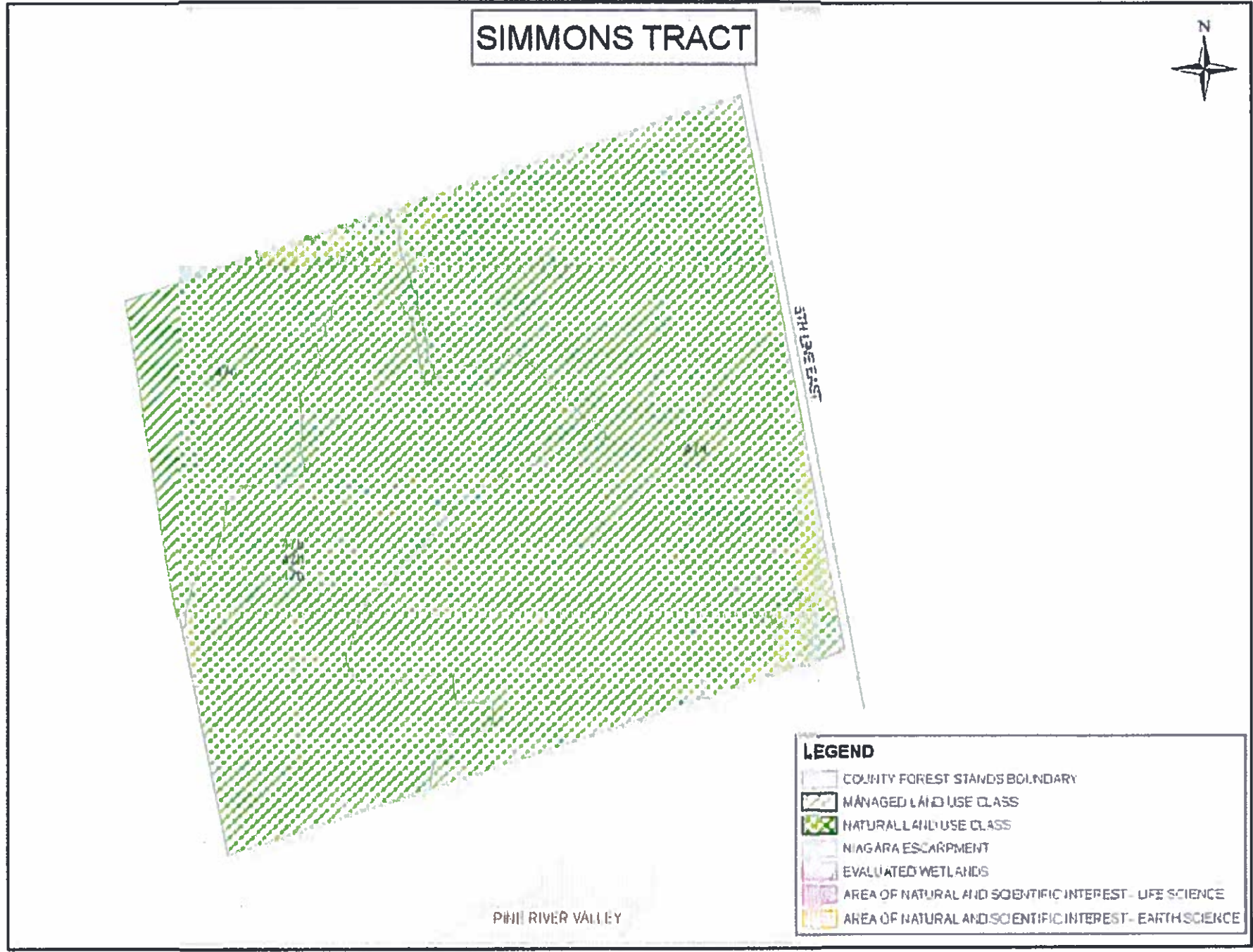












Denise Holmes

From: Shantz, Tyler (MMAH) <Tyler.Shantz@ontario.ca>
Sent: Tuesday, June 16, 2020 2:49 PM
To: info@amaranth.ca; spritchard@dufferincounty.ca; cgevrais@eastgarafraxa.ca; mkluge@townofgrandvalley.ca; Denise Holmes; david.trotman@townofmono.com; tatkinson@mulmur.ca; gdickson@orangeville.ca; swever@gspgroup.ca; bsalmon@centrewellington.ca; planning@erin.ca; gkruse@get.on.ca; acripps@mapleton.ca; terry@town.minto.on.ca; lbanks@puslinch.ca; aldos@wellington.ca; markv@wellington.ca; info@guelph.ca; Jenny Li; Sarah Wilhelm Knieriem, Michelle (MMAH)
Cc:
Subject: A message from Minister Steve Clark and Proposed Amendment 1 to A Place to Grow
Attachments: 234-2020-2382 Heads of Council Letter FR.pdf; 234-2020-2382 Heads of Council Letter EN.pdf

Good afternoon,

Further to the attached letter from Minister Clark that was sent to Heads of Council on Friday June 12, 2020, O. Reg. 149/20 "Special Rules Relating to Declared Emergency" has been amended by O. Reg. 278/20. This new regulation addresses *Planning Act* timelines.

O. Reg. 278/20 comes into force on June 22, 2020, and can be found on the E-Laws website at: <https://www.ontario.ca/laws/regulation/r20278>

I would also like to share *Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe* and *Proposed Land Needs Assessment Methodology for a Place to Growth: Growth Plan for the Greater Golden Horseshoe* which were posted on the Environmental Registry of Ontario (ERO) website this morning for review and comment.

Here are links to the 2 ERO postings:

Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe - <https://ero.ontario.ca/notice/019-1680>

Proposed Land Needs Assessment Methodology for a Place to Growth: Growth Plan for the Greater Golden Horseshoe - <https://ero.ontario.ca/notice/019-1679>

Please let me know if you have any questions.

Kind regards,

Tyler Shantz, RPP, MCIP, BES
Planner



Ministry of Municipal Affairs and Housing
Municipal Services Office – Western Ontario
659 Exeter Road, 2nd Floor
London ON N6E 1L3

Cell: 519 851-3954
E-mail: Tyler.Shantz@Ontario.ca

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
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Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M7A 2J3
Tél.: 416 585-7000



234-2020-2382

June 12, 2020

Dear Heads of Council / Clerks and CAOs:

Nothing is more important than protecting the health and well-being of Ontarians. Since first learning of COVID-19, Ontario has taken decisive action to stop the spread of this deadly virus, and we thank you for your support in our efforts.

We appreciate that the current situation for municipalities is not “business as usual”, and that all municipalities have had to make adjustments to adapt to new priorities and shifting ways of doing business.

When municipalities requested our help, we listened and acted quickly to legislate changes to the Planning Act and make the necessary regulation to suspend decision-making timelines. These changes balanced the need to suspend the timelines that would allow a municipality to refocus time and resources on the COVID-19 outbreak, while allowing councils to continue to make decisions on planning matters as municipal capacity evolved.

As we move forward with our gradual approach that will allow Ontario to emerge from the COVID-19 outbreak, we know that getting shovels in the ground is key to moving forward on the path to economic recovery together. Many municipalities may be well on their way to a more normalized planning review process, and we want to ensure that the land use planning system is in step with a municipality’s expanding capacity during this time. As a result, we intend to end the temporary suspension of the Planning Act timelines as of June 22nd, 2020.

We understand that the safety of your constituents must remain a priority, and that there are certain provincial restrictions in place regarding public gatherings. Therefore, we encourage you to continue to use electronic and virtual channels, as appropriate, to engage and provide the public with an opportunity to make representations on planning matters, while following the advice of Ontario’s Chief Medical Officer of Health.

It is vital for our economic recovery from this outbreak that we work together to help move the planning approvals process forward. We need to continue the important job of creating housing and keeping infrastructure projects moving while also ensuring we maintain public health. Development has always played a key role in supporting growth in our communities, and it will play an especially important role on our road to economic recovery from COVID-19.

Let me assure you that our government is working to support you, our municipal partners, and will continue to work collaboratively to keep all Ontarians safe.

Sincerely,

A handwritten signature in black ink that reads "Steve Clark". The signature is written in a cursive, flowing style.

Steve Clark
Minister

c. Association of Municipalities of Ontario

Denise Holmes

From: Minister Steve Clark <mah@ontario.ca>
Sent: Tuesday, June 16, 2020 9:48 AM
To: Denise Holmes
Subject: Letter from the Honourable Steve Clark, Minister of Municipal Affairs and Housing

La version française suit.

**Ministry of
Municipal Affairs
and Housing**

**Ministère des
Affaires municipales
et du Logement**



Ontario

Office of the Minister

Bureau du ministre

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234-2020-1287

June 16, 2020

Mayor Darren White
Township of Melancthon

Mayor White:

In 2019, our government introduced *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* ('the Plan', '*A Place to Grow*') as part of the **More Homes, More Choice: Ontario's Housing Supply Action Plan**. Today, I am writing to notify you of proposed changes to the Plan including updates and policy changes to the population and employment forecasts, a change to the Plan horizon year, a new Land Needs Assessment methodology, adjustments to the aggregates policy framework, new policies to address Major Transit Station Areas within Provincially Significant Employment Zones (PSEZs), and other policy revisions that support our government's objectives to increase housing supply, create more jobs, attract business investments and better align infrastructure. We are asking for your input on these proposed amendments to the Plan.

I realize the proposed changes come at a time of uncertainty when many municipalities are managing urgent matters related to our shared work to protect the health and well-being of our residents across Ontario. The Greater Golden Horseshoe (GGH) will be critical to economic recovery from the impacts of the COVID-19 outbreak. The GGH is a key economic driver of both the province and the nation, with more than 85 per cent of the

province's population growth expected in this region by 2051. In fact, we are anticipating that by 2051 this region will grow to nearly 15 million people and accommodate seven million jobs. In order to support municipalities in preparing for this anticipated growth so that you can complete your municipal comprehensive review and official plan revisions, my ministry is proposing these targeted revisions to *A Place to Grow* to make it faster and easier for municipalities in the region to plan for growth.

Details of the proposed changes are as follows:

- *Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe: 019-1680*
- *Proposed Land Needs Assessment Methodology for A Place to Grow: Growth Plan for the Greater Golden Horseshoe: 019-1679*
- *Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe on Ontario's Regulatory Registry: 20-MMAH006*

The proposed changes would work together to provide more flexibility and foresight to municipalities into demographic, employment, market demand, and housing affordability trends in the GGH. The consultation period will close on July 31, 2020. We look forward to receiving any comments you may have.

The next phase of work on PSEZs, which will begin shortly, will examine how they can support post-COVID economic recovery to support the retention and expansion of existing industrial and manufacturing operations and attract investment. The government continues to view PSEZs as an important tool and looks forward to engaging with businesses, municipalities, Indigenous communities and organizations, and the development industry to maximize opportunities within a PSEZ.

Should you or your staff have any questions about *A Place to Grow* or the proposed changes, please contact the Ontario Growth Secretariat at growthplanning@ontario.ca.

Thank you for your ongoing commitment to strengthening the quality of life and the economic growth of your community and the province of Ontario.

Sincerely,



Steve Clark

Minister

c: Chris Jones
Township Planner

Township of Melancthon

Denise B. Holmes

Chief Administrative Officer/Clerk

Township of Melancthon

Le 16 juin 2020

Mayor Darren White :

En 2019, notre gouvernement a publié *En plein essor : Plan de croissance de la région élargie du Golden Horseshoe* (« le Plan », « *En plein essor* ») dans le cadre de l'initiative **Plus d'habitations, plus de choix : Plan d'action pour l'offre de logements de l'Ontario**. Aujourd'hui, je vous écris pour vous informer des changements que nous proposons d'apporter au Plan, qui incluent des modifications aux politiques et une mise à jour des prévisions sur le plan démographique et de l'emploi, une modification à l'horizon du Plan, une nouvelle méthode d'évaluation des besoins en terrains, des ajustements au cadre stratégique sur les agrégats, l'adoption de nouvelles politiques concernant les zones de grande station de transport en commun dans les zones d'emploi d'importance provinciale, ainsi que des révisions à d'autres politiques pour appuyer les objectifs de notre gouvernement, qui sont d'accroître l'offre de logements, de créer plus d'emplois, d'attirer les investissements des entreprises et de mieux aligner l'infrastructure. Nous souhaitons avoir votre opinion sur les changements proposés au Plan.

Je suis conscient que ces changements sont proposés alors que nous vivons une période d'incertitude et que bien des municipalités doivent gérer des questions urgentes dans le cadre de nos efforts collectifs pour protéger la santé et le bien-être de nos citoyens partout en Ontario. La région élargie du Golden Horseshoe (REGH) sera déterminante pour la relance économique à la suite de l'épidémie de COVID-19. La REGH est un important moteur économique, tant à l'échelle provinciale que nationale, puisque qu'elle devrait être le berceau de plus de 85 % de la croissance démographique de la province d'ici 2051. En fait, on s'attend à ce que d'ici 2051, la région compte près de 15 millions de personnes et sept millions d'emplois. Afin d'aider les municipalités à se préparer à cette croissance et à procéder à un examen détaillé et à une révision de leurs plans officiels, mon ministère propose des révisions ciblées au plan *En plein essor* pour faciliter et accélérer la planification de la croissance dans la région.

Les changements proposés sont les suivants :

- Proposition de modification n° 1 à *En plein essor : Plan de croissance de la région élargie du Golden Horseshoe* : 019-1680
- Méthode d'évaluation des besoins en terrains proposée pour *En plein essor : Plan de croissance de la région élargie du Golden Horseshoe* : 019-1679

- Proposition de modification n° 1 à *En plein essor* : Plan de croissance de la région élargie du Golden Horseshoe sur le Registre ontarien de la réglementation : 20-MMAH006

Les changements proposés agirait en synergie afin de fournir aux municipalités une plus grande souplesse et une capacité de prévoyance accrue en ce qui a trait aux tendances sur le plan démographique, de l'emploi, de la demande du marché et de l'abordabilité du logement dans la REGH. La période de consultation se termine le 31 juillet 2020. Nous sommes impatients de prendre connaissance de vos observations.

La prochaine étape des travaux concernant les zones d'emploi d'importance provinciale, qui devrait être entreprise sous peu, se penchera sur la façon dont ces zones pourraient soutenir la reprise postpandémique en favorisant le maintien et l'expansion des activités industrielles et manufacturières et en attirant des investissements. Le gouvernement considère toujours les zones d'emploi d'importance provinciale comme un outil stratégique et se réjouit à l'idée de faire appel aux entreprises, aux municipalités, aux communautés et organismes autochtones et aux promoteurs pour maximiser les occasions d'affaires dans ces zones.

Si vous ou des membres de votre personnel avez des questions sur le plan *En plein essor* ou sur les changements proposés, veuillez communiquer avec le Secrétariat des initiatives de croissance de l'Ontario à growthplanning@ontario.ca.

Je vous remercie de votre engagement continu à améliorer la qualité de vie et à consolider la croissance économique dans votre collectivité et dans la province.

Veuillez agréer mes sincères salutations.

Le ministre,



Steve Clark

c. c. Chris Jones

Township Planner
Township of Melancthon

Denise B. Holmes
Chief Administrative Officer/Clerk
Township of Melancthon

[Important notice: Temporary changes to posting requirements during the COVID-19 pandemic \(/page/emergency-covid-19\)](#)



Environmental Registry of Ontario

Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe

ERO (Environmental Registry of Ontario) number	019-1680
Notice type	Policy
Act	Planning Act, R.S.O. 1990
Posted by	Ministry of Municipal Affairs and Housing
Notice stage	Proposal
Proposal posted	June 16, 2020
Comment period	June 16, 2020 - July 31, 2020 (45 days) Open
Last updated	June 16, 2020

This consultation closes at 11:59 p.m. on:
July 31, 2020

Proposal summary

The government is consulting on a proposed amendment to A Place to Grow: Growth Plan for the Greater Golden Horseshoe. This update includes changes to the population and employment forecasts, the horizon year for planning, and other policies to increase housing supply, create jobs, attract business investment and better align with infrastructure.

Proposal details

Proposal Details

Description of Policy

This proposal is for Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe ('A Place to Grow', 'the Plan'). It is recommended that Proposed Amendment 1 be read in conjunction with A Place to Grow. This proposal works in conjunction with a proposed new Land Needs Assessment Methodology, that is also currently posted on the Environmental Registry of Ontario at ERO number **019-1679: [Proposed Land Needs Assessment Methodology for A Place to Grow: Growth Plan for the Greater Golden Horseshoe \(https://ero.ontario.ca/notice/019-1679\)](#)**.

Growth Forecasts

A Place to Grow supports the *More Homes, More Choice: Ontario's Housing Supply Action Plan* to increase housing supply, create more jobs, attract business investments and better align our infrastructure.

To ensure coordinated planning for growth across the Greater Golden Horseshoe (GGH) and to support the achievement of complete communities, A Place to Grow currently provides population and employment forecasts for all upper- and single-tier GGH municipalities. These forecasts are currently used for planning and managing growth to the horizon of the Plan. The forecasts are a key input into the land needs assessment methodology that municipalities use to determine the quantity of land needed to accommodate growth. The provincial government, including its agencies such as Metrolinx, and municipalities also use the forecasts to inform infrastructure and financial planning as well as economic and business investment strategies.

The Minister has initiated a review and update of the Distribution of Population and Employment for the GGH (Greater Golden Horseshoe) (Schedule 3), in accordance with policy 5.2.4.7 of A Place to Grow. The forecasts are being updated and extended to 2051 through a proposed amendment to the Plan. Additional policy changes are being proposed as outlined below. Details of all the changes to the Plan can be found here ([link \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/Proposed%20APTG%20Amendment%20%28ENG%29_0.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/Proposed%20APTG%20Amendment%20%28ENG%29_0.pdf)).

In fall 2019, the government issued a request for proposals for revised population and employment forecasts for A Place to Grow. Following that competitive process, the services of Hemson Consulting ('the consultant') were procured and a series of technical and advisory meetings were held. For more detailed background information about the proposed updated growth forecasts and the methodology behind them, please view "Greater Golden Horseshoe: Growth Forecasts to 2051" available at [\[https://www.hemson.com/wp-content/uploads/2020/06/HEMSON-Schedule-3-Forecasts-FINAL-16JUN20.pdf\]](https://www.hemson.com/wp-content/uploads/2020/06/HEMSON-Schedule-3-Forecasts-FINAL-16JUN20.pdf) (<https://www.hemson.com/wp-content/uploads/2020/06/HEMSON-Schedule-3-Forecasts-FINAL-16JUN20.pdf>).

In addition to the updated forecasts, a related policy change is proposed to specify that municipalities would use the forecasts in the Plan or higher forecasts determined through the municipal comprehensive review as part of their long-term planning work.

The Ministry is considering amending A Place to Grow with one of the following growth outlooks: The Reference Growth Forecast, High Growth Scenario, or Low Growth Scenario for the forecast numbers. The Reference Forecast represents the most likely future growth outlook and is the result of extensive modelling and analysis. The Reference Forecast forms the basis of the draft report Greater Golden Horseshoe: Growth Forecasts to 2051 (<https://www.hemson.com/wp-content/uploads/2020/06/HEMSON-Schedule-3-Forecasts-FINAL-16JUN20.pdf>). The High and Low Scenarios illustrate possible growth prospects under a set of different variable assumptions about the future economic outlook. The Ministry is seeking feedback on the forecast and the two scenarios.

Municipalities would be required to use the selected growth outlook as the updated forecasts or use higher forecasts as determined through the municipal comprehensive review as part of this round of conformity exercises to meet the conformity deadline of July 2022. The effective date of Proposed Amendment 1 to A Place to Grow, if approved, will be determined by the Lieutenant Governor in Council as part of the approval.

New Plan Horizon Year

Another proposed change is an extension of the Plan horizon from 2041 to 2051 to ensure municipalities have sufficient land to support the fostering of complete communities, economic development, job creation and housing affordability. The new horizon is consistent with the long-range planning approach of previous growth plans and better aligns with the land supply requirements of the Provincial Policy Statement, 2020.

Growth Outlook to 2051

The economic, social and demographic conditions in the GGH (Greater Golden Horseshoe) point to substantial growth in the GGH over the next 30 years. Under the Reference Forecast, the GGH (Greater Golden Horseshoe) is forecast to grow to close to 15 million people and 7 million jobs by 2051.

Land Needs Assessment

The government is also consulting concurrently on a proposed new Land Needs Assessment Methodology for the Greater Golden Horseshoe ('Methodology') which supports implementation of A Place to Grow. The proposed new Methodology would provide an outcome-based approach to assessing community area and employment area land need to the Plan horizon. It provides a streamlined approach to land budgeting activities by outlining the key components, at a minimum, that would be addressed as part of local land needs assessment processes. Recognizing that local needs are diverse, the proposed new Methodology aims to provide the key factors to be considered as municipalities plan to ensure that a sufficient and appropriate mix of land is available to accommodate:

- a. all housing market segments, to avoid supply shortages;
- b. market demand
- c. all employment types, including those that are evolving; and
- d. all infrastructure services that are needed to meet the complete communities objectives to the horizon of the Plan

that is needed to meet the complete communities objectives to the horizon of the Plan.

As part of this work, municipalities could refer to background information on housing growth by type prepared as part of the review and update of A Place to Grow's population and employment forecasts. Refer to [ERO 019-1679: Proposed Land Needs Assessment Methodology for A Place to Grow: Growth Plan for the Greater Golden Horseshoe](https://ero.ontario.ca/notice/019-1679) (<https://ero.ontario.ca/notice/019-1679>) for further information.

Mineral Aggregate Operations

Proposed Amendment 1 also includes a proposed change to A Place to Grow policies related to mineral aggregate resources. Mineral aggregate resources play a crucial role in the development of housing and municipal infrastructure. Ensuring adequate aggregate resources are available is critical to achieving the success of A Place to Grow. The proposed changes would make it easier to establish new mineral aggregate operations closer to market throughout the GGH (Greater Golden Horseshoe) outside of the Greenbelt.

Major Transit Station Areas (MTSAs) in Provincially Significant Employment Zones (PSEZs)

In May 2019, changes to A Place to Grow provided new policies to enable municipalities to convert lands within employment areas to non-employment uses without provincial approval so as expedite new housing construction as part of the government's More Homes, More Choice: Ontario's Housing Supply Action Plan. However, to ensure certain employment areas were not converted locally without provincial involvement, the provincially significant employment zones PSEZ (provincially significant employment zones) were introduced with policy that provides the employment area lands located in a PSEZ (provincially significant employment zones) could only be converted to non-employment uses through ministerial approval.

As a tool to support economic development, PSEZ (provincially significant employment zone)s are utilized to provide provincial land use protections for employment areas that require provincial involvement in the support of retaining and expanding existing businesses as well as attracting new business investments. While each PSEZ (provincially significant employment zones) is unique in nature, all zones must contain a significant number of jobs.

In light of the unique nature of each zone and to address the government's objective of intensification around major transit station areas MTSA (major transit station area), Proposed Amendment 1 proposes to change an employment policy within A Place to Grow with respect to the planning of MTSA (major transit station area)s within a PSEZ (provincially significant employment zone). Notably, the policy amendment would allow conversions of employment areas to non-employment uses within a provincially significant employment zone that is located within a MTSA (major transit station area). This proposed change would allow for mixed-use developments to be initiated faster around MTSA (major transit station area)s. This does not change municipal zoning by-laws or other conversion policies within A Place to Grow.

Mapping of an MTSA (major transit station area) still requires provincial approval and this exercise can encourage transit-oriented development while protecting and enhancing employment opportunities.

The next phase of work, which will begin shortly, will examine how PSEZ (provincially significant employment zone)s can support post-COVID economic recovery and support the retention and expansion of existing industrial and manufacturing operations and how the zones can attract investment. The government continues to view PSEZ (provincially significant employment zone)s as an important tool and looks forward to engaging with businesses, municipalities, Indigenous communities and organizations and the development industry to maximize opportunities within a PSEZ (provincially significant employment zone). The expectation is to complete this phase of the review by early Fall.

Alignment with Provincial Policy Statement, 2020

Given the most recent changes to the Provincial Policy Statement, 2020, (PPS)proposed Amendment 1 proposes to change A Place to Grow policies to ensure continued alignment with the new PPS (Provincial Policy Statement), which came into effect on May 1, 2020. These changes, which are mostly technical in nature, would ensure that A Place to Grow reflects up to date references to the new PPS (Provincial Policy Statement) and maintains consistency across the planning system with things such as definitions and planning

horizons. A proposed policy revision would also require planning authorities to engage on planning matters with Indigenous communities to ensure appropriate engagement is undertaken.

Transition

It is proposed that the Minister would make the following housekeeping modifications to the Growth Plan transition regulation (O. Reg. (Ontario Regulation) 311/06) to facilitate implementation of Amendment 1 to A Place to Grow, if approved:

- Provide that rules that required conformity with the Growth Plan for the Greater Golden Horseshoe 2019 would now require conformity with the Plan as amended by Amendment 1; and
- Provide that where the Local Planning Appeal Tribunal has completed a hearing but not yet issued a decision in respect of a matter required to conform with the Growth Plan for the Greater Golden Horseshoe 2019, those decisions are required to conform with the Plan as it read before Amendment 1.

Subject to the limited transitional rules mentioned above, the Minister is not proposing any other new transitional rules. This would mean that the policies in Proposed Amendment 1, if approved would need to be used in most decisions immediately after they come into effect, including in the current municipal comprehensive review. The date by which municipalities must conform with the policies in APTG (A Place to Grow) will remain July 1, 2022.

Other public consultation opportunities

Feedback can be provided by

- email at growthplanning@ontario.ca
- Environmental Registry online form
- mail to:

Ontario Growth Secretariat
Ministry of Municipal Affairs and Housing 777 Bay Street
23rd Floor, Suite 2304
Toronto ON M7A 2J3

The consultation closes on July 31, 2020.

Notice regarding collection of information

Any collection of personal information will be in accordance with subsection 39(2) of the *Freedom of Information and Protection of Privacy Act*. It will be collected under the authority of the *Places to Grow Act, 2005* for the purpose of obtaining input on the proposed amendment to A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

If you have questions about the collection, use, and disclosure of this information please contact:

Ministry of Municipal Affairs and Housing
Senior Information and Privacy Advisor
777 Bay Street, 17th Floor
Toronto, Ontario, M7A 2J3
416-585-7094

Organizations and businesses

Comments or submissions made on behalf of an organization or business may be shared or disclosed. By submitting comments, you are deemed to consent to the sharing of information contained in the comments and your business contact information. Business contact information is the name, title and contact information of anyone submitting comments in a business, professional or official capacity.

Individuals

Personal contact information will only be used to contact you and will not be shared. Please be aware that any comments provided may be shared or disclosed once personal information is removed. Personal information includes your name, home address and personal e-mail address.

Supporting materials

Related files

[Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/Proposed%20APTG%20Amendment%20%28ENG%29_0.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/Proposed%20APTG%20Amendment%20%28ENG%29_0.pdf)
pdf (Portable Document Format file) 981.87 KB

Related links

[A Place to Grow: Growth Plan for the Greater Golden Horseshoe \(https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe\)](https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe)

[Hemson Technical Report, Greater Golden Horseshoe: Growth Forecasts to 2051 \(https://www.hemson.com/wp-content/uploads/2020/06/HEMSON-Schedule-3-Forecasts-FINAL-16JUN20.pdf\)](https://www.hemson.com/wp-content/uploads/2020/06/HEMSON-Schedule-3-Forecasts-FINAL-16JUN20.pdf)

Related ERO (Environmental Registry of Ontario) notices

[Proposed Land Needs Assessment Methodology for A Place to Grow: Growth Plan for the Greater Golden Horseshoe \(/notice/019-1679\)](/notice/019-1679)

View materials in person

Important notice: Due to the ongoing COVID-19 pandemic, viewing supporting materials in person is not available at this time.

Please reach out to the Contact listed in this notice to see if alternate arrangements can be made.

Ontario Growth Secretariat

777 Bay St, Suite 2304
Toronto, ON
M7A 2J8
Canada

 [416-325-1210](tel:416-325-1210)

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. \(/page/commenting-privacy\)](#)

Submit by mail

Sandra Bickford
Ontario Growth Secretariat
777 Bay St, Suite 2304
Toronto, ON
M7A 2J8
Canada

Connect with

US

Contact

Sandra Bickford

 [416-325-1210](tel:416-325-1210)

 sandra.bickford@ontario.ca

[Important notice: Temporary changes to posting requirements during the COVID-19 pandemic \(/page/emergency-covid-19\)](#)



Environmental Registry of Ontario

Proposed Land Needs Assessment Methodology for A Place to Grow: Growth Plan for the Greater Golden Horseshoe

ERO (Environmental Registry of Ontario) number	019-1679
Notice type	Policy
Act	Places to Grow Act, 2005
Posted by	Ministry of Municipal Affairs and Housing
Notice stage	Proposal
Proposal posted	June 16, 2020
Comment period	June 16, 2020 - July 31, 2020 (45 days) Open
Last updated	June 16, 2020

This consultation closes at 11:59 p.m. on:
July 31, 2020

Proposal summary

The government is consulting on a new Land Needs Assessment Methodology for the Greater Golden Horseshoe ("Methodology") which supports the implementation of A Place to Grow: Growth Plan for the Greater Golden Horseshoe ("The Plan"). This posting presents the outcome-based Methodology that, if approved, would replace the existing Methodology.

Proposal details

Proposal Details

On May 2, 2019, the government released A Place to Grow: Growth Plan for the Greater Golden Horseshoe as part of the "More Homes, More Choice: Ontario's Housing Supply Action Plan". The Plan, which came into effect on May 16, 2019, addresses the needs of a growing population, the diversity of the Greater Golden Horseshoe region, the people and local priorities.

Policy 2.2.1.5 of the Plan requires upper- and single-tier municipalities to use the Methodology issued by the Minister to assess the quantity of land required to accommodate forecasted growth to the horizon of this Plan. The government is consulting on a proposed new Land Needs Assessment Methodology for the Greater Golden Horseshoe.

These changes are linked to the [Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe \(https://ero.ontario.ca/notice/019-1680\)](https://ero.ontario.ca/notice/019-1680) found at [ERO Number 019-1980 \(https://ero.ontario.ca/notice/019-1680\)](https://ero.ontario.ca/notice/019-1680).

Proposed Methodology

Purpose and Objectives

The proposed Methodology outlines key steps for assessing community and employment land needs to the Plan horizon year. Municipalities must follow the steps of this methodology as part of the municipal comprehensive review to ascertain the amount of land required to accommodate the amount and type of additional housing units and jobs required to meet market demands in conformity with the Plan. The methodology is also used to determine whether there is a need for a settlement area boundary expansion for employment area or community area, which is all other settlement area land outside of employment areas.

Recognizing that local needs are diverse, the proposed new Methodology aims to provide the key factors to be considered as municipalities plan to ensure that a sufficient and appropriate mix of land is available to: accommodate all housing market segments; avoid housing shortages; consider market demand; accommodate all employment types, including those that are evolving; and plan for all infrastructure services that are needed to meet complete communities objectives to the horizon of the Plan.

It will do so by presenting a simplified approach to land needs assessment that reduces the overall complexity of implementation of the Plan. The proposed Methodology will provide more flexibility to municipalities. It will also be forward-looking and account for demographics, employment trends, market demand, and concerns related to housing affordability in the Greater Golden Horseshoe.

Schedule 3 is the baseline to be used by municipalities. Lower forecasts for population, dwellings by type or employment are not permitted as this would lead to land supply issues which would lead to housing affordability issues and land shortages. Municipalities may develop alternative assumptions about growth to the horizon of the Plan if they demonstrate they can provide a range of housing to achieve market-based demand. This includes meeting the projected needs of current and future residents and providing the basis for realizing employment opportunities in labour markets of the Greater Golden Horseshoe.

Implementation and Conformity

The proposed Methodology does not preclude municipalities from considering alternate assumptions about population and employment growth to the horizon of the Plan. A municipality may test alternative growth assumptions to establish the case for a higher density target. Assumptions that include density targets lower than those required in the Plan would require Minister's approval.

Land needs assessment is an iterative process involving dialogue between upper-tier and lower-tier municipalities, stakeholders, the public and the Province. The proposed Methodology will continue to be implemented through a new upper- or single-tier official plan or an official plan amendment that is subject to approval by the Minister of Municipal

Affairs and Housing. Municipalities have the choice of phasing their municipal comprehensive review or achieving conformity as part of one single new official plan or a plan amendment.

Timeframes

Municipalities must plan to accommodate forecasted growth to the horizon of A Place to Grow. Land supply to meet the full horizon of a Place to Grow is essential to ensuring consistency with the Provincial Policy Statement (PPS). Planning authorities need to ensure an appropriate range and mix of housing options and densities are provided to meet projected requirements of current and future residents of the regional market area. This means:

- Municipalities must, at all times, have enough land with servicing capacity to provide at least a three-year supply of residential units available through lands suitably zoned in lower-tier municipalities.
- Municipalities shall also plan to maintain the ability to accommodate residential growth for a minimum of 15 years.

Testing Alternate Growth Assumptions

This methodology does not preclude municipalities from considering future economic, social and policy directions where these are known, particularly in between Censuses or mandatory reviews of A Place to Grow.

Municipalities may develop alternate growth assumptions provided the population and employment forecasts of A Place to Grow are implemented in municipal official plans. Municipalities must be able to demonstrate that assumptions utilized in their land needs assessment conform with the Plan and are justifiable in light of both general trends in the province and specific conditions in the municipality.

Components

The Methodology has various components that need to be considered when assessing local land needs. The first is the community area land needs assessment used for housing, population-related jobs and office jobs. The second is the employment area land need assessment for all various types of employment.

Community Area Land Needs Assessment

The community area land needs assessment is based on the population forecasts from A Place to Grow – from which, upper and single-tier municipalities shall estimate households by type and housing need, then allocate the projected need among lower-tier municipalities, where appropriate. The projected need for each local municipality is translated into applicable densities and separated into housing within the delineated built-up area and designated greenfield area.

The community area lands are where most housing required to accommodate forecasted population will be located. It also includes most population-related jobs, office jobs and some employment lands jobs. The result of the assessment is the amount of additional land required for new community area land to accommodate these homes and jobs to the horizon of A Place to Grow.

This part of the Methodology involves components such as population forecasts, housing needs analysis, housing allocation and supply inventory and community area jobs analysis and reconciliation. These components are used to determine where and how the forecasted community area people and jobs growth will be accommodated within the upper- or single-tier municipality to meet the Intensification and density targets in the Plan and the amount of community area land needed (in hectares) to accommodate that growth.

When planning for community areas, municipalities will address policy requirements of A Place to Grow to:

- Use the population and employment forecast contained in Schedule 3 for planning and managing growth, as a minimum;
- Direct development to settlement areas, except where the policies permit otherwise;
- Plan to achieve minimum intensification and designated greenfield area density targets;
- Support the achievement of complete communities that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities;
- Consider the range and mix of housing options and densities of the existing housing stock and plan to diversify housing options in the future, including additional residential units and affordable housing, to serve all sizes, incomes and ages of households; and
- Plan for a more compact built form that reduces the rate at which land is consumed and supports the integration and sustained viability of transit services.

A Place to Grow requires that upper-tier municipalities, through a municipal comprehensive review, identify minimum intensification and designated greenfield area density targets for lower-tier municipalities and allocate the Schedule 3 forecasts to lower-tier municipalities. The PPS requires upper-tier municipalities to allocate the land and housing unit supply to be maintained by lower tier municipalities. In practice, the assessment will entail consultation between different tiers of government, including public consultation.

As part of the land needs assessment process, the four components identified below provide minimum requirements to be considered when completing local land budgeting processes as part of the municipal comprehensive review.

Population Forecasts

Using population forecast by age group for the housing market area, municipalities may calculate how many additional people a municipality needs to house to the Plan horizon. This involves an examination of the minimum forecasts in Schedule 3 in terms of total population, Census population and household population.

Housing Needs Analysis

Housing need can be broken down by type of dwelling to include age-specific household formation rates in order to forecast growth in the number of households to the Plan horizon, categorized by dwelling type (i.e. ground-related versus high-rise). It should consider both historical and future trends for household growth by units by type.

Municipalities may refer to background information on housing growth by type prepared as part of the review and update of A Place to Grow's population and employment forecasts.

Household demand can be adjusted for factors such as changes in vacancy rates, market contingencies, additional housing needs for post-secondary students, temporary workers, or units that will be lost over time for various reasons.

Housing Allocation and Supply Inventory

Municipalities, in consultation with the public, allocate the forecasted housing need for the housing market area using factors such as past and future market shares, planned urban structure, housing affordability, and a mix of housing forms and intensification. This includes preparing an inventory of housing in the delineated built-up area, designated greenfield area, and other areas including rural settlements and rural area outside of settlement areas.

Community Area Jobs Analysis and Reconciliation

In addition to the housing units that need to be accommodated, municipalities will need to assess the community area jobs to be allocated to the designated greenfield area to determine density targets. Estimations of persons per unit for the different housing types coupled with the projected housing units needed to accommodate growth will provide, along with the community area jobs, the amount of land needed in this area to the Plan horizon.

Employment Area Land Needs Assessment

This part of the Methodology involves components such as employment forecasts, employment categorization and needs analysis, and employment allocation and reconciliation, to determine where and how much land is needed to accommodate the forecasted growth in jobs in both the employment areas and the community areas.

When planning locations for employment, municipalities will address the following Plan requirements:

- Within settlement areas, make more efficient use of existing employment areas, vacant and underutilized employment lands, and increase employment densities;
- Direct major office and appropriate institutional development to urban growth centres, major transit station areas and other strategic growth areas with existing or planned frequent transit service;
- Direct retail and office uses to locations that support active transportation and have existing or planned transit;
- Prohibit or establish a size and scale threshold to prohibit any major retail exceeding this threshold in employment areas; and
- Provide for economic activity on rural lands that is appropriate in scale and type to the rural context.

As part of the land needs assessment process, these three components provide the minimum requirements to be considered in completing local land budgeting processes as part of the municipal comprehensive review.

Employment Forecasts

Using the minimum employment forecast in Schedule 3, municipalities may establish the employment growth rate from the base year to the Plan horizon. This can involve an examination of other data sources as well such as Statistics Canada's labour force surveys, local employment surveys, and provincial fiscal updates.

Employment Categorization and Needs Analysis

Municipalities should categorize the total forecasted jobs in four types based on the primary land use: employment lands, population related, major office, and agricultural/rural, which are outside the settlement area. It should consider both historical and future trends for employment growth by type.

As part of the needs analysis, employment growth by type can be adjusted for factors such as changes in economic activity, market disruptors, infrastructure and investment strategies, and other business environment impacts.

Employment Allocation and Reconciliation

Municipalities can allocate the categorized forecasted jobs with the understanding that community area jobs are to be located within settlement areas but outside employment areas while employment area jobs are located in the employment areas. In addition, community area jobs in the designated greenfield area may be counted towards the minimum density target.

Through allocations municipalities can determine whether there are sufficient employment area lands in the municipality to accommodate the employment growth established.

Seeking Feedback

The Ministry of Municipal Affairs and Housing is seeking feedback on the proposed land needs assessment methodology for the Greater Golden Horseshoe. After considering submissions and comments received, the Minister may modify the approach and formally issue a final revised Methodology in accordance with policy 5.2.2.1(c) of A Place to Grow.

The purpose of this policy proposal notice is to inform the public of Ontario that the Province is:

- Proposing a new Methodology for upper- and single-tier municipalities in the Greater Golden Horseshoe to use in assessing their future land needs in a consistent way.
- Seeking comments on how the Province could improve or refine the approach to the proposed Methodology.

Supporting materials

Related files

[Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe \(https://prod-environmental-registry.s3.amazonaws.com/2020-06/Proposed%20APTG%20Amendment%20%28ENG%29.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2020-06/Proposed%20APTG%20Amendment%20%28ENG%29.pdf)
pdf (Portable Document Format file) 981.87 KB

Related links

[A Place to Grow: Growth plan for the Greater Golden Horseshoe \(https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe\)](https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe)

[Land Needs Assessment for the Greater Golden Horseshoe, 2018 \(https://www.ontario.ca/page/land-needs-assessment-methodology-greater-golden-horseshoe\)](https://www.ontario.ca/page/land-needs-assessment-methodology-greater-golden-horseshoe)

Related ERO (Environmental Registry of Ontario) notices

[Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017 \(/notice/013-4504\)](/notice/013-4504)

[Proposed methodology for land needs assessment for the Greater Golden Horseshoe \(/notice/013-2016\)](/notice/013-2016)

[Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe \(/notice/019-1680\)](/notice/019-1680)

View materials in person

Important notice: Due to the ongoing COVID-19 pandemic, viewing supporting materials in person is not available at this time.

Please reach out to the Contact listed in this notice to see if alternate arrangements can be made.

Ontario Growth Secretariat
777 Bay St, Suite 2304
Toronto, ON
M7A 2J8
Canada

 [416-325-1210](tel:416-325-1210)

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


Sandra Bickford
Ontario Growth Secretariat

777 Bay St, Suite 2304
Toronto, ON
M7A 2J8
Canada

**Connect with
US**

Contact

Sandra Bickford

 [416-325-1210](tel:416-325-1210)

 sandra.bickford@ontario.ca

Information

**Proposed Amendment 1 to A Place to Grow:
Growth Plan for the Greater Golden
Horseshoe**

**Regulation
Number(s):** N/A

Bill or Act: Places to grow Act

**Summary of
Proposal:** The Minister of Municipal Affairs and Housing has initiated an update to A Place to Grow: Growth Plan for the Greater Golden Horseshoe. This update will include changes to the population and employment forecasts, the Plan horizon year for planning, aggregates framework, changes to employment lands near transit and other policy revisions that support the objectives of increasing housing supply, creating more jobs, attracting business investments and better aligning infrastructure. We are seeking feedback on proposed amendments to the Plan. The government is also consulting concurrently on a proposed new Land Needs Assessment Methodology for the Greater Golden Horseshoe ('Methodology') which supports implementation of A Place to Grow.

This proposal is for Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe ('A Place to Grow', 'the Plan'). It is recommended that Proposed Amendment 1 be read in conjunction with A Place to Grow. This proposal works in conjunction with two proposals currently posted on the Environmental Registry of Ontario at:

1.ERO 019-1680: Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe
(<https://ero.ontario.ca/notice/019-1680>)


2.ERO 019-1679: Proposed Land Needs


Assessment Methodology for A Place to
Growth: Growth Plan for the Greater Golden
Horseshoe. (<https://ero.ontario.ca/notice/019-1679>)

**Analysis of
Regulatory
Impact:**

N/A


**Further
Information:**


 Supporting Document: Proposed
Amendment 1 to A Place to Grow (Download
Adobe Reader)

 Consultation Document: Proposed
Amendment 1 to A Place to Grow (Download
Adobe Reader)

 Hemson Technical Report, Greater Golden
Horseshoe: Growth Forecasts to 2051
(Download Adobe Reader)

 019-1680: Proposed Amendment 1 to A
Place to Grow: Growth Plan for the Greater
Golden Horseshoe

 019-1679 Proposed Land Needs
Assessment Methodology for the A Place to
Grow: Growth Plan for the Gre

 A Place to Grow: Growth plan for the
Greater Golden Horseshoe

**Proposal
Number:** 20-MMAH006

Posting Date: June 16, 2020

**Comments Due
Date:** July 31, 2020

**Contact
Address:** Ontario Growth Secretariat
Municipal Affairs and Housing
777 Bay Street
23rd floor, Suite 2304
Toronto, ON M7A 2J3
Canada

|

[about Ontario](#) [accessibility](#) [news](#) [privacy](#)
[terms of use](#)

Denise Holmes

From: Martin Keller <mkeller@grandriver.ca>
Sent: Monday, June 22, 2020 11:59 AM
To: Denise Holmes
Cc: Ryan Post; Sonja Strynatka; Ilona Feldmann
Subject: Shelburne DWS upgrades - early heads up

Hi Denise,

I hope this message finds you well.

As you may be aware, the Town of Shelburne is undertaking an EA to determine the best means of meeting water supply for the next 20 years. One option under consideration is to double the pumping rate from Wells PW7/8, located in Melancthon within the Grand River watershed.

At this point we are waiting for the Town and their consultant to provide us with more detailed information about the planned work and timing. We should be receiving more information in the fall, but wanted to give you an early heads-up about potential changes to the Grand River Source Protection Plan for Wells PW7/8.

With PW7/8 located in the Grand River watershed, and the rest of the DWS in Nottawasaga Valley CA, we will be working closely with Ryan Post (NVCA) to coordinate any Source Protection Plan updates needed.

Should you have any questions please don't hesitate to reach out to me or Ryan.

Regards,

Martin Keller, M.Sc.

Source Protection Program Manager | Grand River Conservation Authority
400 Clyde Road | PO Box 729 | Cambridge, Ontario N1R 5W6 | Office (519) 620-7595 | Cell (519) 240-7922 | www.sourcewater.ca

DRINKING WATER
SOURCE PROTECTION
Remembering Walkerton





NOTICE OF PUBLIC MEETING

Application For Zoning By-law Amendment

Monday, July 27, 2020 at 5:00p.m.
Virtual Meeting

Please register to attend here:

www.greghighlands.ca/publicplanning

View the meeting live here:

<https://youtu.be/54NRBcKKpZk>

If you do not have internet access and would prefer to attend the meeting via phone, please call 519-986-1216 x233 to register in advance of the meeting.

Registered Owner: Greymar Mfg. Inc.

Agent: Israel Bowman

Legal description: LT 21 CON 3 SDR OSPREY EXCEPT PT 18 TO 24 17R1072, PT 1 PLAN 17R2327, PARTS 1 AND 2 PLAN 16R11347; S/T GS72938; MUNICIPALITY OF GREY HIGHLANDS

Civic Address: 453053 Grey Road 2

Frontage: 198 m **Depth:** 1048 m **Area:** 20.6 ha

Having access on: Grey Road 2 / Melancthon-Osprey Townline

Assessment roll number: 42 08 140 001 01300

What is being proposed? The Municipality is seeking input on development application within 120 metres of your property that would require a zoning by-law amendment.

The purpose and effect of Zoning By-law

Amendment Z25.2020: To amend the Municipality's Zoning By-law 2004-50 to permit a small-scale rural commercial shop for metalworks.

The effect of this By-law is to amend schedule 'A-9' from Rural (RU) Wetland (W) to Rural (RU), Wetland (W) and Rural Commercial (C4).

Why? This meeting is an opportunity to learn about the proposed Zoning By-law amendments and provide feedback.

A Key Map is attached.

Where do I submit my comments?

Please submit written comments to the Clerk, Raylene Martell.

By mail or in person:

206 Toronto St. South, Unit 1

PO Box 409

Markdale, ON N0C 1H0

Fax: 519-986-3643

Email: clerk@greghighlands.ca

Phone: 519-986-1216 x233

Written comments are requested by July 24, 2020 so that they may be read at the public meeting for the benefit of everyone in attendance.

What can I expect at the Public Meeting?

The public meeting is an opportunity for members of the public to learn more about the proposal. Attendees can hear a brief presentation about the proposal, ask questions, and/or make verbal or written statements either in favour of, or in opposition to the proposed Zoning By-law Amendment. At the meeting members of the public will also hear a summary of any comments received about the proposed development prior to the public meeting.

When will a decision be made?

A decision on this proposal has NOT been made at this point and will NOT be made at the Public Meeting.

After reviewing the application and any comments received, staff will bring a recommendation on this proposal to a future council meeting.

Want to be notified of a decision?

You must make a request in writing if you wish to receive a notice of any decision of Council on this proposal.

Your rights to appeal a decision:

If a person or public body does not make oral submissions at the Public Meeting or make written submissions to the Municipality of Grey Highlands before the proposed Zoning By-law is adopted, the Local Planning Appeal Tribunal may dismiss the appeal.

If a person or public body does not make oral submissions at a Public Meeting, or make written submissions to the Municipality of Grey Highlands before the proposed Zoning By-law is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

A Note about information you may submit to the Municipality:

Individuals who submit letters and other information to Council should be aware that any personal information contained within their communications may become part of the public record and may be made available through the Council agenda process.

This document can be made available in other accessible formats as soon as practicable upon request.

Questions? Want more information? Ask the Planning Department.

Phone: 519-986-1216 x193

Email: planning@greghighlands.ca

Website: www.greghighlands.ca

INFO #8
JUL 16 2020

SCHEDULE "A"

BY-LAW No. _____

AMENDING BY-LAW No. 2004-50

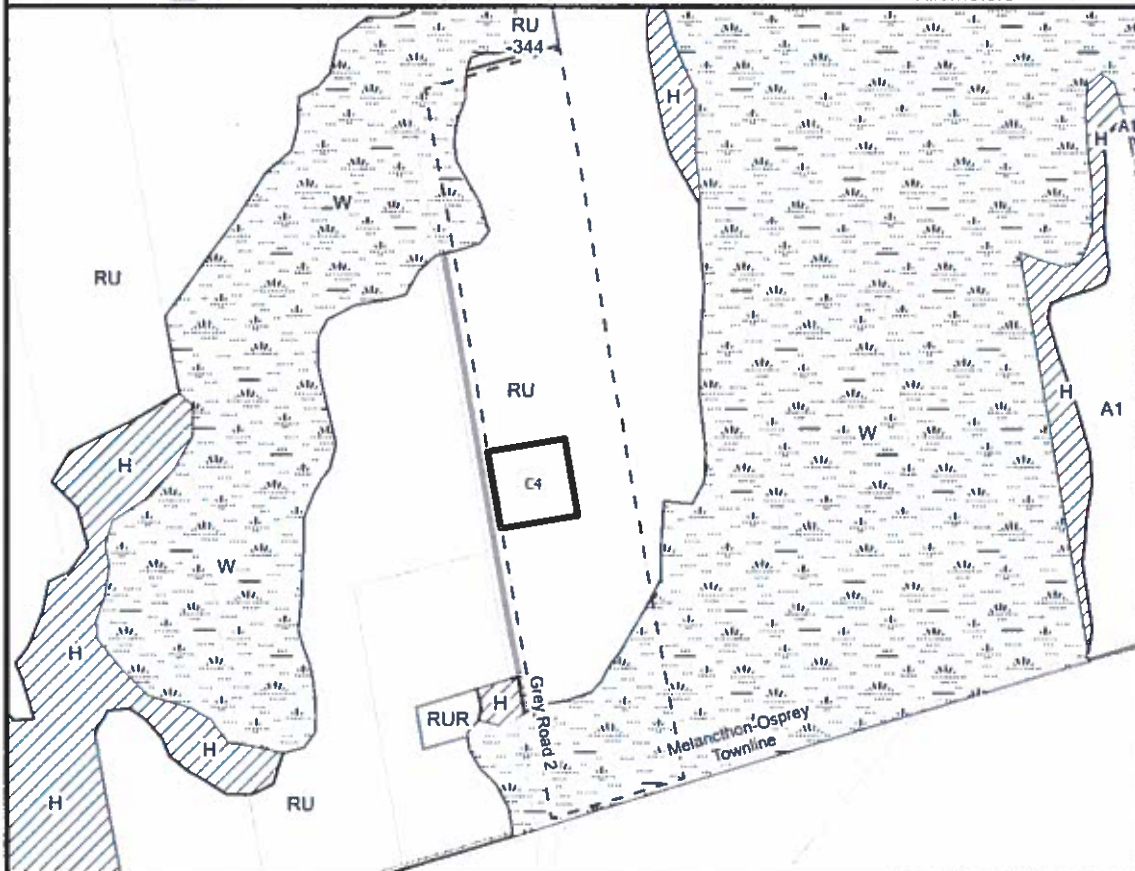
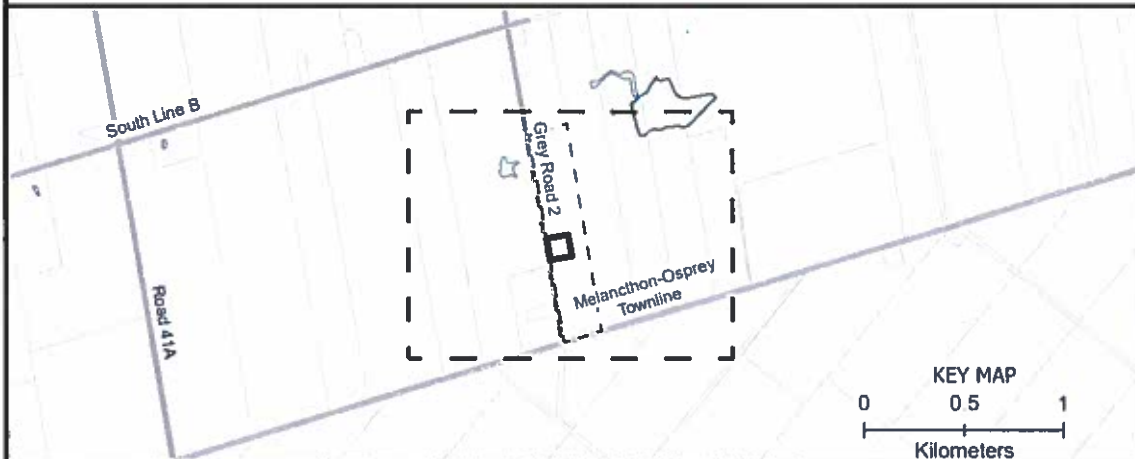
MUNICIPALITY OF GREY HIGHLANDS
(GEOGRAPHIC TOWNSHIP OF OSPREY)

DATE PASSED: _____

SIGNED: _____

PAUL McQUEEN, MAYOR

RAYLENE MARTELL, CLERK



- | | |
|-----------------------------|-----------------------|
| Area Subject to Zone Change | Zoning |
| Subject Lands | A1 Agriculture |
| Parcels | H Hazard |
| | OS Open Space |
| | RU Rural |
| | RUR Rural Residential |
| | W Wetland |



NVCA Board Meeting Highlights June 26, 2020

Next Meeting: August 28, 2020, location to be determined

For the full meeting agenda including documents and reports, visit nvca.on.ca/about/boardofdirectors

The June 26, 2020 board meeting was held electronically through WebEx, and streamed on YouTube for public viewing due to COVID-19 restrictions.

Please note that there is no scheduled meeting for the month of July. Our next scheduled board meeting will be held of August 28, 2020.

NVCA's Planning and Regulations Database

NVCA Regulation Technician Kate Thomson conducted a presentation on NVCA's Planning and Regulations Database to the Board of Directors. Here is a summary of her presentation:

Under the Conservation Authorities Act, NVCA has the responsibility to regulate activities in natural and hazardous areas in order to avoid the loss of life and damage to property due to flooding and erosion, and conserve and enhance natural resources. This is done through permitting and planning processes.

NVCA has developed an in-house database to better manage correspondence with permit applicants.

To start, permit applicants are asked to submit a [Property Inquiry Form](#) from the NVCA website. The form asks for information such as name, municipal address of the property that is being inquired about, and any questions that the applicant has about their property.

This information is then added to the Planning and Regulations database. As our Regulations Technicians work through the permit inquiries, details of the correspondence will be recorded in the database.

National Disaster Mitigation Program Wasaga Beach Flood Mapping Project Progress Report

NVCA has participated in a number of flood risk assessment projects that have been financially supported by Public Safety Canada under the National Disaster Mitigation Program (NDMP) and by member municipalities.

In this progress report, NVCA Senior Engineer Mark Hartley provided an update on the NDMP Wasaga Beach Floodplain Mapping Project and to identify next steps to move forward with implementing the results of this study.

Ontario Government proposal for Water Quantity Management Program

On June 28, 2020, the Government of Ontario announced that it is seeking public input on its water quantity management proposal. The proposal aims to protect the long-term sustainability of surface water and groundwater and ensure these important resources are responsibly managed and safeguarded now and into the future. The proposal would also give municipalities a greater say in allowing companies to withdraw groundwater in their communities for bottled water

Conservation Ontario will submit comments regarding this proposal on behalf of all of Ontario's 36 conservation authorities.

Upcoming events

Your Clothing and Microplastics – Webinar

Date: Thursday, July 2, 2020

Time: 7:00 p.m. – 8:00 p.m.

Location: Online – [please register here](#)

Denise Holmes

From: Eowyn Spencer <espencer@grandriver.ca>
Sent: Friday, June 26, 2020 3:25 PM
To: Andrew Grozelle; Ashley Carter; chickey@amaranth.ca; Chloe Senior; Denise Holmes; Evelyn Eichenbaum; Graham Milne (Graham.Milne@halton.ca); Heather Boyd; Jane Wilson; Janet Pilon; Karren Wallace; Kerri O'Kane; Kris Fletcher; Lindsey Green; Lisa Campion; Manny Baron; Meaghen Reid; Nina Lecic; Office of the Clerk (clerks@brantford.ca); Patricia Berfelz; Stephen.O'Brien@guelph.ca; Susan Stone (sstone@eastgarafraxa.ca)
Cc: Karen Armstrong
Subject: Notification of GRCA General Membership Attendance
Attachments: GRCA Members' Attendance - As of June 26 2020.pdf

Hello Grand River Watershed Member Municipalities,

In accordance with Grand River Conservation Authority By-Law 2-2020 section c.11, attached is the semi-annual attendance record of all Authority members. This message should be received by all Clerks; please forward if it has been sent to you in error and advise me of the updated contact information.

Please feel free to contact me with any concerns.

Eowyn Spencer
Executive Assistant | Grand River Conservation Authority

400 Clyde Road, P.O. Box 729, Cambridge ON N1R 5W6
519-621-2763, ext. 2200
www.grandriver.ca

**Grand River Conservation Authority
Members Attendance
January 1 - December 31, 2020**

First Name	Last Name	January 24	February 28	March 27	April 24	May 22	June 26	July 24	August 28	September 25	October 23	November 27	December 18	Total Attendance
Marcus	Adili	x	x		x	x	A							4
Les	Armstrong	A	x		x	x	A							3
Bruce	Banbury	x	x		x	x	x							5
Robert	Bell	x	x		x	x	A							4
Don	Brunk	x	A		x	x	x							4
Richard	Carpenter	x	x		x	x	A							4
John	Challinor II	x	x		x	x	x							5
Brian	Coleman	A	x		x	x	x							4
Bernie	Corbett	x	x		x	x	x							5
Kevin	Davis	A	A		x	x	x							3
James A.	Erb	x	A		x	x	x							4
Susan	Foxton	x	x		x	x	x							5
Guy	Gardhouse	x	x		x	x	x							5
Joan	Galward	x	x		x	x	x							5
Rodrigo	Goller	x	x		x	x	x							5
Michael	Harris	A	x		x	x	x							4
Helen	Jowett	x	A		x	x	x							4
Daniel	Lawrence	x	x		x	x	x							5
Geoff	Lorentz	x	A		x	x	x							4
Ian	MacRae	x	x		x	x	x							5
Kathryn	McGarry	x	x		x	x	x							5
Jane	Mitchell	x	x		x	x	x							5
Joe	Nowak	x	x		x	x	x							5
Warren	Stauch	x	x		x	x	x							5
Bruce	Whale	A	x		x	x	x							5
Chris	White	x	x		x	x	x							0
Total		20	21	0	26	25	23	0	0	0	0	0	0	

x = Present A = Absent

Audit Committee February 19, 2020			Audit Committee November 27, 2020		
Helen	Jowett	x			
Chris	White	x			
Rodrigo	Goller	x			
Brian	Coleman	x			
Jane	Mitchell	A			
Guy	Gardhouse	x			
Special Recognition			Composition Review Committee		

**Meetings in April, May, and June were held virtually*

Attendance Mailed to Clerks:
Jun-20

Denise Holmes

From: Watson & Associates Economists Ltd. <info@watsonecon.ca>
Sent: Friday, July 3, 2020 1:46 PM
Subject: Watson's White Paper re Proposed Amendment 1 to A Place to Grow
Attachments: Proposed Amendment 1 to A Place to Grow White Paper.pdf

Good afternoon:

Proposed Amendment 1 to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (G.G.H.) was released on June 16, 2020. Watson & Associates Economists Ltd. has prepared the attached White Paper which addresses the impacts of Proposed Amendment 1 on future population and employment growth and long-term urban land needs assessments across the G.G.H.

If you would like to discuss this further, please do not hesitate to contact me.

Yours very truly,

Jamie Cook, MCIP, RPP, PLE
Managing Partner and Director, Land Economics

Watson & Associates Economists Ltd.

cook@watsonecon.ca

Office: 905-272-3600 ext. 237

Mobile: 905-301-7199

Fax: 905-272-3602

watsonecon.ca



In response to the COVID-19 pandemic, Watson & Associates Economists Ltd. has implemented strategies to ensure we stay connected and continue to support our clients and colleagues while working from home. To help in the battle against this disease, we have made a financial donation to Conquer COVID-19 to assist in the purchasing and distribution of personal protective equipment (PPE) to Canada's front-line workers.

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Watson & Associates Economists Ltd.

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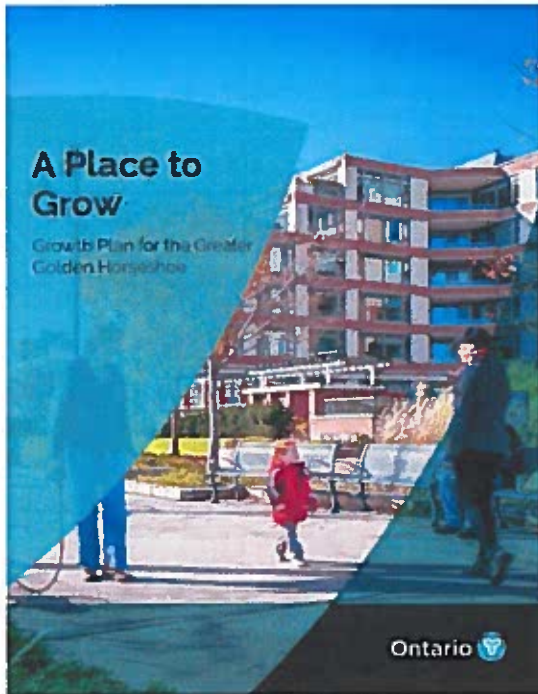


June 2020
A White Paper on:

Proposed Amendment 1 to A Place to Grow & Proposed New Land Needs Assessment Methodology



Introduction



On June 16, 2020, the Province of Ontario released Proposed Amendment 1 to A Place to Grow (A.P.T.G.): Growth Plan for the Greater Golden Horseshoe (G.G.H.), 2019, hereafter referred to as the Growth Plan. This proposed Amendment has been provided in conjunction with a proposed “new” Land Needs Assessment (L.N.A.) methodology for the G.G.H. These proposed policy changes will be finalized after the prescribed public consultation and comment period which ends July 31, 2020. Proposed Amendment 1 will update the Growth Plan, while the proposed new L.N.A. methodology will replace the current L.N.A. methodology, 2018. The effective date for Proposed Amendment 1 will be determined by the Province when it is finalized.

Provided below is an overview of the key changes to the Growth Plan and the L.N.A. methodology. This White Paper, prepared by Watson & Associates

Economists Ltd. (Watson), addresses the impacts of Proposed Amendment 1 on future population and employment growth and long-term urban land needs assessments across the G.G.H.

Technical Report: Greater Golden Horseshoe: Growth Forecast to 2051

As background to Proposed Amendment 1, a Technical Report was prepared in June 2020 by Hemson Consulting Ltd. for the Ministry of Municipal Affairs and Housing (M.M.A.H.).¹ The 2020 Technical Report draws on feedback provided during the winter of 2020 from two provincially sponsored stakeholder groups, including an Advisory Group and a Technical Group. The 2020 Technical Report serves as background to the review of the growth forecasts provided in Schedule 3 of the Growth Plan initiated in 2019 and includes updated population and employment forecasts for all upper-tier and single-tier municipalities to the year 2051, including Low, Reference and High Growth Scenarios.²

¹ Technical Report prepared by Hemson Consulting Ltd. for the Ministry of Municipal Affairs and Housing. Greater Golden Horseshoe: Growth Forecast to 2051. June 16, 2020. Hemson Consulting Ltd. This report represents an update to the 2012 Technical Report prepared by Hemson Consulting Ltd. in November 2012, as background to Proposed Amendment 2 to the Growth Plan for the Greater Golden Horseshoe, 2006. Both Technical Reports are referred to throughout this White Paper.

² Appendix B of the Technical Report includes details regarding the forecast results by upper-tier and single-tier municipality with respect to population, housing by type and employment by type.

Overview of Proposed Amendment 1 to A Place to Grow

The following key policies remain unchanged:

- **Housing Intensification and Greenfield Density Targets** – No changes have been made to the minimum housing targets identified for the Built-up Area (B.U.A.) or Designated Greenfield Area (D.G.A.) minimum density targets.
- **Growth Plan, 2019 Schedule 3 Population and Employment Forecasts** – The Minister is proposing to maintain the Schedule 3 forecasts for 2031 and 2041 with Schedule 3 of

the Growth Plan. This is to ensure continuity of the work that municipalities have undertaken to bring their Official Plans (O.P.s) into conformity with these forecasts.

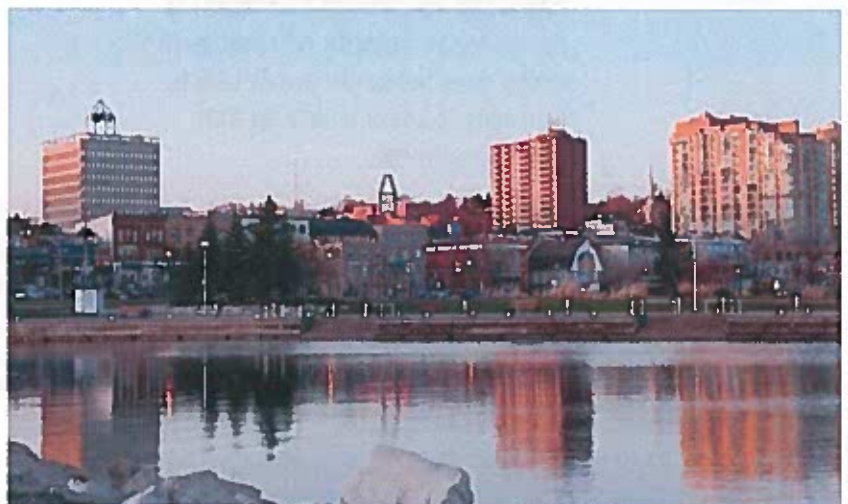
Growth Plan Conformity Deadline – The date by which municipalities must conform with the proposed policies in Proposed Amendment 1 to A.P.T.G. will remain as July 1, 2022. Transition policies have not been included in Proposed Amendment 1.

The following key policies regarding the implementation of the revised Schedule 3 growth forecasts are proposed to be changed:

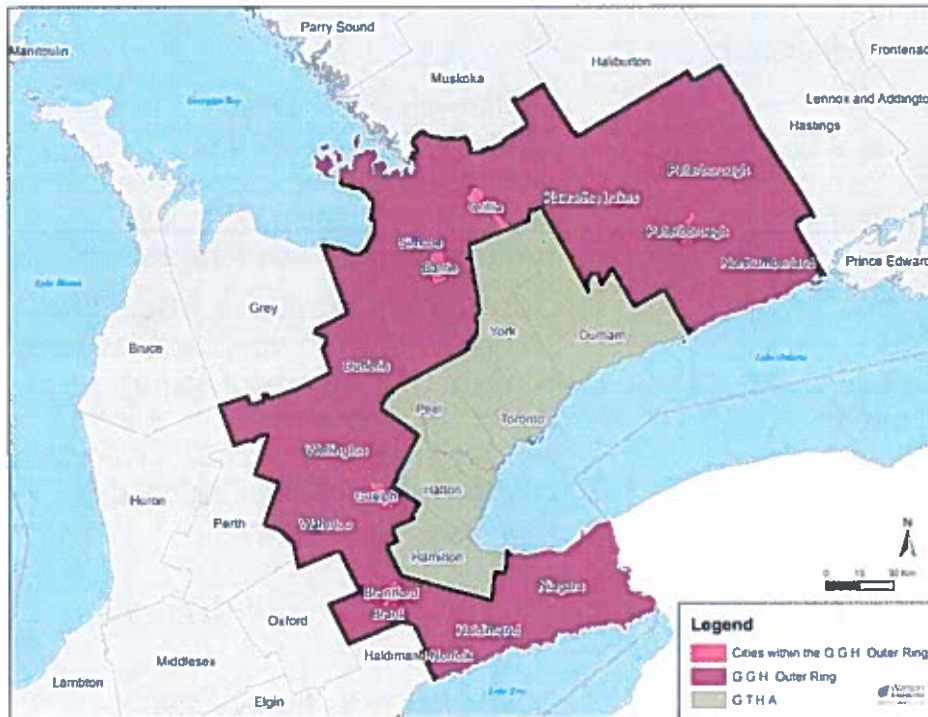
- **The Planning Horizon has been Extended to 2051** – The population and employment growth forecast horizon in Schedule 3 of the Growth Plan has now been extended to 2051. Within the G.G.H., the Growth Plan provides that the applicable time horizon for land-use planning is 2051.
- **The Forecasts in Schedule 3 of the Growth Plan are to be Treated as Minimums** – Lower forecasts for population, dwellings by type or employment are not permitted. It is noted by Watson that further clarification will be required by the Province in cases where long-term growth potential is constrained by municipal water and/or wastewater servicing capacity.
- **Higher Growth Forecast Alternatives are Permitted** – G.G.H. upper-tier and single-tier municipalities may establish higher

growth forecasts through their respective Municipal Comprehensive Review (M.C.R.) exercise.

- **Simcoe Area Growth Forecasts** – Schedule 7 of the Growth Plan, which provides population and employment growth allocations by lower-tier municipality in Simcoe County for the year 2031, has been removed.



Map 1: Greater Golden Horseshoe (G.G.H.)



According to the Statistics Canada 2016 Census, the population and employment base of the G.G.H. was 9.5 million and 4.6 million, respectively.¹

By 2051, the G.G.H. population and employment base is forecast to reach 14.9 million persons and 7.0 million jobs in accordance with the Proposed Amendment 1 Reference Forecast, Schedule 3 to the Growth Plan.

Other Key Policy Changes

- **Alignment of policies with the Provincial Policy Statement (P.P.S.), 2020** – Notable changes which will impact long-term land needs assessments across the G.G.H. include:
 - Municipalities must, at all times, have enough land with servicing capacity to provide at least a three-year supply of residential units available through lands suitably zoned in lower-tier municipalities.
 - Municipalities shall also plan to maintain the ability to accommodate residential growth for a minimum of 15 years.
- **Major Transit Station Areas (M.T.S.A.s) in Provincially Significant Employment Zones (P.S.E.Z.)** – This policy amendment would allow conversions of Employment Areas identified as a P.S.E.Z. and located within an M.T.S.A., as delineated in an O.P., to occur before the next M.C.R.

¹ All population figures reported herein are upwardly adjusted by approximately 3% to account for the net Census under-coverage. The net Census under-coverage represents the net number of people who are estimated to be missed during Census enumeration.

What is a Provincially Significant Employment Zone?

Provincially Significant Employment Zones (P.S.E.Z.) Areas have been “defined by the Minister in consultation with affected municipalities for the purpose of long-term planning for job creation and economic development. P.S.E.Z. can consist of Employment Areas as well as mixed-use areas that contain a significant number of jobs.”¹

- **Provincially Significant Employment Zones (P.S.E.Z.)** – Additional work by the Province will begin shortly to examine how P.S.E.Z. can support post-COVID-19 economic recovery, support the retention and expansion of existing industrial and manufacturing operations, and how the zones can attract investment.

Proposed New Land Needs Assessment (L.N.A.) Methodology

A new outcome-based L.N.A. methodology, if approved, would replace the existing L.N.A.

methodology (2018). The new methodology retains the outline of the 2018 methodology and removes all detailed technical steps. It provides an outline of what should be considered in the L.N.A. and the ultimate outcome requirements (e.g. establishing urban land needs, addressing an intensification target, and addressing a D.G.A. density target). Key components of the proposed new L.N.A. methodology include:

- **Schedule 3 Continues to be the Baseline** – Schedule 3 is to be used by all upper-tier and single-tier G.G.H. municipalities.
- **Alternative Growth Assumptions** – Municipalities may develop alternative growth assumptions to the horizon of the Growth Plan if they demonstrate they can provide a range of housing to achieve market-based demand.
- **Dwelling Type Categorization** – Housing demand can include age-specific household formation rates, in order to forecast growth in the number of households to the Growth Plan horizon, categorized by dwelling type (i.e. ground-related versus apartments).
- **Housing Adjustments** – Household demand can be adjusted for factors such as changes in vacancy rates, market contingencies, additional housing needs for post-secondary students, temporary workers or units that will be lost over time for various reasons.
- **Housing Allocation** – Municipalities, in consultation with the public, are to allocate forecast housing demand for the housing market area using factors such as past and future market shares, planned urban structure, housing affordability and a mix of housing forms and intensification. This includes preparing an inventory of housing in the B.U.A., D.G.A. and other areas including rural settlements and rural areas outside settlement areas.
- **Employment Area Land Needs Assessment** – Municipalities are to address the following Growth Plan requirements:
 - Within settlement areas, make more efficient use of existing Employment Areas, vacant and underutilized employment lands, and increase employment densities;
 - Direct major office and appropriate institutional development to urban

¹ Growth Plan, 2019, definitions, p. 80.

growth centres, M.T.S.A.s and other strategic growth areas with existing or planned frequent transit service; and

- Prohibit or establish a size and scale threshold to prohibit any major retail exceeding this threshold in Employment Areas.

Will the Proposed New Land Needs Assessment (L.N.A.) Methodology Change the Way Long-Term Urban Land Needs Assessments are Conducted in the G.G.H.?

The proposed new L.N.A. methodology will allow for greater flexibility regarding the way in which upper-tier and single-tier municipalities conduct long-term urban land needs assessments in the G.G.H. through their respective M.C.R. processes. The proposed new L.N.A. methodology, however, still requires that all G.G.H. municipalities continue to provide outcomes related to the following:

- Population and Employment Forecasts;
- Housing Needs Analysis;
- Housing Allocations and Residential Land Supply Analysis;
- Community Area Jobs Analysis and Land Needs Assessment; and
- Employment Area Land Needs Assessment.

It is recommended by Watson that the level of detail provided through the L.N.A. process should correspond with the magnitude of growth and level of complexity regarding the growth management issues faced by each of the respective upper- and single-tier municipalities across the G.G.H.

Review of Proposed Schedule 3 Population and Employment Growth Forecasts for the Greater Golden Horseshoe (G.G.H.)

What is the Forecast Population and Employment for the G.G.H. by the Year 2051?

Figure 1 and Figure 2 summarize the 2051 population and employment growth forecast for the G.G.H. between the Greater Toronto Hamilton Area (G.T.H.A.) and the G.G.H. Outer Ring. By 2051, the G.G.H. population and the employment base are forecast to reach 14.9 million and 7 million, respectively. This represents an annual population and employment increase of 155,000 and 70,000. As identified in Figure 1, the G.T.H.A. experienced a relatively higher rate of population and employment compared to the G.G.H. Outer Ring over the 2001 to 2016 period. Between 2016 and 2051, the forecast annual population and employment growth rate for the G.G.H. Outer Ring is anticipated to increase significantly, largely driven by continued outward growth pressure from the G.T.H.A. In fact, the forecast annual rate of employment growth in the G.G.H. Outer Ring is expected to exceed that of the G.T.H.A. over the 2016 to 2051 planning horizon.

Figure 1
G.G.H. Population Growth Forecast to 2051

Area	Population			2001 to 2016		2016 to 2051	
	2001	2016	2051	Total Population Growth	Annual Population Growth	Total Population Growth	Annual Population Growth
G.T.H.A.	5,807,000	7,180,000	11,172,000	1,373,000	91,500	3,992,000	114,100
G.G.H. Outer Ring	1,971,000	2,289,000	3,703,000	318,000	21,200	1,414,000	40,400
Total	7,778,000	9,469,000	14,875,000	1,691,000	112,700	5,406,000	154,500

Source: Derived from Growth Plan for the Greater Golden Horseshoe Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd.
 Figure by Watson & Associates Economists Ltd., 2020.

Note: Population includes the net Census undercount. Figures may not sum to totals due to rounding.

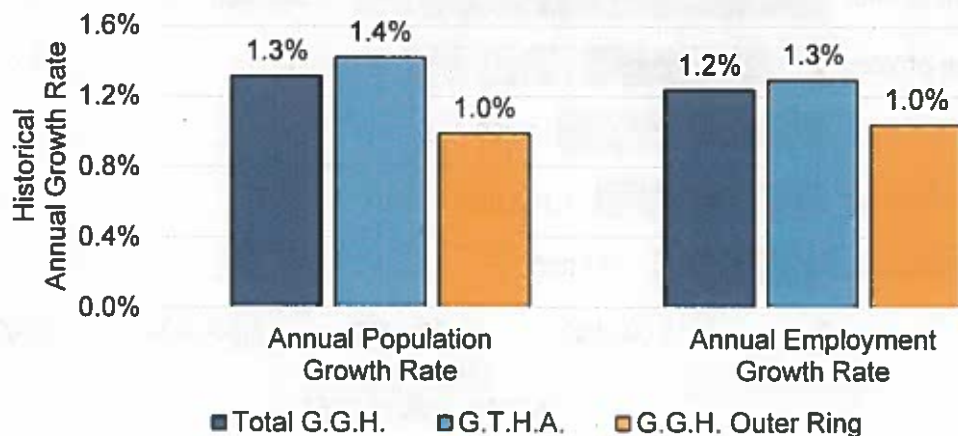
Figure 2
G.G.H. Employment Growth Forecast to 2051

Area	Employment			2001 to 2016		2016 to 2051	
	2001	2016	2051	Total Employment Growth	Annual Employment Growth	Total Employment Growth	Annual Employment Growth
G.T.H.A.	2,938,000	3,564,000	5,360,000	626,000	41,700	1,796,000	51,300
G.G.H. Outer Ring	863,000	1,008,000	1,648,000	145,000	9,700	640,000	18,300
Total	3,801,000	4,571,000	7,008,000	770,000	51,300	2,437,000	69,600

Source: Derived from Growth Plan for the Greater Golden Horseshoe Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd.
 Figure by Watson & Associates Economists Ltd., 2020.

Note: Population includes the net Census undercount. Figures may not sum to totals due to rounding.

Figure 3
G.G.H. Population and Employment Annual Historical Growth Rates, 2001 to 2016

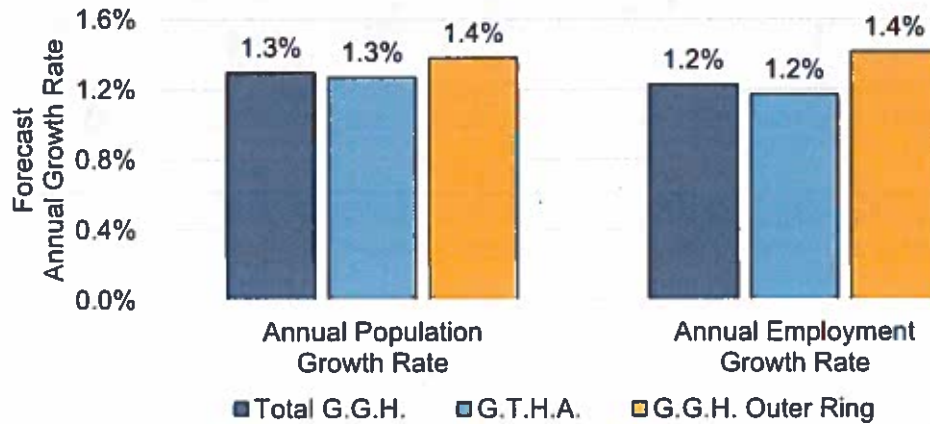


Note: Population includes the net Census undercount.

Source: Derived from Growth Plan for the Greater Golden Horseshoe Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd. Figure by Watson & Associates Economists Ltd., 2020.

Figure 4

G.G.H. Population and Employment Forecast Growth Rates, 2016 to 2051

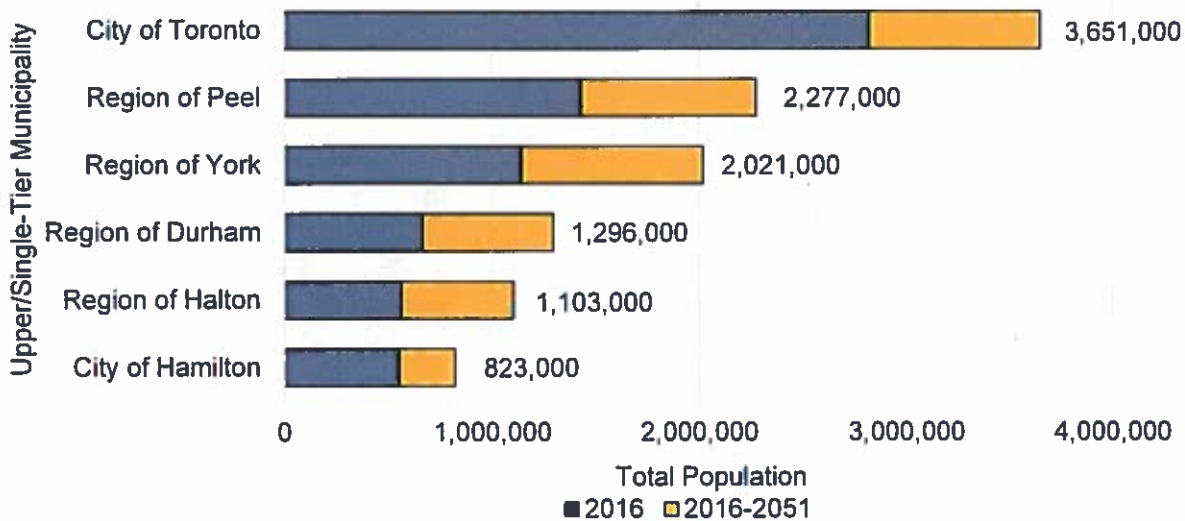


Source: Derived from Growth Plan for the Greater Golden Horseshoe Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd. Figure by Watson & Associates Economists Ltd., 2020.

Figures 5 through 12 summarize the 2051 population and employment forecasts as well as annual growth rates by upper-tier/single-tier municipality between 2016 and 2051 in accordance with the 2020 Technical Report, Reference Scenario.

Figure 5

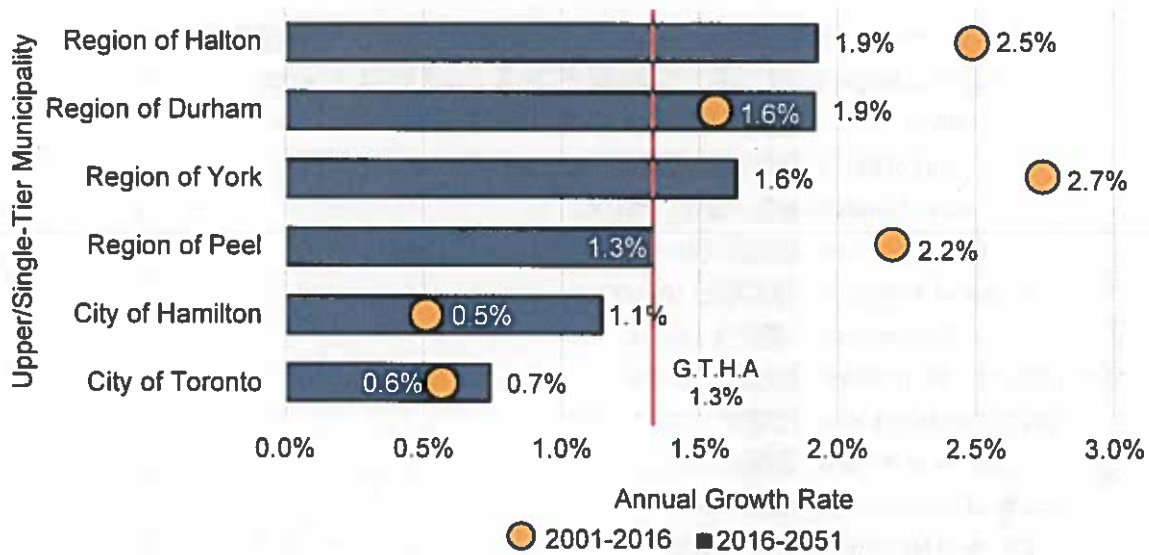
G.T.H.A. 2051 Population Forecast (Reference Scenario)



Note: Population includes the net Census undercount.

Source: Derived from Greater Golden Horseshoe: Growth Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd., by Watson & Associates Economists Ltd., 2020.

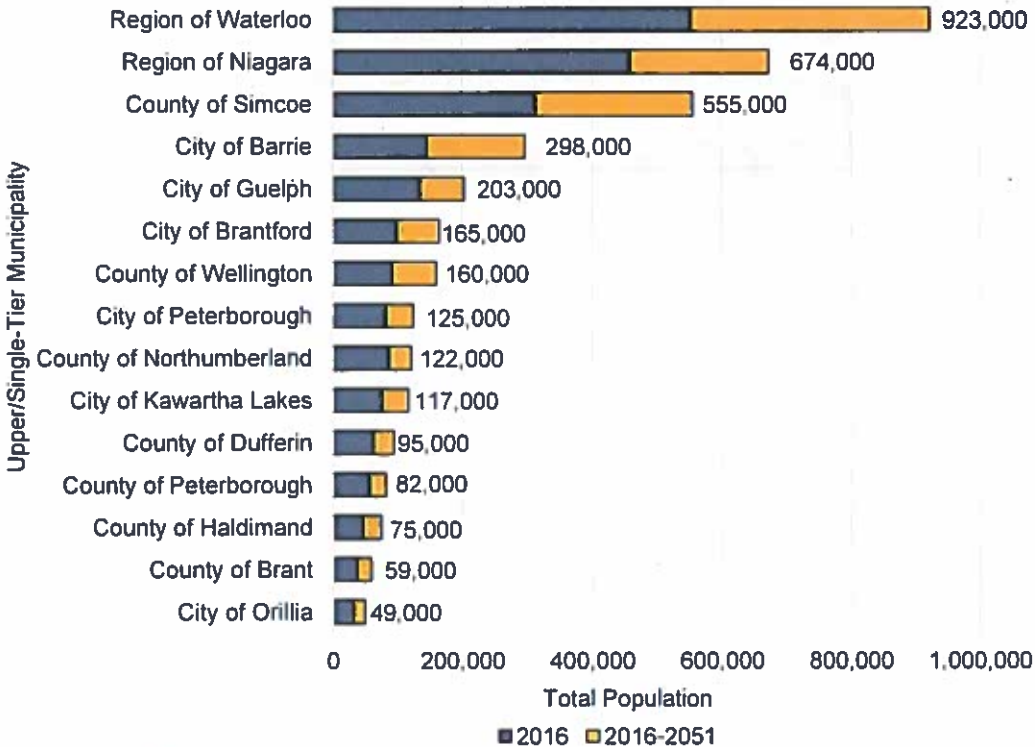
Figure 6
 G.T.H.A. Annual Population Growth Rate (Reference Scenario) 2016 to 2051



Note: Population includes the net Census undercount.
 Source: Derived from Greater Golden Horseshoe: Growth Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd., by Watson & Associates Economists Ltd., 2020.



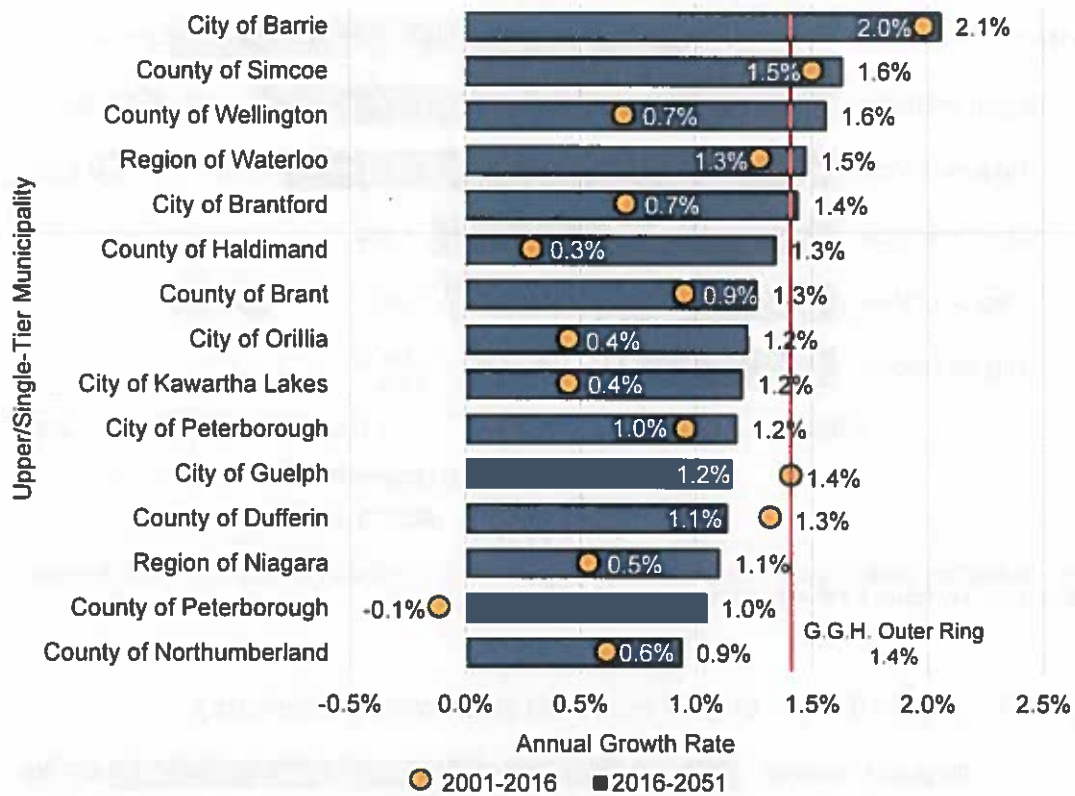
Figure 7
 G.G.H Outer Ring 2051 Population Forecast (Reference Scenario)



Note: Population includes the net Census undercount.
 Source: Derived from Greater Golden Horseshoe: Growth Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd., by Watson & Associates Economists Ltd., 2020.

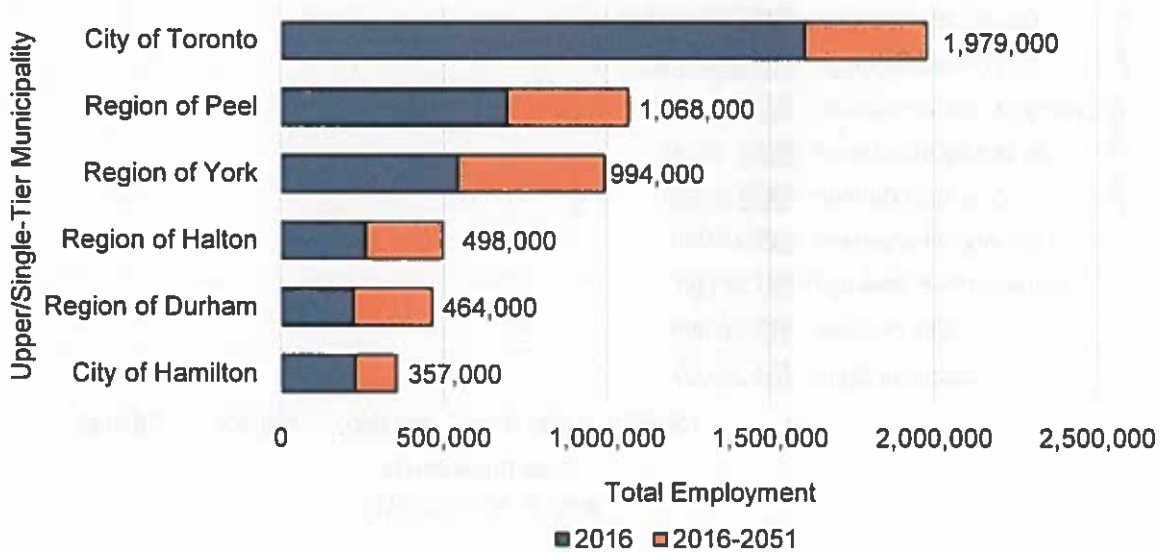


Figure 8
G.G.H. Outer Ring Annual Population Growth Rate (Reference Scenario) 2016 to 2051



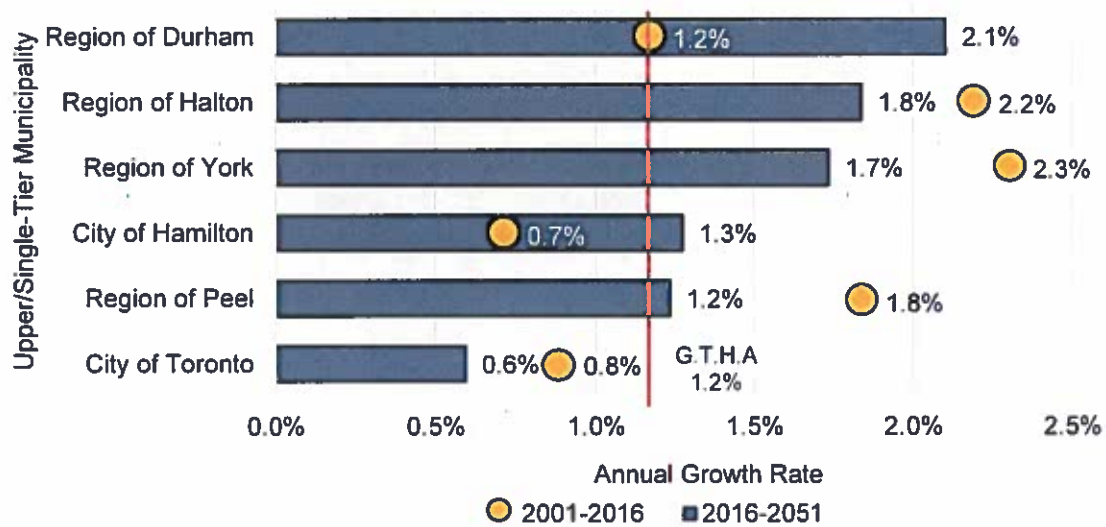
Note: Population includes the net Census undercount.
 Source: Derived from Greater Golden Horseshoe: Growth Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd., by Watson & Associates Economists Ltd., 2020.

Figure 9
G.T.H.A. 2051 Employment Forecast (Reference Scenario)



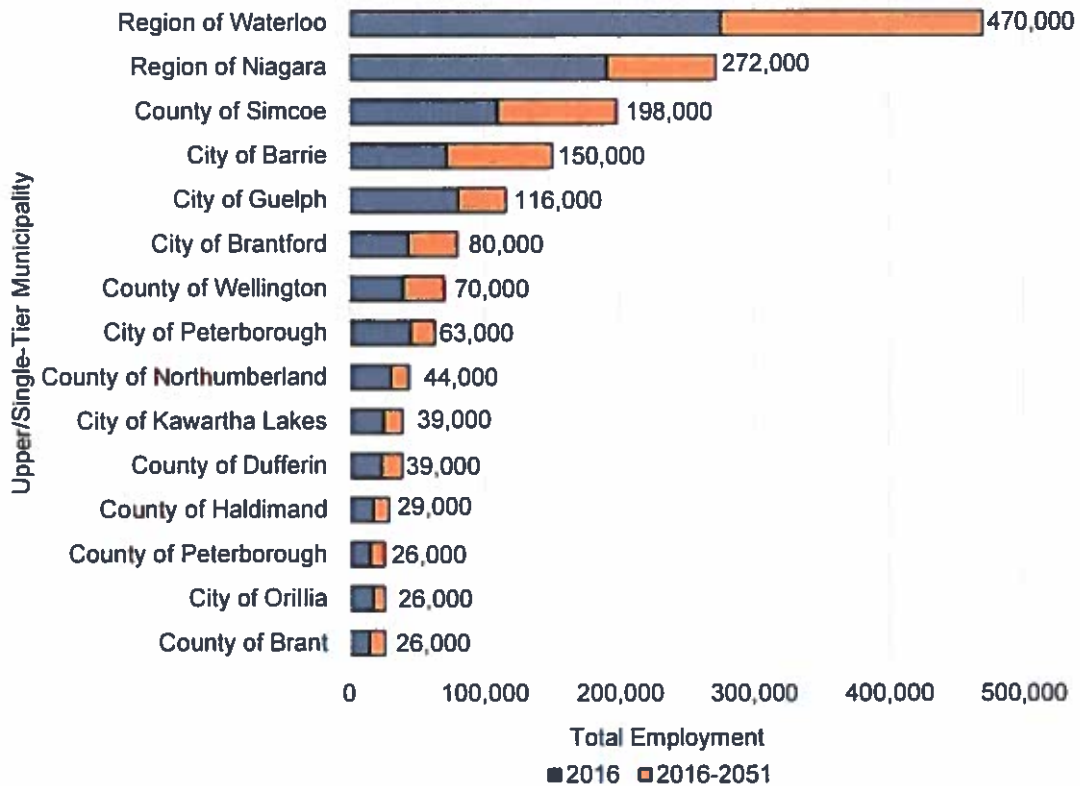
Source: Derived from Greater Golden Horseshoe: Growth Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd., by Watson & Associates Economists Ltd., 2020.

Figure 10
G.T.H.A. Annual Employment Growth Rate (Reference Scenario) 2016 to 2051



Source: Derived from Greater Golden Horseshoe: Growth Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd., by Watson & Associates Economists Ltd., 2020.

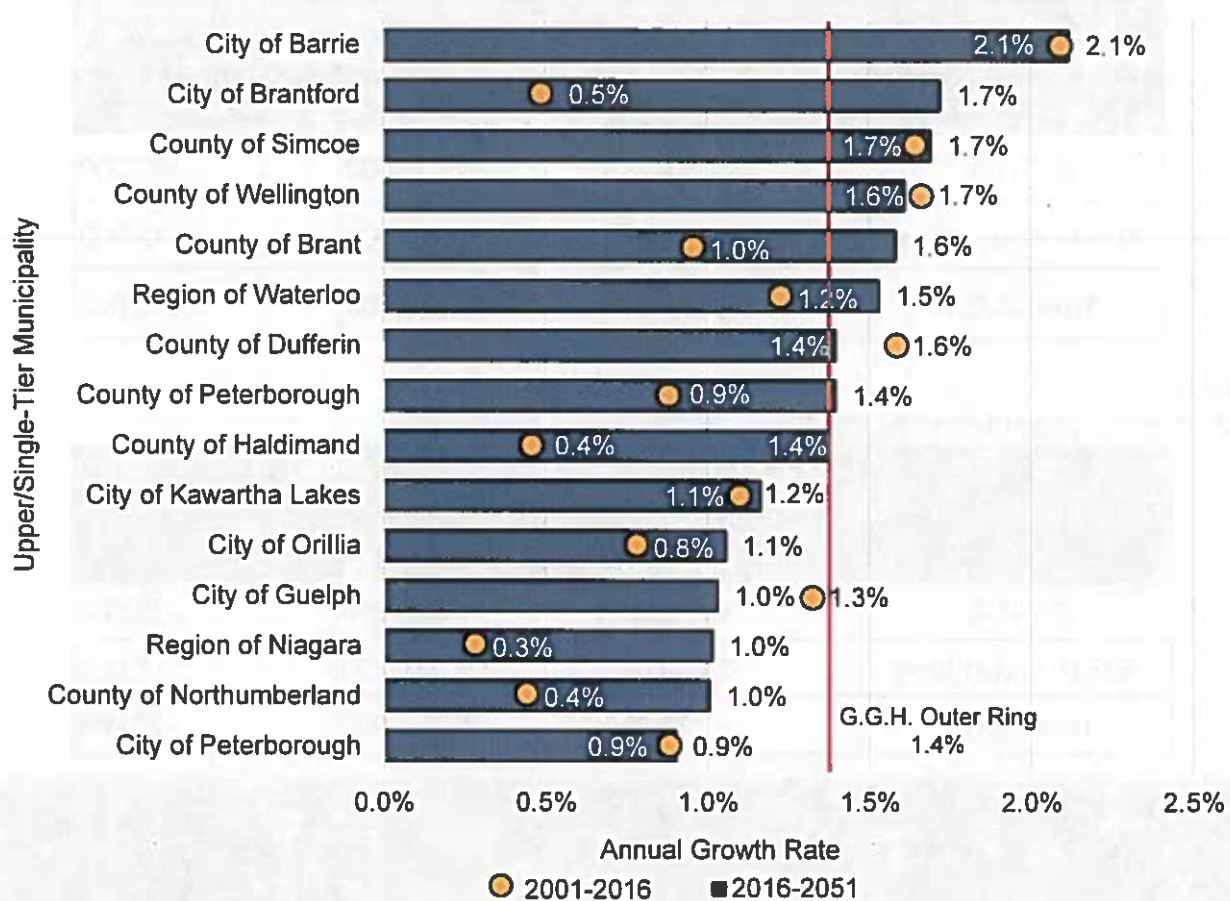
Figure 11
G.G.H. Outer Ring 2051 Employment Forecast (Reference Scenario)



Source: Derived from Greater Golden Horseshoe: Growth Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd., by Watson & Associates Economists Ltd., 2020.

Figure 12

G.G.H. Outer Ring Annual Employment Growth Rate (Reference Scenario) 2016 to 2051



Source: Derived from Greater Golden Horseshoe: Growth Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd., by Watson & Associates Economists Ltd., 2020.

Are the G.G.H. Reference Growth Forecasts Trending Higher or Lower than the Schedule 3 Forecasts Currently in the Growth Plan?

As previously stated, the 2020 Technical Report provides a range of revised G.G.H. population and employment forecast scenarios for each of the upper-tier and single-tier municipalities in 10-year increments to the year 2051. Based on the Reference population and employment Growth Scenarios prepared under the 2020 Technical Report, it is anticipated that by 2041 the G.G.H. population and employment base will be lower by 170,000 persons and 17,000 jobs in comparison to the current forecasts provided in Schedule 3 of the Growth Plan. As previously noted, it is important to recognize that Proposed Amendment 1 population and employment forecasts are to remain consistent with the Schedule 3 growth forecasts in the Growth Plan. The proposed Schedule 3 Growth Plan growth forecasts represent minimums for the purpose of Growth Plan conformity.

Figure 13
G.G.H. Population Forecast to 2041, 2020 Technical Report

Population	Total Population by 2041		
	A Place to Grow (2019)	2020 Technical Report	Difference
G.T.H.A.	10,130,000	10,003,000	-127,000
G.G.H. Outer Ring	3,350,000	3,307,000	-43,000
Total G.G.H	13,480,000	13,310,000	-170,000

Figure 14
G.G.H. Employment Forecast to 2041, 2020 Technical Report

Employment	Total Employment by 2041		
	A Place to Grow (2019)	2020 Technical Report	Difference
G.T.H.A.	4,820,000	4,805,000	-15,000
G.G.H. Outer Ring	1,450,000	1,448,000	-2,000
Total G.G.H	6,270,000	6,253,000	-17,000



Which G.G.H. Municipalities are Anticipated to Experience Higher and Lower Population and Employment by 2041?

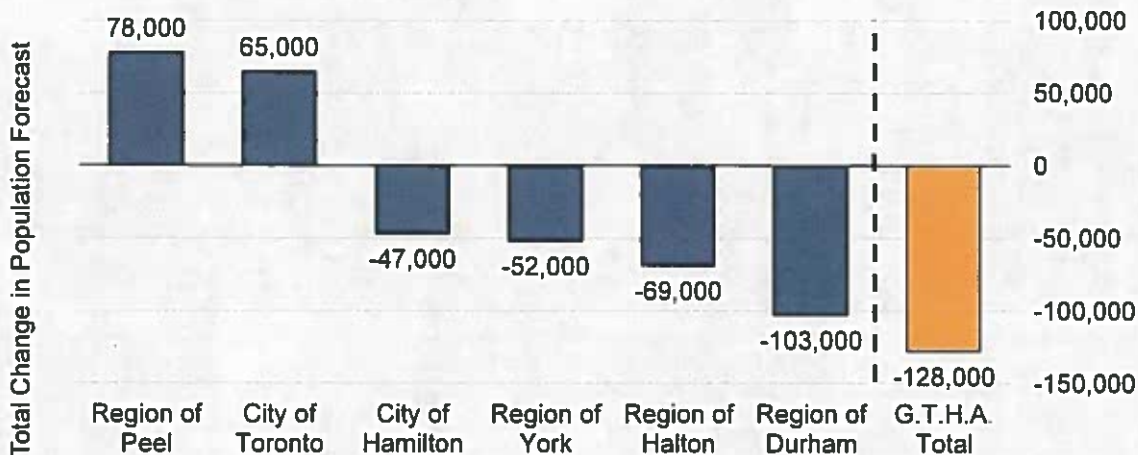
Figure 15 through Figure 18 compare the differences in the 2041 population and employment forecasts for each of the upper-tier and single-tier municipalities across the G.T.H.A. and G.G.H. Outer Ring, between Schedule 3 of the Growth Plan and the results of the 2020 Technical Report, Reference Scenario.



G.T.H.A. Population and Employment Comparison, 2041

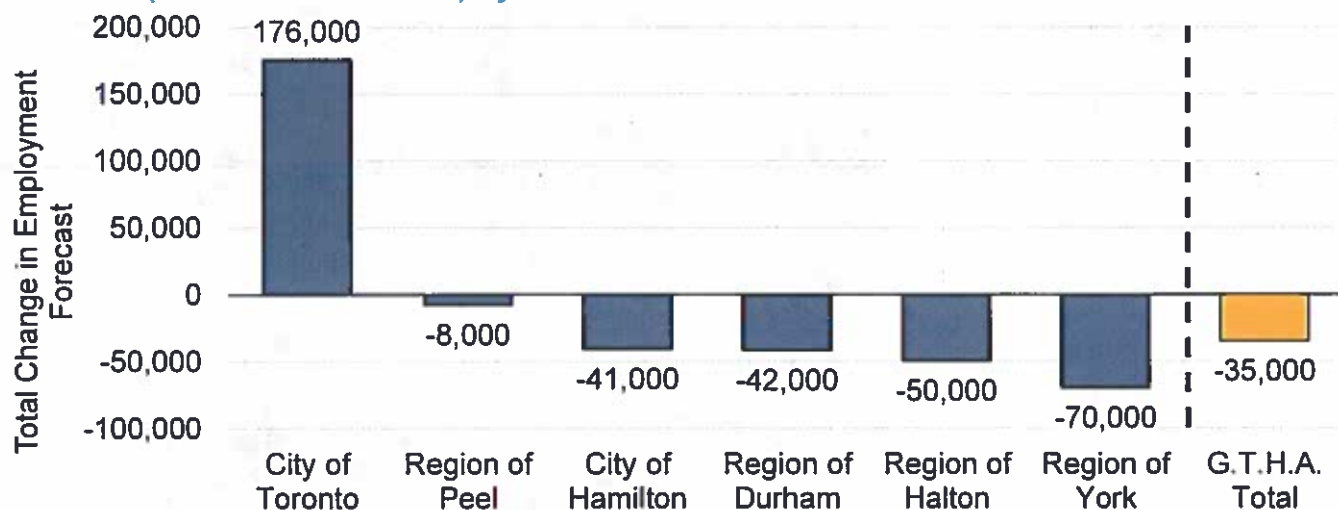
- By 2041, a higher population is forecast for the City of Toronto and the Region of Peel, while a lower population is anticipated for the City of Hamilton, Region of York, Region of Halton, and Region of Durham.
- Significantly higher employment is forecast for the City of Toronto, while lower 2041 employment levels are anticipated for the Region of Peel, City of Hamilton, Region of York, Region of Halton, and Region of Durham.

Figure 15
 Comparing A Place to Grow (2019) and the 2020 Technical Report G.T.H.A. Population Forecasts (Reference Scenario) by 2041



Source: A Place to Grow (2019) and Greater Golden Horseshoe Growth Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd. Figure by Watson & Associates Economists Ltd., 2020.
 Note: Population includes the net Census undercount estimated at approximately 3% for the forecast period.

Figure 16
Comparing A Place to Grow (2019) and the 2020 Technical Report G.T.H.A. Employment
Forecasts (Reference Scenario) by 2041



Source: A Place to Grow (2019) and Greater Golden Horseshoe Growth Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd. Figure by Watson & Associates Economists Ltd., 2020.



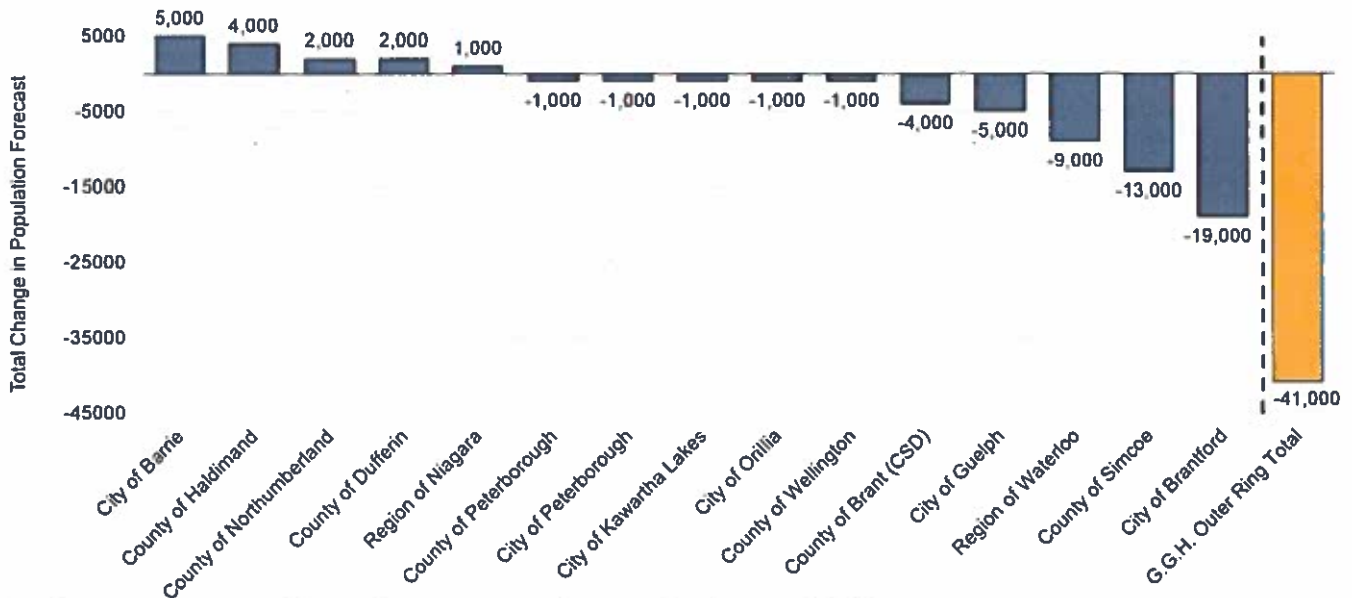
G.G.H. Outer Ring Population and Employment Comparison, 2041

- The total 2041 G.G.H. Outer Ring population forecast has been moderately reduced, largely as a result of a lower population forecast for Simcoe County, the City of Guelph, the Region of Waterloo, Brant County, and the City of Brantford.
- The total 2041 G.G.H. Outer Ring employment forecast has also been

modestly reduced, largely as a result of lower employment growth forecast for Peterborough County, Brant County, the City of Brantford, and the Region of Niagara. Conversely, considerably higher 2041 employment levels are anticipated in Simcoe County and the Region of Waterloo.

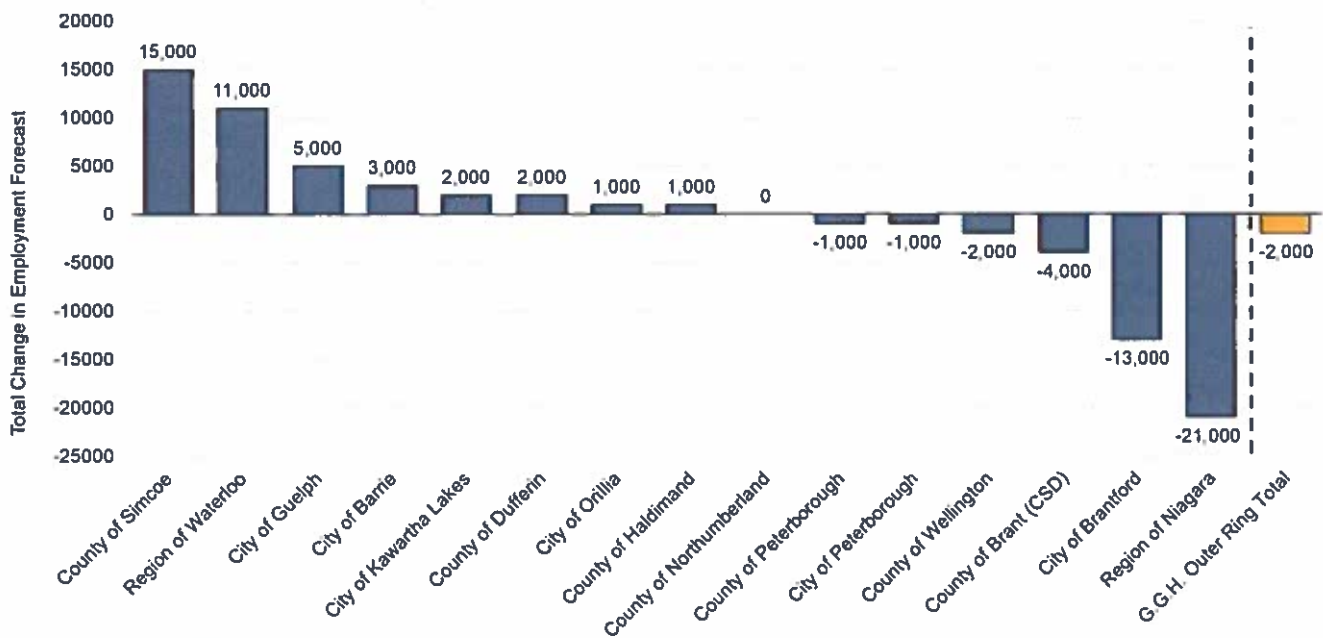


Figure 17
 Comparing A Place to Grow (2019) and the 2020 Technical Report G.G.H. Population
 Forecasts (Reference Scenario) by 2041



Source: A Place to Grow (2019) and Greater Golden Horseshoe Growth Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd. Figure by Watson & Associates Economists Ltd., 2020.
 Note: Population includes the net Census undercount estimated at approximately 3% for the forecast period.

Figure 18
 Comparing A Place to Grow (2019) and the 2020 Technical Report G.G.H. Employment
 Forecasts (Reference Scenario) by 2041



Source: A Place to Grow (2019) and Greater Golden Horseshoe Growth Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd. Figure by Watson & Associates Economists Ltd., 2020.

How Many Households will be Required to Accommodate the Reference Population Forecast by 2051 Across the G.G.H.?

The 2020 Technical Report provides background data regarding forecast housing growth by type (ground-related and apartments) corresponding with the Reference Forecast to 2051. While the 2020 Technical Report forecasts a lower population by approximately 170,000 persons across the G.G.H. by 2041, this relatively lower population forecast is anticipated to require approximately 172,000 additional households when compared to the previous housing forecast prepared under the 2012 Technical Report to the 2006 Growth Plan.

In accordance with the 2020 Technical Report, the higher household forecast is anticipated to be driven by relatively stronger demand for ground-related housing across many G.G.H. upper-tier and single-tier municipalities. In contrast, relatively stronger demand for apartments is anticipated in the City of Toronto and the Region of Waterloo.

Despite stronger anticipated demand for ground-related housing in many G.G.H. municipalities, the revised Reference forecast anticipates that average housing occupancy levels or persons per unit (P.P.U.) will fall more sharply from 2016 to 2041 (refer to Figure 20). This downward P.P.U. trend is anticipated to be driven by relatively stronger housing demand from population in older age groups relative to the results of the previous 2012 Technical Report.

It is important to note that in the 2020 Technical Report apartments are defined as apartment buildings less than or equal to/greater than 5 storeys. All other housing types are categorized as ground-oriented. The 2020 Technical Report notes that it does not replicate or predict the housing mix that would be determined by each of the upper-tier/single-tier municipalities through their respective M.C.R. exercise and Growth Plan conformity exercise.

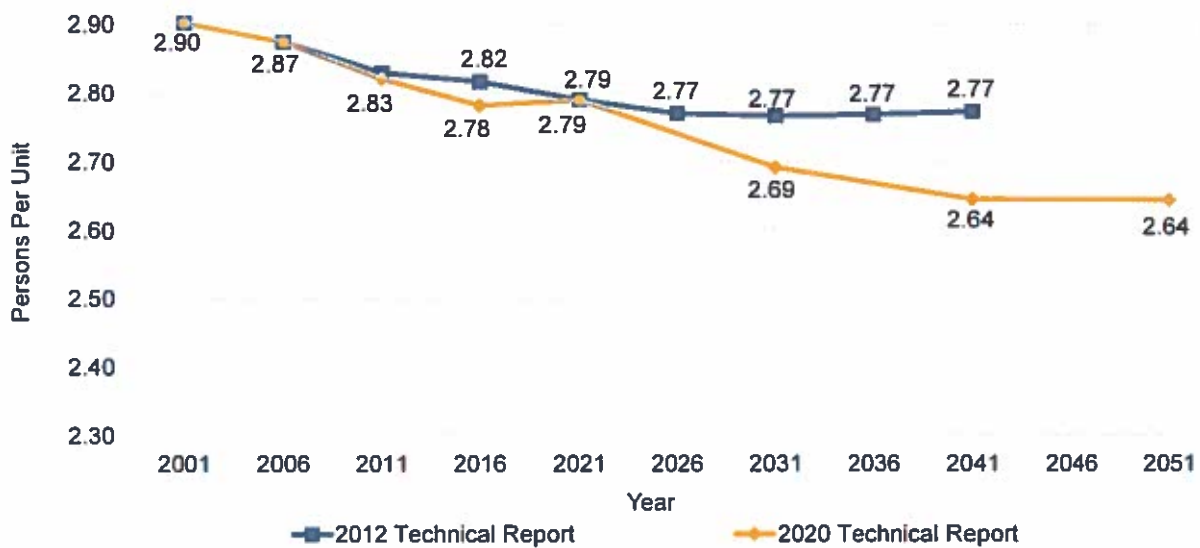
It is important for municipalities to recognize that the accommodation of skilled labour and the attraction of new businesses are inextricably linked and positively reinforce one another. To ensure that economic growth is not constrained by future labour shortages, effort will be required by municipalities to continue to explore ways to attract and accommodate new skilled working residents to the G.G.H. across a diverse range of employment opportunities and a broader choice of affordable housing options. Attraction efforts must also be linked to housing accommodation (both ownership and rental), municipal services and infrastructure as well as quality of life attributes which appeal to the younger mobile population, while not detracting from the region's attractiveness to older population segments.



Figure 19
 G.G.H. Housing Forecast to 2041, 2020 Technical Report

Housing	Total Housing by 2041		
	2012 Technical Report	2020 Technical Report	Difference
G.T.H.A.	3,571,000	3,688,000	117,000
G.G.H. Outer Ring	1,290,000	1,345,000	55,000
Total G.G.H	4,861,000	5,033,000	172,000

Figure 20
 Forecast Trends in Average Person Per Unit (P.P.U.), 2016 to 2051



Source: Greater Golden Horseshoe Growth Technical Report Reference Forecasts (2012 and 2020), by Hemson Consulting Ltd.
 Figure by Watson & Associates Economists Ltd., 2020.
 Note: Population includes the net Census undercount.

What Types of Employment is the G.G.H. Anticipated to Attract?

The 2020 Technical Report provides additional details regarding the amount of employment by type, including Population-Related Employment (P.R.E.), Employment Land Employment (E.L.E.), Major Office Employment (M.O.E.) and Rural Employment (R.E.). In comparison to the previous forecasts prepared through the 2012 Technical Report, the revised employment growth forecast prepared under the 2020 Technical Report assumes the following:

- Stronger employment growth related to M.O.E. within the City of Toronto;
- Less employment growth related to E.L.E. across most G.G.H. upper-tier and single-tier municipalities, except for the Region of Waterloo;
- Less P.R.E. allocated to the G.T.H.A., but relatively more employment in this category allocated to the G.G.H. Outer Ring; and
- Relatively more rural-based employment across the G.G.H., largely within the Outer Ring.

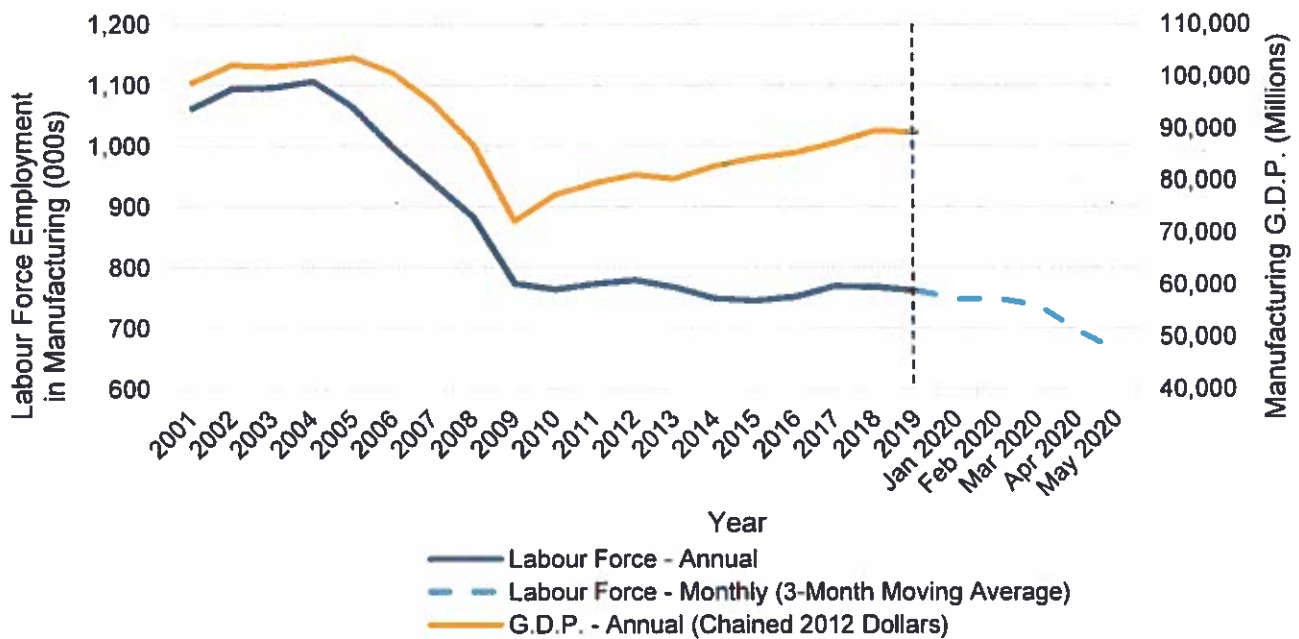
It is recognized that E.L.E growth across the G.G.H. was not as robust between 2001 and 2016 as previously anticipated in the 2012 Technical Report. This has largely been due to increased outsourcing of domestically manufactured goods to emerging global markets combined with



increased automation of manufacturing processes. Between 2003 and 2010, these challenges were further exacerbated in the manufacturing sector across the G.G.H. and more broadly across Ontario and Canada due to a high Canadian dollar relative to other world currencies, particularly the U.S. dollar. Since 2010, the manufacturing sector across Ontario including the G.G.H. has shown

signs of a steady recovery in terms of economic output, measured through gross domestic product (G.D.P.). While manufacturing job losses have generally stabilized since 2010, the manufacturing sector has not represented a large component of job growth across Ontario in recent years (refer to Figure 21). Looking forward, the manufacturing sector is not anticipated to be a key driver of job growth across the G.G.H.

Figure 21
Manufacturing Labour Force Employment and G.D.P. in Ontario, 2001 to 2020 Y.T.D



Source: Annual labour force data from Statistics Canada Labour Force Survey, Table 282-0125, and monthly data from Table 14-10-0091-01. Annual G.D.P. data from Statistics Canada Table 36-10-0402-01, by Watson & Associates Economists Ltd., 2020.

In light of the structural changes in the macro economy discussed above, combined with an increased emphasis on knowledge-based industries and service-providing businesses, it is anticipated that a larger share of E.L.E growth in Employment Areas will be comprised of non-industrial uses. Accordingly, this has important implications on the manner in which existing and future Employment Areas are planned across the G.G.H.

Figure 22 summarizes the amount of annual employment growth by type for the G.G.H. as a whole over the next several decades in accordance with the 2020 Technical Report relative to historical trends between 2001 and 2016. The most notable change in the annual employment forecast by type relative to historical trends relates to E.L.E. Between 2001 and 2016, E.L.E. declined across the G.G.H. by

approximately 3,000 jobs annually. In contrast, over the 2016 to 2051 forecast period, E.L.E. is projected to increase by approximately 27,000 jobs annually. It is noted by Watson that this represents an ambitious forecast relative to historical trends. To ensure that market opportunities are maximized in Employment Areas, it will be important for municipalities to:

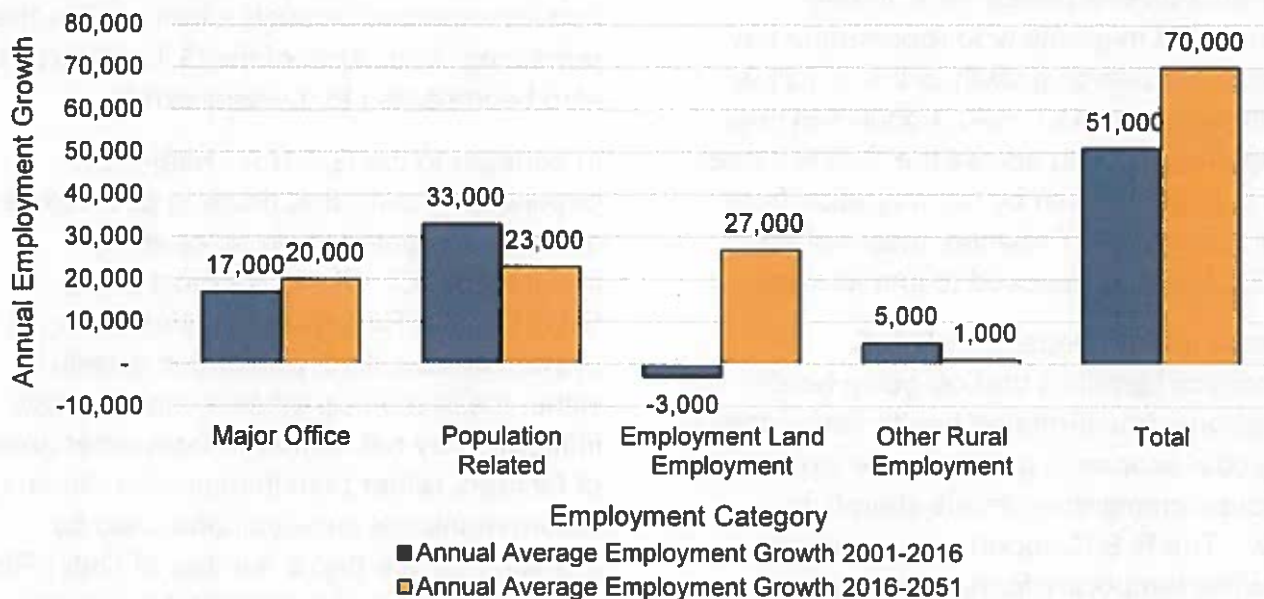
- Regularly track and monitor employment growth trends by sector as well as long-term Employment Area land needs;
- Ensure that an adequate supply of serviced Employment Areas is available and on the market at all times; and
- Update employment strategies and economic development initiatives regularly to ensure that the evolving needs of Employment Areas and mixed-use areas are properly

addressed, and municipal services are adequately phased.

Relative to historical trends, annual employment growth related to M.O.E. is also anticipated to be stronger between 2016 and 2051. As previously mentioned, this relative increase in annual M.O.E. has largely been allocated to the City of Toronto in the 2020 Technical Report, reflective of the recent strength of the office real estate sector within downtown Toronto over the past decade. The 2020 Technical Report

anticipates that the office market will continue to strengthen in the sub-urban markets across the “905” region. Forecast M.O.E. growth within the G.G.H. Outer Ring is anticipated to be relatively minimal according to the 2020 Technical Report. Based on analysis recently undertaken by Watson, it is our opinion that the potential long-term opportunities related to the office market have been understated in the Region of Waterloo.

Figure 22
G.G.H. Annual Employment Forecast by Type, 2016 to 2051



Note: Figures may not sum to totals due to rounding.

Source: Derived from Greater Golden Horseshoe: Growth Forecasts to 2051 Technical Report, June 16, 2020, Hemson Consulting Ltd., by Watson & Associates Economists Ltd., 2020.

What are the Potential Impacts of COVID-19 on the Long-Term Growth Forecast for the G.G.H.?

The 2020 Technical Report acknowledges that while the immediate economic impacts from coronavirus disease (COVID-19) are anticipated to be severe, the long-term effects of the pandemic on the Ontario, national and global economies are uncertain at this time. The 2020 Technical Report goes on to identify that despite the longer-term consequences of COVID-19 to some industries, firms, and individuals, the long-term economic outlook for the G.G.H. remains positive and the region will continue to be attractive to newcomers, mainly international migrants who represent a key driver of population growth to the G.T.H.A. In contrast to the G.T.H.A., population and employment growth across the G.G.H. Outer Ring is largely driven by net migration from other areas of the Province, most notably the G.T.H.A., as opposed to immigration.

A recent report released by R.B.C. Economics identifies that on-going border restrictions, travel-related health fears, and the global economic downturn are expected to reduce immigration levels sharply in 2020.¹ The R.B.C. report also points out that while temporary foreign workers are exempt from entry restrictions, fewer are coming due to logistical and financial burdens related to COVID-19 work restrictions and isolation requirements. After the COVID-19 crisis, many economists warn that immigration may remain relatively low compared to recent years, because relatively higher unemployment rates during the post-COVID-19 economic recovery

period in Canada will reduce the incentive for immigrants to come.²

This near-term scenario has the potential to reduce population growth levels and soften the housing market in areas of Ontario where population growth is most heavily dependent on immigration. For the G.G.H., the City of Toronto and the Region of Peel would potentially be the most heavily impacted by such a trend, while the remaining “905” Area of the G.T.H.A. would also be impacted to a lesser extent.

In contrast to the G.T.H.A., near-term population growth and housing development are not anticipated to be as severely impacted by COVID-19 for most of the G.G.H. Outer Ring municipalities since, as previously identified, population growth within these municipalities is more heavily influenced by net migration from other areas of Ontario, rather than immigration. In fact, recent municipal surveys conducted by Watson indicate that a number of Outer Ring municipalities identify COVID-19 as a key driver of future housing growth within their respective municipalities.

In addition to its broader impacts on the economy, COVID-19 is also anticipated to accelerate changes in work and commerce as a result of technological disruptions which were already in play prior to the pandemic. As such, enterprises will increasingly be



¹ R.B.C. Economics. Current Analysis. COVID-19 Derails Canadian Immigration. May 29, 2020.

² Stalling immigration may add to Canada's COVID-19 economic woes. Fergal Smith, Steve Scherer. Reuters. May 27, 2020.

required to rethink the way they conduct business with an increased emphasis on remote work enabled by technologies such as virtual private networks (V.P.N.s), virtual meetings, cloud technology and other remote work collaboration tools. These trends are anticipated to have a direct influence on commercial and industrial real estate needs over both the near and longer terms. In light of these anticipated trends, it is important that the long-term employment forecasts for the G.G.H., summarized in Proposed Amendment 1, adequately consider the manner in which these impacts are likely to influence the nature of employment by type as well as by place of

work. Today, approximately 7.3% of the G.G.H. workforce is identified as working from home on a full-time basis, up from 6.7% in 2001. During this same time period, the percentage of workers who reported having no fixed place of work increased from approximately 8% to 12%.¹ It is anticipated that the percentage of people who work from home on a full-time and part-time basis, as well as those who do not have a fixed place of work, will steadily increase over the long term. As this percentage continues to steadily rise, it may reduce the relative need for future industrial and commercial building space associated with the Schedule 3 employment forecast.



¹ Statistics Canada defines no fixed place of work employees as "persons who do not go from home to the same workplace location at the beginning of each shift. Such persons include building and landscape

contractors, travelling salespersons, independent truck drivers, etc."

Conclusions

The G.G.H. represents home to approximately one in every four Canadians.¹ With a robust economy, vibrant and diverse communities, and a world class reputation for quality of life, the G.G.H. will continue to be an attractive region to new residents and business investment. For these reasons, the G.G.H. is anticipated to be one of the fastest growing regions in North America with respect to population and employment. It is important to recognize that the long-term growth forecasts provided in Proposed Amendment 1 do not reflect a status quo scenario. The successful implementation of the Growth Plan lies within a well coordinated, integrated, and phased approach to land-use planning, infrastructure needs, municipal service delivery, and public sector financial planning. This will clearly involve significant financial commitment and partnership from all levels of government.

As G.G.H. municipalities now begin to plan for the 2051 horizon, it will be critical that development pressures are well-managed to provide sustainable options in accommodating more people and jobs while protecting what is valuable to G.G.H. residents and businesses. A key opportunity and challenge in planning for future growth across the G.G.H. over the next several decades will be to manage change in a



manner that enhances the region's livability while embracing development patterns which are sustainable from a triple-bottom line perspective (i.e. economic, environmental, and social impacts).

To discuss this further, please contact:

Jamie Cook, MCIP, RPP, PLE
Managing Partner and Director, Land Economics
Watson & Associates Economists Ltd.
cook@watsonecon.ca
Office: 905-272-3600 ext. 237
Mobile: 905-301-7199
watsonecon.ca

¹ G.G.H. population share of Canada based on 2016 Statistics Canada Census data.



July 7, 2020

RE: TAPMO Executive Meeting Minutes dated May 28, 2020.

Please be advised that Township of Puslinch Council, at its meeting held on June 17, 2020 considered the aforementioned topic and subsequent to discussion, the following was resolved:

Resolution No. 2020-166: Moved by Councillor Bulmer and
Seconded by Councillor Sepulis

That the Intergovernmental Affairs correspondence item 4 listed for JUNE 17, 2020 Council meeting be received; and

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

WHEREAS the Council of Puslinch supports a fair and equitable assessment system for all aggregate resource properties;

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

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

NOW THEREFORE BE IT RESOLVED:

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

(b) The Council of Puslinch believes there is a need to review the current



assessment scheme for aggregate resource properties to address the inequity of property values;

{c) The Council of Puslinch hereby calls upon the Province to work with the Municipal Property Assessment Corporation to address the assessment issue so that aggregate resource properties are assessed for their industrial value; and

{d) The Council of Puslinch directs the Clerk to provide a copy of this motion to the Minister of Finance, Minister of Municipal Affairs and Housing, Minister of Natural Resources and Forestry, AMO, ROMA, and all Ontario municipalities and {the local MPP(s)}

CARRIED

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Sincerely,
Courtenay Hoytfox
Deputy Clerk

Denise Holmes

From: Nancy Neale <neale@watsonecon.ca>
Sent: Thursday, July 9, 2020 1:31 PM
To: Denise Holmes; Wendy Atkinson
Subject: Bill 197 - COVID Economic Recovery Act - Changes to the DCA and Planning Act (CBCs)
Attachments: Letter to Clients - DC CBC changes as of July 8 2020-Final.pdf

Hi,

Yesterday the Province tabled legislation that would amend the DCA and Planning Act (for CBCs). This legislation includes significant changes relative to what we have seen from Bill 108. We have summarized the changes in the attached letter.

Please do not hesitate to contact us if you have any questions.

Regards,

Nancy Neale, PLE
Manager

Watson & Associates Economists Ltd.

neale@watsonecon.ca

Office: 905-272-3600 ext. 234

Mobile: 905-301-7235

Fax: 905-272-3602

watsonecon.ca



In response to the COVID-19 pandemic, Watson & Associates Economists Ltd. has implemented strategies to ensure we stay connected and continue to support our clients and colleagues while working from home. To help in the battle against this disease, we have made a financial donation to Conquer COVID-19 to assist in the purchasing and distribution of personal protective equipment (PPE) to Canada's front-line workers.

Disclaimer: This message is for the use of the intended recipient(s) only and may contain information that is privileged, proprietary, confidential, and/or exempt from disclosure under any relevant privacy legislation. If you are not the intended recipient or authorized agent thereof, you are hereby notified that any review, retransmission, dissemination, distribution, copying, conversion to hard copy, taking of action in reliance on or other use of this communication is strictly prohibited. If you are not the intended recipient and have received this message in error, please notify the sender by return e-mail and delete or destroy all copies of this message. Warning: Although Watson & Associates Economists Ltd. has taken reasonable precautions to ensure no viruses are present in this email, the company cannot accept responsibility for any loss or damage arising from the use of this email or attachments.

July 9, 2020

To Our Development Charge Clients:

Re: COVID-19 Economic Recovery Act, 2020 – Changes to the Development Charges Act and the Planning Act (as per the Community Benefits Charge)

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.) and proposed community benefits charges (C.B.C.) under the *Planning Act*. As of yesterday, the Province of Ontario released Bill 197 which amends a number of Acts, including the D.C.A. and the *Planning Act*. This Bill is entitled *COVID-19 Economic Recovery Act, 2020*.

By way of this letter, we are providing a high-level summary of the changes along with a copy of the bill. Subsequently, we will be providing a full evaluation and summary of the D.C. and C.B.C. legislative changes.

1. Changes to D.C.A.

D.C.A. Section Reference	Proposed Changes
2 (4)	<p>List of eligible D.C. services</p> <p>Items 1 through 11 were initially introduced by Bill 108. Subsequent refinements through draft regulations added back items 12 through 15 (which have been reaffirmed), and 16 through 20 have been subsequently added.</p> <ol style="list-style-type: none"> 1. Water supply services, including distribution and treatment services. 2. Waste water services, including sewers and treatment services. 3. Storm water drainage and control services. 4. Services related to a highway as defined in subsection 1 (1) of the <i>Municipal Act, 2001</i> or subsection 3 (1) of the <i>City of Toronto Act, 2006</i>, as the case may be. 5. Electrical power services. 6. Toronto-York subway extension, as defined in subsection 5.1 (1). 7. Transit services other than the Toronto-York subway extension. 8. Waste diversion services. 9. Policing services.



D.C.A. Section Reference	Proposed Changes
	<ol style="list-style-type: none">10. Fire protection services.11. Ambulance services.12. Services provided by a board within the meaning of the <i>Public Libraries Act</i>.13. Services related to long-term care.14. Parks and recreation services, but not the acquisition of land for parks.15. Services related to public health.16. Child care and early years programs and services within the meaning of Part VI of the <i>Child Care and Early Years Act, 2014</i> and any related services.17. Housing services.18. Services related to proceedings under the <i>Provincial Offences Act</i>, including by-law enforcement services and municipally administered court services.19. Services related to emergency preparedness.20. Services related to airports, but only in the Regional Municipality of Waterloo.21. Additional services as prescribed <p>Note: removal of 10% deduction for soft services under <i>More Homes, More Choice Act, 2019</i> has been maintained.</p>
2 (4.1)	<p>Eligible Services in D.C. vs. C.B.C.</p> <p>A C.B.C. may be imposed with respect to the services listed above (s. 2 (4)), "provided that the capital costs that are intended to be funded by the community benefits charge are not capital costs that are intended to be funded under a development charge by-law."</p>
7	<p>Classes of Services</p> <p>Present legislation allows for categories of services to be grouped together into a minimum of two categories (90% and 100% services).</p> <p>The Bill proposes to repeal that and replace it with the four following subsections:</p>



D.C.A. Section Reference	Proposed Changes
	<p>(1) A D.C. by-law may provide for any eligible service or capital cost related to any eligible service to be included in a class, set out in the by-law.</p> <p>(2) A class may be composed of any number or combination of services and may include parts or portions of the eligible services or parts or portions of the capital costs in respect of those services.</p> <p>(3) A D.C. by-law may provide for a class consisting of studies in respect of any eligible service whose capital costs are described in paragraphs 5 and 6 of s. 5 (3) of the D.C.A.</p> <p>(4) A class of service set out in the D.C. by-law is deemed to be a single service with respect to reserve funds, use of monies, and credits.</p> <p>Note: an initial consideration of “class” appears to mean <i>any</i> group of services.</p>
9.1	<p>Transitional Matters with Respect to C.B.C.</p> <p>Note: in reference to the two provisions below, “specified date” means the day that is two years after the day s. 1 (2) (i.e. eligible services) of Schedule 3 to the <i>COVID-19 Economic Recovery Act, 2020</i> comes into force.</p> <p>The Bill provides the following two provisions for transitional matters:</p> <ul style="list-style-type: none">• If a D.C. by-law expires before the specified date, the charges related to any services other than the services in paragraphs 1 to 10 (s. 2 (4) identified above) remain in force until the day its repealed, or the municipality passes a C.B.C., or the specified date.• If a D.C. by-law expires on or after the specified date, charges related to non-eligible services remain in effect until the earlier of the date the by-law is repealed, the day the municipality passes a C.B.C. (only applies to local municipality), or the specified date. <p>Note: with respect to the above, the initial time horizon proposed by prior Bills allowed for a one-year transition to a C.B.C. regime, whereas this Bill provides for a two-year transition.</p>



D.C.A. Section Reference	Proposed Changes
26.2	<p>Transition, Eligible Services</p> <p>The Bill appears to provide two transitional provisions with respect to eligible services:</p> <ul style="list-style-type: none"> • For local municipalities, the dates are the earlier of passing a C.B.C. or the “specified date.” • For upper-tier municipalities, the date is only the “specified date.”

Note: there are additional transitional and housekeeping changes provided which are to be considered when moving to the new regime.

2. Changes to the *Planning Act* regarding Community Benefits Charges (C.B.C.)

The *Planning Act* has been amended to repeal the existing section 37 and replace it with the C.B.C. authority. The following provides a summary of the changes to the C.B.C. legislation as proposed under the *More Homes, More Choice Act, 2019* with reference to specific subsections.

Planning Act Section Reference	Proposed Changes
37 (1)	<p>Specified date</p> <p>Has the same meaning as in the changes to the D.C.A. (i.e. two years after this Act comes into force).</p>
37 (2)	<p>Community Benefits Charge By-law</p> <p>Amended to allow a Council of a local municipality to may pass a C.B.C. by-law for capital costs of facilities, services, and matters required because of development or redevelopment in the area to which the by-law applies.</p>



Planning Act Section Reference	Proposed Changes
37 (4)	<p>Excluded Development or Redevelopment</p> <p>A C.B.C. may not be imposed on development and/or redevelopment of:</p> <ul style="list-style-type: none">• A proposed building or structure with fewer than five storeys at or above ground;• A proposed building or structure with fewer than 10 residential units;• Such types as prescribed. <p>Note: it appears that this provision would eliminate all low- and perhaps medium-density developments from paying a C.B.C. It is unclear how non-residential development would be addressed within these calculations.</p>
37 (5)	<p>Relationship to D.C.s</p> <p>A C.B.C. may be imposed with respect to the services listed in s. 2 (4) of the D.C.A. or with respect to parkland or other public recreation purposes, provided that the capital costs that are intended to be funded by the C.B.C. are not a D.C. by-law or parkland dedication.</p> <p>Note: similar to what was provided above (s. 2 (4.1) of the D.C.A.).</p>
37 (12)	<p>Limitation</p> <p>Only one C.B.C. by-law may be in effect in a local municipality at a time.</p>
(49) to (51)	<p>Transition, Special Account and Reserve Funds</p> <p>Generally, for existing reserve funds:</p> <p><u>Related to D.C. services that will be ineligible</u></p> <ul style="list-style-type: none">• If a C.B.C. is passed, the funds are transferred to the C.B.C. special account;• If no C.B.C. is passed, the funds are moved to a general reserve fund for the same purpose;



Planning Act Section Reference	Proposed Changes
	<ul style="list-style-type: none">• If a C.B.C. is passed subsequent to moving funds to a general reserve fund, those monies are then moved again to the C.B.C. special account. <p><u>For reserve funds established under s. 37 of the <i>Planning Act</i> (e.g. bonus zoning)</u></p> <ul style="list-style-type: none">• If a C.B.C. is passed, the funds are transferred to the C.B.C. special account;• If no C.B.C. is passed, the funds are moved to a general reserve fund for the same purpose;• If a C.B.C. is passed subsequent to moving funds to a general reserve fund, those monies are then moved again to the C.B.C. special account.
(52) and (53)	Credits under the D.C.A. If a municipality passes a C.B.C. by-law, any existing D.C. credits a landowner may retain may be used towards payment of that landowner's C.B.C.
37.1	Transitional Matters There are a number of transitional matters provided for moving from the current s. 37 to the C.B.C. regime.

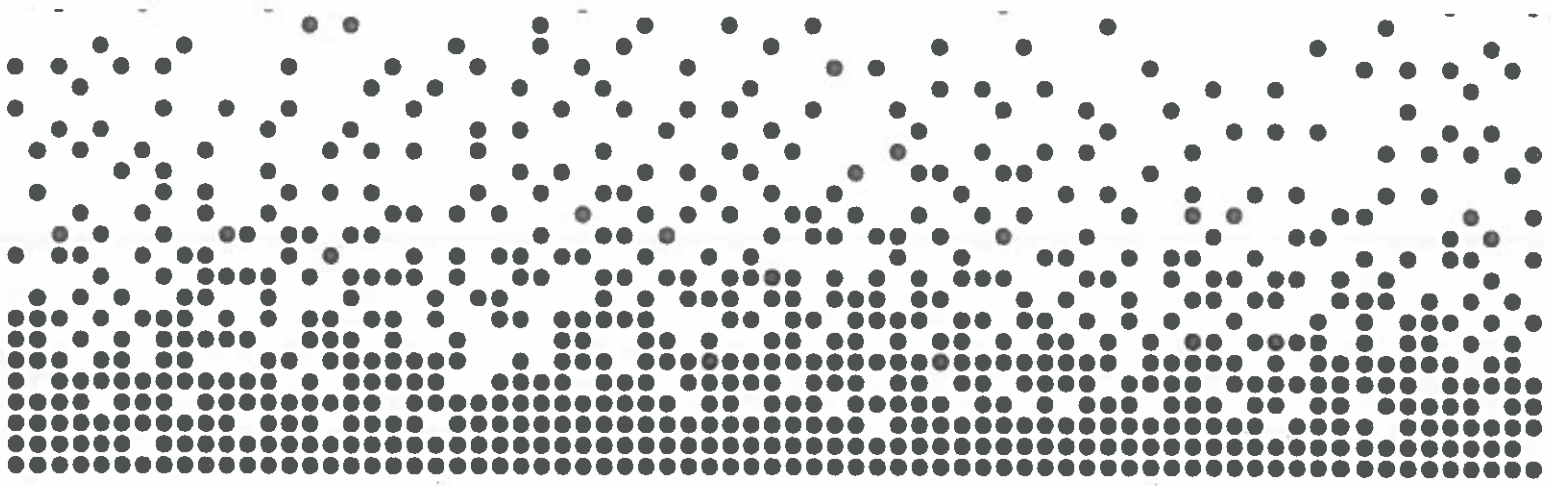
As noted above, Watson will be conducting an in-depth analysis regarding the proposed changes which we will share with our municipal clients. We note that there may be further questions and concerns which we may advance to the Province after our detailed review of this Bill and potential regulation(s). We will continue to monitor the legislative changes and keep you informed. Further, there will be opportunities for municipalities to provide comments and/or written submissions through the provincial process.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Gary D. Scandlan, BA, PLE
Director

Andrew Grunda, MBA, CPA, CMA
Principal



Appendix A

Bill 197: COVID-19 Economic Recovery Act, 2020

* Note: Did not include Bill 197, as it is found elsewhere in The Agenda

RKg *

James Holme

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Guelph, Ontario N1G 4Y2
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www.ontario.ca/MAAARO



Environmental Management Branch

June 4, 2020

Township of Melancthon
c/o The Clerk
157101 Highway 10
Melancthon, ON L9V 2E6

RE: Notification of NASM Plan Approval

This is to inform you that a NASM Plan has been approved in your municipality.

Approval has been granted to: Schill family Farms, c/o Shawn Schill
Date Approved: June 1, 2020
Address: 7556 1st Line West Garafraxa, RR#3
Arthur, ON N0G 1A0

The NASM Plan has been assigned reference number **24295**.

The approved NASM Plan will **expire on December 31, 2024**.

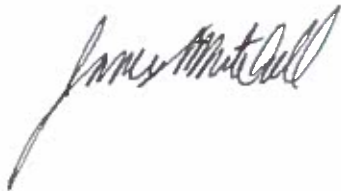
The NASM Plan refers to the following NASM and land application sites:

NASM		
Description	Source	Category
Sewage biosolids	Ashbridges Bay WWTP, Toronto	3
Sewage biosolids	Region of Waterloo, Cambridge	3
Sewage biosolids	Halton Biosolids Management Center, Oakville	3
Sewage biosolids	County of Oxford, Salford	3
Sewage biosolids	Region of Waterloo, Kitchener	3
Sewage biosolids	Mid-Halton WWTP, Oakville	3
Sewage biosolids	Skyway WWTP, Burlington	3
Sewage biosolids	Region of Waterloo, Waterloo	3
Sewage biosolids	Woodward WWTP, Hamilton	3

Land Application Sites			
Concession	Lot	Geotownship	Roll number
9 South West of Toronto and Sydenham Road	11, 12	Luther	221900000413700
			221900000413800

For more information or questions about compliance and enforcement, visit the Ministry of the Environment's website: www.ontario.ca/nasm-moe or call 1-800-565-4923.

For more information about training, certification, education and NASM Plan approvals, visit the Ontario Ministry of Agriculture, Food and Rural Affairs' website: www.ontario.ca/nasm-omafra or call 1-877-424-1300.



James Mitchell, Director
Section 28, O. Reg. 267/03, as amended

- c: Andrew Barrie, OMAFRA Field Specialist
- Travis Burns, MECP Barrie District Office

Denise Holmes

From: Karisa Downey <kdowney@dufferincounty.ca>
Sent: Thursday, June 25, 2020 4:35 PM
To: Denise Holmes
Cc: Jeremy Bullock
Subject: Melancthon Ag and Food BR+E Data

Hi Denise

I hope this message finds you well!

We have taken the Agriculture and Food BR+E data and created individual reports for each of the municipalities. If you have some time, we would like to book a time to go over that data with you, and discuss any of the key findings. In addition, if you're interested in building an Action Plan for your municipality, or agriculture task force that I know you were working to implement, we are more than happy to assist you with that. Of course, if you think there are others from your municipality that you would like to have join the conversation, please feel free to invite them as well.

Thank you, Denise. I look forward to hearing from you.

Best,

Karisa Downey | Economic Development Officer | Planning, Economic Development and Culture
County of Dufferin | 519.941.2816 x2508 | kdowney@dufferincounty.ca | 55 Zina Street, Orangeville,
ON L9W 1E5

Join in Dufferin - Share your stories. Connect with your community. Have your say on new projects. Click here to **Sign Up and Speak Up!**

DISCLAIMER: This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to which they are addressed. If you have received this email in error please notify the sender. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the County of Dufferin. Finally, the recipient should check this email and any attachments for the presence of viruses. The County of Dufferin accepts no liability for any damage caused by any virus transmitted by this email. The Corporation of the County of Dufferin, 55 Zina Street, Orangeville, Ontario. www.dufferincounty.ca

Denise Holmes

From: Ilona Feldmann <ifeldmann@grandriver.ca>
Sent: Thursday, July 2, 2020 2:24 PM
To: Denise Holmes
Subject: Melancthon representation on the IWG
Attachments: 2020_06_24_SPP IWG TOR.doc

Hello Denise,

I am reaching out to IWG member municipalities to identify and confirm their representation on the IWG. The draft updated IWG Terms of Reference that was circulated as part of the June 24 IWG agenda package (attached) states that Melancthon is member of the IWG but is represented on the committee by the GRCA. This arrangement was based on the 2015 Terms of Reference. This arrangement can of course change if Melancthon would like to have their own representative(s) (one primary representative and up to three alternates) on the IWG. Representatives could be municipal staff or consultants, etc. I thought it would be best to work through you to find out what Melancthon would like to do.

Regards,

Ilona Feldmann
Source Protection Program Assistant
Grand River Conservation Authority
400 Clyde Road
Cambridge, Ontario N1R 5W6
P: (519) 621-2763 x2318
F: (519)621-4844
www.grandriver.ca

**DRINKING WATER
SOURCE PROTECTION**
Remembering Walkerton



LAKE ERIE REGION SOURCE PROTECTION IMPLEMENTATION WORKING GROUP

TERMS OF REFERENCE MAY 15, 2013
Updated June 24, 2020

DRAFT

BACKGROUND

- The Lake Erie Region Source Protection Committee (SPC) completed the Assessment Reports and Source Protection Plans (based on Ministry of the Environment, Conservation and Parks approved Terms of Reference (TOR)) for all four Source Protection Areas in the Lake Erie Region (Cattfish Creek, Kettle Creek, Long Point Region, and Grand River:
 - ~~Cattfish Creek Source Protection Area~~
 - ~~Kettle Creek Source Protection Area~~
 - ~~Long Point Region Source Protection Area~~
 - ~~Grand River Source Protection Area~~
- Cattfish Creek and Kettle Creek Source Protection Plans are approved and in effect as of January 1, 2015. Long Point Region and Grand River Source Protection Plans are approved and in effect as of July 1, 2016. Since that time, both the Long Point Region and Grand River Source Protection Plans have been updated ~~expected to be approved in late 2015.~~
- As part of the policy development process, the Implementation Working Group, then called Project Team, prepared discussion papers and facilitated dialogue among policy development leads to aid in information-sharing and supporting cross-jurisdictional consistency in policy outcomes.
- The Project Team completed its mandate in early 2013, and:
 - ~~In 2011, the working group (then called Project Team) prepared discussion papers on options for tools/approaches to address significant drinking water threats, in preparation for policy development across Lake Erie Region. Discussion papers can be found at <http://www.sourcewater.ca/index/document.cfm?sec=22&sub1=1&sub2=0>~~
 - ~~Project Team facilitated dialogue between policy development leads to aid in information-sharing and cross-jurisdictional consistency (see text in July 13, 2011 Project Team TOR amendment)~~
 - ~~Project Team completed its mandate in early 2013 and next step required an Implementation Working Group with broader objectives.~~

- The Project Team continued to work but changed its name to the Implementing Working Group (IWG) to reflect the group's expanding objectives.
- From 2013 to 2015, the IWG was central to the source protection plan review and approval process, and provided an important role during the transition phase in preparation for source protection plan implementation.
- Implementation Working Group fulfilled a supportive role in engaging the SPC in the review of the Source Protection Plans and is continuing to provide an important role during the transition phase in preparation for Source Protection Plan implementation
- The IWG continues to provide a forum for participating members to support one another, share information, and discuss topics related to the implementation of the Source Protection Plans, including but not limited to annual reporting, policy interpretation, technical rules changes and plan updates.

PURPOSE/MANDATE

- Facilitate post Source Protection Plan update submission dialogue with Ministry staff and affected implementing bodies, i.e., municipalities, until plan update approval:
 - Facilitate and coordinate discussions around development of new or revision of existing water quality and quantity policies to address any gaps and / or challenges outstanding concerns where scope affects two or more municipalities
- Act as a discussion forum for information-sharing regarding Source Protection Plan (SPP) implementation:
 - Developing and discussing draft protocols, reports and documents (e.g., Protocol for Implementing Requirements under the Clean Water Act, 2006, S.48 set up of Risk Management Office)
 - Establishing and maintaining shared and protected internet platform (e.g., SharePoint) to facilitate sharing of documents
 - Working in a collaborative and cooperative manner to help implementing bodies (e.g., municipalities) implement to prepare for Source Protection Plan policies implementation
 - Engaging in all topics relevant to plan implementation brought forward by participating members
 - Supporting implementing bodies (e.g., municipalities) in the completion of annual reporting requirements Preparing for and facilitating development of consistent and adaptable framework for annual reporting requirements as per Clean Water Act, 2006 and O. Reg 287/07
 - Support for Lake Erie Region staff assessing and completing watershed-wide work, e.g., changes to the Director's Technical Rules.

- Support for Lake Erie Region staff in the **Facilitate and coordinate completion of assessment report and source protection plan updates following municipal technical studies as a result of infrastructure changes, e.g., new / expanded drinking water systems.** ~~additional technical assessments and amendment of Assessment Reports and Source Protection Plans, including public notification or consultation, where necessary:~~
 - ~~Tier 3 Water Budget and Risk Assessments~~
 - ~~Delineation of Issue Contributing Areas~~
 - ~~Other technical updates as required (e.g., Regional Municipality of Waterloo wellhead protection area updates)~~
- ~~Facilitate development of water quantity policies, where required, based on results of Water Quantity Risk Assessment and in conjunction with Risk Management Measures Evaluation Process (RMMEP)~~

MEMBERSHIP

The Implementation Working Group is a distinct group ~~of around 16 members representing municipalities within Lake Erie Source Protection Region and in neighbouring source protection regions.~~ The aim is for all municipalities with source protection plan policies in Lake Erie Source Protection Region ~~are to be represented by one primary member and up to two alternates~~ on the working group. Adjoining municipalities and neighbouring Source Protection Regions may also become member or the Implementation Working group. ~~Municipalities that do not attend IWG meetings are represented by Lake Erie Region staff.~~ The list of working group member municipalities and names and contact details of staff representing them are included in Appendix A.

Commented [IF1]: Requesting IWG feedback to confirm individual member representation arrangements

~~responsible for facilitating dialogue between municipalities as outlined in the Purpose / Mandate~~

~~The aim is for each municipality with vulnerable areas and significant drinking water threat policies within their jurisdiction that require implementation to be represented on the working group.~~

~~All working group members municipalities represented by a conservation authority included in the contact email distribution list will receive agenda packages, and notes of previous Implementation Working Group meetings and other relevant material.~~

~~Each member will identify one main and one alternate contact that represent the organisation on the Implementation Working Group. The main contact should be the lead coordinator for the source protection program within the respective organisation. The names and contact details are included in Appendix A.~~

Chair:

- Source Protection Committee member to act as Chair

Members:

- Township of Amaranth
- Municipality of Bayham
- ~~County of Brant County~~
- City of Brantford
- Township of East Garafraxa
- City of Guelph
- City of Hamilton
- Haldimand County
- Norfolk County
- Oxford County
- Perth County
- Regional Municipality of Halton
- Regional Municipality of Waterloo
- ~~Town of Grand Valley~~
- Wellington County Municipalities
- Grand River Conservation Authority, also representing Townships of Southgate, ~~Amaranth, East Garafraxa and Melancthon, and Town of Grand Valley~~
- Kettle Creek Conservation Authority, also representing Central Elgin
- Long Point Region Conservation Authority, also representing ~~Municipality of Bayham and Catfish Creek Conservation Authority~~
- Neighbouring Source Protection Regions and Municipalities (e.g., Thames Sydenham Source Protection Region, ~~CTC Source Protection Region and Town of Orangeville~~)

Commented [IF2]: Requesting IWG review and feedback re: the list of members

GOALS/OBJECTIVES

- Continue dialogue post SPP update submission when multiple municipalities are affected
 - Discuss solutions for outstanding concerns identified in the Source Protection Plans (SPPs) through comments received during public consultation
 - Support the Ministry of the Environment, Conservation and Parks and ~~Climate Change~~ (MECP/EECC) through the SPP review & approval process, by helping to clarify / resolve issues raised by Ministry staff
 - Partake in separate meetings / teleconferences as necessary, where affected municipalities, conservation authorities, and provincial ministries may need to discuss specific items
- Facilitate the development and update of SPP policies to address drinking water quality and quantity threats
 - Share policy tool choices and language to achieve consistency in policies (where appropriate)

Commented [IF3]: For IWG review and discussion

- Reduce potential for cross-boundary challenges through collaborative approach to policy development
- ~~Prepare for~~ Support the implementation of SPP policies
 - ~~Establish an effective~~ Continue effective information-sharing forum and discuss various topics related to policy implementation
 - Reduce cross-boundary challenges through collaborative dialogue and sharing of approaches
 - Strive for implementation consistency across the Lake Erie Region (where appropriate)
 - ~~Ensure~~ Support fulfilment of that policy requirements are / will be fulfilled
 - Facilitate sharing of approaches, procedures, processes etc. between Risk Management Officials / Risk Management Inspectors to assist in Part IV ~~enforcement~~ policy implementation
 - Facilitate discussions, share information and identify opportunities to collaborate on Education and Outreach initiatives
- Support the completion of annual reporting requirements ~~Prepare for annual reporting responsibilities~~
 - ~~Support the development and update of Lake Erie Region annual reporting guidance~~ Facilitate development of processes & procedures for collecting & reporting data in the Lake Erie Region, while striving for consistency (where appropriate)
 - Support implementation of the provincial Source Protection Annual Reporting (SPAR) initiative (i.e. data collection, database input etc.)
 - Support the continued improvement of Lake Erie Region's Electronic Annual Reporting (EAR) portal
- Support Lake Erie Region staff in the development of ~~Provide progress updates on ongoing technical assessments and assessment report and source protection plan updates~~ (where needed)
- ~~Facilitate development of SPP policies to address drinking water quantity threats (where required based on the results of the Tier 3 Water Budget Risk Assessments)~~
 - ~~Share policy tool choices and language to achieve consistency in water quantity policies (where appropriate)~~
 - ~~Reduce potential for cross-boundary challenges through collaborative approach to policy development~~

WORKSHOPS

As part of the support to municipalities in preparing for Source Protection Plan implementation, the Implementation Working Group may coordinate a number of workshops to address specific topics in support of helping municipalities reach "readiness" for Plan implementation.

~~These workshops may include topics such as preparing for implementation of Part IV policies, coordinating and facilitating the implementation of other municipal policies including education & outreach, incentives, discussions around the involvement of other municipal departments, e.g., Economic Development, and discussing the establishment of a framework for Annual Reporting.~~

~~Number of workshops held and details of topics are still to be determined. These details will be identified by the working group as plan implementation progresses. These workshops will focus on the needs of all municipalities with implementation responsibilities in the Lake Erie Source Protection Region and will be open to neighbouring source protection regions and municipalities.~~

~~The format of workshops can vary depending on topic; some workshops may be informal and conducted as part of regular implementation working group meetings while others may take on a more formal nature with invited speakers and topic experts.~~

REPORTING

The Lake Erie Region Source Protection Implementation Working Group is a staff-level working group and reports to the Lake Erie Region Source Protection Program Manager.

The Program Manager reports to the Lake Erie Region Source Protection Committee on a regular basis. ~~These SPC meetings may include reports with information developed and / or discussed by the Implementation Working Group to gain the committee's comments and feedback on the results of the working group discussions. This information presented to the SPC may include solutions reached on SPP revisions, new technical and policy components as a result of new technical work, and any other discussions on preparing for SPP implementation.~~

The Program Manager will update the Grand River Source Protection Authority, as the lead source protection authority in the Lake Erie Region, on a regular basis on progress made in SPP amendments and Plan implementation ~~preparations.~~

TIME FRAME

~~To fulfill its mandate, the Implementation Working Group will meet on a regular basis until it is determined that the mandate has been completed. The need to continue the group will be evaluated on an annual basis. ~~January 2016, or until such time the amended Source Protection Plans are approved by the Ministry of Environment and Climate Change and in effect.~~~~

Commented [IF4]: For IWG review and discussion

- | | |
|--|---------------------------|
| • Revised Terms of Reference | June 2015 |
| • Re-submit amended SPPs to MOE | June 2015 |
| • Support MOECC review of amended proposed SPPs | Until Plan Approval |
| • Facilitating dialogue and information sharing | Ongoing |
| • Complete new and updated technical studies | As required |
| • Develop water quantity threat policies | In conjunction with RMMEP |
| • Implement Source Protection Annual Reporting framework | September 2016 |

PROJECT TEAM IMPLEMENTATION WORKING GROUP MEETINGS

- Frequency of meetings – approximately seven meetings annually monthly or at the call of the Program Manager Chair. Depending on the agenda, meetings may be cancelled.
- Location and format of meetings – preferred some face-to-face meetings preferred at the GRCA Head Office, 400 Clyde Road, Cambridge; ~~Face to face meetings are preferred. Teleconference~~ however, teleconferences Electronic meetings are an option for light agendas or when extenuating circumstances do not allow for in-person meetings will be considered.
- Meetings typically are scheduled on Wednesday mornings, 9:30am to 12pm
- Agenda package is circulated to Implementation Working Group members ~~three~~four (3/4) business days, i.e. Friday, Thursday prior to the next Wednesday meeting
- Meeting notes are written up and circulated to Implementation Working Group members with the agenda package of the next meeting
- Meetings may be attended by other affected parties (e.g. Ministry staff) where desired by the Working Group

CONFLICT RESOLUTION

- Decision made by consensus among the members present
- If no decision can be made by consensus, the minority opinions will be documented

APPENDIX A

Implementation Working Group Members

Commented [IF5]: To be updated after draft presented to IWG

Organization	Name	Contact Information	Alternate	Alternate Contact
Source Protection Committee	Wendy Wright Cascaden (Chair)	wendywc@sympatico.ca		
County of Brant	Ruchika Angrish	ruchika.angrish@brant.ca	Mark Pomponi	mark.pomponi@brant.ca
City of Brantford	Patrick Halevy	phalevy@brantford.ca	Ron Lynes	rlynes@brantford.ca
City of Guelph	Peter Rider	peter.rider@guelph.ca	Dave Belanger	dave.belanger@guelph.ca
City of Hamilton	Carmen Ches	carmen.ches@hamilton.ca	Marco Silverio	marco.silverio@hamilton.ca
Haldimand County	Peter Minkiewicz	pminkiewicz@haldimandcounty.on.ca		
Norfolk County	Mary Elder	mary.elder@norfolkcounty.ca	Jason Godby	jason.godby@norfolkcounty.ca
Oxford County	Cassandra Banting	cbanting@oxfordcounty.ca	Paul Michiels	pmichiels@oxfordcounty.ca
			Deb Goudreau	dgoudreau@oxfordcounty.ca
Perth County	Allan Rothwell	arothwell@perthcounty.ca	Spencer McDonald	smcdonald@perthcounty.ca
Region of Waterloo	Eric Hodgins	ehodgins@regionofwaterloo.ca	Amy Domaratzki	adomaratzki@regionofwaterloo.ca
Region of Halton	Jon Clark	Jon.clark@halton.ca	John McIntosh	john.mcintosh@halton.ca
Wellington County (Townships of Wellington North, Mapleton, Centre Wellington, Guelph/Eramosa Puslinch and the Town of Erin)	Kyle Davis	kdavis@centrewellington.ca	Mark Paoli	mpaoli@wellington.ca

Organization	Name	Contact Information	Alternate	Alternate Contact
Grand River CA	Martin Keller	mkeller@grandriver.ca	Ellen Fanning	efanning@grandriver.ca
Kettle Creek CA	Elizabeth VanHooren	elizabeth@kettlecreekconservation.on.ca		
Long Point Region CA	Craig Jacques	cjacques@lprca.on.ca		
Thames Sydenham Region	Chris Tasker	taskerc@thamesriver.on.ca	Michelle Fletcher	FletcherM@thamesriver.on.ca
Town of Orangeville	Heather McGinnity	hmcginnity@orangeville.ca		

Denise Holmes

From: Sarah Harrison <sarah@versodesign.com>
Sent: Friday, June 19, 2020 11:18 AM
To: Denise Holmes
Subject: HM Cemetery Memorial Donations for Jeff Wilson

Hi Denise,

I'm following up about donations made to the cemetery in 2018 in memory of my late husband, Jeff. I understand there is a "beautification" fund available for improvements to the Village, and I'd like to propose that we look into getting a proper sign made for the cemetery. I was thinking wrought iron lettering, something like this (although no so massive), which could hopefully incorporate the existing pillars:



With my design background I'd appreciate being involved in getting this designed and priced out; I have a couple of contacts who work in iron who do good work.

Please let me know how this inquiry could proceed, and what sort of deadline there is to earmark funds.

Thanks and best wishes,

Sarah



Virus-free. www.avq.com

Adopted mar 7/13

CORPORATION OF THE TOWNSHIP OF MELANCTHON

FLAG RAISING/HALF STAFF POLICY

POLICY

The Council of the Corporation of the Township of Melancthon recognizes that raising, displaying and flags positioned at half-staff enhances public awareness, bestows honour and expresses a sign of respect, condolence and sorrow.

The Council of the Corporation of the Township of Melancthon wants to ensure that the display of flags is done in an appropriate and consistent manner.

PROCEDURE

Raising and Displaying Flags

Requests for the raising of flags shall be submitted in writing to the Council of the Corporation of the Township of Melancthon at least two months before the date of the display and those requests will be dealt with on a first come, first served basis. Requests will not be approved for:

- Political Parties or Organizations
- Religious Organizations or in celebration of Religious Events
- Commercial entities
- If the intent is contrary to Township Policies or By-laws
- If the group requesting the raising supports hatred, violence or racism
- Groups that have already requested and been approved during the same calendar year

These flags will be raised and displayed for a period of one week and the Flag will be raised and lowered during regular business hours - Monday to Friday - 8:30 a.m. - 4:30 p.m.

The flags temporarily displayed must:

- be in good condition and free of rents, tears and tattered edges
- be supplied by and the responsibility of the applicant

The individual and/or group requesting the flag raising ceremony will be responsible for photographs.

GB# 16.2.2
JUL 16 2020

Half-Staff Flags

When recognizing the death of an individual, flags will be lowered to the half-staff position on the day the Township is notified of the death until after the funeral service, for the following:

- a current or former Member of Council
- a current Employee of the Township
- a current Lieutenant Governor of Ontario or the Premier of Ontario
- the current Governor General or the current Prime Minister
- the Sovereign or a member of the Royal Family related in the first degree to the Sovereign (spouse, son/daughter, mother/father, brother/sister)
- an officer, firefighter, paramedic or other person killed in the line of duty from the Dufferin County Ambulance Service, Dufferin OPP, Shelburne Fire Department, Mulmur Melancthon Fire Department, Southgate Fire Department
- the death of a person whom it is desired to honour at the discretion of the Mayor and CAO

The Road's Department will be responsible for raising and lowering of flags for the above, as determined by the CAO.



CORPORATION OF THE TOWNSHIP OF MELANCTHON

2020 FALL/WINTER NEWSLETTER

Address: 157101 Highway 10, Melancthon, Ontario, L9V 2E6

Telephone: (519) 925-5525 **Fax:** (519) 925-1110

Email: info@melancthontownship.ca **Website:** www.melancthontownship.ca

Office Hours: Monday to Friday, 8:30 a.m. – 4:30 p.m.

(Office is closed Fridays in August and Statutory Holidays)

TOWNSHIP STAFF

CAO/Clerk: Denise B. Holmes, AMCT
Treasurer/Deputy Clerk: Wendy Atkinson
Public Works Superintendent: Craig Micks

Council Meetings are held the 1st and 3rd Thursday of the month, commencing at 5:00 p.m. but there will only be one meeting in July and August and one in December. Meetings are currently being held electronically due to COVID-19.

Agendas and Minutes of meetings can be found at the Municipal Office and on the website. Correspondence and General Business pertaining to each Council meeting is posted on the website by the close of business on the Monday before the Thursday meeting. In the event that the Monday is a Statutory Holiday, the information will be posted by the close of business on the Tuesday.

Committee of Adjustment is held the 3rd Thursday of the month, commencing at 6:00 p.m. Meetings are currently being held electronically due to COVID-19.

Public Question Period is held after Point of Privilege on the agenda for a maximum of 20 minutes.

Please check the website for further information on Public Question Period

COUNCIL

Mayor: Darren White
Deputy Mayor: Dave Besley
Councillor: Wayne Hannon
Councillor: Margaret Mercer
Councillor: David Thwaites

Contact Information is available on our website

TAXES/FINANCIAL INFORMATION 2020

Final tax statements will be billed August 1st, 2020.

1st Installment Due Date: August 24, 2020; **2nd Installment Due Date:** November 23, 2020

Please refer to the back of your tax bill for important information on how to pay your taxes.

Please note that credit card payments are not accepted. Debit and online payments are accepted.

If paying by Internet/Telephone Banking, please allow 3-4 business days for your payment to reach our office in order to avoid late charges

2020 BUDGET RELEASE

Council approved the 2020 budget with expenses totalling \$4,751,479.62 and revenues of \$1,986,079.00 for a total to be raised through taxation of \$2,765,400.62. Capital projects outlined in this budget include repair Culvert 2013 and 2nd Line SW Rehabilitation. Some of the costs were offset through Gas Tax Revenue – thank you to the Federal Government and OCIF (Ontario Community Infrastructure Fund) – thank you to the Provincial Government.

****Council wishes to acknowledge and thank TransAlta, Plateau Wind and Dufferin Wind Power for their Community Contributions received for wind project developments. The monies were incorporated into the 2020 Budget and used for various items to better the Community.****

% of Expenditures - Operating and Capital Budget

Roads – 61.3%
 Administration – 14.8%
 Policing – 8.6 %
 Fire Department - 5.2%
 Environmental Services - 0.8%
 Council – 1.8%
 Recreation – 2.6%
 Planning – 1.5%
 Library - 1.4%
 Protection to Persons/Property - 1.2%
 Drainage – 0.7%
 Special Reserve Emergency Fund - 0.1%

% of Revenue - Operating and Capital Budget

Taxation – 62%
 Grants – 7.1%
 Administrative Fees & Miscellaneous - 2.4%
 Provincial Offences Act Revenue – 0.7%
 Roads - Reserve Fund Transfers – 13.2%
 Turbines – Community Contribution – 12.7% **
 Other Transfers – 1.9%

GB#16.2.3

JUL 16 2020

DID YOU KNOW

TeleCheck-Dufferin offers a free daily check in call for Adults 55+ supporting independent living. For more information please call (519) 415-3764 or visit www.torchlightcanada.org

LIVESTOCK INVESTIGATOR

Mike Swidersky is the Township's Livestock Investigator and can be reached at (519) 370-8586

SPEEDING AND FAILING TO STOP AT STOP SIGNS HAS BECOME AN ISSUE THROUGHOUT THE TOWNSHIP

Speeding endangers everyone on the road. We all know the frustrations of modern living and juggling a busy schedule, but speed limits are put in place to protect all users.

Speeding endangers not only the life of the speeder, but all of the people on the road around them, including law enforcement officers.

For the safety of everyone please adhere to speed limits and obey stop signs.

Just a reminder that the speed limit has been reduced on the 3rd Line OS, from Provincial Highway 10 to 20 Sideroad and on the 2nd Line SW from Provincial Highway 89 to the Melancthon Township/Township of Southgate Boundary Line.

NEW Property Standards By-law 27-2019

On May 16, 2019, Council passed a new By-law prescribing standards for the Maintenance and Occupancy of Properties within the Township of Melancthon. The By-law can be found on the Township's website.

EMERGENCY PREPAREDNESS

We encourage residents to sign up for Dufferin County Emergency Management Notifications to keep you informed of watches, warnings and notices at

www.dufferincounty.ca/residents/emergency-services.

FIRE INFORMATION

Fire Permits- If you intend to burn at your property, a fire permit must first be obtained from the Municipal Office. The cost is \$15.00 (**payment must be received before permit is issued**) and is good for the calendar year. You do not need a fire permit to burn in a barrel, but the fire must be under control at all times. In accordance with By-law 10-2007 all persons setting open fires shall be totally responsible and liable for any damage to cost of any firefighting equipment and personnel necessary and called in to extinguish the said fire, if conditions of the permit are not complied with. If you are unable to attend the office during regular business hours, you can apply for a fire permit on our website.

Smoke Alarms & Carbon Monoxide Detectors are mandatory and should be installed on every level of your home. Check these devices at least once a year and if an alarm is over 10 years old, it should be replaced. Consider practicing your home fire escape plan regularly. More information can be downloaded from the Office of the Fire Marshall at www.ofm.gov.on.ca



Public Notice

Change in Fire Dispatch Services

Please be advised that the above Fire Services will be transferring emergency dispatching from Orangeville Police Service (OPS) to Tillamburg Fire Dispatching Services, as of Monday, July 27, 2020 at 8 a.m.

If your home or business is monitored by an alarm company, please notify them of the change in the emergency dispatch phone number to 519-842-3229. For alarm testing, please call 519-842-7481.

All emergency calls will still be reported using 911.

For additional information or questions, contact your local fire service administration.

Orangeville	519-941-3083 ext. 6521
Grand Valley	519-928-3460
Shelburne	519-925-5111
Mulmur-Melancthon	519-925-6481

CIVIC NUMBERING

It is mandatory that all properties (including vacant properties) post a civic number. If your property does not have a civic number please visit the County of Dufferin website to access the application form.

<https://www.dufferincounty.ca/roads-infrastructure/emergency-number-application>

CANINE CONTROL

Services are handled by Olympus Dog Training. For dogs running at large, lost or found call the Municipal Office during office hours. For after hours, please call Olympus at (519) 942-1508, leave a message and someone will return your call.

**NOTICE OF A PUBLIC MEETING
TO INFORM THE PUBLIC OF A PROPOSED
ZONING BY-LAW AMENDMENT**

RECEIPT OF COMPLETE APPLICATION

TAKE NOTICE that the Township of Melancthon has received a complete application to amend Municipal Zoning By-law 12-1979. The application affects lands at 682342 260 Sideroad, located in Part of Lots 262-265, Concession 1 S.W. and Part of Lot 261, Concession 2 S.W (see attached Key Map). The purpose of the application is to zone the subject lands to permit a two-unit dwelling.

AND PURSUANT to Section 34 (10) of the Planning Act, the application file is available for review. Please contact the Municipal Clerk to arrange to review this file.

NOTICE OF PUBLIC MEETING WITH COUNCIL

TAKE NOTICE that the Council for The Corporation of the Township of Melancthon will be holding a public meeting under Section 34 of the Planning Act, R.S.O. 1990, c.P. 13 as amended, to allow the public to comment on the application for a proposed Zoning By-law Amendment.

DATE AND LOCATION OF PUBLIC MEETING

Date: Thursday, July 16, 2020
Time: 5:30 pm
Location: 157101 Highway 10, Melancthon Municipal Office (Virtual Meeting – see note below)

DETAILS OF THE ZONING BY-LAW AMENDMENT

The purpose of the amendment is to authorize the construction of a replacement dwelling with two kitchens. Under the proposed zoning amendment, the second kitchen could be used for canning and baking or could be used to accommodate an accessory dwelling unit which is attached to the main dwelling. The proposed amendment would establish a General Agricultural (A1) Zone exception to authorize the proposed use.

NOTE: If the Provincial State of Emergency is not lifted prior to the date of the public meeting, this will be a virtual meeting. If you wish to attend the virtual meeting, please call or email the Township office prior to the day of the public meeting so you can be provided with a link to the meeting. If you do not have the capability to attend a virtual meeting, please provide written comments and a phone number where you can be reached to the Township Clerk prior to the public meeting.

ADDITIONAL INFORMATION AND MAP OF LAND SUBJECT TO THE APPLICATION

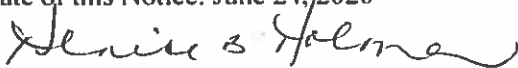
A key map showing the land to which the proposed amendment applies is provided on this notice. A floor plan of the proposed new dwelling is also available for public review.

The purpose of this meeting is to ensure that sufficient information is made available to enable the public to generally understand the proposed Zoning By-law Amendment. Any person who attends the virtual meeting shall be afforded an opportunity to make representations in respect of the proposed amendment.

If you wish to be notified of the decision of the Council for the Corporation of the Township of Melancthon in respect to the proposed Zoning By-law Amendment, you must submit a written request (with forwarding addresses) to the Clerk of the Township of Melancthon at 157101 Highway 10, Melancthon, Ontario, L9V 2E6 fax (519) 925-1110.

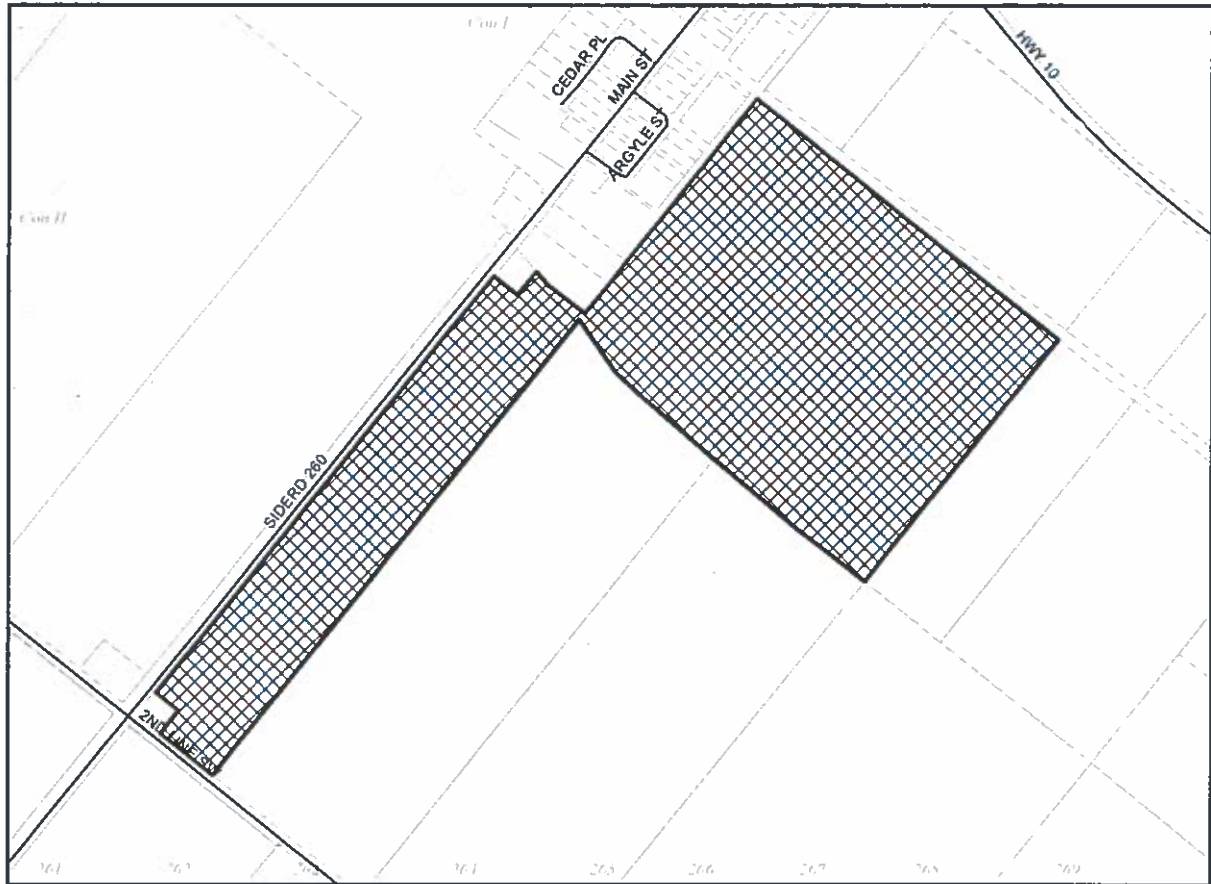
If a person or public body files an appeal of a decision of the Council for the Corporation of the Township of Melancthon, as the approval authority in respect of the proposed Zoning By-law Amendment, but does not make oral submissions at a public meeting or make written submissions to Council before the proposed amendment is approved or refused, the Local Planning Appeal Tribunal may dismiss all or part of the appeal.

Additional information regarding the proposed amendment is available to the public by contacting the Township of Melancthon Municipal Office on Monday to Friday, between the hours of 8:30 a.m. and 4:30 p.m.

Mailing Date of this Notice: June 24, 2020

Denise Holmes, CAO - Township of Melancthon

DEL#1
JUL 16 2020

**LANDS SUBJECT TO APPLICATION FOR
ZONING BY-LAW AMENDMENT**



 Subject Lands

Denise Holmes

From: Michelle Steele <michelle.steele@rlb.ca>
Sent: Wednesday, July 8, 2020 9:31 AM
To: Wendy Atkinson
Cc: Denise Holmes; Murray Short
Subject: Documents for council package
Attachments: Township of Melancthon - draft financial statements.pdf; Township of Melancthon - graphs.pdf

Good morning Wendy,

Please find attached the draft financial statements (same as the ones sent previously) and summary of key operating measures graphs for the Council presentation next Thursday evening.

To confirm, we are scheduled for 6:30 for the evening of July 16th. Can you forward the link for the conference call/virtual meeting?

Thanks,
Michelle

Please Note:

All RLB offices are physically closed and our team is working remotely. At this time we are closed indefinitely, however this is subject to change with the evolving info. You can provide us documentation via our secure client portal, [Sharefile](#). Need access? Just let us know! Secure, physical drop-boxes are also available at each of our offices. Our [Employers Guide to COVID-19](#) is updated daily.

Michelle Steele | CPA, CA
Principal

michelle.steele@rlb.ca | [rlb.ca](#) | 197 Hanlon Creek Blvd., Unit 103, Guelph, ON N1C 0A1

Tel: (519) 822-9933 x350 | Fax: (519) 822-9212

Find our office hours [HERE](#)



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THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

DRAFT

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
INDEX TO THE CONSOLIDATED FINANCIAL STATEMENTS
YEAR ENDED DECEMBER 31, 2019

	Page
INDEPENDENT AUDITOR'S REPORT	3
FINANCIAL STATEMENTS	
Consolidated Statement of Financial Position	4
Consolidated Statement of Operations	5
Consolidated Statement of Change in Net Financial Assets	6
Consolidated Statement of Cash Flows	7
Notes to the Consolidated Financial Statements	8 - 15
Consolidated Schedule of Segmented Disclosure	16
Consolidated Schedule of Tangible Capital Assets	17
Consolidated Schedule of Accumulated Surplus	18
Schedule of Horning's Mills Cemetery Board	19
Schedule of St. Paul's Cemetery Board	20
Schedule of Horning's Mills Community Park	21
Schedule of Horning's Mills Community Hall	22
TRUST FUNDS	
INDEPENDENT AUDITOR'S REPORT	23
FINANCIAL STATEMENTS	
Statements of Financial Position and Continuity	24
Notes to the Financial Statements	25



INDEPENDENT AUDITOR'S REPORT

To the Members of Council, Inhabitants and Ratepayers of: The Corporation of the Township of Melancthon

Opinion

We have audited the accompanying financial statements of The Corporation of the Township of Melancthon, which comprise the consolidated statements of financial position as at December 31, 2019 and the consolidated statements of operations, change in net financial assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, these consolidated financial statements present fairly, in all material respects, the financial position of The Corporation of the Township of Melancthon as at December 31, 2019 and the results of their operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis of Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of The Corporation of the Township of Melancthon in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the consolidated financial statements in accordance with Canadian public sector accounting standards and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is responsible for assessing the corporation's ability to continue as a going concern, disclosing, as applicable, matters related to a going concern and using the going concern basis of accounting unless management either intends to liquidate the corporation or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the corporation's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements, as a whole, are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.

A further description of the auditor's responsibilities for the audit of the consolidated financial statements is located at RLB LLP's website at: www.rlb.ca/additional-auditor-responsibilities-consolidated. This description forms part of our auditor's report.

Guelph, Ontario
July 16, 2020

Chartered Professional Accountants
Licensed Public Accountants

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
CONSOLIDATED STATEMENT OF FINANCIAL POSITION
AS AT DECEMBER 31, 2019

	2019	2018
FINANCIAL ASSETS		
Cash and temporary investments (note 2)	\$ 4,810,119	\$ 3,785,811
Taxes receivable	665,040	668,784
Accounts receivable	204,802	165,374
Long term receivables (note 3)	<u>108,723</u>	<u>154,139</u>
	<u>5,788,684</u>	<u>4,774,108</u>
LIABILITIES		
Accounts payable and accrued liabilities	578,373	867,979
Landfill closure and post-closure liabilities (note 5)	245,024	233,914
Long term debt (note 6)	497,719	615,845
Deferred revenue - obligatory reserve funds (note 7)	863,984	664,986
Deferred revenue - other	<u>43,957</u>	<u>40,307</u>
	<u>2,229,057</u>	<u>2,423,031</u>
NET FINANCIAL ASSETS	<u>3,559,627</u>	<u>2,351,077</u>
NON-FINANCIAL ASSETS		
Tangible capital assets (schedule 2)	10,481,866	10,590,940
Inventory	44,800	24,669
Prepaid expenses	<u>52,256</u>	<u>51,954</u>
	<u>10,578,922</u>	<u>10,667,563</u>
ACCUMULATED SURPLUS (schedule 3)	<u>\$ 14,138,549</u>	<u>\$ 13,018,640</u>

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
CONSOLIDATED STATEMENT OF OPERATIONS
FOR THE YEAR ENDED DECEMBER 31, 2019

	2019 Budget (note 8)	2019 Actual	2018 Actual
REVENUES			
Taxation	\$ 2,645,567	\$ 2,654,037	\$ 2,594,922
User charges	18,480	147,464	119,250
Grants (note 10)	328,912	684,059	381,389
Other income (note 11)	778,086	843,795	834,273
Loss on disposal of tangible capital assets	0	(7,259)	(41,671)
Obligatory reserve fund revenue recognized (note 7)	<u>100,000</u>	<u>100,000</u>	<u>60,000</u>
	<u>3,871,045</u>	<u>4,422,096</u>	<u>3,948,163</u>
EXPENSES (schedule 1)			
General government	634,599	612,598	518,933
Protection to persons and property	735,383	585,881	632,440
Transportation services	1,975,012	1,712,999	1,633,392
Environmental services	26,640	33,662	7,272
Health services	0	109	3,049
Recreation and cultural services	209,085	288,645	274,888
Planning and development	<u>95,000</u>	<u>68,293</u>	<u>82,482</u>
	<u>3,675,719</u>	<u>3,302,187</u>	<u>3,152,456</u>
ANNUAL SURPLUS	\$ <u>195,326</u>	\$ <u>1,119,909</u>	\$ <u>795,707</u>
ACCUMULATED SURPLUS at beginning of year		\$13,018,640	\$12,222,933
Annual surplus		<u>1,119,909</u>	<u>795,707</u>
ACCUMULATED SURPLUS at end of year		<u>\$14,138,549</u>	<u>\$13,018,640</u>

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
CONSOLIDATED STATEMENT OF CHANGE IN NET FINANCIAL ASSETS
FOR THE YEAR ENDED DECEMBER 31, 2019

	2019 Budget (note 8)	2019 Actual	2018 Actual
ANNUAL SURPLUS	<u>\$ 195,326</u>	<u>\$ 1,119,909</u>	<u>\$ 795,707</u>
Acquisition of tangible capital assets	(465,000)	(617,331)	(811,767)
Amortization of tangible capital assets	729,613	723,939	729,613
Loss on disposal of tangible capital assets	0	7,259	41,671
Consolidated boards opening changes (schedule 2)	<u>0</u>	<u>(4,793)</u>	<u>3,298</u>
	<u>264,613</u>	<u>109,074</u>	<u>(37,185)</u>
Use of (additions to) inventories	0	(20,131)	(14,032)
Use of (additions to) prepaid expenses	<u>0</u>	<u>(302)</u>	<u>(2,738)</u>
	<u>0</u>	<u>(20,433)</u>	<u>(16,770)</u>
CHANGE IN NET FINANCIAL ASSETS	<u>\$ 459,939</u>	1,208,550	741,752
NET FINANCIAL ASSETS at beginning of year		<u>2,351,077</u>	<u>1,609,325</u>
NET FINANCIAL ASSETS at end of year		<u>\$ 3,559,627</u>	<u>\$ 2,351,077</u>

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
CONSOLIDATED STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED DECEMBER 31, 2019

	2019	2018
CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES		
Annual surplus	\$ 1,119,909	\$ 795,707
Items not requiring an outlay of cash		
Amortization	723,939	729,613
Loss on disposal of tangible capital assets	7,259	41,671
Change in landfill closure and post-closure liabilities	<u>11,110</u>	<u>(15,733)</u>
	<u>742,308</u>	<u>755,551</u>
Net changes in non-cash working capital		
Taxes receivable	3,744	(519)
Accounts receivable	(39,428)	(1,584)
Prepaid expenses	(302)	(2,738)
Accounts payable and accrued liabilities	(289,606)	(24,737)
Inventory	(20,131)	(14,032)
Deferred revenue	<u>202,648</u>	<u>172,158</u>
	<u>(143,075)</u>	<u>128,548</u>
	<u>1,719,142</u>	<u>1,679,806</u>
CASH PROVIDED BY (USED IN) CAPITAL ACTIVITIES		
Acquisition of tangible capital assets	(617,331)	(811,767)
Consolidated boards opening change in amortization (schedule 2)	<u>(4,793)</u>	<u>3,298</u>
	<u>(622,124)</u>	<u>(808,469)</u>
CASH USED IN FINANCING ACTIVITIES		
Net change in long term debt	<u>(118,126)</u>	<u>(9,775)</u>
CASH PROVIDED BY (USED IN) INVESTING ACTIVITIES		
Net change in long term receivables	<u>45,416</u>	<u>(60,717)</u>
NET INCREASE IN CASH	1,024,308	800,845
CASH, beginning of year	<u>3,785,811</u>	<u>2,984,966</u>
CASH, end of year	<u>\$ 4,810,119</u>	<u>\$ 3,785,811</u>

**THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The consolidated financial statements of The Corporation of the Township of Melancthon are the representation of management prepared in accordance with Canadian generally accepted accounting principles for governments as established by the Public Sector Accounting Board of CPA Canada. Significant accounting policies adopted by The Corporation of the Township of Melancthon are as follows:

(a) ACKNOWLEDGEMENT OF RESPONSIBILITY

The management of The Corporation of the Township of Melancthon acknowledges its responsibility for the creation and compilation of the consolidated financial statements and the following significant accounting policy decisions and related policy notes.

(b) BASIS OF CONSOLIDATION

These consolidated financial statements reflect the assets, liabilities, revenue and expenses of all municipal organizations, committees and boards which are owned or controlled by Council.

All interfund assets, liabilities, revenues and expenses have been eliminated on consolidation.

The following boards and municipal enterprises owned or controlled by Council have been consolidated:

Horning's Mills Cemetery Board
St. Paul's Cemetery Board
Horning's Mills Community Park
Horning's Mills Community Hall

A government partnership exists where the municipality has shared control over the board or entity. The municipality's pro-rata share of the assets, liabilities, revenues and expenses are reflected in the financial statements using the proportionate consolidation method. The municipality's proportionate interest of the following government partnerships are reflected in the consolidated financial statements:

Shelburne and District Fire Department	14.83% (2018 - 14.65%)
Mulmur-Melancthon Volunteer Fire Department	23.13% operating, 50.00% capital (2018 - 23.32%, 50.00% capital)
North Dufferin Community Centre	50.00% (2018 - 50.00%)

(c) BASIS OF ACCOUNTING

- (i) Sources of financing and expenditures are reported on the accrual basis of accounting. The interest charges are not accrued for the periods from the dates of the latest instalment payments to the end of the financial year.
- (ii) The accrual basis of accounting recognizes revenues as they become available and measurable. Expenditures are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

(d) USE OF ESTIMATES

The preparation of financial statements in accordance with Canadian public sector accounting standards requires management to make estimates that affect the reported amounts of assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. By their nature, these estimates are subject to measurement uncertainty and actual results could differ from management's best estimates as additional information becomes available in the future. Significant areas requiring management's estimates include amortization of tangible capital assets and landfill post-closure liabilities.

(e) CREDIT RISK MANAGEMENT

The municipality is exposed to credit risk on the taxes receivable from its ratepayers.

The municipality does not have a significant exposure to any individual customer or counterpart.

(f) TRUST FUNDS

Funds held in trust by the municipality, and their related operations, are not included in these financial statements. The financial activity and position of the trust funds are reported separately on the trust funds' statement of continuity and statement of financial position.

(g) TEMPORARY INVESTMENTS

Temporary investments are recorded at amortized cost unless there has been a decline in the market value, which is other than temporary in nature, in which case the investments are written down to market.

(h) INVENTORY

Inventory held for consumption is recorded at the lower of cost and replacement cost.

(i) REVENUE RECOGNITION

Revenues are recognized as follows:

Taxation revenue is recognized in the period in which the tax is levied.

Fees and user charges are recognized when the related service is provided.

Obligatory reserve fund revenues are recognized based on the terms of the grant or in the year that the related expenses occur.

Other income is recognized when receivable and collection is reasonably assured.

(j) COUNTY AND SCHOOL BOARDS

The municipality collects taxation revenue on behalf of the school boards and the County of Dufferin. The taxation, other revenues, expenses, assets and liabilities with respect to the operations of the school boards and the County of Dufferin are not reflected in these financial statements. See note 9 for details.

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
 NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
 FOR THE YEAR ENDED DECEMBER 31, 2019

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

(k) NON-FINANCIAL ASSETS

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations. The change in non-financial assets during the year, together with the excess of revenues over expenses, provides the change in net financial assets for the year.

(i) Tangible capital assets

Tangible capital assets are recorded at cost which includes all amounts that are directly attributed to acquisition, construction, development or betterment of the asset. The cost, less residual value, of the tangible capital asset is amortized on a straight-line basis over their estimated useful life as follows:

Land improvements	10 to 50 years
Facilities	15 to 100 years
Vehicles and machinery	5 to 50 years
Equipment	5 to 75 years
Infrastructure - Environmental	3 to 75 years
Infrastructure - Transportation	3 to 75 years

Assets under construction are not amortized until the asset is available for productive use.

(ii) Contributions of tangible capital assets

Tangible capital assets received as contributions are recorded at their fair value at the date of receipt and also are recorded as revenue.

(iii) Leases

Leases are classified as capital or operating leases. Leases which transfer substantially all of the benefits and risks incidental to ownership of property are accounted for as capital leases. All other leases are accounted for as operating leases and the related lease payments are charged to expenses as incurred.

2. CASH AND TEMPORARY INVESTMENTS

	2019	2018
Unrestricted cash	\$ 3,916,289	\$ 3,090,979
Unrestricted temporary investments	<u>50,846</u>	<u>50,846</u>
	3,967,135	3,141,825
Restricted cash	<u>842,984</u>	<u>643,986</u>
	<u>\$ 4,810,119</u>	<u>\$ 3,785,811</u>

Cash includes \$2,071,877 (2018 - \$1,944,779) held in one account at a chartered bank. Interest is earned on this account at a rate of prime less 2%.

Temporary investments consist of various GICs with interest rates ranging from 0.55% to 1.7% (2018 - 0.5% to 1.7%) maturing between June 2020 and June 2024 (2018 - June 2019 to June 2022).

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

3. LONG TERM RECEIVABLES

The responsibility for payment of principal and interest charges of the tile drainage loans has been assumed by individuals.

	2019	2018
Three loans are charged interest at a rate of 6% and become due in 2020 - 2028	\$ <u>108,723</u>	\$ <u>154,139</u>

Principal payments for the next five years are as follows:

2020	\$ 10,053
2021	10,656
2022	11,295
2023	11,973
2024	12,691
Thereafter	<u>52,055</u>
	<u>\$ 108,723</u>

4. OPERATING LOANS

The operating loans are due on demand and bear interest at the bank's prime rate, calculated and payable monthly. At December 31, 2019, the municipality had undrawn credit capacity of \$500,000 (2018 - \$500,000).

5. LANDFILL CLOSURE AND POST-CLOSURE LIABILITIES

Landfill closure and post-closure care requirements have been defined in accordance with industry standards and include final covering and landscaping of the landfill, removal of ground water and leachates, and ongoing environmental monitoring, site inspection and maintenance.

Effective June 1, 2013, the County of Dufferin assumed the landfill from the municipality and the landfill site ceased active operations and stopped accepting solid waste from ratepayers. No estimate of the existing liability based on the landfill capacity used up until the assumption date is available. Therefore, the estimates in the report dated 2008 will be used until an updated report is available. The liability for the landfill site is recorded at \$245,024 and represents the present value of closure and post-closure costs for 62% of the current site's opened cells, using an average long term borrowing rate of 4.75%. The liability is recorded based on the capacity of the landfill used to date. The total estimated future expenses for closure and post-closure care are \$398,042 leaving an amount to be recognized in future periods of \$153,018. The estimated remaining capacity of the site's opened cells is approximately 140,700 tonnes, which was expected to be filled in 8 years. Post-closure care is estimated to continue for a period of 25 years.

The municipality has established a reserve fund to assist in financing the future costs of closure and post-closure liabilities. At December 31, 2019, there was \$117,068 available in the reserve.

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

6. LONG TERM DEBT

The balance of long term liabilities reported on the consolidated statement of financial position is made up of the following:

	2019	2018
Loan payable, 3.18%, repayable in monthly instalments of \$3,409 principal and interest, due December 2025	\$ 223,079	\$ 256,317
Tile drainage loans, 6%, annual payments of principal and interest ranging from \$4,402 - \$6,793, due between 2020 - 2028	108,723	154,139
Loan payable, 2.862%, repayable in monthly instalments of \$2,720 principal and interest, due January 2022	66,433	96,711
Loan payable, 3.63%, repayable in semi-annual instalments of \$6,528 principal and interest, due December 2028	<u>99,484</u>	<u>108,678</u>
	<u>\$ 497,719</u>	<u>\$ 615,845</u>

Principal payments required on the loans payable for the next five years are as follows:

2020	\$ 85,045
2021	88,012
2022	61,323
2023	60,331
2024	<u>62,655</u>
	357,366
Thereafter	<u>140,353</u>
	<u>\$ 497,719</u>

7. DEFERRED REVENUE

	2019 Opening	Contributions Received	Investment Income	Revenue Recognized	2019 Ending
Obligatory Reserve Funds					
Development charges	\$ 541,711	\$ 83,663	\$ 11,238	\$ 0	\$ 636,612
Recreational land	27,318	17,500	790	0	45,608
Subdivider - park levies	21,000	0	0	0	21,000
Federal Gas Tax	<u>74,957</u>	<u>183,360</u>	<u>2,447</u>	<u>(100,000)</u>	<u>160,764</u>
	<u>\$ 664,986</u>	<u>\$ 284,523</u>	<u>\$ 14,475</u>	<u>\$ (100,000)</u>	<u>\$ 863,984</u>

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

8. BUDGET AMOUNTS

The budget figures are presented for comparison purposes as prepared and approved by council, reclassified to conform to the current financial statement presentation. The budgeted figures are prepared on the cash basis of accounting and have been restated to conform to the accrual basis of accounting on which the actual figures are reported. The following chart reconciles the approved budget with the budget figures as presented in these consolidated financial statements:

Revenue	
Approved budget	\$ <u>3,871,045</u>
Expenses	
Approved budget	3,497,721
Acquisition of tangible capital assets	(465,000)
Debt principal repayments	(86,615)
Amortization	<u>729,613</u>
Total expenses	<u>3,675,719</u>
ANNUAL SURPLUS	<u>\$ 195,326</u>

9. OPERATIONS OF THE SCHOOL BOARDS AND THE COUNTY OF DUFFERIN

During the year, the following taxation revenue was raised and remitted to the school boards and the County of Dufferin:

	2019	2018
School boards	\$ 1,221,169	\$ 1,209,675
County of Dufferin	<u>1,965,441</u>	<u>1,884,141</u>
	<u>\$ 3,186,610</u>	<u>\$ 3,093,816</u>

10. GRANTS

	2019 Budget (note 8)	2019 Actual	2018 Actual
Operating			
Province of Ontario			
Ontario Municipal Partnership			
Fund (OMPF)	\$ 174,500	\$ 175,600	\$ 174,500
Conditional - roads	54,000	81,700	57,347
Conditional - other	<u>95,112</u>	<u>393,890</u>	<u>121,636</u>
	<u>323,612</u>	<u>651,190</u>	<u>353,483</u>
Other municipalities - recreation	0	27,512	22,639
Other municipalities - roads	<u>5,300</u>	<u>5,357</u>	<u>5,267</u>
	<u>5,300</u>	<u>32,869</u>	<u>27,906</u>
	<u>\$ 328,912</u>	<u>\$ 684,059</u>	<u>\$ 381,389</u>

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

11. OTHER INCOME

	2019 Budget (note 8)	2019 Actual	2018 Actual
Penalties and interest on taxation	\$ 96,500	\$ 91,264	\$ 96,672
Other fines and penalties	37,091	38,446	39,176
Investment income	30,000	69,668	43,876
Licenses, permits and rents	21,995	29,004	34,096
Donations and fundraising	500	11,343	13,838
Dufferin County Emergency Readiness Fund	0	0	6,000
Plateau community contributions	33,000	31,349	33,065
Dufferin Wind community contributions	250,000	263,721	258,550
CHD community contributions	<u>309,000</u>	<u>309,000</u>	<u>309,000</u>
	<u>\$ 778,086</u>	<u>\$ 843,795</u>	<u>\$ 834,273</u>

12. TRUST FUNDS

The trust funds administered by the municipality amounting to \$41,488 (2018 - \$40,673) have not been included in the consolidated statement of financial position, nor have the operations been included in the consolidated statement of operations.

13. PENSION AGREEMENTS

The municipality joined Ontario Municipal Employees Retirement Systems (OMERS), which is a multi-employer plan, in 2016 on behalf of 10 members (2018 - 11 members) of its staff. The plan is a defined benefit plan which specifies the amount of the retirement benefit to be received by the employees based on the length of service and rates of pay.

The amount contributed to OMERS for 2019 was \$60,537 (2018 - \$49,158). Amounts paid for current service have been included as an expenditure on the Consolidated Statement of Operations.

There are no past service contribution obligations.

14. DEVELOPER AGREEMENTS

As part of various developer agreements, the municipality has received Letters of Credit to cover developers' responsibilities in completing the projects as well as covering unpaid municipal levies. Letters of Credit held by the municipality at December 31, 2019 amount to \$3,871,617.

15. COMMITMENTS

The municipality entered into a contribution agreement with a company that provides commercial generation of electricity in the Township of Melancthon.

- i) Phase I of the project consists of 45 wind turbine generators. The company will pay the sum of \$45,000 to the Township of Melancthon on or before March 31 for each year from 2007 through and including 2026.
- ii) Phase II of the project consists of 66 wind turbine generators. The company will pay the sum of \$264,000 to the Township of Melancthon on or before November for each year from 2009 through and including 2028.

**THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019**

16. SEGMENTED INFORMATION

The Corporation of the Township of Melancthon is a diversified municipal government institution that provides a wide range of services to its ratepayers such as police, fire, sewer, water, waste collection, disposal and recycling, recreational, library and planning. Distinguishable functional segments have been separately disclosed in the segmented information. The nature of the segments and the activities they encompass are as follows:

General Government

This item relates to the revenues and expenses that relate to the governance and operations of the municipality itself and cannot be directly attributed to a specific segment.

Protection to Persons and Property

Protection is comprised of police services, fire protection, conservation authority, emergency measures, animal control and building and structural inspection. The police services ensure the safety and protection of the ratepayers and their property. The fire department is responsible to provide fire suppression service, fire prevention programs, training and education. The members of the fire department consist of volunteers. The building department provides a number of services including maintenance and enforcement of building and construction codes and review of all property development plans through its application process.

Transportation

Transportation is responsible for construction and maintenance of the municipality's roadways, bridges, parking areas and streetlights.

Environmental

Environmental services consist of providing waste collection, disposal and recycling to its ratepayers.

Health

Health services includes contributions to the operations of local cemeteries.

Recreation and Cultural Services

This service area provides services meant to improve the health and development of the municipality's residents. The municipality operates and maintains parks and arenas. The municipality also provides library services and recreational programs.

Planning and Development

This department is responsible for planning and zoning, including the Official Plan. This service area also includes tourist information and promotion, business improvement area, weed control and drainage.

17. SUBSEQUENT EVENTS

Subsequent to year end, the Novel Coronavirus (COVID-19) significantly impacted the economy in Canada and globally. Although the disruption from the virus is expected to be temporary, given the dynamic nature of these circumstances, the duration of business disruption and the related financial impact cannot be reasonably estimated at this time. This may impact the timing and amounts realized on the organization's assets and its future ability to deliver all services.

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
CONSOLIDATED SCHEDULE OF SEGMENTED DISCLOSURE
FOR THE YEAR ENDED DECEMBER 31, 2019

Schedule 1

	General Government	Protection Services	Transportation Services	Environmental Services	Health Services	Recreation Services	Planning and Development	2019	2018
EXPENSES									
Salaries and benefits	\$ 424,604	\$ 68,218	\$ 462,742	\$ 0	\$ 0	\$ 37,108	\$ 0	\$ 992,672	\$ 898,710
Materials	142,306	29,242	582,438	0	109	85,131	10,423	849,649	807,194
Contracted services	26,647	396,022	2,036	29,715	0	0	50,528	504,948	486,122
Rents and financial expenses	1,186	0	0	0	0	0	0	1,186	1,093
Interest on long term debt	3,862	0	10,041	0	0	0	7,342	21,245	21,726
Amortization	12,493	50,004	655,742	3,947	0	1,753	0	723,939	729,613
Transfers	<u>1,500</u>	<u>42,395</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>164,653</u>	<u>0</u>	<u>208,548</u>	<u>207,998</u>
	<u>\$ 612,598</u>	<u>\$ 585,881</u>	<u>\$ 1,712,999</u>	<u>\$ 33,662</u>	<u>\$ 109</u>	<u>\$ 288,645</u>	<u>\$ 68,293</u>	<u>\$ 3,302,187</u>	<u>\$ 3,152,456</u>

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
 CONSOLIDATED SCHEDULE OF TANGIBLE CAPITAL ASSETS
 FOR THE YEAR ENDED DECEMBER 31, 2019

Schedule 2

	Land	Land Improvements	Facilities	Vehicles	Equipment	Infrastructure: Transportation	Infrastructure: Environmental	2019	2018
COST									
Balance, beginning of year	\$ 441,857	\$ 69,033	\$ 916,407	\$ 2,443,620	\$ 490,189	\$ 16,295,471	\$ 117,426	\$ 20,774,003	\$ 20,197,946
Additions during the year	0	0	0	91,347	27,478	498,506	0	617,331	811,767
Consolidated boards opening changes	0	0	0	3,733	1,060	0	0	4,793	(7,623)
Disposals during the year	0	0	0	0	0	(221,044)	0	(221,044)	(228,087)
Balance, end of year	<u>441,857</u>	<u>69,033</u>	<u>916,407</u>	<u>2,538,700</u>	<u>518,727</u>	<u>16,572,933</u>	<u>117,426</u>	<u>21,175,083</u>	<u>20,774,003</u>
ACCUMULATED AMORTIZATION									
Balance, beginning of year	0	25,905	346,182	1,572,772	263,898	7,949,907	24,399	10,183,063	9,644,190
Amortization	0	1,395	14,125	109,174	26,756	570,850	1,639	723,939	729,613
Consolidated boards opening changes	0	0	0	0	0	0	0	0	(4,325)
Accumulated amortization on disposals	0	0	0	0	0	(213,785)	0	(213,785)	(186,415)
Balance, end of year	<u>0</u>	<u>27,300</u>	<u>360,307</u>	<u>1,681,946</u>	<u>290,654</u>	<u>8,306,972</u>	<u>26,038</u>	<u>10,693,217</u>	<u>10,183,063</u>
NET BOOK VALUE OF TANGIBLE CAPITAL ASSETS									
	<u>\$ 441,857</u>	<u>\$ 41,733</u>	<u>\$ 556,100</u>	<u>\$ 856,754</u>	<u>\$ 228,073</u>	<u>\$ 8,265,961</u>	<u>\$ 91,388</u>	<u>\$ 10,481,866</u>	<u>\$ 10,590,940</u>

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
 CONSOLIDATED SCHEDULE OF ACCUMULATED SURPLUS
 AS AT DECEMBER 31, 2019

Schedule 3

	2019	2018
SURPLUSES		
Invested in tangible capital assets	\$ 10,092,870	\$ 10,129,234
General surplus	1,149,152	1,149,152
Unfunded solid waste closure and post-closure costs	(245,024)	(233,914)
Recreation, community centres and arenas	110,998	93,202
Cemeteries	85,168	84,541
Fire boards	24,507	10,083
Police Services Board	0	2,003
Other	966	966
	<u>11,218,637</u>	<u>11,235,267</u>
RESERVE FUNDS		
Capital purposes	449,173	287,785
Quarry	115,136	112,914
Working funds	426,666	103,668
Replacement of equipment	406,932	251,998
Landfill closure	117,068	105,004
Insurance, sick leave, WSIB	50,876	48,575
Special emergency relief	15,272	10,075
	<u>1,581,123</u>	<u>920,019</u>
RESERVES		
Working funds	1,163,854	668,629
Capital purposes	174,935	174,725
	<u>1,338,789</u>	<u>863,354</u>
	<u>\$ 14,138,549</u>	<u>\$ 13,018,640</u>

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
 SCHEDULE OF HORNING'S MILLS CEMETERY BOARD
 FOR THE YEAR ENDED DECEMBER 31, 2019

Schedule 4

	2019	2018
STATEMENT OF FINANCIAL POSITION		
ASSETS		
Cash	\$ 22,010	\$ 21,574
Due from Cemetery Care and Maintenance Fund	9,250	9,250
Temporary investments	6,933	6,933
Accrued interest receivable	<u>153</u>	<u>617</u>
ACCUMULATED SURPLUS	<u>\$ 38,346</u>	<u>\$ 38,374</u>

STATEMENT OF OPERATIONS		
REVENUE		
Donations	200	1,279
Sale of plots and markers	150	3,257
Interest	<u>(278)</u>	<u>318</u>
	<u>72</u>	<u>4,854</u>
EXPENSES		
Maintenance	<u>100</u>	<u>2,397</u>
ANNUAL (DEFICIT) SURPLUS	(28)	2,457
ACCUMULATED SURPLUS, beginning of year	<u>38,374</u>	<u>35,917</u>
ACCUMULATED SURPLUS, end of year	<u>\$ 38,346</u>	<u>\$ 38,374</u>

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
 SCHEDULE OF ST. PAUL'S CEMETERY BOARD
 FOR THE YEAR ENDED DECEMBER 31, 2019

Schedule 5

	2019	2018
STATEMENT OF FINANCIAL POSITION		
ASSETS		
Cash	\$ 2,724	\$ 2,057
Accrued interest receivable	184	190
Temporary investments	<u>43,914</u>	<u>43,914</u>
ACCUMULATED SURPLUS	<u>\$ 46,822</u>	<u>\$ 46,161</u>

STATEMENT OF OPERATIONS		
REVENUE		
Interest	\$ <u>670</u>	\$ <u>737</u>
EXPENSES		
Administration	<u>9</u>	<u>652</u>
ANNUAL SURPLUS	661	85
ACCUMULATED SURPLUS, beginning of year	<u>46,161</u>	<u>46,076</u>
ACCUMULATED SURPLUS, end of year	<u>\$ 46,822</u>	<u>\$ 46,161</u>

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
 SCHEDULE OF HORNING'S MILLS COMMUNITY PARK
 FOR THE YEAR ENDED DECEMBER 31, 2019

Schedule 6

	2019	2018
STATEMENT OF FINANCIAL POSITION		
ASSETS		
Cash	\$ 4,961	\$ 7,478
Receivables	<u>7,922</u>	<u>818</u>
NET FINANCIAL ASSETS	<u>12,883</u>	<u>8,296</u>
NON-FINANCIAL ASSETS		
Tangible capital assets	<u>13,610</u>	<u>13,610</u>
ACCUMULATED SURPLUS	<u>\$ 26,493</u>	<u>\$ 21,906</u>

STATEMENT OF OPERATIONS		
REVENUE		
Gain on disposal of tangible capital asset	\$ 7,218	\$ 0
Grant - Township of Melancthon	2,500	4,000
Other income	1,347	2,588
Donations	<u>0</u>	<u>50</u>
	<u>11,065</u>	<u>6,638</u>
EXPENSES		
Administration	6,084	3,541
Hydro	<u>394</u>	<u>342</u>
	<u>6,478</u>	<u>3,883</u>
ANNUAL SURPLUS	4,587	2,755
ACCUMULATED SURPLUS, beginning of year	<u>21,906</u>	<u>19,151</u>
ACCUMULATED SURPLUS, end of year	<u>\$ 26,493</u>	<u>\$ 21,906</u>

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON
 SCHEDULE OF HORNING'S MILLS COMMUNITY HALL
 FOR THE YEAR ENDED DECEMBER 31, 2019

Schedule 7

	2019	2018
STATEMENT OF FINANCIAL POSITION		
FINANCIAL ASSETS		
Cash	\$ 43,699	\$ 41,931
Accounts receivable	<u>373</u>	<u>1,263</u>
	<u>44,072</u>	<u>43,194</u>
LIABILITIES		
Deferred revenue	<u>200</u>	<u>200</u>
NET FINANCIAL ASSETS	<u>43,872</u>	<u>42,994</u>
NON-FINANCIAL ASSETS		
Tangible capital assets	<u>55,363</u>	<u>62,226</u>
ACCUMULATED SURPLUS	<u>\$ 99,235</u>	<u>\$ 105,220</u>

STATEMENT OF OPERATIONS		
REVENUE		
Fundraising and user charges	\$ 7,436	\$ 12,829
Interest	838	753
Grant - Township of Melancthon	0	5,000
Donations	<u>0</u>	<u>100</u>
	<u>8,274</u>	<u>18,682</u>
EXPENSES		
Amortization	6,863	6,863
Hydro and fuel	3,541	3,507
Supplies and maintenance	2,685	3,650
Telephone	514	462
Fundraising	444	1,063
Other	<u>212</u>	<u>1,830</u>
	<u>14,259</u>	<u>17,375</u>
ANNUAL (DEFICIT) SURPLUS	(5,985)	1,307
ACCUMULATED SURPLUS, beginning of year	<u>105,220</u>	<u>103,913</u>
ACCUMULATED SURPLUS, end of year	<u>\$ 99,235</u>	<u>\$ 105,220</u>



INDEPENDENT AUDITOR'S REPORT

To the Members of Council, Inhabitants and Ratepayers of: The Corporation of the Township of Melancthon

Opinion

We have audited the accompanying financial statements of the trust funds of The Corporation of the Township of Melancthon, which comprise the statements of financial position as at December 31, 2019 and the statements of continuity for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the trust funds of The Corporation of the Township of Melancthon as at December 31, 2019 and the results of their operations for the year then ended in accordance with Canadian public sector accounting standards.

Basis of Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the The Corporation of the Township of Melancthon in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the trust fund's ability to continue as a going concern, disclosing, as applicable, matters related to a going concern and using the going concern basis of accounting unless management either intends to liquidate the trust funds or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the trust fund's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements, as a whole, are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of the auditor's responsibilities for the audit of the financial statements is located at RLB LLP's website at: www.rlb.ca/additional-auditor-responsibilities. This description forms part of our auditor's report.

Guelph, Ontario
July 16, 2020

Chartered Professional Accountants
Licensed Public Accountants

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON - TRUST FUNDS

STATEMENT OF FINANCIAL POSITION AND CONTINUITY

AS AT DECEMBER 31, 2019

	Horning's Mills Cemetery	St. Paul's Cemetery	Subdividers' Deposits
STATEMENT OF FINANCIAL POSITION - 2019			
Cash	\$ 8,216	\$ 0	\$ 0
Investments	30,260	10,261	0
Due from the Township of Melancthon	0	0	2,001
Due to cemetery general funds	<u>(9,250)</u>	<u>0</u>	<u>0</u>
FUND BALANCE	<u>\$ 29,226</u>	<u>\$ 10,261</u>	<u>\$ 2,001</u>

STATEMENT OF CONTINUITY - 2019			
BALANCE, BEGINNING OF YEAR	<u>\$ 28,404</u>	<u>\$ 10,268</u>	<u>\$ 2,001</u>
RECEIPTS			
Interest earned	472	0	0
Plot sales	200	0	0
Donations	<u>150</u>	<u>0</u>	<u>0</u>
	<u>822</u>	<u>0</u>	<u>0</u>
EXPENDITURES	<u>0</u>	<u>7</u>	<u>0</u>
BALANCE, END OF YEAR	<u>\$ 29,226</u>	<u>\$ 10,261</u>	<u>\$ 2,001</u>

STATEMENT OF FINANCIAL POSITION - 2018			
Cash	\$ 18,308	\$ 0	\$ 0
Investments	19,346	10,268	0
Due from the Township of Melancthon	0	0	2,001
Due to cemetery general funds	<u>(9,250)</u>	<u>0</u>	<u>0</u>
FUND BALANCE	<u>\$ 28,404</u>	<u>\$ 10,268</u>	<u>\$ 2,001</u>

STATEMENT OF CONTINUITY - 2018			
BALANCE, BEGINNING OF YEAR	<u>\$ 28,059</u>	<u>\$ 8,954</u>	<u>\$ 2,001</u>
RECEIPTS			
Interest earned	<u>345</u>	<u>1,314</u>	<u>0</u>
EXPENDITURES	<u>0</u>	<u>0</u>	<u>0</u>
BALANCE, END OF YEAR	<u>\$ 28,404</u>	<u>\$ 10,268</u>	<u>\$ 2,001</u>

THE CORPORATION OF THE TOWNSHIP OF MELANCTHON - TRUST FUNDS
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2019

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the trust funds of The Corporation of the Township of Melancthon are the representation of management prepared in accordance with Canadian generally accepted accounting principles for governments as established by the Public Sector Accounting Board of CPA Canada. Significant accounting policies adopted by The Corporation of the Township of Melancthon are as follows:

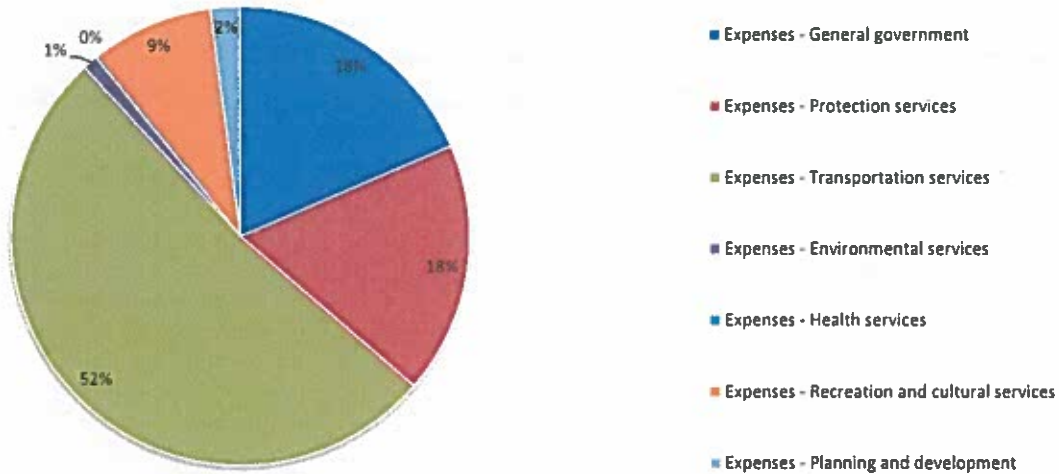
(a) BASIS OF ACCOUNTING

- (i) Sources of financing and expenditures are reported on the accrual basis of accounting.**
- (ii) The accrual basis of accounting recognizes revenues as they become available and measurable. Expenditures are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.**

DRAFT

Township of Melancthon
 Summary of Key Operating Measures
 December 31, 2019

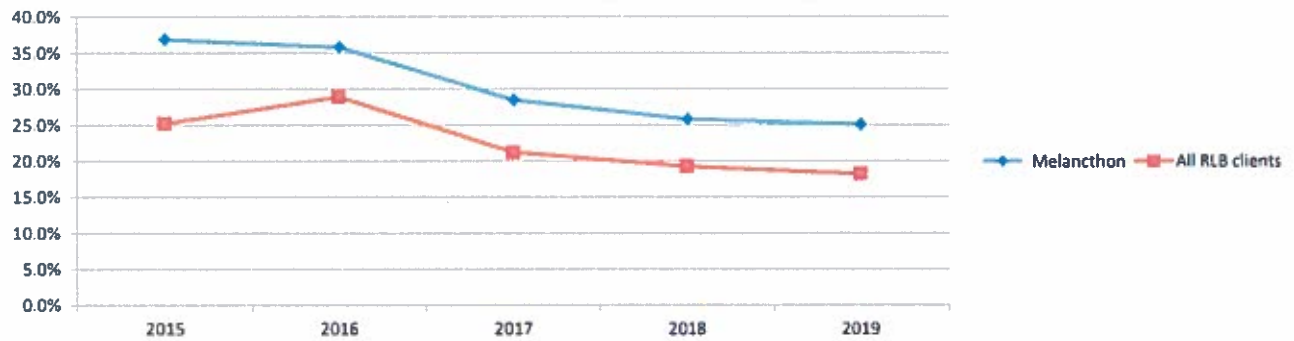
Expenditures by Department



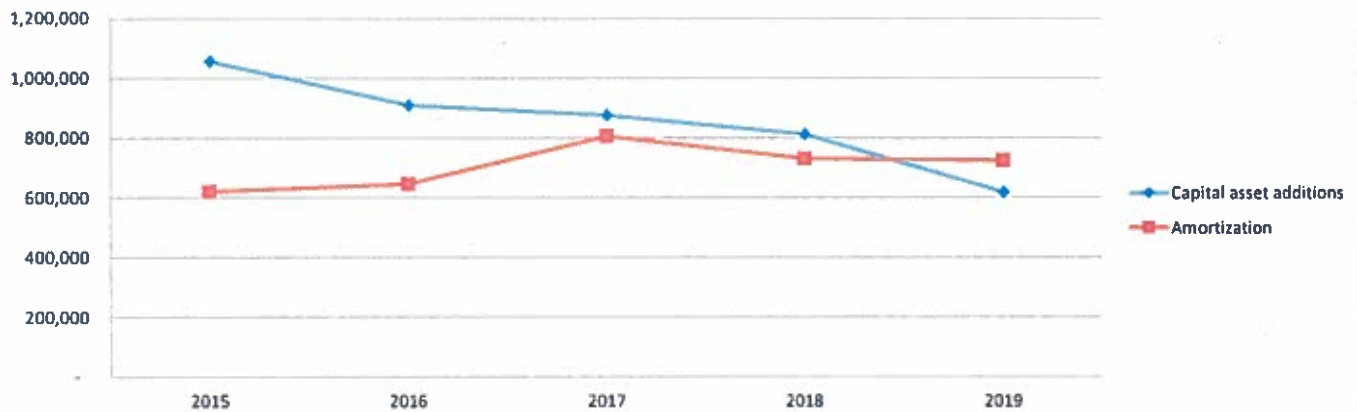
	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Expenses - General government	15.3%	15.1%	15.0%	16.5%	18.6%
Expenses - Protection services	20.5%	21.2%	20.6%	20.1%	17.7%
Expenses - Transportation services	53.8%	54.0%	54.0%	51.8%	51.9%
Expenses - Environmental services	1.2%	1.3%	1.2%	0.2%	1.0%
Expenses - Health services	0.1%	0.1%	0.1%	0.1%	0.0%
Expenses - Recreation and cultural services	5.4%	4.7%	5.6%	8.7%	8.7%
Expenses - Planning and development	3.7%	3.6%	3.4%	2.6%	2.1%

**Township of Melancthon
Summary of Key Operating Measures
December 31, 2019**

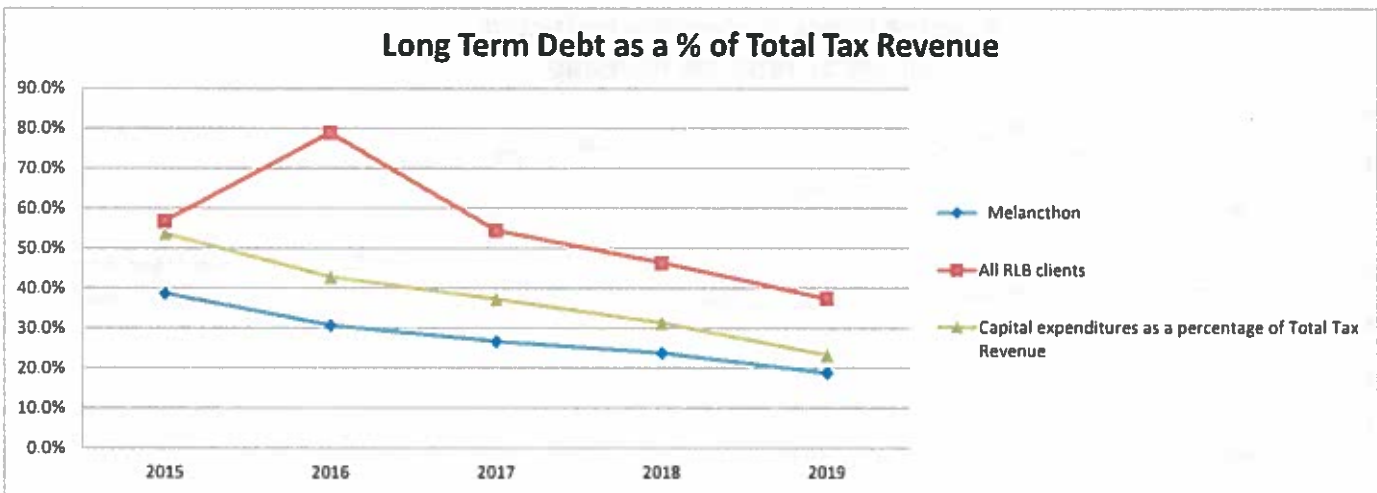
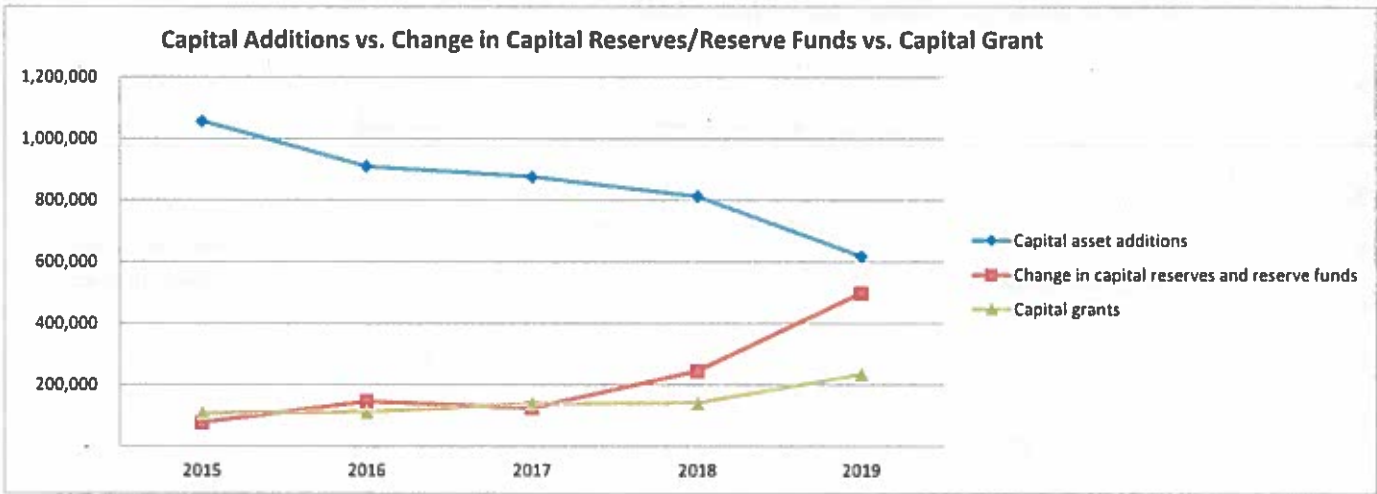
Taxes Receivable as a % of Total Tax Revenue



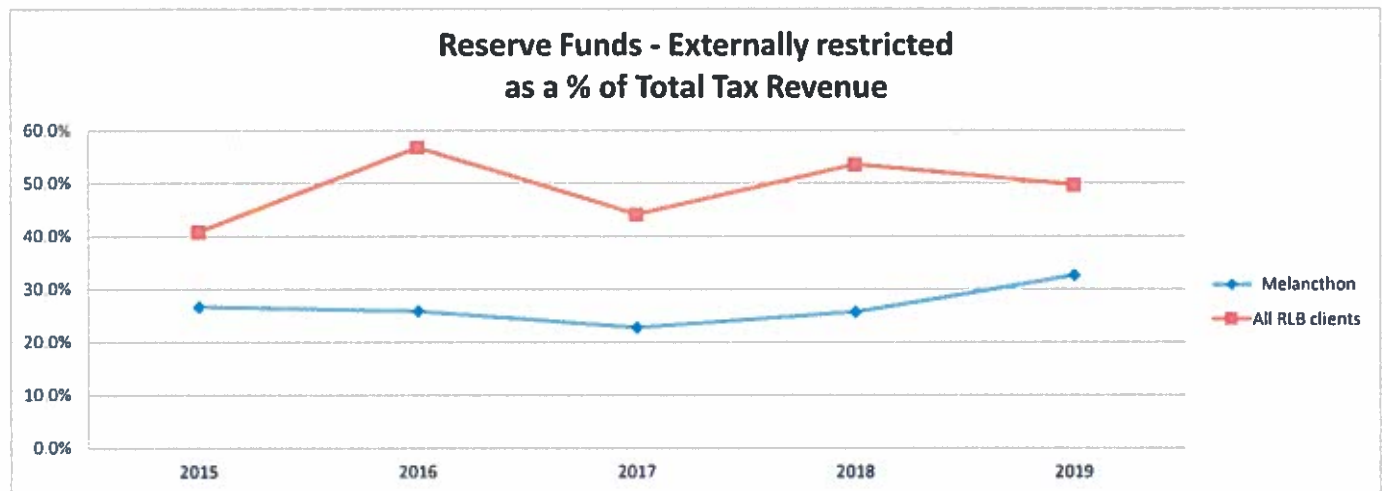
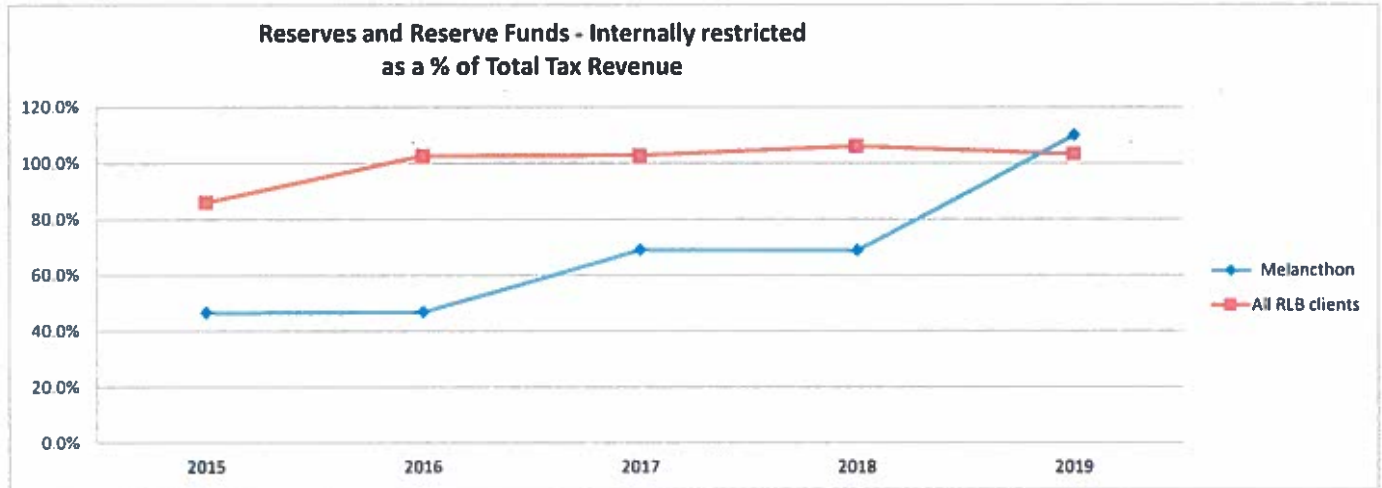
Capital Additions vs. Amortization



**Township of Melancthon
 Summary of Key Operating Measures
 December 31, 2019**



**Township of Melancthon
 Summary of Key Operating Measures
 December 31, 2019**



**Township of Melancthon
 Summary of Key Operating Measures
 December 31, 2019**

