



TOWNSHIP OF WAINFLEET
COUNCIL INFORMATION PACKAGE
SUMMARY
DECEMBER 13, 2019

1. **C-001-2020**
Memorandum dated December 2, 2019 from Lee Gudgeon, Manager of Protective Services, respecting Issued Building Permits – October & November, 2019
2. **C-002-2020**
Correspondence received December 9, 2019 from the Welland & District SPCA respecting November Statistics
3. **C-003-2020**
Correspondence dated December 6, 2019 from the City of Stratford to the Minister of Environment, Conservation and Parks and Honourable Premier Doug Ford respecting a resolution in support of conservation authorities
4. **C-004-2020**
Correspondence dated December 9, 2019 from the Municipality of Hastings Highlands respecting a resolution of support of the Township of Springwater Re: Joint and Several Liability Consultation
5. **C-005-2020**
Correspondence dated November 18, 2019 from the Township of Greater Madawaska respecting support for ministers to allow for electronic delegations
6. **C-006-2020**
Correspondence dated November 29, 2019 from the Town of Plympton-Wyoming to the Honourable Doug Ford respecting endorsement the Township of Springwater's Resolution Re: Conservation Authority Levies
7. **C-007-2020**
Correspondence dated November 25, 2019 from the Township of Central Frontenac to the Honourable Doug Ford respecting a resolution passed Re: Building Services Transformation
8. **C-008-2020**
Correspondence dated December 3, 2019 from the Niagara Peninsula Conservation Authority respecting Good Forestry Practices Permit Application for 42871 Gilmore Road, Wainfleet.



Memo

To: Mayor Gibson & Members of Council
From: Lee Gudgeon, Manager of Protective Services
Date: December 2, 2019
Re: Issued Building Permits – October & November 2019

Please find attached the monthly report of the building activity within the Township of Wainfleet for the months of October and November 2019 as found at Appendix "A" and Appendix "B".

The attached report summarizes for the months of October and November 2019 the number of building permits issued by the Building Department and has been provided to inform Council of the types and volume of building activity within the community. This communication aligns to Council's adopted strategic plan.

APPENDIX A

Township of Wainfleet Building Permit Report - October 2019

Permit #	Date Issued	Municipal Address	Description of Work	Value of Construction	Permit Fees
W097-2019	20191018	12180 Lakeshore Road	Second Storey Secondary Suite	\$ 180,000.00	\$ 2,024.65
W114-2019	20191004	42076 Highway 3	Two Storey Office Addition	\$ 350,000.00	\$ 3,481.04
W117-2019	20191022	31627 Dixie Road	Barn	\$ 60,000.00	\$ 1,125.76
W123-2019	20191009	11643 Burnaby Road	Garage	\$ 20,000.00	\$ 492.17
W127-2019	20191008	10578 Maplewood Drive	Addition to a Single Detached Dwelling	\$ 160,000.00	\$ 1,157.87
W128-2019	20191016	53170 Willford Road	Addition to a Single Detached Dwelling	\$ 75,000.00	\$ 813.20
W130-2019	20191008	10578 Maplewood Drive	Demolition of deck	\$ 300.00	\$ 174.00
W131-2019	20191015	11417 Lakeshore Road	Single Detached Dwelling with Garage	\$ 750,000.00	\$ 6,446.39
W132-2019	20191018	11616 Elizabeth Crescent	Storage Shed - pre-fabricated	\$ 11,000.00	\$ 188.02
W133-2019	20191025	50938 Memme Court	Class 4 Septic	\$ 25,000.00	\$ 1,165.68
W135-2019	20191016	11105 Maple Road	Class 5 Septic System replacement	\$ 10,000.00	\$ 1,165.68
W136-2019	20191028	12865 Old Lakeshore Road East	Attached Deck	\$ 4,000.00	\$ 447.93
W139-2019	20191018	10842 Rathfon Road	Class 4 Septic system	\$ 20,000.00	\$ 1,165.68
W140-2019	20191018	11348 Neff Street	Class 4 Septic system	\$ 27,000.00	\$ 1,165.68
W141-2019	20191024	50938 Memme Court	Single Detached Dwelling and Garage	\$ 730,000.00	\$ 2,603.78
W144-2019	20191016	53170 Willford Road	Demolition of Garage	\$ 2,000.00	\$ 174.00
W145-2019	20191017	12180 Lakeshore Road	Change of Use - Group E to D	\$ -	\$ 174.00
W146-2019	20191018	11686 Burnaby Road	Class 4 septic system	\$ 20,000.00	\$ 1,165.68
				\$ 2,444,300.00	\$ 25,131.21

APPENDIX B

Township of Wainfleet Building Permit Report - November 2019

Permit #	Date Issued	Municipal Address	Description of Work	Value of Construction	Permit Fees
W094-2019	20191108	40460 Morog Road	Change in Use - SDD to Secondary Suite	\$ 2,500.00	\$ 217.20
W116-2019	20191105	43222 Highway 3	Residential Pole Barn	\$ 30,000.00	\$ 447.93
W118-2019	20191114	10582 Woodland Drive	Single Detached Dwelling	\$ 260,000.00	\$ 1,305.90
W126-2019	20191107	10573 Lakeshore Road	Class 4 Septic system	\$ 12,000.00	\$ 1,165.68
W142-2019	20191106	10399 Lakeshore Road	Class 4 Septic system	\$ 10,000.00	\$ 1,165.68
W143-2019	20191126	12803 Lakeshore Rd.	Third Storey 3 Season Addition.	\$ 20,000.00	\$ 1,817.70
W147-2019	20191118	50860 O'Reilly's Road South	Single Detached Dwelling with Attached Garage	\$ 250,000.00	\$ 3,424.56
W148-2019	20191107	20214 Young Road South	Accessory Building - Steel Quonset Hut	\$ 27,000.00	\$ 387.10
W149-2019	20191115	62818 Putman Road	Aagricultural Pole Barn	\$ 20,000.00	\$ 1,125.76
W151-2019	20191126	12319 Lakeshore Rd	Class 4 Septic System	\$ 45,000.00	\$ 1,165.68
W152-2019	20191119	10134 Highway 3	Class 4 Septic System	\$ 70,000.00	\$ 1,165.68
W154-2019	20191121	73753 Regional Road 27	Detached Garage	\$ 30,000.00	\$ 453.46
W155-2019	20191120	12113 Augustine Road	Demolition - Single Detached Dwelling	\$ 5,000.00	\$ 174.00
W156-2019	20191125	50860 O'Reilly's Road	Class 4 Septic System	\$ 28,000.00	\$ 1,165.68
W157-2019	20191121	10835 Lakeshore Road	Demolition - Second floor & Interior Renovations	\$ 40,000.00	\$ 174.00
W158-2019	20191127	10153 Cedar Crest Road	Demolition of Single Detached Dwelling	\$ 15,000.00	\$ 174.00
W161-2019	20191126	12803 Lakeshore Road	Demolition - Second Storey Roof	\$ 2,000.00	\$ 174.00
W162-2019	20191128	11105 Maple Road	Demolition Single Detached Dwelling	\$ 5,000.00	\$ 174.00
				\$ 871,500.00	\$ 15,878.01

WAINFLEET		Monthly Statistics 2019											
Welland & District SPCA													
"We speak for those who cannot speak for themselves"													
Calls Received	Totals	January	February	March	April	May	June	July	August	September	October	November	December
Stray Dogs	15	2	2	1	1	0	1	3	1	0	1	3	
Stray Cats	3	0	1	0	0	0	1	1	0	0	0	0	
Wild life	45	2	11	8	7	6	3	2	1	1	2	2	
Bylaw Infractions	154	16	9	10	12	14	15	20	16	12	13	17	
Cruelty Complaints	8	2	2	1	0	1	2						
Provision Of Needs	3							1	1	0	0	1	
Dog Bites	3	0	1	0	0	0	2	0	0	0	0	0	
*Other	118	8	12	8	12	13	18	10	9	14	7	7	
Monthly Totals		30	38	28	32	34	42	37	28	27	23	30	0
Annual Total	349												
Mileage	7808	632	570	571	602	610	826	821	884	922	718	652	
Patrols	240	21	19	19	21	19	21	26	29	31	18	16	
* Property inspections, Checkbacks emergencies NRP/FIRE etc.O/F													

Shelter Services													
Admissions													
	Total	January	February	March	April	May	June	July	August	September	October	November	December
Stray Dogs	5	0	0	0	0	0	1	0	1	1	1	1	
Stray Cats	76	3	0	6	1	10	25	4	6	6	10	5	
Owner surrendered	2	0	0	0	1	0	0	0	0	0	0	1	
wildlife	1	0	0	0	0	0	0	1	0	0	0	0	
Monthly Totals		3	0	6	2	10	26	5	7	7	11	7	0
Annual Total	84												
Adoptions													
	Total	January	February	March	April	May	June	July	August	September	October	November	December
Dogs	4	0	0	0	0	0	0	0	1	3	0	0	
Cats	51	3	2	4	1	0	13	10	3	2	4	9	
Monthly Totals		3	2	4	1	0	13	10	4	5	4	9	0
Annual Total	55												
Claimed													
	Total	January	February	March	April	May	June	July	August	September	October	November	December
Dogs	16	2	0	1	3	0	1	4	0	1	1	3	
Cats	0	0	0	0	0	0	0	0	0	0	0	0	
Monthly Totals		2	0	1	3	0	1	4	0	1	1	3	0
Annual Total	16												
Wildlife													
	Total	January	February	March	April	May	June	July	August	September	October	November	December
Transferred	0	0	0	0	0	0	0	0	0	0	0	0	
Released	3	0	0	0	0	0	0	1	0	0	0	2	
Monthly Totals		0	0	0	0	0	0	1	1	0	0	2	0
Annual Total	3												
Euthanised													
	Total	January	February	March	April	May	June	July	August	September	October	November	December
Dogs	1	1	0	0	0	0	0	0	0	0	0	0	
Cats	11	0	2	0	1	1	1	5	0	1	0	0	
Wildlife	29	1	9	2	6	4	1	1	0	1	2	2	
Monthly Totals		2	11	2	7	5	2	6	0	2	0	2	0
Annual Total	41												
		January	February	March	April	May	June	July	August	September	October	November	December



Corporate Services Department
Clerk's Office
CITY of STRATFORD
City Hall, P.O. Box 818
Stratford ON N5A 6W1

519-271-0250 Ext. 237
Fax: 519-273-5041
TTY: 519-271-5241
www.stratford.ca

December 6, 2019

Honourable Jeff Yurek
Minister of Environment, Conservation and Parks
College Park 5th Flr, 777 Bay St.
Toronto, ON M7A 2J3

minister.mecp@ontario.ca

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

premier@ontario.ca

Dear Premier Ford and Minister Yurek:

Re: Resolution in Support of Conservation Authorities

Stratford City Council recently adopted a resolution in support of continuation of the programs of Ontario conservation authorities and requesting the Ministry of Environment, Conservation and Parks give clear direction regarding what is considered mandatory or non-mandatory and how programs will be funded.

A copy of the resolution is attached for your consideration. We kindly request your support and endorsement.

Sincerely,

Tatiana Dafoe
Acting Clerk

Encl.
/ja

cc: MPP Erie Hardeman
MPP Randy Pettapiece
MP John Nater
Association of Municipalities of Ontario
Upper Thames River Conservation Authority
Conservation Ontario
All Ontario Municipalities



THE CORPORATION OF THE CITY OF STRATFORD
Resolution in Support of Conservation Authorities

WHEREAS the City of Stratford is committed to planning for a sustainable future for its resources and environment;

AND WHEREAS the City of Stratford is a member of the Upper Thames River Conservation Authority (UTRCA) and has a representative on the Board of Directors of the UTRCA;

AND WHEREAS the Board of Directors determines the policies, priorities and budget of the UTRCA;

AND WHEREAS the UTRCA provides the City of Stratford with expert advice on the environmental impact of land use planning proposals and that the City of Stratford does not have staff with comparable expertise or experience;

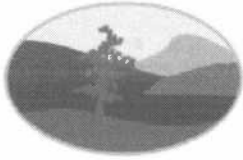
AND WHEREAS the UTRCA provides programs to the residents of Stratford and other member municipalities that include recreation, education, water quality monitoring, reduction of vegetation loss and soil erosion, preservation of species at risk, completing restoration projects on the Avon River as well as protecting life and property through a variety of measures;

THEREFORE BE IT RESOLVED:

That the City of Stratford supports continuation of the programs of the UTRCA, both mandatory and non-mandatory, and that no programs of the UTRCA or of the other Conservation Authorities in Ontario be "wound down" at this time. And that, the Ministry of Environment, Conservation and Parks give clear direction as to what programs are considered mandatory and non-mandatory and how those programs will be funded in the future;

AND THAT this resolution be forwarded to the Minister of the Environment, Conservation and Parks, Premier Doug Ford, MPP Ernie Hardeman, the Association of Municipalities of Ontario, the Upper Thames River Conservation Authority, Conservation Ontario and all Ontario municipalities.

The Corporation of the City of Stratford, P.O. Box 818, Stratford ON N5A 6W1
Attention: Acting Clerk, 519-271-0250 ext 329, clerks@stratford.ca



Hastings Highlands

Beautiful By Nature

The Municipality of Hastings Highlands
P.O. Box 130, 33011 Hwy 62, Maynooth, ON K0L 2S0
613 338-2811 Ext 277 Phone
1-877-338-2818 Toll Free

December 9, 2019

VIA EMAIL

Ministry of the Attorney General
McMurtry-Scott Building
720 Bay St., 11th Floor
Toronto, ON
M7A 2S9
attorneygeneral@ontario.ca

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

At its meeting on December 4, 2019 the Council of the Municipality of Hastings Highlands supported the Township of Springwater with the following resolution:

Resolution 774-2019

THAT Council supports the Township of Springwater in its concern for joint and several liability consultation.

cc:
Doug Ford, Premier of Ontario
Association of Ontario Municipalities (AMO)
Ontario Municipalities
Daryl Kramp, MPP, Hastings-Lennox and Addington
Derek Sloan, MP, Hastings-Lennox and Addington
Jeff Schmidt, Township of Springwater

Encl: Correspondence – Joint and Several Liability Consultation – Township of Springwater

Regards,

Suzanne Huschilt

Municipal Clerk
shuschilt@hastingshighlands.ca

September 26, 2019

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

Re: Joint and Several Liability Consultation

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

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

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

a. No Requirement of Proof

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

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

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

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

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

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

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

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

b. Frivolous and Vexatious Suits are Costing Taxpayers

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

c. Negligent Legal Actions (Beyond Frivolous and Vexatious)

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

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

d. Triage System for Claims

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

e. Law Society of Ontario Charges

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

3. Is it increased premiums? Rising deductibles?

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

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

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

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

4. *Being unfairly named in lawsuits?*

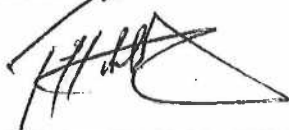
As detailed above, Springwater continues to be unfairly named in legal actions. Issues here range from a complete absence of research by legal firms on causality to the municipality being named in legal action in completely separate jurisdictions (other municipalities).

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

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

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

Yours truly,



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

Cc: Ontario Municipalities



Council Resolution Form

Date: 18 Nov 2019 No: Resolution No.261-19
Moved By: Councillor Rigelhof Seconded by Disposition: CARRIED
Councillor MacPherson
Item No: 9.11.1

Description: Support for ministers to allow for electronic delegation

RESOLUTION:

WHEREAS Council has discussed lobbying the provincial ministers to allow for electronic delegation;
AND WHEREAS Council feel that it is unjust to have to attend expensive conferences to be able to have a delegation with Ministers or the Premier;
AND THEREFORE, Council requests that the Ministers and the Premier offer electronic delegations to small and rural Municipalities that do not have sufficient budget to attend conferences;
FURTHERMORE, that this resolution be sent to all Ontario Municipalities to request their support and sent to the Premier and all the Ministries for their consideration.

Recorded Vote Requested by:

	Yea	Nay
B. Hunt	_____	_____
L. Perrier	_____	_____
C. Rigelhof	_____	_____
J. Frost	_____	_____
G. MacPherson	_____	_____



MAYOR

Declaration of Pecuniary Interest:
.....
Disclosed his/her/their interest(s), vacated he/her/their seat(s),
abstained from discussion and did not vote



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

Dear Premier:

November 29th 2019

Re: Resolution from the Township of Springwater – Conservation Authority Levies

Please be advised that on November 27th the Town of Plympton-Wyoming Council passed the following motion to support the Township of Springwater motion (attached) that was passed on October 16th 2019.

Motion #7 – Moved by Bob Woolvett, Seconded by Gary Atkinson that the Council of the Town of Plympton-Wyoming supports the resolution of the Township of Springwater regarding the Conservation Authority Levies.

Motion Carried.

If you have any questions regarding the above motion, please do not hesitate to contact me at the number above or by email at ekwarciak@plympton-wyoming.ca.

Sincerely,

Erin Kwarciak
Clerk
Town of Plympton-Wyoming

Cc: Renee Chaperon, Clerk – Township of Springwater
The Honourable Doug Ford, Premier of Ontario
Jeff Yurek, Minister of Environment, Conservation and Parks
Conservation Ontario
All Ontario Municipalities
Association of Municipalities of Ontario (AMO)

October 21, 2019

Nottawasaga Valley Conservation Authority
8195 8th Line
Utopia ON, L0M 1T0

RE: Conservation Authority Levies

Please be advised that at its meeting of October 16, 2019, Council of the Township of Springwater passed the following resolution:

C456-2019

Moved by: Coughlin
Seconded by: Cabral

Whereas the Township of Springwater supports the objects of balance on conservation, environmental stewardship, and sustainability to anchor its operations, planning, services, and strategic vision;

And Whereas the Township of Springwater understands the need for both the Province and its municipalities to deliver clear, costed, and sustainable programs and services for taxpayers;

And Whereas both tiers of government must assess all programs and services to eliminate duplication and balance costs on tests of affordability, health, safety, and environmental stewardship;

And Whereas the Minister of Environment, Conservation, and Parks signaled on August 16, 2019 of a need for conservation authorities to re-focus their operations related to core mandates as currently defined in the Conservation Authorities Act, 1990, R.S.O. 1990, c. C.27 and its prescribed regulations;

And Whereas the Minister of Environment, Conservation, and Parks signaled on August 16, 2019 that Conservation Authorities should not proceed with any increases to fees or levies;

Therefore Be It Resolved That the Township of Springwater supports any Provincial effort to require its municipal levy only apply to core mandated programs and services;

And That this resolution be forwarded to Premier Doug Ford, the Minister of the Environment, Conservation, and Parks, the Honourable Jeff Yurek, the County of Simcoe, all Ontario municipalities, the NVCA and Ontario's other 35 Conservation Authorities, and Conservation Ontario, signaling the Township of Springwater's

support of the Province's review, consultations and development of an updated Conservation Authorities Act and the willingness to participate in all consultations and submissions to the same.

Carried

Sincerely,



Renée Chaperon
Clerk
/cp

cc. Doug Ford, Premier of Ontario
Jeff Yurek, Minister of Environment, Conservation and Parks
The County of Simcoe
Conservation Ontario
Ontario municipalities
Ontario Conservation Authorities

Phone: 705-728-4784
Ext. 2015

Clerk's Department

Fax: 705-728-6957

**CORPORATION OF THE
TOWNSHIP OF CENTRAL FRONTENAC
1084 Elizabeth Street, P.O. Box 89
Sharbot Lake, Ontario K0H 2P0**

Tel: 613-279-2935
Fax: 613-279-2422



November 25, 2019

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

Re: Building Services Transformation

We are pleased to advise that Council, at its November 12th, 2019 regular council meeting, passed resolution 430-2019 regarding building services transformation:

Resolution #430-2019

WHEREAS, the Province of Ontario has legislated in the Building Code Act that "the council of each municipality is responsible for the enforcement of this Act in the municipality" and "the council of each municipality shall appoint a chief building official and such inspectors as are necessary for the enforcement of this Act in the areas in which the municipality has jurisdiction";

AND WHEREAS, "the council of a municipality may pass by-laws applicable to matters for which and in the area in which the municipality has jurisdiction for the enforcement of this Act",

AND WHEREAS, the Province has asked local governments to find efficient and cost effective ways to deliver municipal services is now asking municipalities to collect a tax on their behalf to create a new Delegated Administrative Authority to deliver services that have historically been the responsibility of the Ontario Government,

AND WHEREAS, Premier Ford stated in his keynote address at the Association of Ontario Municipalities 2019 Conference, that "we can't continue throwing money at the problem (broken systems) as our predecessors did, into top-down, dig government schemes. That is neither compassionate nor sustainable",

AND WHEREAS, alternative methods of building administration and enforcement have been proposed in this consultation that remove municipal authority but not the associated liability,

THEREFORE LET IT BE RESOLVED that the Township of Central Frontenac requests that, the Province of Ontario work with the current building sector groups that, for the past fifteen years, have been working to support the Ministry of Municipal Affairs and Housing, and provide evidence based justification to municipalities that the creation of a new Delegated Administrative Authority is necessary prior to any legislative changes to the Building Code Act, with regards to building services delivery, are introduced in the Legislature nor have negative impact on municipalities,

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to The Honourable Doug Ford, Premier of Ontario, The Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Jim McDonnell, Parliamentary Assistant for Municipal Affairs and Housing,

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Associations of Municipalities of Ontario (AMO) and all Ontario Municipalities for their consideration.

Central Frontenac Council is strongly opposed of delegating administrative authority regarding the Building Code Act, with regard to building service delivery.

If you have any further questions, please feel free to contact the undersigned.

Yours truly,



Cindy Deachman
Deputy Clerk

CD/dl

cc: The Honourable Steve Clark, Minister of Municipal Affairs and Housing
The Honourable Jim McDonnell, Parliamentary Assistant for Municipal Affairs and Housing
Associations of Municipalities of Ontario (AMO)
All Ontario Municipalities



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

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

December 3, 2019

File: FOCP 1.1.29.2.11

David Groszeibl
Triple G Farms Inc.
42871 Gilmore Road
Wainfleet, ON L0S 1V0

Dear Mr. Groszeibl

Re: Good Forestry Practices Permit Application
Tree and Forest Conservation Bylaw 30-2008
WAINFLEET CON 4, PT LOTS 26; AND 27
42871 Gilmore Road
Municipality of Wainfleet

Thank you for your application for a Good Forestry Practices Permit under the Niagara Region's Tree and Forest Conservation Bylaw. The application has been assessed based on the information submitted with the application, which includes a Silvicultural Prescription prepared by Bruce Zavitz. The information submitted has been reviewed in the field in relation to the requirements under the Bylaw. Based on that information it has been determined that a Permit can be issued.

The enclosed permit (2019-11) has been issued pursuant to Tree and Forest Conservation Bylaw 30-2008. Forest operations must occur in accordance with the attached permit and its conditions using Good Forestry Practices. NPCA forestry staff will conduct harvest inspections to ensure those conditions are followed.

Also enclosed is *A Landowner's Guide to Careful Logging* which provides landowners with information on proper logging practices that will ensure good forestry is attained. The harvest inspections conducted by the NPCA are based on the contents in the guide.

The woodland where harvesting is planned has been designated as a Provincially Significant Wetland (PSW) by the Ministry of Natural Resources. There are several important considerations and conditions that must be addressed in carrying out a logging operation in this woodland:

- Logging must occur when the soil conditions are favourable for operations (dry weather or when the ground is frozen);
- Attempt to use existing trails located throughout the woodland; and
- Select skid trails as to avoid low areas and drainages located throughout the woodland.

Please be advised that this permit does not relieve you of any other applicable property boundary, municipal, provincial, or federal by-laws, regulations or requirements. Do not hesitate to contact this office should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Dan Drennan".

Dan Drennan, R.P.F.
Forester, By-law Officer
905.788.3135 x247

Enclosure

Copy: John Chambers, Third Generation Forestry Inc, 130 Norfolk County Road 21, Langton, ON N0E 1G0
Bruce Zavitz, P.O. Box 460, St. George, ON. N0E 1N0
William Kolasa, Township Clerk, Township of Wainfleet, 31940 Hwy 3, PO Box 40, Wainfleet, ON L0S 1V0



**NIAGARA PENINSULA
CONSERVATION
AUTHORITY**

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GOOD FORESTRY PRACTICES PERMIT

**REGIONAL MUNICIPALITY OF NIAGARA
TREE AND FOREST CONSERVATION BY-LAW**

PERMIT NUMBER: 2019-11

This permit is issued pursuant to Tree and Forest Conservation By-law No. 30-2008 of the Regional Municipality of Niagara. Conditions pertaining to this permit are on page two.

DATE OF ISSUE: December 3, 2019
PERMIT EXPIRY: December 2, 2020

PERMIT ISSUED TO:

Name: David Groszeibl
Address: 42871 Gilmore Road, Wainfleet, ON
Postal Code: L0S 1V0 Telephone: 905-658-5924

LOCATION OF WOODLAND: (See map in Appendix A)

Legal Desc: WAINFLEET CON 4, PT LOTS 26; AND 27
Road: 42871 Gilmore Road
Municipality: Wainfleet

REGISTERED PROFESSIONAL FORESTER (or Associate Member)

Name: Bruce Zavitz
Address: P.O. Box 460, St. George, ON.
Postal Code: N0E 1N0 Telephone: 519-448-9406

CERTIFIED TREE MARKER:

Name: Bruce Zavitz
Address: P.O. Box 460, St. George, ON.
Postal Code: N0E 1N0 Telephone: 519-448-9406

LOGGING CONTRACTOR:

Name: John Chambers, Third Generation Forestry Inc
Address: 130 Norfolk County Road 21, Langton, ON
Postal Code: N0E 1G0 Telephone: 519-842-0583

NPCA APPROVAL:



Dan Drennan, R.P.F.
Forester

GOOD FORESTRY PRACTICES PERMIT

CONDITIONS

The following conditions apply to **Permit # 2019-11**

1. The unnecessary destruction of any tree not authorized by this permit is hereby prohibited; this permit shall be null and void in the event that the destruction of trees not authorized by this permit occurs.
2. All requirements of the tree marking and the Tree Marking Prescription as attached in appendix B, as prepared and approved by for the harvest and preservation of trees as permitted in this Permit, shall be complied with.
3. All trees marked for removal by the certified tree marker must be felled during the initial harvest operation to ensure silvicultural objectives in the tree marking prescription or harvest plan are achieved. **Trees marked with yellow paint are the only trees permitted to be removed.**
4. Only trees with a visible butt mark may be harvested or felled. Trees marked at eye level for removal, but missing a visible butt mark as per the *Ontario Tree Marking Guide* must not be felled until verified by the Tree Marker and marked at the butt. Trees felled without a visible butt mark will be regarded as a contravention of the Niagara Region Tree and Forest Conservation Bylaw.
5. Trees that are not marked but are damaged from adjacent tree felling cannot be removed unless authorized by Bylaw staff in the field.
6. The harvest of trees authorized by this permit shall be complied with on or before the expiration of this permit.
7. This permit shall be null and void if the work or a portion of the work authorized by this permit is undertaken by an individual other than that indicated on this permit.
8. Recognizable temporary bodies of open water (vernal pools) encountered during operations that have a surface area $\geq 500 \text{ m}^2$ (i.e., about 25 m in diameter if circular), are not ponds (i.e., $< 0.5 \text{ ha}$ in size), and are not connected to a stream, will have the following conditions:
 - No machine travel within 3 m of the high-water mark of pools during the frost-free period.
 - No excessive removal or damage of sapling-sized trees ($< 10 \text{ cm dbh}$) and shrubs within 3 m of the high-water mark of pools.
 - No felling of trees into pools or within 3 m of the high-water mark of pools during the frost-free period. Trees accidentally felled into pools will be left where they fall.
 - No disturbance of the forest floor that leaves ruts or a significant area of exposed mineral soil (see Section 10) within 15 m of the high-water mark of pools. Ruts or significant patches of exposed mineral soil will be promptly rehabilitated.
 - Trees will be retained in, and within, 3 m of the high-water mark of pools to provide $\geq 70\%$ canopy cover; and retain forest comprised of trees ≥ 35 years of age (or $\geq 10 \text{ m}$ in height) with a canopy closure $\geq 50\%$ within 15 m of the high-water mark of pools to provide cover for amphibians.

Note: When these pools are difficult to identify because of snow cover they will be marked (with pink flagging tape) creating an Area of Concern (AOC). No skidding is permitted within the AOC.
9. Skidder trails shall be kept to the minimum required for the trees being cut and their construction or use shall not unnecessarily damage or disrupt other trees, vernal pools, wetland areas, natural habitats wildlife (i.e., Stick Nests) or drainages.

10. Any injuring or destruction of trees or removal of felled trees or portions thereof shall be done in a manner that avoids adverse impacts to the soil, wetlands, natural habitat or other portions of the Woodlands. Operations within the woodland must occur when the ground is frozen or when soil conditions are favourable for operations (dry weather). Operations must cease if this condition does not exist. Use light loads when skidding. Compliance with this condition is outlined in section 10.1: Soil Conservation.

10.1 Soil Conservation

This section addresses the conservation of soil and shallow ground water resources during forest management activities, with a focus on site disturbance resulting from forest management operations. Quantifiable measurements will be provided and used as a means of assessing compliance with Condition 9 above.

Well-informed advanced planning is a critical step in conserving soil resources. This includes all aspects of planning such as; landing location, skid trail layout, machinery selection, timing of entry, duration of entry, and operator training. The importance of prevention, through advanced planning and good information, cannot be overstated.

In general terms, a rut is a trench or furrow created by machine wheels or tracks caused by soil displacement and/or compaction. Compaction is the compression of soil caused by a machine load that exceeds the strength of the soil to resist it. Compaction can occur independent of rutting through machine vibration and slipping of tires. Rutting may occur independent of compaction (e.g., on saturated soil), but in general a rut can be thought of as a visual proxy for compaction.

For the purpose of measuring a rut under the Bylaw, a rut is a continuous trench or furrow created by machine traffic that is ≥ 4 m long and ≥ 30 cm deep (Figure 1) as stated in the *OMNR Forest Management Guide for Conserving Biodiversity at the Stand and Site Scales (2010)*.

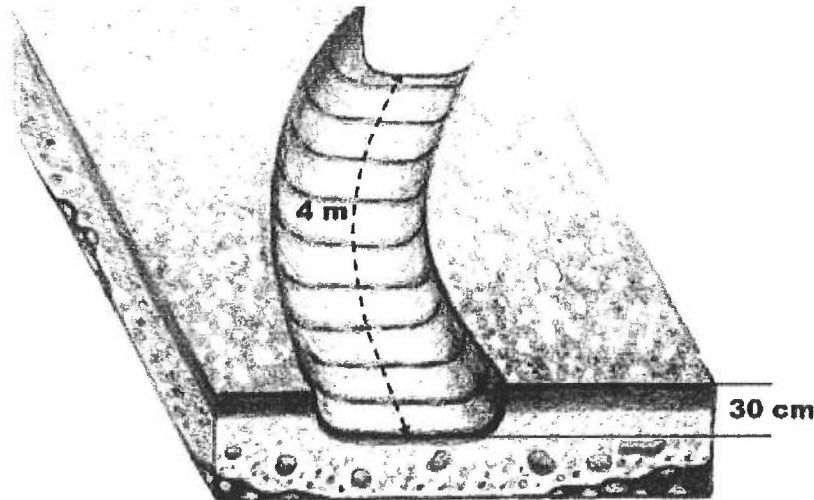


Figure 1. Graphical representation of a rut (Illustration by Mandy Saille).

Compliance Standards:

Condition 10 will be contravened if:

- more than 50% of any 0.1 ha circle is occupied in ruts; or
- more than 2% of any harvest area is occupied in ruts; or
- ruts channel water into, or are within 5 m of rivers, streams, and woodland pools,

The method to measure the percent coverage, depth, and length of a rut, is as follows:

Percent coverage is to be determined based on a line transect method. The total distance of the line that intersects ruts as a percentage of the total line length should determine the areal coverage over the sampled area. The methodology will be:

- Pick the center of the most disturbed area on the block, establish 3 random 100 m transects, offset by 120 degrees, within a 250m radius circle around that point. The percent cover would be the total length of the line that intersects a rut or trail divided by 3.

Depth is to be measured from the surface of the soil, including organic layers (LFH) if present

- When the depth varies across the width of the rut (i.e., perpendicular to the direction of travel), the deepest point is to be measured as the depth.
- When a rut has been filled, or partially filled with soil, litter, water, or debris, the depth should be measured as if the rut had not been filled. This includes areas in organic soil where churning and mixing of surface and sub-surface organic layers has occurred. In some circumstances it will be difficult to determine the unfilled depth.

When determining if a potential rut is at least 4 m long, **the length** is measured as the contiguous portion that is deeper than 30 cm (or depth to bedrock / large boulders), and is not to be an average depth measurement where some of the length is less than 30 cm deep.

11. **Bird nest sites**

Nests and eggs of all wild birds (except American crow, brown-headed cowbird, common grackle, house sparrow, red-winged blackbird, and European starling) are protected from disturbance and/or destruction (including incidental take) by either the federal Migratory Birds Convention Act or the provincial Fish and Wildlife Conservation Act, 1997.

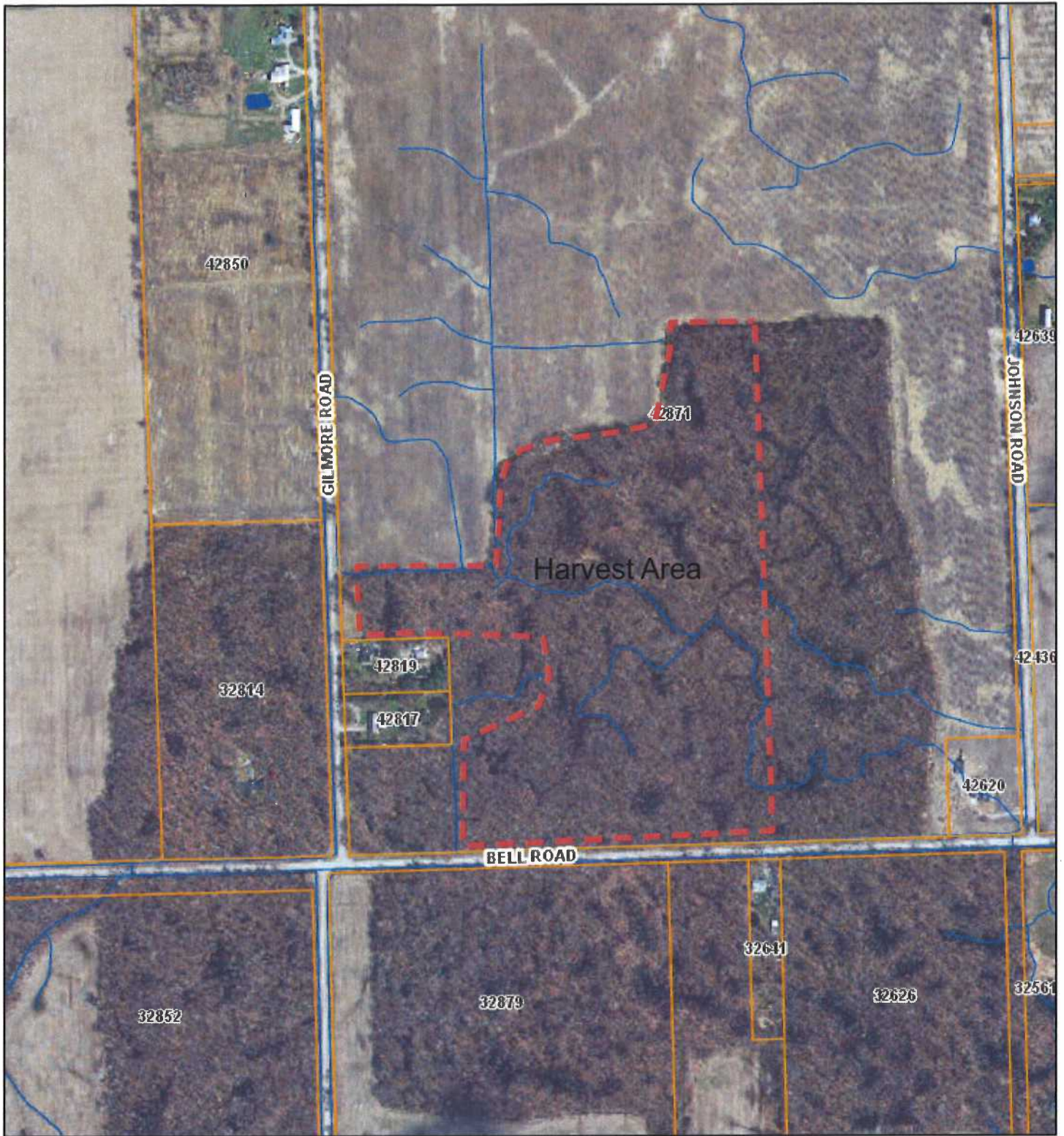
All nests (occupied or unoccupied) will receive an Area of Concern prescription to mitigate the potential adverse affects of forest management operations on breeding activity. The AOC to be applied is species-specific. The *OMNR Forest Management Guide for Conserving Biodiversity at the Stand and Site Scales (2010): Section 4.2.2* will be used to prescribe an AOC.

12. The landowner or the logging contractor must notify the Bylaw officer at the NPCA of the exact day when operations are to commence. The notification must be three (3) working days (excludes weekend days) before commencement

PLEASE NOTE: This information is collected pursuant to the Municipal Act and/or the Municipal Freedom of Information and Protection of Privacy Act and will be used for the sole purpose of administering this By-Law.

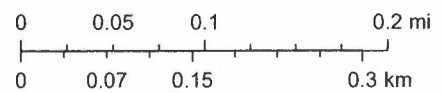
APPENDIX A
MAP OF WOODLAND LOCATION

Permit 2019-11: Triple G Farms Woodlot



12/3/2019, 12:59:32 PM

1:9,028



Brian Lee, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Web AppBuilder for ArcGIS

APPENDIX B
SILVICULTURAL PRESCRIPTION

TREE MARKING PRESCRIPTION

OWNERSHIP: Triple G Farms

DATE: 09/09/19

Region of Niagara – 42871 Gilmore Rd

FOREST TYPE: Lowland Hardwood

SOILS: Clay

OBJECTIVES:

Long Term: To manage hardwoods using the selection silvicultural system (Good Forestry Practice) to produce a continual supply of sustainable high quality stems for sawlog and veneer production. To continue to enhance the mixture of tree species in existence and to provide for maximum wildlife opportunities when performing any forest management activities. *(Last harvest – 20+ years - Diameter)*

Short Term: Tree marking will concentrate on salvage of ash (EAB positive), reduction of overmature soft maple, and undesirable growing stock (UGS). There are a high number of straight polewood trees that will be released throughout. Proper spacing of residual trees will maximize growth of acceptable growing stock (AGS). Mast trees such as oak will be released in larger openings created. This is a good oak / soft maple stand – promote it.

STAND INFORMATION:

Species Composition: Ms60, Aw15, (Ew, By, Cb, Be, Mh, Bd, Oaks, other)25

Stand Area (ha): 14.6 marked **Site Notes:** Flat / Vernal pools **Age:** 90 **Ht (m):** 27

Stocking (%): 100 **Regeneration Notes:** Moderate – Maple, Ash, other

Stand Quality Notes: Emerald Ash Borer



BASAL AREA DISTRIBUTION (m²/ha):

Note – Based on actual prism plot data only – woodlots not available!

Tree Size Classes (cm)>>>	10-24	26-36	38-48	50-60	62+	TOTAL
	AGS / UGS	AGS / UGS	AGS / UGS	AGS / UGS	AGS / UGS	AGS / UGS
Now	4.4 / 0.3	5.3 / 1.3	6.3 / 2.8	4.0 / 0.6	0.9 / 0.1	21.5 / 5.1
Residual	4.4 / 0.3	5.3 / 0.3	6.3 / -	3.0 / -	0.9 / -	19.9 / 0.6
Ideal	5	5	4	4	2	20

of Plots Installed = 12

STAND PRESCRIPTION:

Treatment Instructions: Marking will concentrate on salvage of ash, decreasing overmature soft maple and unacceptable growing stock. Release of areas of heavier oak and maple regeneration will be achieved in group selection to create small canopy gaps. Large field edge trees will be removed. No marking will occur in smaller diameter patches. No fuelwood will be marked. Higher densities will be retained near vernal pools. Target residual basal area is 19-21m²/ha.

IRM Instructions: Good oak, beech & cherry mast should be promoted. 10 cavity trees / ha supporting various wildlife should be retained. *No stick nests were noted.*

Note: Marked by Bruce Zavitz with yellow paint for the landowner (Dots for sawlog / slash for fuelwood). Next harvest – 10-15 years.

Landowner's objectives under Good Forestry Practice were followed:

Owner:

Date: OCT 17/19



Arborland
Forestry Consulting

P.O. Box 460
St. George, ON N0E 1N0
bzavitz@sympatico.ca
519-448-9406 Fax 519-448-9407

September 9, 2019

Timber Estimate Prepared For: Triple G Farms

Location: #42871 Gilmore Rd. – 35 acres

Species	# of Trees	Avg. Diameter Inches	Estimated Volume fbm
Soft Maple	191	22.2	58,482
Ash	40	15.5	6,300
Basswood	21	17.5	5,778
Hard Maple	2	19.8	496
Poplar	1	17.0	191
Beech	1	21.8	199
TOTAL	256		69,446 fbm

The above timber has been marked with Yellow Paint and the volume of the marked material **ESTIMATED** as **GROSS MERCHANTABLE (Ontario Log Rule)** is not guaranteed. Sawlogs have been marked with a dot at breast height, fuelwood a slash and also on the stump. **ARBORLAND** is not responsible for establishing boundaries; that is the responsibility of the landowner! The *woodlot owner* should check that the marking is within their *boundaries*, contact neighbours where woodlands join together and be sure the **Tree Bylaw Officer** is notified before logging begins. Unsafe trees in the work area whether marked, not marked or marked to stay, should be made harmless by the contractor in a safe manner. If you cannot cut a tree safely – leave it standing!

P = Research plot

W = Tree to retain for wildlife