



COUNCIL INFORMATION PACKAGE

SUMMARY

APRIL 9, 2021

1. **C-114-2021**
Correspondence dated April 8, 2021 from the Township of Zorra addressed to the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting a resolution of support of the Municipality of Tweed's resolution respecting Joint and Several Liability.
2. **C-115-2021**
Correspondence dated April 1, 2021 from the Office of the Regional Clerk respecting Lakewood Beach Development – Municipal Responsibility Agreement for On-Site Water & Wastewater Communal Systems
3. **C-116-2021**
Correspondence received April 1, 2021 from the Transit Services Planning Analyst, GO Implantation Office, Public Works, Niagara Region respecting NRT OnDemant Metrics – Wainfleet
4. **C-117-2021**
Correspondence received April 6, 2021 from the Town of Amherstburg addressed to the Honourable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs respecting a request for amendments to the agricultural Tile Drainage Installation Act
5. **C-118-2021**
Correspondence dated April 1, 2021 from the Office of the Regional Clerk respecting approved recommendations of Planning and Economic Development Committee report (PDS 12-2021 respecting 2021 Niagara Employment Inventory Status Update
6. **C-119-2021**
Correspondence received April 4, 2021 from the Niagara SPCA respecting monthly statistical reporting for services in Wainfleet
7. **C-120-2021**
Correspondence received April 9, 2021 from the Niagara Peninsula Conservation Authority respecting an invitation to participate in an upcoming strategic planning process.
8. **C-121-2021**
Correspondence dated March 19, 2021 from Ray Weston, Wainfleet resident respecting concerns about the use of the Quarry.



TOWNSHIP OF ZORRA

274620 27th Line, PO Box 306 Ingersoll, ON, N5C 3K5
Ph. 519-485-2490 • 1-888-699-3868 • Fax 519-485-2520
Website www.zorra.ca • Email admin@zorra.ca

Received April 8, 2020
C-114-2021

April 8, 2021

Hon. Steve Clark, Minister of Municipal Affairs and Housing
Via email: minister.mah@ontario.ca

Dear Minister Clark;

Please be advised that at the Township of Zorra Council meeting held on Wednesday, April 8, 2021, Council for the Township of Zorra passed the following:

Resolution No. 27-04-2021

Moved by: Paul Mitchell

Seconded by: Steve MacDonald

“ WHEREAS Joint and Several Liability has been identified by the Association of Municipalities of Ontario, for more than a decade, as a concern to Ontario municipalities as a contributing factor to increasing insurance premiums paid by those municipalities;

AND WHEREAS, previous provincial governments have failed to address those concerns;

THEREFORE BE IT RESOLVED THAT the Township of Zorra supports the Municipality of Tweed in their call for reform and reconsideration of the Negligence Act, R.S.O. 1990, c N.1;

AND THAT this resolution and the letter from the Municipality of Tweed be forwarded to:

- **Steve Clark, Minister of Municipal Affairs and Housing,**
- **Ernie Hardeman, MPP for the riding of Oxford,**
- **The Association of Municipalities of Ontario, and**
- **All Ontario municipalities.”**

Disposition: Carried



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Enclosed is a copy of the correspondence from Municipality of Tweed for convenience and reference purposes.

Yours truly,

Alycia Wettlaufer
Legislative Coordinator/Deputy Clerk, Township of Zorra

Encl.

CC: Hon. Ernie Hardeman, MPP for the Riding of Oxford Hardeman@execulink.com
The Association of Municipalities of Ontario
Municipality of Tweed info@tweed.ca
All municipalities of Ontario

The Corporation of the
MUNICIPALITY OF TWEED

255 Metcalf St., Postal Bag 729
Tweed, ON K0K 3J0
Tel.: (613) 478-2535
Fax: (613) 478-6457



Email: info@tweed.ca
Website: www.tweed.ca
[facebook.com/tweedontario](https://www.facebook.com/tweedontario)

March 10, 2021

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

Re: Advocacy for Reform of Joint and Several Liability

Dear Hon. Doug Ford,

During our budget deliberations and the review of the pricing for insurance for the 2021 year, Council is requesting that reform of the Joint and Several Liability system be undertaken. For the Municipality of Tweed, a small municipality within the County of Hastings, with population of 6,044 and total households of 3,023, as at the last census in 2016, we are experiencing significant increasing costs of insurance.

Over the last 5 years, we have experienced increase in our insurance premiums due to Joint and Several Liability. Our last 5 years of insurance premiums have been:

2017	\$161,441.84
2018	\$164,497.28
2019	\$171,649.20
2020	\$213,466.36
2021	\$265,170.24

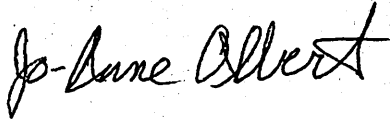
Over the last 5 years, the annual premium has increased by \$103,728.40. That is 64.25%. For the Municipality of Tweed, the 2021 increase of \$51,703.88 results in a tax levy increase of 1.25%. Therefore, when Council wishes to keep the levy no higher than a 2% increase, especially under the financial times that residents have experienced due to the COVID-19 pandemic, more than half of this increase is allocated to insurance premiums. For a population of only 6,044, the annual cost of insurance per household is \$87.72 in 2021, compared to only \$53.41 in 2017.

This phenomenon is not unique to the Municipality of Tweed, nor is this a new concern. In 2010, the Association of Municipalities of Ontario (AMO) submitted *The Case for Joint and Several Liability Reform in Ontario* on April 1, 2010 (copy can be found at <https://www.amo.on.ca/sites/default/files/assets/DOCUMENTS/Reports/2010/TheCaseforJointandSeveralLiabilityReforminOntario20100401.pdf>).

Because many view municipalities as having "deep pockets", they are often funding a larger portion of awards from court than what the fault percentage is. However, these "deep pockets" are at the cost of every taxpayer within the Municipality.

The Municipality of Tweed is advocating for reform and reconsideration of the *Negligence Act, R.S.O. 1990, c N. 1* to provide for alternatives. Many alternatives were provided in the 2010 AMO report previously referenced, including, but not limited to, Joint and Severable Liability at a set percentage of fault or Joint and Severable Liability based on type of damage.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jo-Anne Albert". The signature is written in a cursive, flowing style.

Jo-Anne Albert
Mayor

cc. Hon. Steve Clark, Minister of Municipal Affairs and Housing
All 444 Ontario Municipalities
Association of Municipalities of Ontario



Administration

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

www.niagararegion.ca

April 1, 2021

CL 5-2021, March 25, 2021
PEDC 3-2021, March 10, 2021
PDS 16-2021, March 10, 2021

William Kolasa,
Chief Administrative Officer/Clerk
Township of Wainfleet
31940 Highway 3
Wainfleet, ON, L0S 1V0

SENT ELECTRONICALLY

RE: Lakewood Beach Development - Municipal Responsibility Agreement for On-Site Water & Wastewater Communal Systems

Regional Council, at its meeting held on March 25, 2021, approved the following recommendation of its Planning and Economic Development Committee:

That Report PDS 16-2021, dated March 10, 2021, respecting Lakewood Beach Development – Municipal Responsibility Agreement for On-Site Water & Wastewater Communal Systems, **BE RECEIVED** and **BE CIRCULATED** to the Township of Wainfleet.

A copy of Report PDS 16-2021 is attached for your reference.

Yours truly,

A handwritten signature in black ink, appearing to read "Ann-Marie Norio".

Ann-Marie Norio
Regional Clerk

CLK-C 2021-50

Distribution List: P. Lambert, Director, Infrastructure Planning & Development Engineering
D. Giles, Acting Commissioner, Planning and Development Services
N. Oakes, Executive Assistant to the Acting Commissioner of Planning and Development Services

Subject: Lakewood Beach Development - Municipal Responsibility Agreement for On-Site Water & Wastewater Communal Systems

Report to: Planning and Economic Development Committee

Report date: Wednesday, March 10, 2021

Recommendations

1. That Report PDS 16-2021 **BE RECEIVED** for information; and
2. That Report PDS 16-2021 **BE CIRCULATED** to the Township of Wainfleet.

Key Facts

- The purpose of this report is to inform Council of the Municipal Responsibility Agreement (MRA) with the Township of Wainfleet and Lakewood Beach Properties Ltd. for the on-site water and wastewater communal system for the Lakewood Beach Development in the Township of Wainfleet which has been prepared through consultation between staff in Planning, Legal Services, Finance and Public Works to the satisfaction of the CAO, Commissioner of Public Works and Director of Legal and Court Services and is now ready for execution.
- Regional staff have been working on the MRA collaboratively with the Lakewood Beach Development group and the Township of Wainfleet since 2018 and it was finalized in Q4 2020 to the satisfaction of staff at the Region and the Township of Wainfleet.
- The Lakewood Beach Development is a residential condominium development consisting of 41 single detached units on approximately 14 hectares of land located at 11705 Lakeshore Road in the Township of Wainfleet.
- The on-site communal water and wastewater system was determined to be the required servicing solution in the Planning process and in an Environmental Assessment in 2015/2016 with the Ministry of Environment, Conservation and Parks requiring the Niagara Region enter into a MRA with the applicant (Lakewood Beach Properties Ltd.).
- Planning requirements for this development have been subject of planning applications and approvals since 2007/2008 and it is anticipated that final approval of the Condominium Agreement with the Township of Wainfleet will take place in early 2021 with construction targeted for later in 2021.

- Staff are relying on the authority to sign the MRA based on Section 8 of Schedule “A” to Execution of Documents By-law as the MRA is a condition of approval under the Planning Act for the Lakewood Beach Development.

Financial Considerations

The MRA requires that a Capital Reserve for the on-site communal water and wastewater system be established as well as an Operation & Maintenance (O&M) Reserve to be managed by a qualified Trustee and funded by a condominium corporation, once created and by its members. Regional staff have been working with the Trustee and the Lakewood Beach group to ensure that the appropriate level of understanding of the Trustee’s role and responsibilities are clear in the MRA. The Capital and O&M Reserves provide a funding source if the MECP were to order the Niagara Region to ensure operation of the water and wastewater (W&WW) services for this development in the event that the condominium corporation failed to maintain the system to the standards required by the MECP.

The reserves will be established initially with funding from the owner and then will be the responsibility of the condominium corporation when formed to maintain the required balances through recovery of fees from the property owners. The amounts required for the Capital Reserve are based on an independent engineering study that provided for a minimum balance as well as the replacement of the system at the end of life cycle. Reserve reporting will be provided to the Region annually by the Trustee with an option to engage an independent auditor at the owners’ expense should any further analysis or verification of compliance be required.

Niagara Region would access these funds through the Trustee to ensure operating services were provided to this development if required by the MECP until an alternative method of recovering from owner/condominium corporation/property owners is established. Furthermore, Niagara Region/Wainfleet has the ability to directly charge the owner/condo corporation for costs related to the operation and maintenance of the water and wastewater system in the unlikely event of default whereby the MECP orders the Niagara Region to operate these systems.

Security in the form of a letter of credit for the full cost of the on-site water and wastewater communal system are required to be provided to the Region prior to construction and will be released upon completion of the project to the satisfaction of the Region and MECP in accordance with the agreement. The MRA allows the Region to retain an Independent Engineer to inspect the onsite Water and Wastewater system

and to review any reporting and submissions for the life of the system with the cost paid for by the owner.

Analysis

The purpose of this report is to inform Council of the Municipal Responsibility Agreement (MRA) with Lakewood Beach Properties Ltd. and the Township of Wainfleet for the on-site water and wastewater communal system for the Lakewood Beach Development which has been prepared through consultation between staff in Planning, Legal Services, Finance and Public Works to the satisfaction of the CAO, Commissioner of Public Works and Director of Legal and Court Services and is now ready for execution.

The Lakewood Beach Development has had a long planning process with various planning applications and approvals since 2007/2008 with receiving approval of the Draft Plan of Condominium in July 2017. The extensive planning process provides a number of opportunities for public awareness and comment. The final registration and condo agreement for this development is almost complete and will be recommended to the Township of Wainfleet Council for approval in early 2021. Township staff have been informed about this report.

In June 2009, Report PWA 58-2009 was approved by Regional Council to permit a communal private sanitary servicing system for the Lakewood Beach Development as part of an Official Plan Amendment. The recommended and approved policies considered that *“in the event that the Ministry of Environment requires the Region to be included in an assumption agreement with the Condominium Corporation for these systems, the condition of the assumption agreement shall be to the satisfaction of the Region, and the Township of Wainfleet shall be responsible for full cost recovery for the communal water and sewer services.”*

The Wainfleet Official Plan has a site specific section for this development:

3.3.3.12 Notwithstanding any other policies to the contrary, on lands located in part of lots 16 and 17, Concession 1, a residential development on approximately 10.3 hectares of land shall be:

- a) Permitted to a maximum of 41 units; and*

b) Permitted through a plan of condominium on sustainable private services subject to the following servicing requirements:

i) The Condominium Corporation shall be responsible for the operation, maintenance and costs associated with the sustainable private services with adequate provision for replacement of these systems in the future;

ii) In the event that the Ministry of the Environment requires the Region to be included in an assumption agreement with the Condominium Corporation for these systems, the conditions of the assumption agreement shall be to the satisfaction of the Region, and the Township of Wainfleet shall be responsible for full cost recovery for communal water and sewer services;

Subsequently for the Draft Plan of Condominium for Lakewood Beach Development, a specific Regional draft plan condition was identified:

“34. That the owner enters into a Municipal Responsibility Agreement with the Regional Municipality of Niagara to address potential future requirements for the servicing of the site. This agreement needs to be reviewed and approved by the Region of Niagara prior to registration of development.”

The MRA with the Niagara Region and Lakewood Beach Properties Ltd. includes the Township of Wainfleet as a party to the agreement. Wainfleet has been involved in the drafting of the MRA for their review and comment as well as ensuring compliance with the planning conditions for this development. As identified in the MRA, Wainfleet has agreed to the responsibility of billing property owners for the system operating and capital costs in the event that the Region was required to operate the system as well as addressing any outstanding balance through property tax arrears. The MRA will be registered on title and included in every purchase and sale agreement.

In September 2018, Report PDS 32-2018 was received by Regional Council to provide the background and update of the MRA in anticipation of finalizing the MRA to the satisfaction of the Commissioner of Public Works and Director of Legal and Court Services. The process was delayed primarily due to difficulties initially faced by the developer in obtaining a Trustee with the initially described requirements in the MRA and when a Trustee satisfactory to Niagara Region was identified, ongoing discussions were necessary to finalize the Trustee Agreement which was to form part of the MRA.

On-site Communal Water and Wastewater Systems

The communal on-site wastewater system consists of an extensive treatment system with gravity sewers and a sewage pumping station for the 41 units which has been reviewed and approved by the MECP pursuant to the provisions of the *Environmental Protection Act, R.S.O. 1990, c. E. 19* and the *Ontario Water Resources Act, R.S.O. 1990, c. 0.40*. A formal Environmental Compliance Approval with governing conditions and reporting requirements (Approval No. 0581-BQHNVC) for the onsite wastewater system was approved on July 21, 2020.

The communal on-site water system consists of water distribution mains to the 41 units as well as storage tanks with a chlorination booster system. Additionally, Wainfleet has reached an agreement with the proponent to include Fire Cisterns along Lakeshore Road with this water system to enhance fire protection to the overall community. This water system will be fed by the Long Beach Private Water System which is governed by the *Safe Water Drinking Act* and the MECP. The on-site water system for the condominium is considered “plumbing” under the Ontario Building Code and doesn’t require a formal approval from the MECP; however, a third party engineering review paid for by the proponent for this water system was completed for due diligence on behalf of both Wainfleet and the Niagara Region.

Clearford has designed the communal on-site water and wastewater systems and has extensive experience with these systems in Ontario and internationally. The proponent will have Clearford provide operation and maintenance (O&M) for these systems for the next 5 to 10 years. The future condominium corporation will be required to have a firm like Clearford provide O&M on an on-going basis with formal contracts.

The general site plan showing the locations of the on-site communal water and wastewater system are provided in Appendix 1.

Over the last 3 years, the MRA has been finalized through discussions, correspondence and meetings between Niagara Region Director level staff in finance and planning and legal counsel and the Developer’s legal and consulting team. The CAO, Commissioner of Public Works and Director of Legal and Court Services are satisfied with the final agreement.

By-law No. 09-2016, being a By-law to Govern the Execution of Documents and to Delegate Certain Administrative Powers and Duties to Staff, Schedule A, Section 8, provides authority for the CAO and Commissioner to sign this MRA on behalf of the Niagara Region. Section 8 identifies agreements imposed or required in satisfaction of

any condition of approval under the Planning Act in connection with the development of land including, without limitation, subdivisions, site plans and rezonings where the Regional Corporation is not the applicant, and Releases and Acknowledgments of Compliance pursuant to any such agreements. The requirement for the Niagara Region to enter the MRA with the applicant was identified as part of the Planning process and a condition of approval, and has been finalized to the satisfaction of the Niagara Region. This is the first MRA approved by Niagara Region and as such the first document of this specific type to be approved pursuant to Section 8 of Schedule “A” to the Execution By-law. Recognizing that this was a first time MRA combined with the fact prior reporting had been limited to previous Councils, staff considered it prudent to make Council aware of the project.

Alternatives Reviewed

No alternatives were reviewed as Regional Council provided approval from a planning perspective of the concept of a development requiring an MRA in June 2009. Over the last number of years, substantial effort and review by all parties have gone into finalizing the MRA which is one of the final steps prior to commencement of this development project.

Relationship to Council Strategic Priorities

This report supports Council’s Strategic Priority for Responsible Growth and Infrastructure Planning.

Other Pertinent Reports

- **PWA 58-2009** – June 15, 2009 – Official Plan Amendment 18, To Permit a Communal Private Sanitary Servicing System, Lakewood Beach Properties Ltd., Wainfleet
- **PDS 32-2018** – September 5, 2018 – Lakewood Beach Development – Municipal Responsibility Agreement for On-Site Water & Wastewater Communal System

Prepared by:

Phill Lambert, P. Eng.
Director, Infrastructure Planning &
Development Engineering
Planning & Development Services

Recommended by:

Doug Giles, MES, BUP
Acting Commissioner
Planning & Development Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Sterling Wood, Legal Counsel, Legal & Court Services, Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, Corporate Services, Bruce Zvaniga, Commissioner of Public Works, and reviewed by Doug Giles, Acting Commissioner, Planning & Development Services.

Appendices

Appendix 1 General Site Plan

Overall NRT OnDemand Service Metrics

Received April 1, 2021
C-116-2021

Data as of:
Wednesday, March 31, 2021

Number of Rides

14633

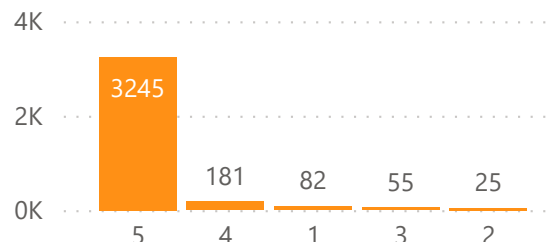
Number of Trips

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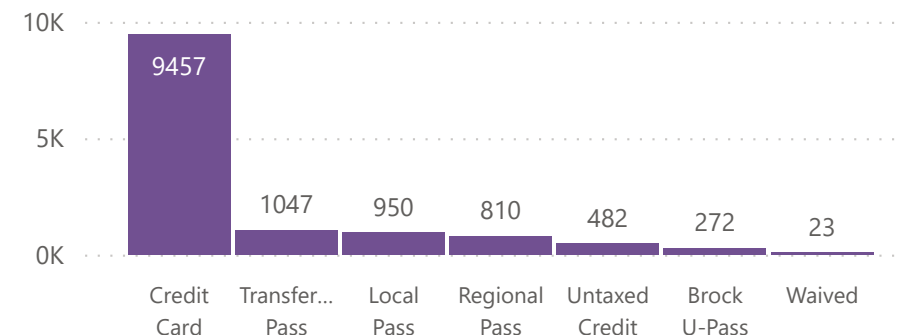
WAV Trips

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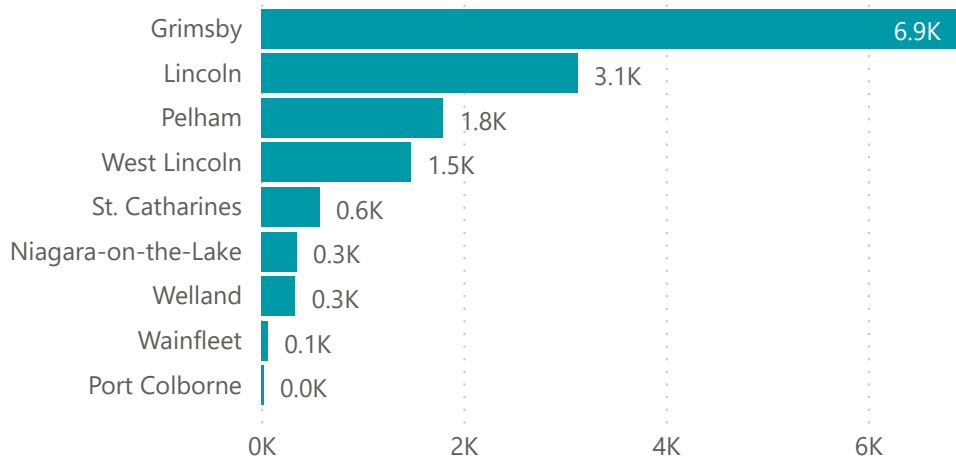
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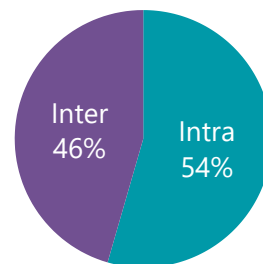
Payment Type



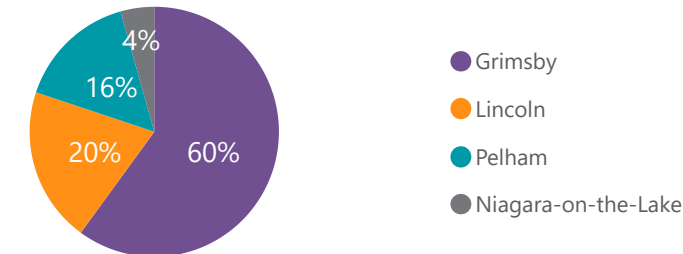
Rides by Origin Municipality



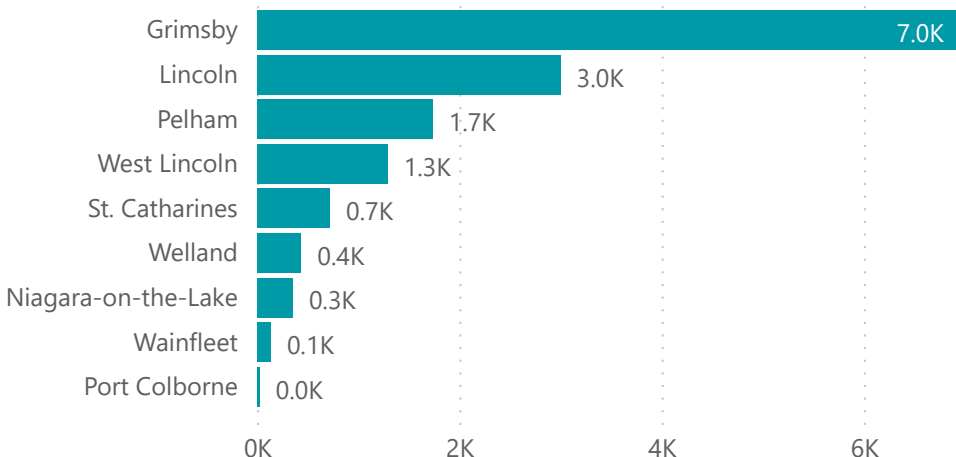
Inter vs. Intra-Municipal Rides



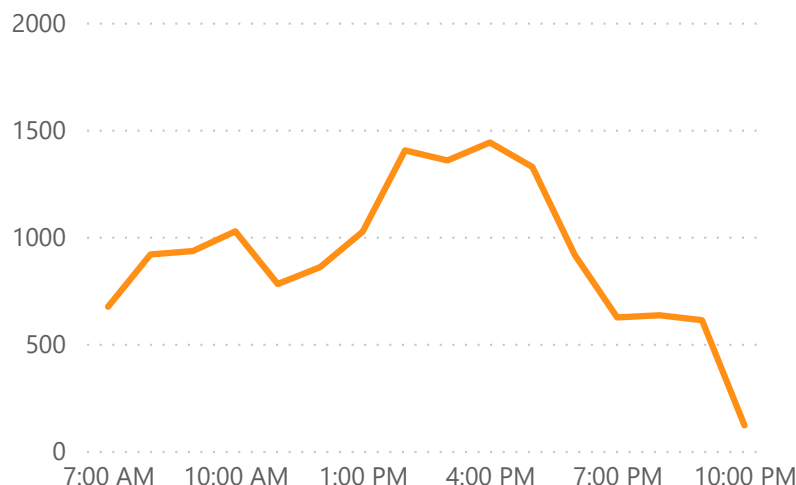
Intra-Municipal Rides



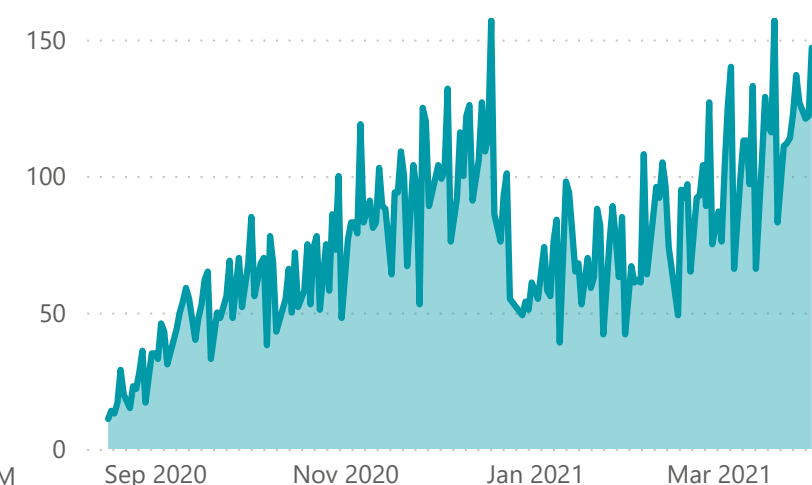
Rides by Destination Municipality



Ride Time of Day



Ridership



Overall NRT OnDemand Service Metrics

Data as of:
Wednesday, March 31, 2021

Average Wait Time (min)

16.03

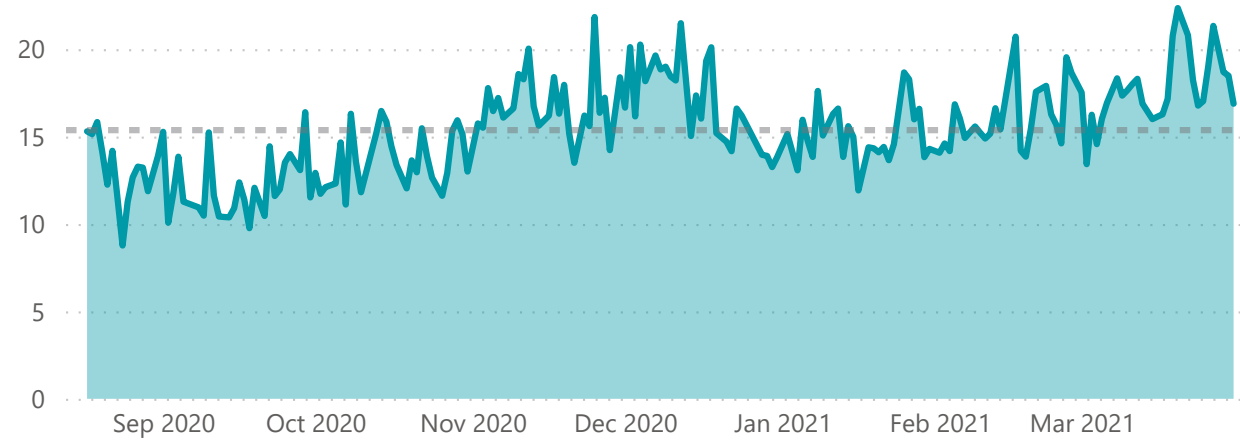
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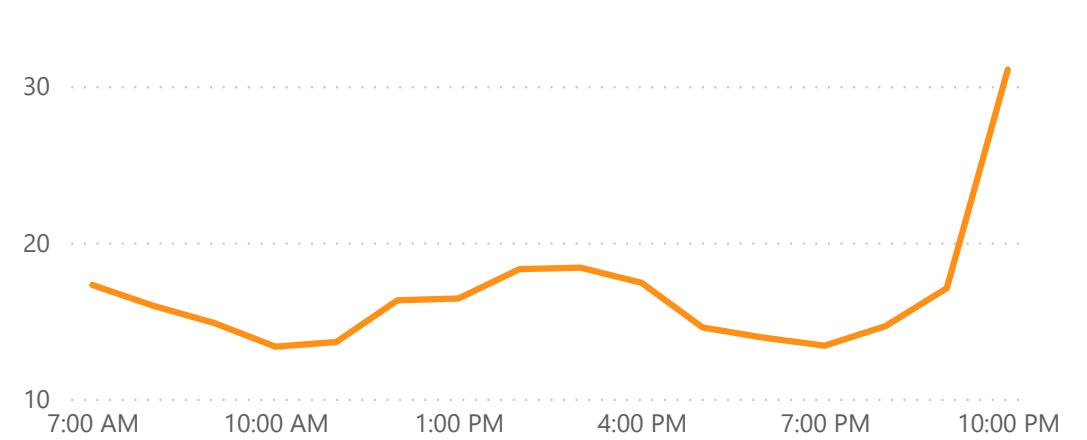
Average Trip Distance (km)

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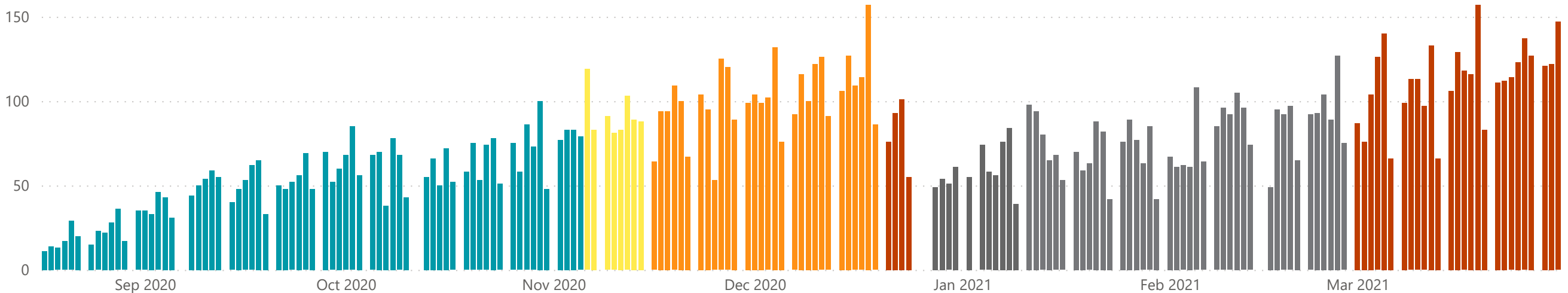
Average Wait Time



Average Wait Time vs. Time of Day



Ridership vs. Covid Reopening Stages



NRT OnDemand Service Metrics

Grimsby
Origin and/or Destination Municipality

Wednesday, March 31, 2021
Data as of

Number of Rides

9070

Number of Trips

8163

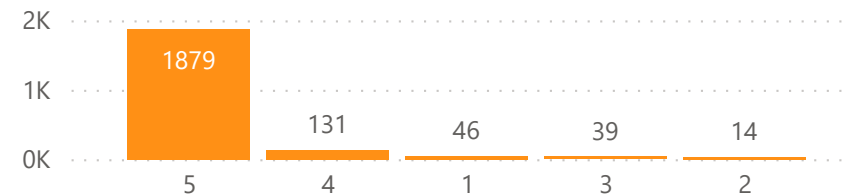
WAV Trips

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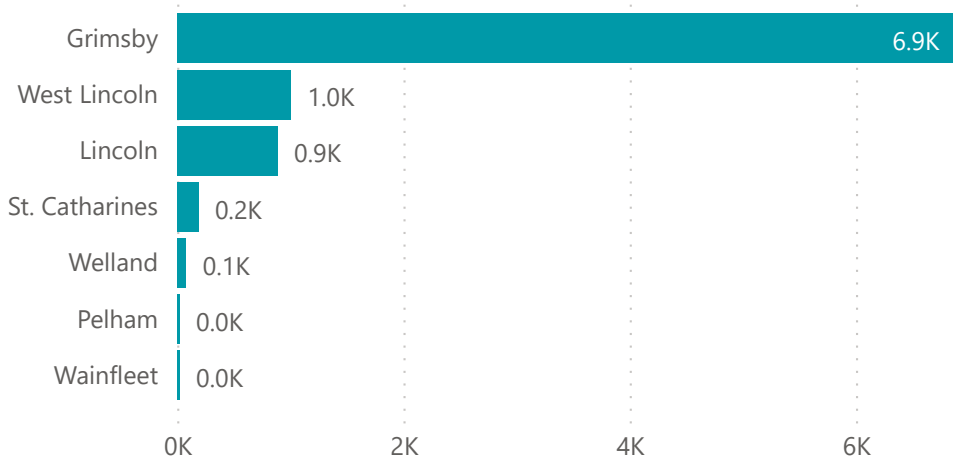
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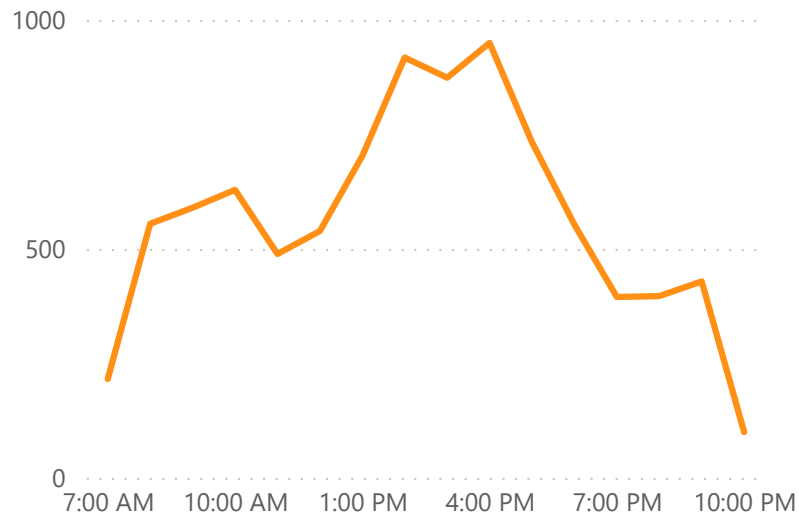
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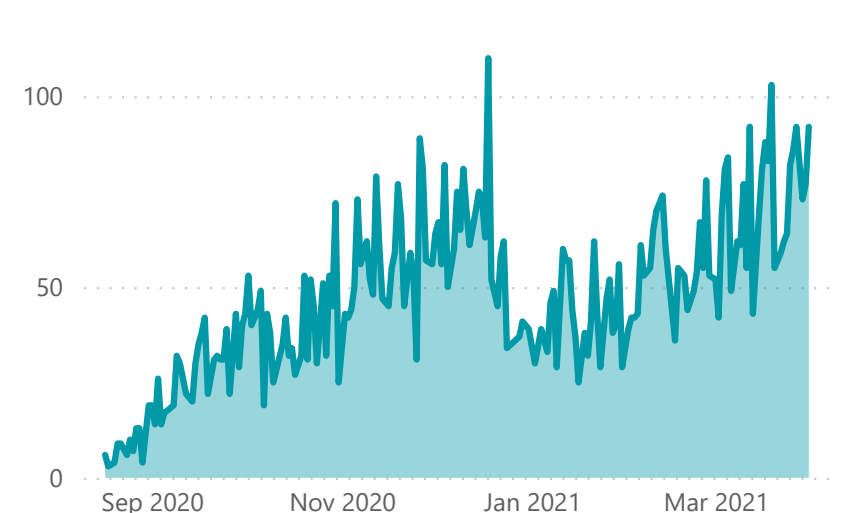
Rides by Origin Municipality



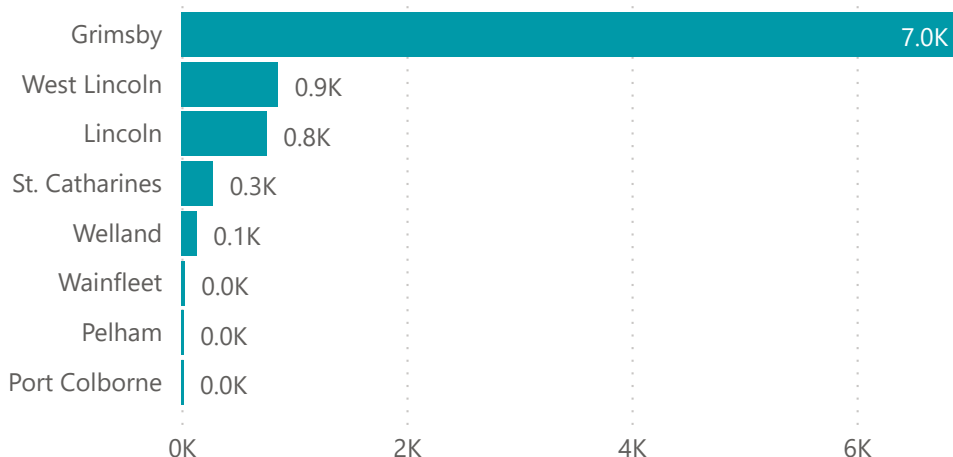
Ride Time of Day



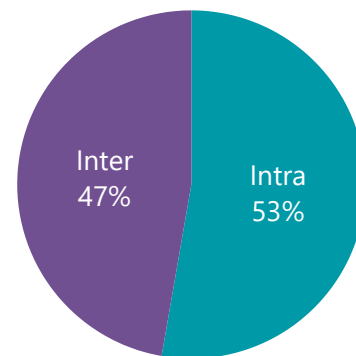
Ridership



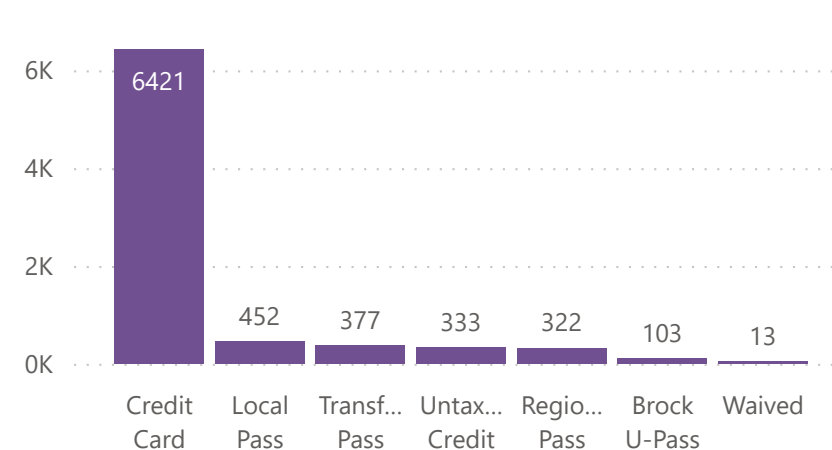
Rides by Destination Municipality



Inter vs. Intra-Municipal Rides



Payment Type



NRT OnDemand Service Metrics

Lincoln
Origin and/or Destination Municipality

Wednesday, March 31, 2021

Data as of

Number of Rides

4524

Number of Trips

4114

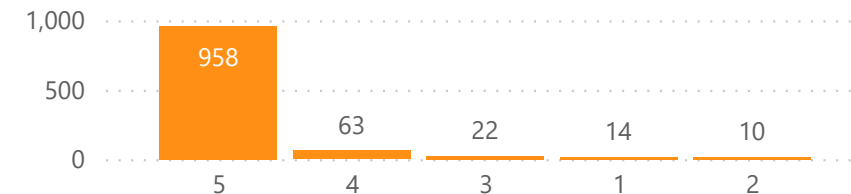
WAV Trips

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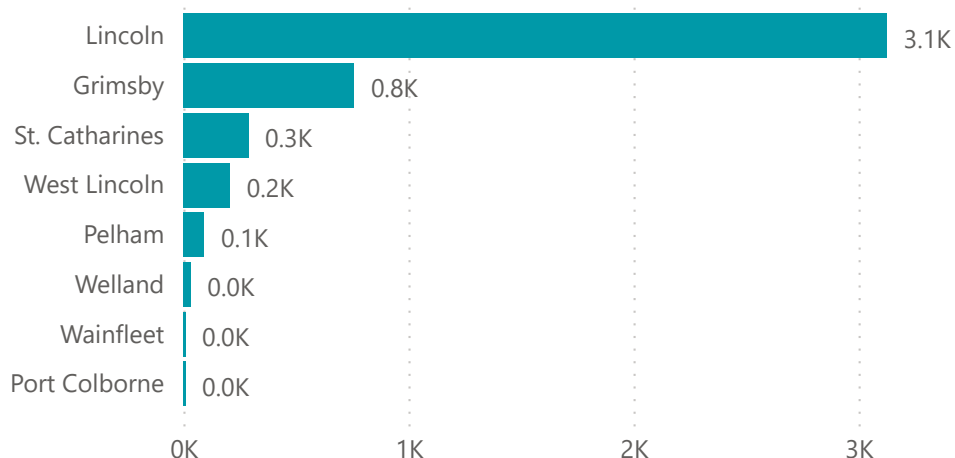
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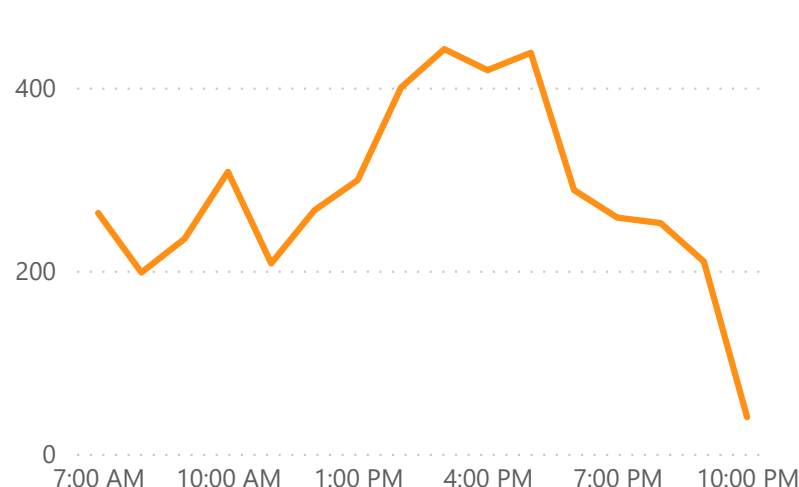
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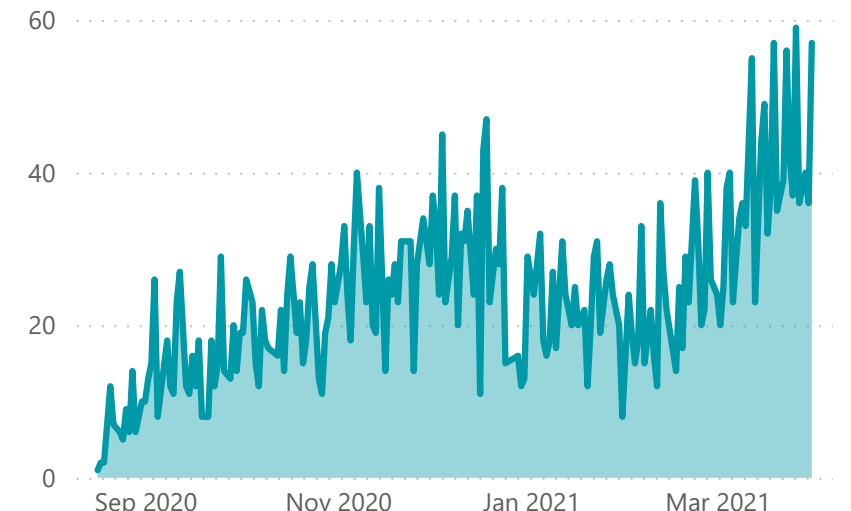
Rides by Origin Municipality



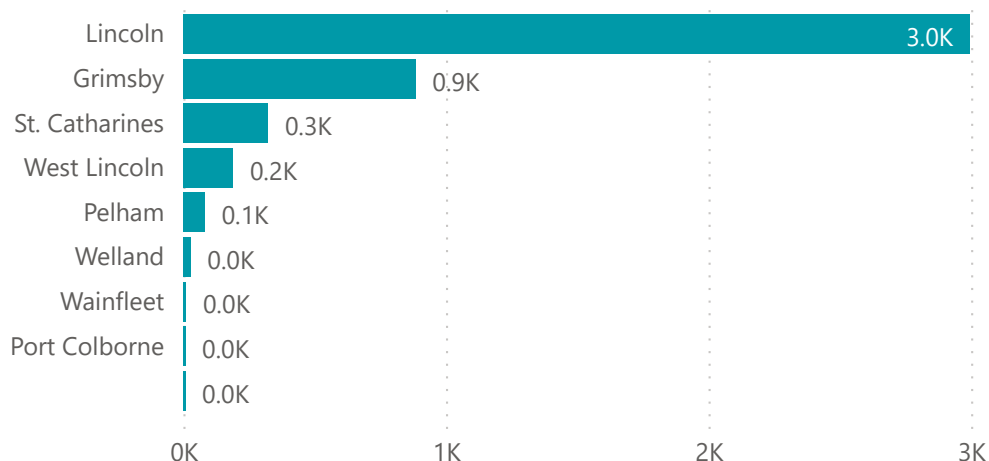
Ride Time of Day



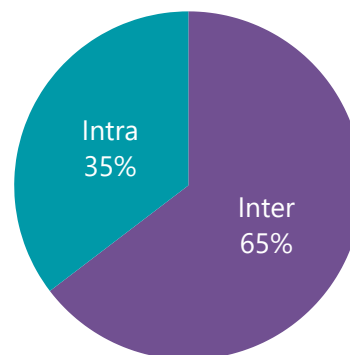
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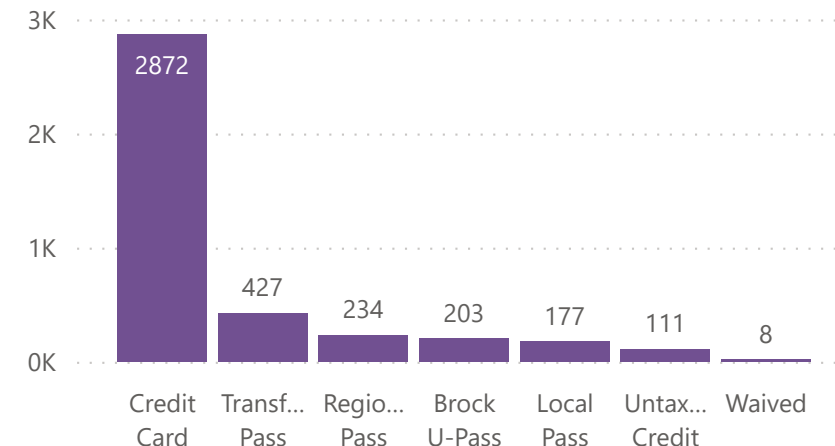
Rides by Destination Municipality



Inter vs. Intra-Municipal Rides



Payment Type



NRT OnDemand Service Metrics

Pelham
Origin and/or Destination Municipality

Wednesday, March 31, 2021
Data as of

Number of Rides

2292

Number of Trips

2173

WAV Trips

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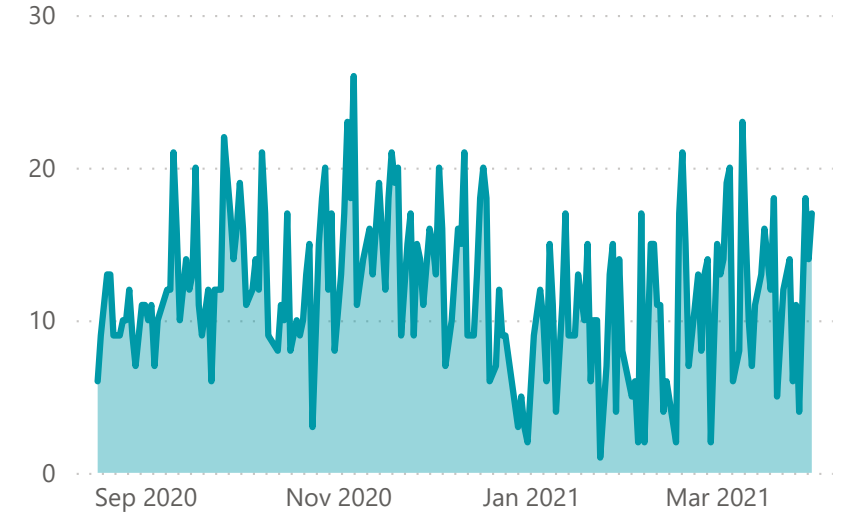
Average Wait Time (min)

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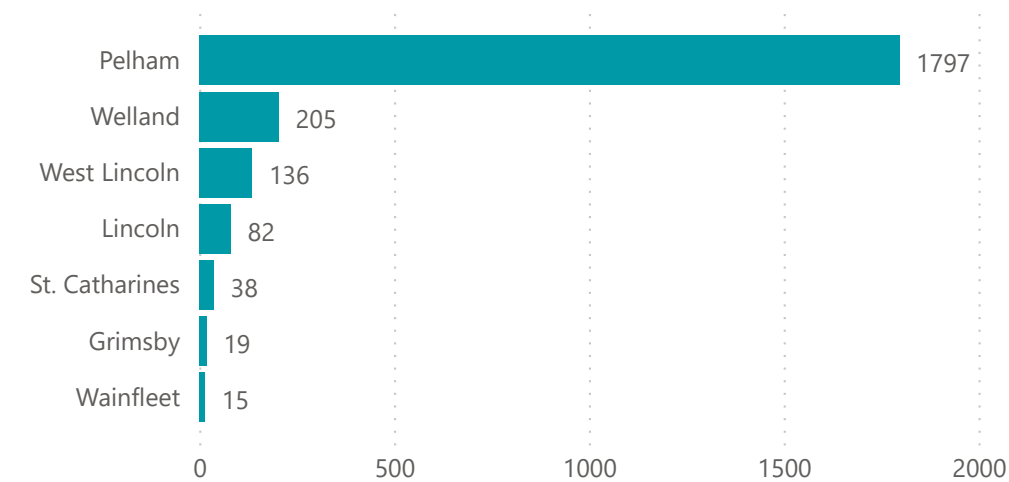
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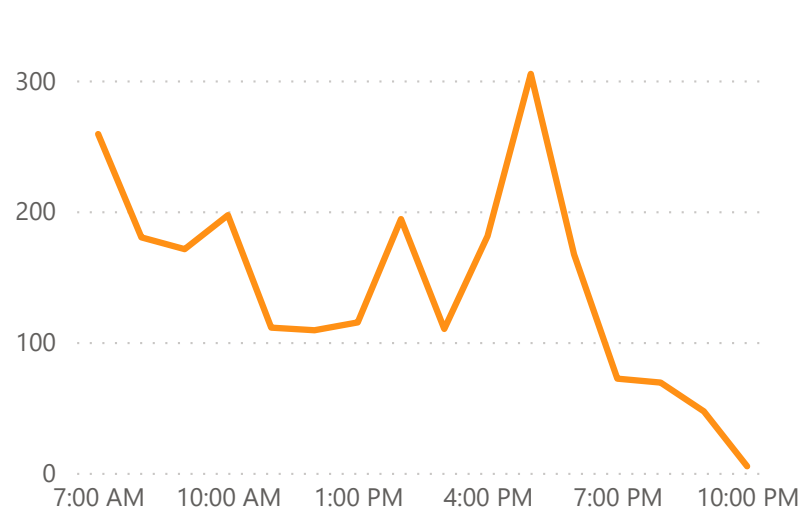
Ridership



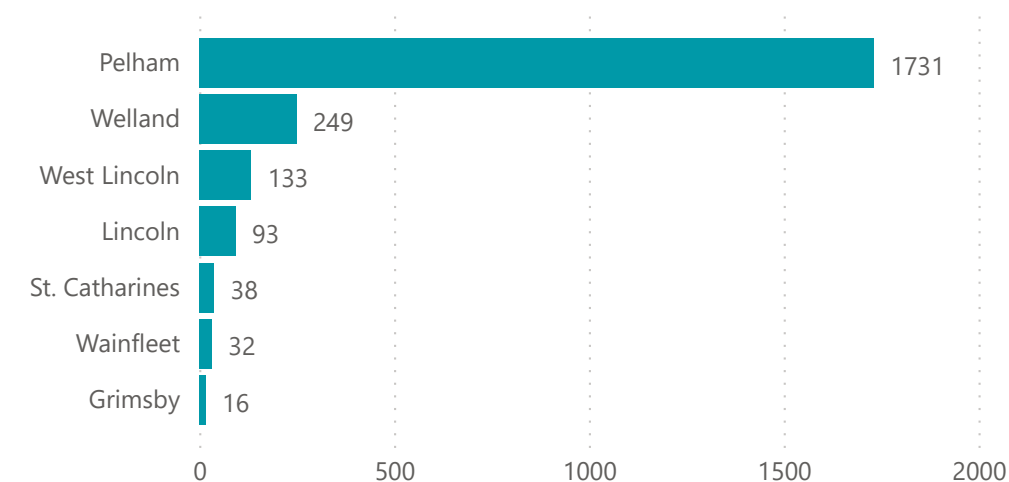
Rides by Origin Municipality



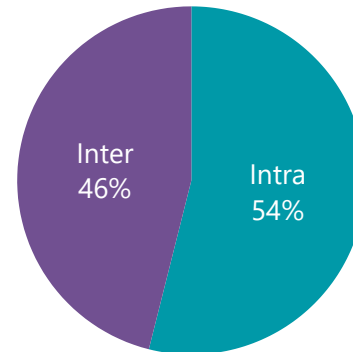
Ride Time of Day



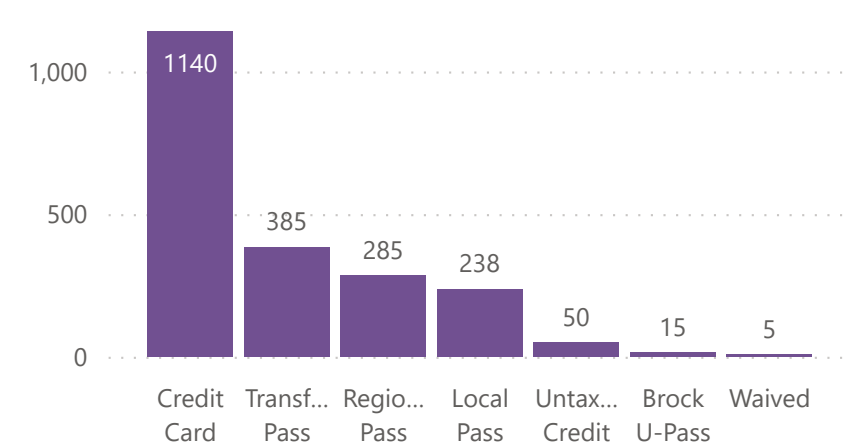
Rides by Destination Municipality



Inter vs. Intra-Municipal Rides



Payment Type



NRT OnDemand Service Metrics

Niagara-on-the-Lake
Origin and/or Destination Municipality

Wednesday, March 31, 2021
Data as of

Number of Rides

348

Number of Trips

324

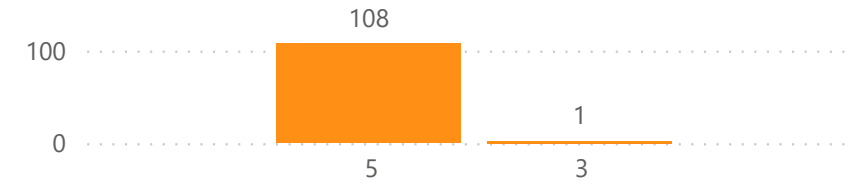
WAV Trips

2

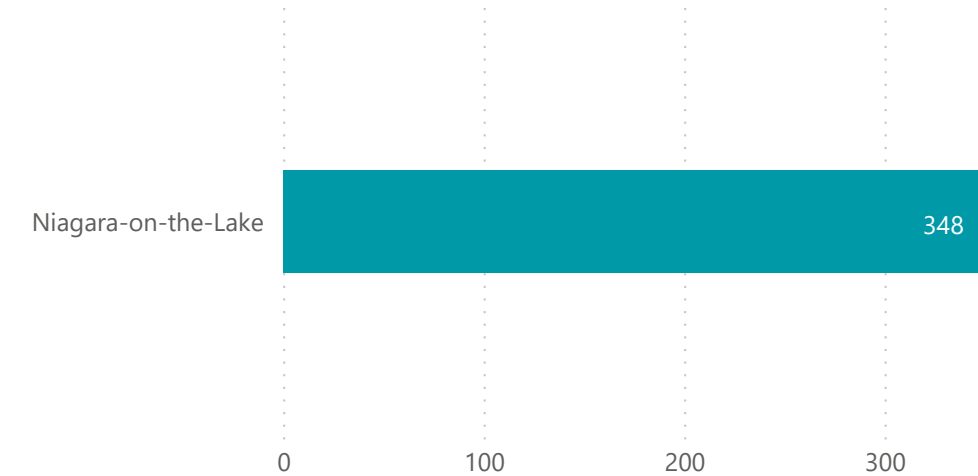
Average Wait Time (min)

12.39

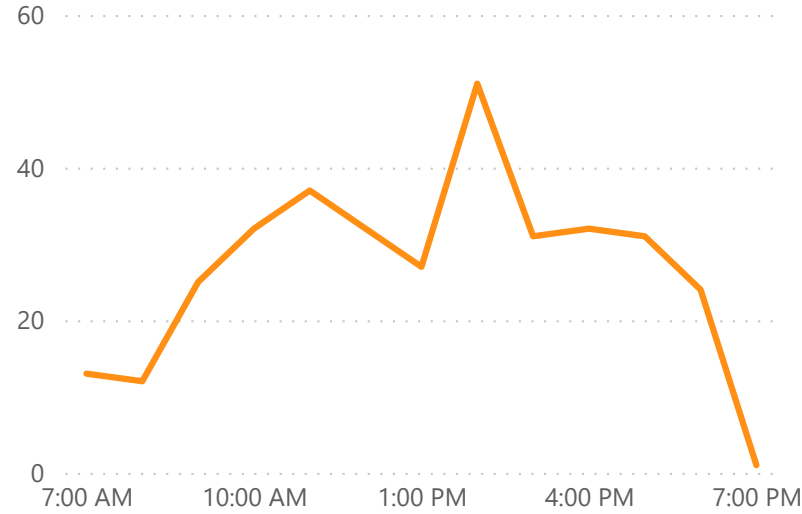
Trip Rating



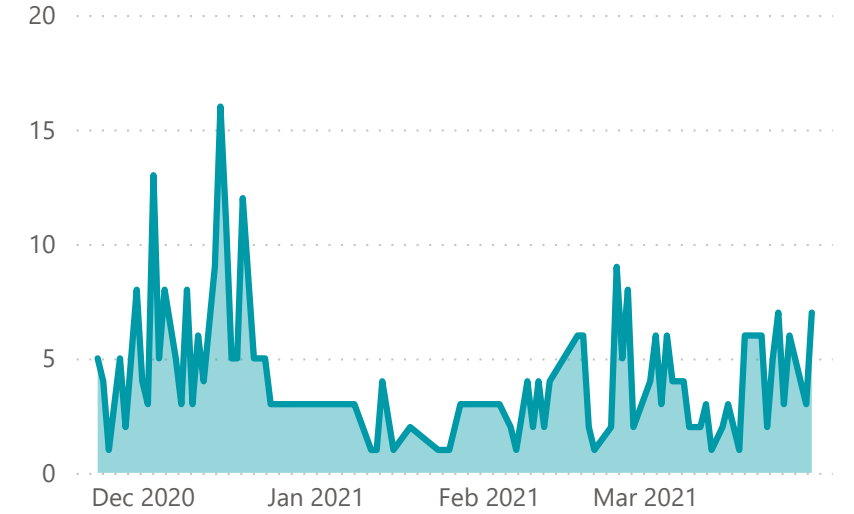
Rides by Origin Municipality



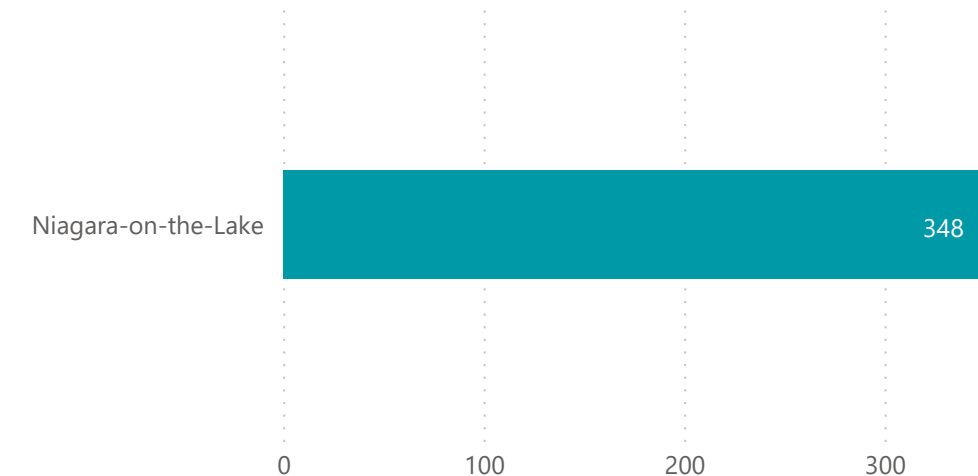
Ride Time of Day



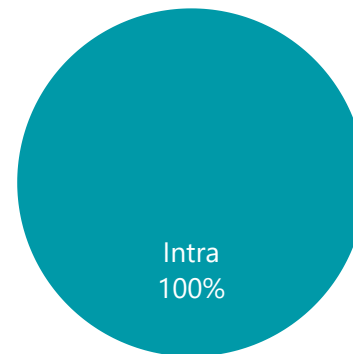
Ridership



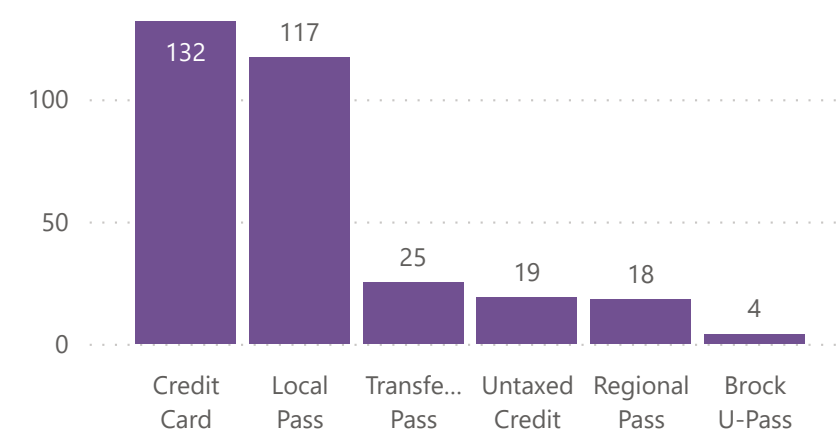
Rides by Destination Municipality



Inter vs. Intra-Municipal Rides



Payment Type



NRT OnDemand Service Metrics

Wainfleet
Origin and/or Destination Municipality

Wednesday, March 31, 2021
Data as of

Number of Rides

195

Number of Trips

180

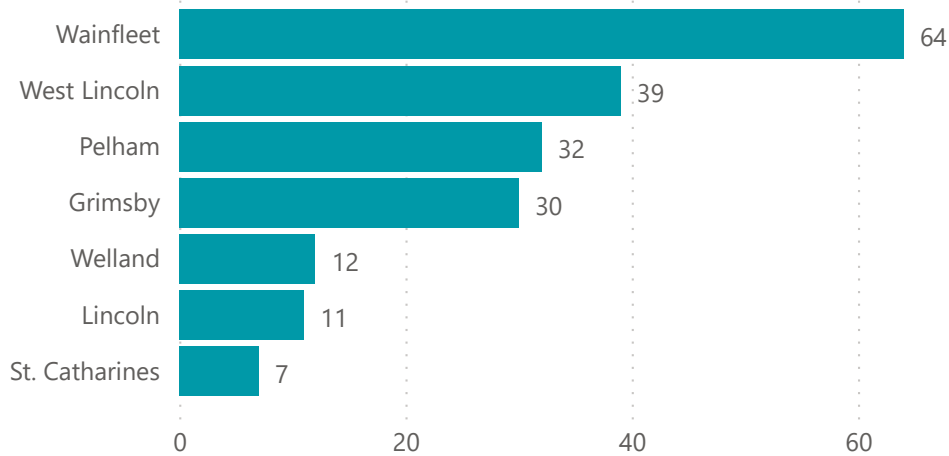
WAV Trips

0

Average Wait Time (min)

20.27

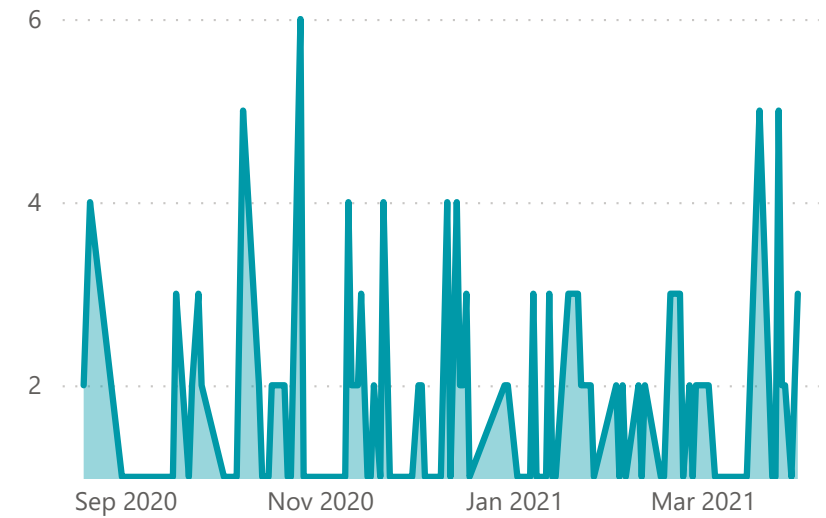
Rides by Origin Municipality



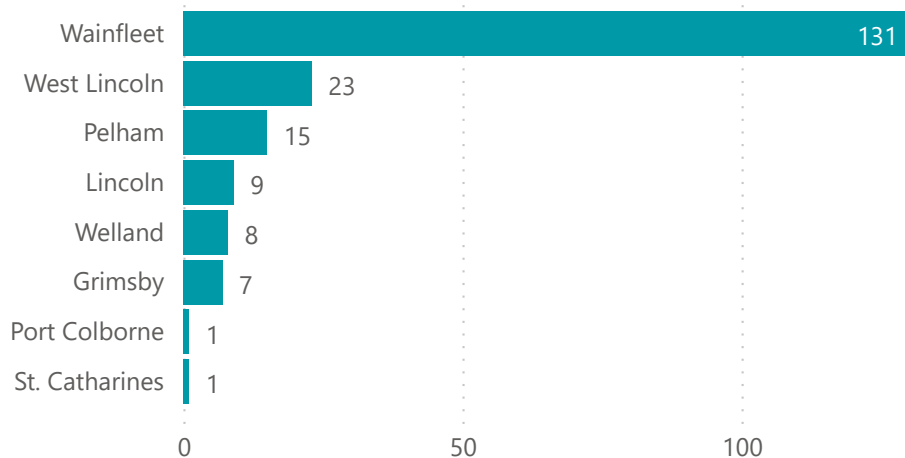
Ride Time of Day



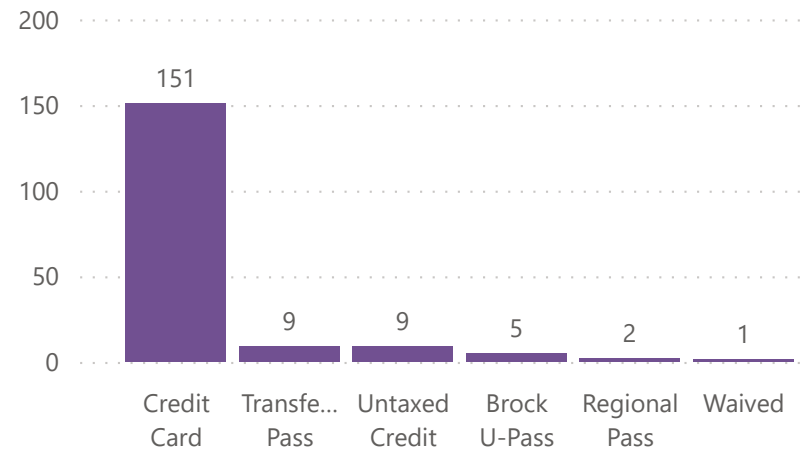
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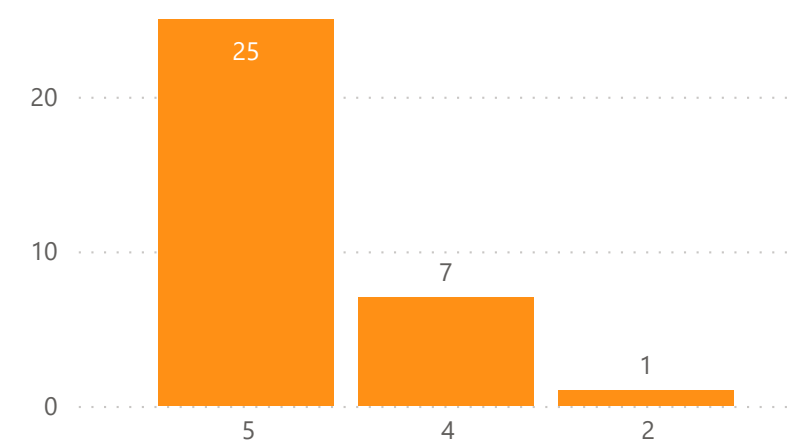
Rides by Destination Municipality



Payment Type



Trip Rating



NRT OnDemand Service Metrics

West Lincoln
Origin and/or Destination Municipality

Wednesday, March 31, 2021
Data as of

Number of Rides

2760

Number of Trips

2574

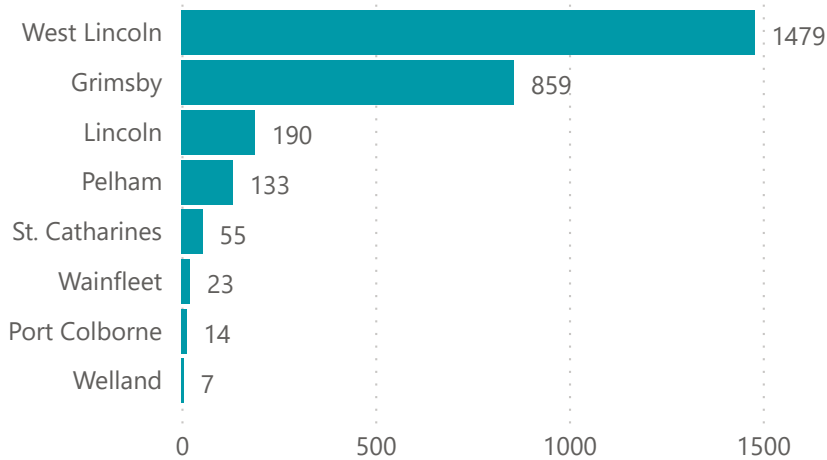
WAV Trips

30

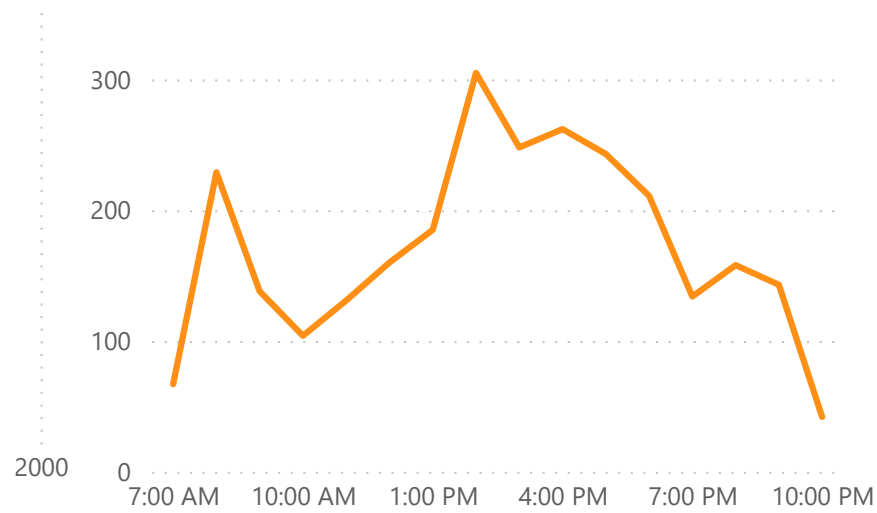
Average Wait Time (min)

18.25

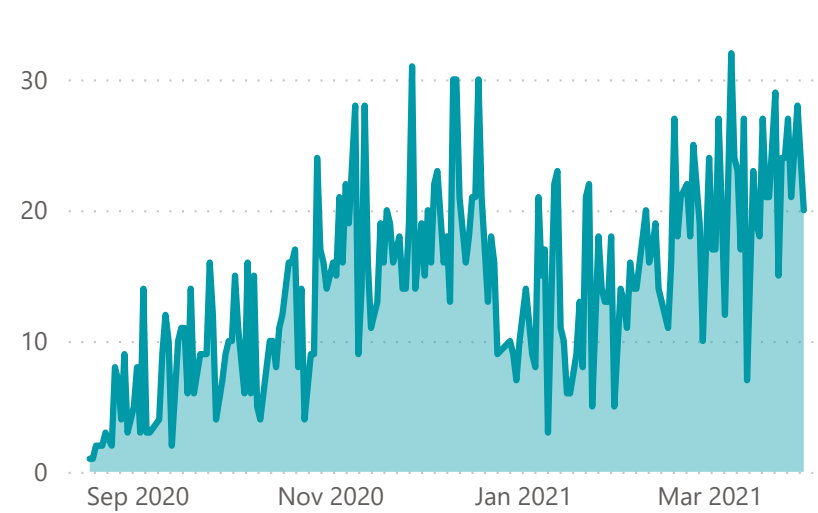
Rides by Origin Municipality



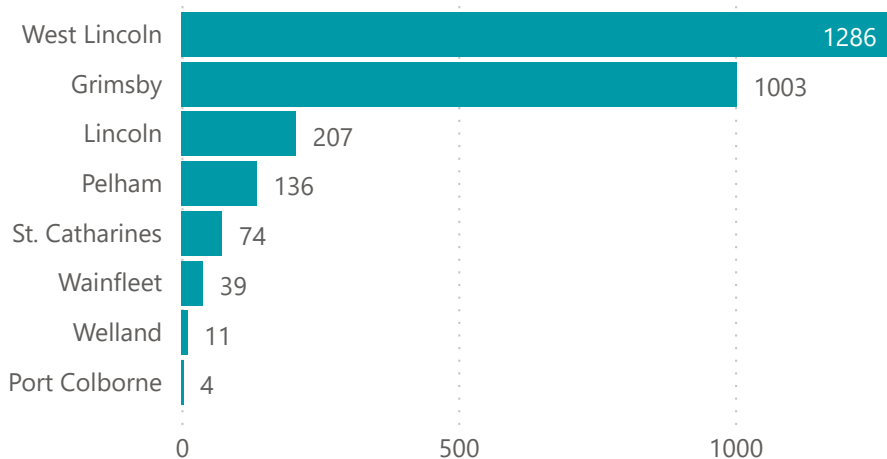
Ride Time of Day



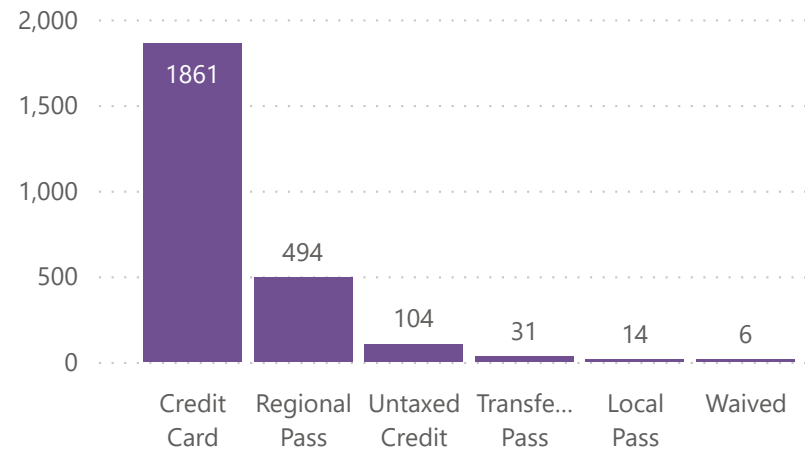
Ridership



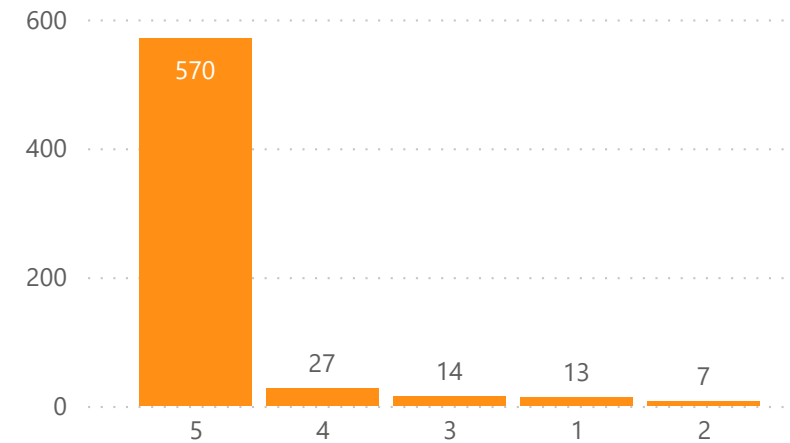
Rides by Destination Municipality



Payment Type



Trip Rating



Received April 6, 2021
C-117-2021



The Corporation of The Town of Amherstburg

April 6, 2021

Honourable Ernie Hardeman
Minister of Agriculture, Food and Rural Affairs
Email: minister.omafra@ontario.ca

VIA EMAIL

Re: Request for Amendments to the Agricultural Tile Drainage Installation Act

Dear Hon. Hardeman,

At its meeting held on March 22, 2021, Council for the Town of Amherstburg passed the following:

Resolution # 20210322-098

“That Administration BE DIRECTED to send correspondence in support of Howick Township’s request for Amendments to the Agricultural Tile Drainage Installation Act.”

Enclosed is a copy of the correspondence from Howick Township for convenience and reference purposes.

Regards,

Tammy Fowkes
Deputy Clerk, Town of Amherstburg
(519) 736-0012 ext. 2216
tfowkes@amherstburg.ca

cc:

Carol Watson – Clerk, Township of Howick
clerk@howick.ca

Taras Natyshak – MP, Essex
tnatyshak-co@ndp.on.ca

Chris Lewis – MPP. Essex
Chris.Lewis@parl.gc.ca

Rural Ontario Municipal Association (ROMA)
roma@roma.on.ca

Ontario Federation of Agriculture (OFA)
paul.nairn@ofa.on.ca

Christian Farmers Federation of Ontario (CFFO)
cffomail@christianfarmers.org

Land Improvement Contractors of Ontario (LICO)
lico.secretary@cyg.net

Drainage Superintendents Association of Ontario (DSAO)
dsaochapter1@dsao.net

Association of Municipalities of Ontario (AMO)
amo@amo.on.ca

All Ontario Municipalities



44816 Harriston Road, RR 1, Gorrie On N0G 1X0
Tel: 519-335-3208 ext 2 Fax: 519-335-6208
www.howick.ca

December 3, 2020

The Honourable Ernie Hardeman
Minister of Agriculture, Food and Rural Affairs

By email only minister.omafra@ontario.ca

Dear Mr. Hardeman:

Please be advised that the following resolution was passed at the December 1, 2020 Howick Council meeting:

Moved by Councillor Hargrave; Seconded by Councillor Illman:

Be it resolved that Council request the Ministry of Agriculture, Food and Rural Affairs amend the Tile Drainage Installation Act and/or the regulations under the Act that would require tile drainage contractors file farm tile drainage installation plans with the local municipality; and further, this resolution be forwarded to Minister of Agriculture, Food and Rural Affairs, Huron-Bruce MPP Lisa Thompson, Perth-Wellington MPP Randy Pettapiece, Rural Ontario Municipal Association, Ontario Federation of Agriculture, Christian Farmers Federation Of Ontario, Land Improvement Contractors of Ontario, Drainage Superintendents of Ontario and all Ontario municipalities. Carried. Resolution No. 288/20

If you require any further information, please contact this office, thank you.

Yours truly,

Carol Watson

Carol Watson, Clerk
Township of Howick



Background Information to the Township of Howick Resolution No. 288-20 Requesting Amendments to the Agricultural Tile Drainage Installation Act

Rational for Proposed Amendments

Over the years, Howick Township staff have received many requests for tile drainage information on farmland. Usually these requests come after a change in ownership of the farm. Some of these drainage systems were installed recently but many are 30 to 40 or more years old. Many were installed by contractors who are no longer in business or who have sold the business and records are not available.

Information is generally available if the tile was installed under the Tile Drain Loan Program because a drainage plan is required to be filed with the municipality. If the tile system was installed on a farm without using the Tile Drain Loan Program, there likely are no records on file at the municipal office.

The other benefits to filing tile drainage plans with the municipality are identified in Section 65 of the Drainage Act.

- 65(1) – Subsequent subdivision of land (severance or subdivision)
- 65(3) – Drainage connection into a drain from lands not assessed to the drain
- 65(4) – Drainage disconnection of assessed lands from a drain
- 65(5) – Connecting to a municipal drain without approval from council

Section 14 of the Act states:

(1) “The Lieutenant Governor in Council may make regulations,

(a) providing for the manner of issuing licences and prescribing their duration, the fees payable therefor and the terms and conditions on which they are issued;

(a.1) exempting classes of persons from the requirement under section 2 to hold a licence, in such circumstances as may be prescribed and subject to such restrictions as may be prescribed;

(b) Repealed: 1994, c. 27, s. 8 (5).

(c) establishing classes of machine operators and prescribing the qualifications for each class and the duties that may be performed by each class;



Howick
TOWNSHIP

44816 Harriston Road, RR 1, Gorrie On N0G 1X0
Tel: 519-335-3208 Fax: 519-335-6208
www.howick.ca

- (d) providing for courses of instruction and examinations and requiring licence holders or applicants for a licence under this Act to attend such courses and pass such examinations;
- (e) prescribing the facilities and equipment to be provided by persons engaged in the business of installing drainage works;
- (f) prescribing standards and procedures for the installation of drainage works;
- (g) prescribing performance standards for machines used in installing drainage works;
- (h) prescribing forms and providing for their use;
- (i) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1990, c. A.14, s. 14; 1994, c. 27, s. 8 (4, 5).”

I believe it would be beneficial if a regulation required the installer, of agricultural drainage, to file a plan of the drainage system with the municipality following completion of the work.

While most of Section 14 deals with contractor, machine and installer licences, I think that Section 14(f) or 14(i) may allow a regulation change. This would be a better solution than an amendment to the Act.

Recommendations:

- Request by municipal resolution that the Ministry of Agriculture, Food and Rural Affairs amend the Tile Drainage Installation Act and/or the regulations, under the Act, that would require tile drainage contractors file all farm tile drainage installation plans in the Municipality where the installation took place
- Send the municipal resolution to:
 - Minister of Agriculture, Food and Rural Affairs
 - Lisa Thompson, MPP Huron Bruce
 - Randy Pettapiece, MPP Perth Wellington
 - Rural Ontario Municipal Association roma@roma.on.ca
 - [OFA](#)
 - [CFFO](#)
 - All Ontario municipalities
 - the Land Improvement Contractors of Ontario (LICO), and
 - the Drainage Superintendents Association of Ontario (DSAO)

Wray Wilson, Drainage Superintendent
Township of Howick
drainage@howick.ca

Administration

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

www.niagararegion.ca

April 1, 2021

CL 5-2021, March 25, 2021
PEDC 3-2021, March 10, 2021
PDS 12-2021, March 10, 2021

DISTRIBUTION LIST

SENT ELECTRONICALLY

RE: 2021 Niagara Employment Inventory Status Update

Regional Council, at its meeting held on March 25, 2021, approved the following recommendation of its Planning and Economic Development Committee:

That Report PDS 12-2021, dated March 10, 2021, respecting 2021 Niagara Employment Inventory Status Update, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Report PDS 12-2021 informing Council that the 2021 Niagara Employment Inventory will not proceed this year **BE RECEIVED** for information; and
2. That a copy of this Report **BE CIRCULATED** to the Local Area Municipalities, Local Economic Development Offices, Niagara Workforce Planning Board, Brock University, and the Niagara Chambers of Commerce.

A copy of Report PDS 12-2021 is attached for your reference.

Yours truly,



Ann-Marie Norio
Regional Clerk

CLK-C 2021-49

Distribution List: Local Area Municipalities
Local Economic Development Offices
Niagara Workforce Planning Board
Brock University
Niagara Chambers of Commerce
J. Docker, Planning Lead, Development Applications Portal
D. Giles, Acting Commissioner, Planning and Development Services
N. Oakes, Executive Assistant to the Acting Commissioner of Planning and Development Services

Subject: 2021 Niagara Employment Inventory Status Update

Report to: Planning and Economic Development Committee

Report date: Wednesday, March 10, 2021

Recommendations

1. That Report PDS 12-2021 informing Council that the 2021 Niagara Employment Inventory will not proceed this year **BE RECEIVED** for information; and
2. That a copy of this Report **BE FORWARDED** to the Local Area Municipalities, Local Economic Development Offices, Niagara Workforce Planning Board, Brock University, and the Niagara Chambers of Commerce.

Key Facts

- The purpose of this report is to inform Council that the 2021 Niagara Employment Inventory (“NEI”) will not proceed this year. The ongoing COVID-19 emergency does not provide an opportunity to safely and effectively conduct the NEI.
- The decision to cancel the 2021 NEI was made jointly with staff from Planning and Development Services and Economic Development.
- The following are the reasons why the 2021 NEI was cancelled:
 - Risks related to the health and safety of the project team;
 - Challenges related to modified working arrangements; and
 - Concerns regarding low survey response rate and poor sample quality, leading to negative affect on the quality and usability of the database
- The Region anticipates resuming the NEI in spring 2022. Until then, the Region will rely on other secondary data sources that are collected from COVID-19-specific business surveys, the 2021 Census and The Conference Board of Canada.

Financial Considerations

The council approved operating budget for the 2021 Employment Survey is \$100,000, consisting of \$95,000 in intern and student salaries and \$5,000 in administrative costs. As a result of the employment survey not proceeding, these funds will be recognized as surplus in the 2021 financial reporting.

Analysis

Since 2016, the NEI has been conducted on an annual basis during the months of May to September. During this time, data points are collected by a team of post-secondary students through door-to-door interviews with primary contacts at businesses across all twelve local municipalities.

Given the challenges presented by the ongoing COVID-19 pandemic, Planning and Development Services and Economic Development decided that the 2021 NEI data collection could not proceed.

Three factors led to the conclusion to cancel the 2021 NEI: health and safety measures, human resource impacts, and data integrity concerns.

1. Health and Safety Measures

The health and safety of Regional staff and the community at large is top priority when conducting the NEI. Normally, recruitment for NEI summer students would have occurred by February, with a starting date in early May. However, with the uncertainty of COVID-19 impacts for the upcoming months, we are unable to start that process.

Of paramount importance is preventing transmission of the COVID-19 virus. This includes limiting Regional staff contact with the public, which is traditionally a normal occurrence as part of site visits to conduct the NEI. Regional staff considered continuing the NEI with the use of personal protective equipment and other tools to mitigate the risk; however, an uncomfortable level of risk would still exist.

2. Human Resource Impacts

Historically, the NEI employed up to six summer term students from post secondary institutions. A typical workday for these students consists of them working outside the office directly interacting with persons in businesses.

The Region considered a modified work arrangement for 2021. However, the public health risks noted above make such a program unfeasible.

If the team is unable to work in the field and engage directly with businesses, and instead work-from-home, accurate data cannot be captured. Further, this arrangement would present challenges to effectively manage and monitor students remotely. Additional financial investments to purchase computer hardware and other items would also be required.

For these reasons, this work cannot be effectively completed from home.

3. Data Integrity Concerns

In 2019, the NEI received a 90% participation rate. This high rate is attributed to the responses received from in-person visits. On average, the in-person responses account for over 75% of all responses. Approximately, 15% of responses are through email and the remaining 10% through telephone. Without in-person engagement, the Region anticipates a significantly reduced response rate, well below the 90% response rate historically achieved.

The inherent value of the NEI is dependent on the high quality data. A 90% response rate ensures that the data is reliable, and therefore usable for important research and analysis activities. A database with a low response rate cannot be relied on for nuanced and business-level research and analysis. This could result in mischaracterizations and/or businesses being misrepresented in the database.

Furthermore, COVID-19 is a very tumultuous time for many businesses. Some businesses have closed permanently or temporarily, some businesses have laid off staff, and some businesses have modified hours. This makes it more difficult to reach businesses and, as a result, would have a negative affect in the response rate. Also, during COVID-19, many businesses have made temporary changes to staffing and other temporary measures which could skew data if collected.

Other Data Collection Initiatives

Other data collection initiatives remain active during the COVID-19 pandemic.

These include the Niagara Economic Rapid Recovery Response Team's work on the Niagara COVID-19 Business Impact Survey. A third survey is currently being prepared.

The Niagara Workforce Planning Board will be working with Economic Development and other economic stakeholders on engaging businesses for a Labour Market Partnership Research Project.

Lastly, Statistics Canada is conducting the 2021 Census of Canada, as well as the 2021 Census of Agriculture, which is another intensive survey that will be widely administered in Niagara.

The above-noted surveys are valuable for the Region for certain purposes. However, they do not provide the level of detail Staff require to conduct micro level research and analysis. The Region relies on the NEI survey results to make recommendations on a variety of matters. For these reasons, we look to re-establish the NEI in 2022.

Alternatives Reviewed

For the reasons set out above, there are no reasonable alternatives to cancelling the 2021 NEI. Regional staff gave careful consideration to conducting the 2021 NEI solely through online and telephone engagement. However, we would not expect that to be successful. If the Region does not achieve a high survey response rate, the data results would not yield a complete and reliable dataset for business level research and analysis.

Relationship to Council Strategic Priorities

The Niagara Employment Inventory project supports Regional Council's priority of 'Supporting Businesses and Economic Growth'.

Other Pertinent Reports

- PDS 13-2016 - Niagara Region Employment Survey
- PDS 1-2017 - Niagara Region Employment Inventory Preliminary Results
- PDS 5-2018 - Niagara Region 2017 Employment Inventory Results
- PDS 6-2019 - Niagara Region 2018 Employment Inventory Results
- ED 9-2020 - COVID-19 Response and Business Continuity in Economic Development
- ED 11-2020 - Economic Recovery Plan Update

Prepared by:

John Docker
Planner
Planning and Development Services

Recommended by:

Doug Giles, BES, MUP
Commissioner (Acting)
Planning and Development Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Blake Landry, Manager, Economic Research and Analysis, and reviewed by Isaiah Banach, Director, Community and Long Range Planning (Acting) and Lyndsey Ferrell, Program Financial Specialist, Corporate Services.

31 March 2021

Mayor, Kevin Gibson
Township of Wainfleet
31940 Highway 3, P.O. Box 40
Wainfleet, ON L0S 1V0

Received April 9, 2021
C-120-2021

Dear Mayor Kevin Gibson:

On behalf of the Niagara Peninsula Conservation Authority (NPCA) Board of Directors, I would like to invite you to participate in our upcoming strategic planning process. The NPCA is developing a new 10-year strategic plan to guide future goals and activities that will further the conservation, restoration, and management of the Niagara Peninsula watershed.

Collaboration between people, communities, and organizations within the Niagara Peninsula watershed is vital to shaping the future of the landscape. We will need to work together on a collective response to the many issues the Niagara Peninsula watershed will be facing including climate change and pressures on the landscape from population growth. How we shape conservation in the next 10 years is critical to achieving a resilient and healthy watershed.

Given our mutual interest in protecting, restoring, and sustaining the Niagara Peninsula watershed, we hope to engage you and your community in this strategic planning process. Over the next few weeks, we will begin engaging with the community through virtual means (www.getinvolved.npca.ca) to obtain input on proposed Strategic Priorities and goals that will guide future conservation efforts. While we will be primarily engaging virtually due to the ongoing pandemic, we are willing to accommodate other options for you to be involved in this process that respects current health protocols.

Please contact the NPCA at 905-788-3135 or by email at stratplan@npca.ca for more information. Thank you for your participation.

Sincerely,



Chandra Sharma, CAO/Secretary-Treasurer

March 19, 2021

To Whom It May Concern:

When I moved into this area of the quarry, it was an active quarry for the cement plant. The cement plant closed and the quarry was abandoned. My boys were young at the time, and we would go walking over to the quarry floor looking for fossils. Time passed and the quarry filled with water becoming the neighbourhood swimming hole and fishing spot. No garbage or broken beer bottles. Now that the boys are grown up with children of their own and they refuse to take them down to the quarry to swim and fish because of the total disregard for the land and water shown by our future generations. Garbage, broken bottles, human feces, and the filth that humans leave behind when they have no respect for their fellow humans or land that they use for their enjoyment. Be it swimming, fishing or just walking. Through the vast area that was pristine only a short time ago. You used to take a walk around the quarry edge and see young duckling and goslings in the spring swimming around in the water. Blue herons sitting on their nests in the swamp areas. Young foxes running around their dens in the dirt banks of the quarry. Nature at its best. I hope that this will all return this spring, but I have my doubts this year. Nature and people will not co-exist with what went on over the past two summers. This will become a hole with the water not fit for man or the wildlife that has been scared away.

It's up to the conservation authority to man up and take charge of our precious land and water. Tell the bureaucrats who are interested in the money from tourists, it will never pay for the damage they have caused to nature and the beauty of the area.

The township came to the realization that we were not blowing smoke about speed and careless driving until a young man lost his life. This could have been a lot worse. Too bad it took a human life to smarten up the powers that be. Summer is coming, wake up. Enforce the signage you have put in place before we have another heart breaker involving a child getting hit or drowned.

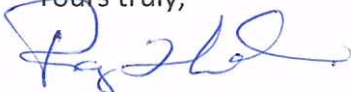
Let the conservation authority, township and police get together with a plan, enforce it so we can have a safe and at best, less finger pointing at each other when a problem does occur.

I'm done with the stink of burning rubber and loud mufflers of cars drag racing down Quarry Road, past groups of people standing on the road and bridge. Fireworks being set off during the day and late nights.

All and all, not a pleasant summer for the residents and wildlife of Reeb's Bay.

With hope and optimism for a safer and quieter summer

Yours truly,



Ray Weston

10593 MAPLE WOOD DR.
REEB'S BAY. 905-835-5831

THIS IS A COPY OF THE LETTER I SENT TO THE
CONSERVATION AUTHORITY.