

Correspondence
Items for
Information
Purposes

The Premier
of Ontario

Legislative Building
Queen's Park
Toronto, Ontario
M7A 1A1

Le Premier ministre
de l'Ontario

Édifice de l'Assemblée législative
Queen's Park
Toronto (Ontario)
M7A 1A1



January 17, 2011

Ms. Denise B. Holmes, AMCT
Clerk-Treasurer
The Township of Melancthon
157101 Highway 10
RR 6
Shelburne, Ontario
L0N 1S9

Dear Ms. Holmes:

Thank you for your letter dated December 23, 2010, informing me of council's resolution regarding the removal of the Provincial Sales Tax portion from the Harmonization Sales Tax, hydro rates and energy policies relating to turbines. I appreciate your keeping me informed of council's activities.

As this issue falls under the responsibility of my colleagues the Honourable Dwight Duncan, Minister of Finance, and the Honourable Brad Duguid, Minister of Energy, I have sent copies of your correspondence to them for their information. I trust that the ministers will also take council's position into consideration.

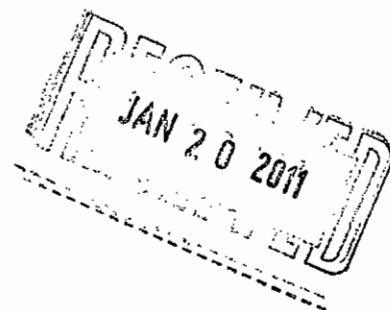
Thank you again for the update. Please accept my best wishes.

Yours truly,

A handwritten signature in black ink that reads "Dalton McGuinty".

Dalton McGuinty
Premier

c: The Honourable Dwight Duncan
The Honourable Brad Duguid



1
FEB - 3 2011



To the Mayor and Members of Melancthon Council

Dear Mayor Hill

I am writing as a person having an interest in the east half of Lot 14 Con 4 O.S. Melancthon.

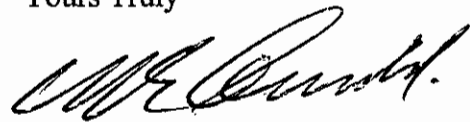
I have a great respect for the potato growers and farmers of North Dufferin. They are my friends and neighbours. I also recognize that they are taking a stand to retain a way of life that they feel is important. However I would ask for similar respect for my liberties and way of life.

I wish to go on record as being opposed to the rezoning of property beyond their ownership to a specialty classification. No person or private corporation should have the power or ability to rezone property that is not theirs.

It should be noted that there is already a fairly large part of the yearly crop being produced outside the proposed area.

I wish to remain the master of my own property. The specialty crop designation infringes on my rights as a land owner.

Yours Truly



Wm. E. Arnold

2

FEB - 3 2011

RECEIVED
JAN 18 2011



[THE DIFFERENCE IS OUR PEOPLE]

January 14, 2011

Township of Melancthon
R. R. No. 6
Shelburne, ON L0N 1S9

**Attention: Mrs. Denise Holmes, A.M.C.T.
CAO / Clerk-Treasurer**

**Re: Drainage Superintendent Services
File No.: D-ME-SUP**

Dear Denise,

Enclosed is our invoice for Drainage Superintendent Services covering the time period from July 1, 2010 through December 31, 2010.

The work undertaken during this period includes the following:

July 2010

- General discussion with County representatives regarding James Foley Drain and Westcott Drain road culvert replacements.
- Request from representative of International Power regarding burying of cables along Municipal Drains. General discussion with representative in RJB office regarding procedures under the Act including acceptable construction practice.
- Received from Clerk, Hannon's complaint regarding his dissatisfaction that repairs not completed on McNabb Drain. General discussion with Mr. Hannon regarding the complaint of flooding due to a rebuilt beaver dam. Notify trapper of urgency to trap new beavers and open the dam. General discussion with Township regarding the above.
- Request from Lyons regarding possible flooding due to wind farm projects. General discussion with owner and direct him to the Township Engineer.

August 2010

- Received notice from trapper that dam on McNabb Drain is open and trapping in progress. On-site with Mr. Hannon to review existing site conditions. General discussions regarding sufficiency of repair with dam opened compared to completing a drain cleanout. Also discuss procedures under the Drainage Act.
- Review McNabb Drain file including current ownership status and complete cost estimate for a drain cleanout. Complete letter to Clerk outlining progress to date on the above including further procedure.

3

FEB - 3 2011

September 2010

- General discussion with Mr. Hannon including adjoining owner regarding McNabb Drain cleanout. Further discussion with Clerk regarding the above.

October 2010

- Request from Riddall regarding obstructions dumped in DeMelo Drain. General discussion with Clerk regarding the above. Complete letter to Clerk regarding the obstruction that needs to be removed pursuant to Section 80 including a time limit for doing so.

November 2010

- Request from Road Superintendent regarding owner's complaint of berms along Hicks Drain. Review drain file and general discussion with owner that any improvement needs to be done privately.
- Request from Bauman regarding tiling to Westcott Drain. Review Drain file and general discussion with owner regarding location of assessed area.
- Request from Clerk regarding beaver complaint in Amos Drain. General discussion with trapper and Road Superintendent regarding doing the work.
- General discussion with Riddall regarding the obstruction in the DeMelo Drain has been removed. Notify Clerk of the above.

December 2010


- Request from Wind Farm representative regarding hydro line crossing on Municipal Drain. General discussion and email to them regarding procedure and permit approvals. Copy to Clerk.

Also enclosed is a completed grant form covering the fees and expenses incurred throughout the year. As you are aware, the cost of employing a Drainage Superintendent is eligible for a 50% grant. Please note the grant application must be signed, by the Treasurer, and submitted before January 31, 2011 together with a record of our "work undertaken" for the year (copies enclosed July and January).

We trust we have handled the Township's drainage matters satisfactorily and look forward to being of service again this year. Should you have any questions or if we can be of any further assistance, please call.

Yours truly,

R. J. Burnside & Associates Limited
Drainage Superintendent



T. M. Pridham, P.Eng.
Encl.

Ministry of
the Environment

Source Protection Programs
Branch

14th Floor
40 St. Clair Ave. West
Toronto ON M4V 1L5

Ministère de
l'Environnement

Direction des programmes de protection
des sources

14^e étage
40, avenue St. Clair Ouest
Toronto (Ontario) M4V 1L5



Log: ENV1174IT-2010-258

January 7, 2010

*Designated Participating Municipalities
for the purposes of O.Reg. 284/07 (Source Protection Areas and Regions)*

**RE: Update on Clean Water Act, 2006 –
Completion of assessment reports**

I am pleased to provide you with an update on the status of assessment reports being developed by local source protection committees under the *Clean Water Act, 2006* (the CWA or the Act). As part of the province's multi-barrier approach to protecting drinking water, the CWA mandated that drinking water be protected at source using a variety of tools, including using existing tools such as municipal land use planning authorities. To assist municipalities to use these authorities, the Act established locally driven, watershed based, source protection committees to review and assess municipal drinking water sources. The Act mandated each source protection committee to prepare three documents: a terms of reference (to prepare an assessment report), an assessment report, and a drinking water source protection plan to address threats to municipal drinking water. Many municipalities currently have provisions in their land use planning documents to protect sources of drinking water, however for some municipalities; this assessment would provide them with the information necessary to do so.

All 38 assessment reports have now been prepared by the local source protection committees. The assessment report is a document that describes the local watershed and available water supplies, identifies vulnerable areas where drinking water sources might face a risk of contamination or depletion, assesses threats to drinking water within those vulnerable areas, and provides the basis for the development of a source protection plan. These documents have the ability to impact municipal planning decisions.

As you know, the *Planning Act* requires that all decisions affecting land use planning matters "be consistent with" the Provincial Policy Statement. Among other policies, s. 2.2.1 of the Provincial Policy Statement (2005) directs that planning authorities shall protect, improve, or restore the quality and quantity of water by: implementing necessary restrictions on development and site alteration to protect all municipal drinking water supplies and designated vulnerable areas.

4

FEB - 3 2011

The vulnerable areas identified in assessment reports are considered “designated vulnerable areas” under the PPS, 2005, as defined in accordance with provincial standards under the *Clean Water Act, 2006*. Decisions on planning matters should consider information from the relevant local assessment report, as each municipality has an obligation to protect its drinking water sources in a manner that balances with other provincial interests.

The approval of assessment reports also means that a municipality may now use its authorities under section 56 of the CWA; these new authorities were provided to protect sources of drinking water through the use of interim risk management plans. Generally speaking, section 56 allows a municipality or conservation authority to negotiate and enforce risk management plans for specific threats enabled by regulation 287/07, to ensure that the threat ceases to be significant. Effectively using these authorities can provide protection to drinking water sources pending completion of a source protection plan. I strongly encourage municipalities to review their options and understand the implications of section 56. Doing so will assist municipalities in participating in the source protection planning process as well as in laying the foundation to implement these tools once source protection plans are completed.

Assessment reports are subject to two periods of public review and comment before being submitted to me for review and a decision¹. Currently, all of the assessment reports have been submitted to me, and three reports have been approved. The assessment reports I have approved are for the Kettle Creek, Catfish Creek and Mattagami Region source protection areas, so that the delineated vulnerable areas are final.

If you or your staff would like to view these assessment reports, they can be accessed through the Conservation Ontario website at http://www.conservation-ontario.on.ca/source_protection/otherswpreionsindex.htm. The balance of the assessment reports are anticipated to be approved over the next 6-12 months. Guidance materials to assist with municipal implementation will also be made available.

If your municipality is within more than one source protection area, it will be subject to more than one assessment report. This could result in part of a municipality having an approved assessment report with the assessment report(s) for the balance of the municipality awaiting approval. Your municipal representatives on the source protection committee, or the committee’s project manager, can be contacted for the status of the assessment report in your area. A list of project managers has been attached for your information.

Sincerely,

¹ Under section 17 of the *Clean Water Act, 2006* the Director (delegated to Director at Source Protection Programs Branch, MOE) makes a decision on submitted assessment reports – either to return the document for directed changes and resubmission or approval.



Ian Smith, Director
Source Protection Programs Branch
Ministry of the Environment

Encl.

cc. Provincial Planning Directors
MOE Liaison Officers
Source Protection Committee Project Managers

Source Protection Authority Project Manager Contact Information

Source Protection Region	Project Manager	Website	Contact Email
Ausable Bayfield Maitland Valley Source Protection Region	Cathie Brown	http://www.sourcewaterinfo.on.ca/	cbrown@abca.on.ca
Cataraqui Source Protection Area	Rob McRae	http://www.cleanwatercataraqui.ca/	robmrae@cataraquiregion.on.ca
CTC Source Protection Region	Beverley Thorpe	http://www.ctcswp.ca/	bthorpe@trca.on.ca
Essex Region Source Protection Area	Diane Taylor	http://www.essexregionsourcewater.org/	staylor@erca.org
Halton-Hamilton Source Protection Region	Stuart Bloomfield	http://www.hjrc.org/	dbloomfield@hrc.ca
Lake Erie Source Protection Region	Martin Keller	http://www.sourcewater.ca/	mkeller@qrandriver.ca
Lakehead Source Protection Area	Jamie Saunders	http://www.sourceprotection.net/	jamesi@lakeheadpa.com
Mattagami Region Source Protection Area	Joe Evers	http://mca.limmhns.ca/swp/	jo.evers@city.limmhns.on.ca
Mississippi-Rideau Source Protection Region	Sommer Casgrain-Robertson	http://www.mrs.sourcewater.ca/	sommer.robertson@mrs.sourcewater.ca
Mississippi-Rideau Source Protection Region	Brian Stratton	http://www.mrs.sourcewater.ca/	brian.stratton@mrs.sourcewater.ca
Niagara Peninsula Source Protection Area	Brian Wright	http://www.sourceprotection-niagara.ca/	bwright@npca.ca
North Bay-Mattawa Source Protection Area	Sue Miller	http://www.nbmca.on.ca/site/indexd.asp?id=106	SueMiller@nbmca.on.ca
Quinte Source Protection Region	Keith Taylor	http://quintesourcewater.ca/site/	ktaylor@quinteconservation.ca
Raisin-South Nation Source Protection Region	Richard Pilon	http://www.yourdrinkinwater.ca/	rpilon@nation.on.ca
Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region	Don Smith	http://www.waterprotection.ca/	d.smith@waterprotection.ca
Sault Ste. Marie Region Source Protection Area	Rhonda Bateman	http://www.ssmrca.ca/Section.aspx?ID=7	rbateman@ssmrca.ca
South Georgian Bay-Lake Simcoe Source Protection Region	Don Goodyear	http://www.gourwatershed.ca/	d.goodyear@lsrca.on.ca
Sudbury Source Protection Area	Judy Sewell	http://www.nickeldistrict.ca/dwsp/index.php	Judy.Sewell@city.greatersudbury.on.ca
Thames-Sydenham and Region Source Protection Region	Chris Tasker	http://www.sourcewaterprotection.on.ca/	taskerc@thamesriver.on.ca
Trent Conservation Coalition Source Protection Region	Jennifer Stephens	http://www.trentsourceprotection.on.ca/	jennifer.stephens@tjc.on.ca

Dowship of Melancthon,
R.R. #6 Shelburne,
Ont. LONIS9.

Doug Maxwell,
R.R. #2 Proton,
Ont. NOC1LO.
Jan 11 2011

Attention Denise Holmes:

While talking with Diane Dudgeon on approximately Dec. 28/2010, she explained to me, that we must send in a letter to the Dowship of Melancthon Office to be accepted back on the St. Pauls Cemetery Board.

Because of lack of knowledge as to why they made this change, I over-reacted and told her I probably wouldn't be sending in my letter. After giving it some more serious thought and trying to think positively concluded maybe I wasn't supposed to know the reason for the change and that's acceptable by me.

All the years I have been associated with the Cemetery Board, the thought of not being a member has never crossed my mind, I hold all the associated members of this Board in my highest esteem.

So here I am sending my letter of compliance, to whom ever it may concern and only at their discretion though, to apply for another term as a member of the St Pauls Cemetery Board. I will continue to do my best as always if chosen. I apologize for any inconvenience, Thank You So Much!

Yours Truly
Doug Maxwell.

(5)
FEB - 3 2011



Town of Mono

347209 Mono Centre Road
R.R.#1 Orangeville, Ontario L9W 2Y8

January 17, 2011

Premier Dalton McGuinty
Legislative Building
Queen's Park
Toronto ON M7A 1A1

Dear Premier McGuinty,

RE: Municipal Property Tax

Town of Mono Council reviewed the attached letter, which was originally sent in 2009, and asked that it again be sent to you and copied to other levels of government.

Yours truly,

Keith J. McNenly, AMCT
CAO/Clerk

Copies to: Dufferin Municipalities
David Tilson, MP
Sylvia Jones, MPP

An open letter to Premier Dalton McGuinty

2009

We were recently informed of the deal which has been struck between Ontario, the City of Toronto and the Association of Municipalities of Ontario, for a realignment of service funding, uploading a variety of social programs, in part, to the Province over the next 10 years. Many of us remain disappointed that more has not been done to provide relief to property tax payers, and that the current well justified relief is not being implemented more rapidly.

Municipalities can only tax the assessment base to provide for the municipal services they are required to deliver, and to build and maintain the infrastructure required to support Ontario's economy. Municipalities have long believed that the steady encroachment over time, through regulation and downloading by provincial and federal governments, of services and funding for programs not directly related to core responsibilities, puts local infrastructure at risk and jeopardizes the ability of municipalities to deliver core services. A strong provincial economy requires the supporting local infrastructure.

Today with a global financial crisis and loss of employment income for families over wide sectors of the economy, the new deal just struck with Ontario may have already seen its relevance depressed before its 10 year phase-in begins. The continuous downloading from the province of income redistribution programs over several decades, and the resultant tax hikes at the local and regional levels to pay for provincial programs, has been managed by property tax payers during times of prosperity and a growing economy, but leaves municipalities little room to respond to the needs of taxpayers in an economic crisis.

Every tax funded service that people in this province rely on to carry on their lives is either delivered by or funded in whole or in part by their local and regional governments through the property tax bill. The services supported by the property tax, for the purposes of this discussion, might be categorized as follows:

1. Services in which we theoretically have flexibility or maneuvering room, sometimes referred to as soft services, such as recreation and cultural services and programs, community centres, arenas, libraries, parks, recreational programs, etc.
2. Services in which we have little room for adjustment, often called hard services such as roads, bridges, fire, police, garbage, water, sewer, planning, etc.
3. Services for which we have no control over the cost, and are delivered by or simply funded through the property tax bill, including a variety of social or income shifting programs, such as social housing, welfare, services to children, health services such as ambulance and paramedics, conservation authorities, MPAC, schools and education, etc.

Many in the municipal sector have reserves set aside to repair and replace infrastructure without causing erratic effects on the property tax bill, however some do not have that resource. Those who do have reserves can dip into those reserves for a very limited period, however once depleted reserves can take a decade or more to restore, leaving municipalities vulnerable to setting erratic tax rates to meet servicing demands.

During tough economic times a greater percentage of the taxes will be in arrears and those reserves will be needed or the municipality will have to borrow to pay the bills. Many reserves are restricted to use for certain objects for which they were raised, especially those generated through non property tax sources such as park cash-in-lieu payments and development charges for growth related infrastructure costs. Ontario leaves municipal politicians little room to respond to potential economic emergencies that may affect those who pay the property tax bill. Municipalities do not have the option of operating with a deficit. Creating debt burdens on future generations with interest to support our current lifestyle is a hard concept to embrace for many municipalities. A property tax cut by a municipal council can only affect local services. *More than half* the property tax bill supports mandated Provincial programs and education. A council initiated tax cut rests entirely on the remaining half of the property tax affecting local services. Any property tax cut for taxpayers today will need to be replaced with a larger tax increase in the future, unless that tax cut is in effect a realignment of services with the other orders of government.

Should the unique Ontario arrangement of provincial reliance on property taxes affect Ontarians ability to stay in their homes, the room for action at the local level is minor and primarily at the expense of recreation and cultural services, which once gone, may be hard to restore. Infrastructure and services required for public safety may also be compromised.

Income taxes need not be paid when you cease to have an income. Sales taxes need not be paid when you cease to purchase optional goods. Gas taxes are reduced if you are no longer driving to a job. Property taxes are the only taxes that do not respond relative to the unique financial situation of the individual family. Forcing people out of their homes in an economic crisis is disastrous to families, the economy and the founding principles of equity on which our society is based.

As the economy changes, property tax cannot be responsive to an individual's ability to pay in the manner which is intrinsic to other forms of tax. There is no ability for the property tax to respond to the loss of income of one individual while still taxing another who retains his income.

Only the services directly attributable to the servicing of property should be placed on the property tax burden. Ontario should dramatically re-shift the idea of the property tax back to its origins by taking social, welfare, income sharing, health, housing and education on to the provincial tax sources, which automatically respond to the financial conditions of individual family circumstances. In a severe recession there should also

be consideration of additional relief to the property taxpayer for the core municipal services until the crisis passes.

Loading much of the cost for non-municipal-core services back onto the income responsive forms of taxation will go a long way to ensure that families who lose their jobs may not also lose their homes.

Should a re-thinking of the relationship of the property tax and provincial taxes actually be embraced by Ontario, municipalities must not see that as an opportunity to take up the tax room, but maintain a lower property tax. Such a re-shifting could result in a significant property tax reduction and even more relief might be provided if there is a regular and consistent system of transfers to cities and towns from the federal and provincial governments reflecting their priorities, as exists in most developed countries.

The recent Ontario budget dramatically alters the sales tax stream through harmonization with the Federal GST. Once again the interests of the Federal and Provincial governments are pursued with little attention to the pressing needs for meaningful property tax reform.

There is one other thing. Why is the tax which is collected to pay for virtually all the infrastructure and services needed to keep the economy growing, paid for with 'after tax' dollars? The Federal and Provincial governments should allow property taxes to be deducted prior to the calculation of Federal and provincial income taxes. This is already the case for rental and commercial property taxes which can be deducted as a business expense. Home owners should receive the same benefit for their principal residence up to the average home value in their community.

Moving deeper into uncertain economic times, the challenge for inter-governmental discussion should be to prevent property taxes being a cause of families losing their homes.

Keith McNenly
CAO/Clerk
Town of Mono

January 21 2011

Mr. Terry Horner AMCT
CAO Township of Mulmur
758070 2nd Line East
R.R.#2 LISLE, Ontario
LOM 1M0
Dear Terry,

Re: Rhonda Campbell Moons written and Public delegation to the January 12 2011
Mulmur Melancthon fireboard meeting.

It would be appreciated if you would include this as correspondence on your Council agenda as well as the Mulmur Melancthon Fireboards agenda as information. There are items that I would like to clarify.

Ms. Campbell Moon publicly criticized the chief for his failure to do a mandatory (her words) inspection of the Pine River Institute and suggested he had failed in his responsibilities as chief. Her criticism was lengthy. While I certainly share her concerns for the safety and well being of the young adult residents of that facility I was quite surprised that for a former board member and an expert in all aspects of fire prevention that she was not aware the facility was NOT in the fire coverage area for the Mulmur Melancthon fire department. Hopefully she will have the intestinal fortitude to publicly apologize to the chief and of course bring the issue up at a Shelburne Fire board meeting since it is in their area of coverage and she is a member of that board.

There was reference made to the October 27th meeting where the Melancthon representatives had to leave and she was not allowed as a delegation as a result. When that meeting was called, we advised that Councilor Crowe and I had to leave no later than 12 noon as we were booked at a conference through the Grand River Conservation Authority in Pushlinch that started at 1 p.m. The meeting time was changed to 9a.m. (from 10.a.m.) as everyone thought that would allow ample time to get through the agenda. It did not.

At the November 16th meeting Ms. Campbell Moon raised the point that the minutes of the October 27th meeting were incorrect as it did not reflect her request to suspend the procedural by-law and allow her deputation. After considerable discussion and leeway allowed by the chair of that meeting I finally asked Ms. Campbell Moon exactly what she wanted to do. I wrote her exact words out in a motion, it was seconded by John Crowe and after some discussion, as none of the four board members or the recording secretary had any recollection of her October 27th request for the suspension of the procedural by-law and delegation the motion was defeated. Please refer to the minutes.

7

FEB - 3 2011

There was reference made to a November 22 meeting and a request made by the "acting secretary" to have Ms. Campbell Moon put her concerns in writing. That request was made by Melancthon CAO Denise Holmes. She had not been at the previous meetings and was filling in for Terry Horner as he was away. Terry at that time was the "acting secretary". It could be viewed that Terry requested that of Ms. Campbell Moon and it was actually a substitute secretary doing a favour for the board.

There was reference made to helmet purchases. In hindsight a motion should have been made. The helmets were to be part of the 2011 budget. As we discussed the helmet issue and the mould etc. the board **unanimously** gave direction to proceed right away with the purchase as we deemed it a health and safety issue. Ms. Campbell Moon suggests that when this issue was brought up (during preliminary budget discussions) that it was "an odd time to be discussing health and safety concerns". From my perspective there is NO "odd time" to discuss health and safety issues they should be addressed as soon as they are identified.

The helmets by the way cost \$ 150.00 not \$ 250.00 as reported by Ms. Campbell Moon. With the fire department crest which I understand is \$ 40.00 the total cost comes to \$ 190.00.

That brings me to my next point. Ms. Campbell Moon obviously forgot about the lengthy and sometimes animated discussion that took place a couple of years ago about what is capital and what is operating. It was agreed that bunker gear (includes helmets) would be capital and as a result the ratepayers of the Township of Melancthon pay 50%.

That discussion got so petty that the Melancthon representatives finally gave in and agreed that the trailer hitch that was installed on the ambulance that was donated by Dufferin County to the fire department would also be classed as capital. The cost of that item was about \$ 200. I offered to pay the extra few bucks Melancthon was deemed to owe by Ms. Campbell Moon right then and there out of my own pocket if we could just move on and complete the agenda. By the way Councilor Crowe **donated** a welder to the fire hall. It was used by a certified welder, who is also a firefighter, to install the hitch and remains at the department as part of the equipment inventory.

Ms. Campbell Moon suggested that it was the Township of Melancthon that had her removed from the fire board. That is absolutely untrue. While we support the decision whole heartedly the action taken by the Council of the Township of Mulmur preempted any action required by Melancthon.

Ms. Campbell Moon continued to publicly suggest that the ratepayers of the Township of Melancthon do not pay their fair share. As Mayor and a ratepayer of this municipality I take exception to that. The records will show that from operating point of view (approx.) 75% equipment, manpower and other resources are used in the Township of Mulmur. There is a formula that has been worked out and approved by both Councils that splits the operating costs on a percentage basis based assessment (topic for another day) and usage. We pay our way.

All capital is split 50 – 50. One could argue that in many ways the ratepayers of Melancthon are over paying. If you look at the fire hall alone Melancthon paid \$ 258,074.50 for land and buildings yet we only get 25 % of the services. Our ratepayers would gladly accept Mumlurs cheque for \$ 129,037.25 which represents the actual percentage of service usage we get. Please remember 50% of all equipment is paid by Melancthon and we could calculate that and would be willing to accept a second cheque.

On different occasions Melancthon and its citizens have stepped up for mutual benefit. When squad 44 was purchased Melancthon offered to assist Mulmur with an interest free loan to complete their obligations. As a result of a one- time special grant that was not required. Also please look at back of the command trailer you will note several individuals and businesses from Melancthon have contributed.

The agreement currently in place provides Mulmur with a weighted vote on all operating items. For Ms. Campbell Moon to suggest as she did that “Melancthon controls the board” is absurd. If the pendulum ever swung and 75% of the calls were in Melancthon we would wind up paying 75% of the operating costs and the way the agreement reads could be shut out entirely by Mumlurs weighted vote.

Ms. Campbell Moon continued to level allegations against the old board and the operations of the department. If her concern is so great and she is supposed to be the learned one, then as any good mentor would do, she should assist, as has been requested by me many times. If her concern is so great then I ask rhetorically, why was her motion dealing with a review of the fire department so weak? All it asked to do was a” fire protection review of the entire fire prevention program”, whatever that might mean. Melancthon Council wants a full review of the policies, procedures and practices of the department along with a report and recommendations so either the so far unfounded allegations can once and for all be put to rest OR if required educational or corrective action can be taken.

I was astounded to find that after the two motions have been passed by the councils Ms. Campbell Moon has been calling the Fire Marshalls office on her own pursuing this matter. That in my opinion shows a lack of respect for the process and both her own Council as well as ours. It is the intention of Township of Melancthon to fully cooperate with the Fire Marshalls office during the audit, not interfere.

The relationship between our two Townships in dealings with the joint fire board has been great, with the exception of the last few years. We recognize and appreciate all the dedicated fire fighters and the work they do. We count on them to be at the “top of their game” when they answer the bell. Lately the morale has been at an all time low, and uncertainty has been “norm”. That must stop.

This letter is provided mainly to present a more balanced perspective and suggest that Ms. Campbell Moon do more FACT finding and succinctly outline her concerns.

Respectfully,
Bill Hill
Mayor
Township of Melancthon

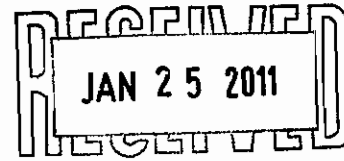
FROM THE OFFICE OF Chris Barnett
DIRECT LINE 416.365.3502
DIRECT FAX 416.777.7407
E-MAIL cbarnett@davis.ca

FILE NUMBER 79755-00001

January 24, 2011

DELIVERED BY COURIER

Ministry of Municipal Affairs and Housing
Municipal Services Office - Central
777 Bay Street
2nd Floor
Toronto, ON M5G 2E5



Attention: Andrew Doersam, Planner

Dear Mr. Doersam:

Re: Proposed Official Plan Amendment for Specialty Crop Designation in Melancthon Township

We are counsel for Citizens' Alliance United for a Sustainable Environment ("CAUSE"), an incorporated entity which is a coalition of the Mono Mulmur Citizens' Coalition ("MC²"), the North Dufferin Agricultural and Community Task Force ("NDACT"), and Conserve Our Rural Environment ("CORE"). We are in receipt of a copy of correspondence dated December 28, 2010 from Meridian Planning Consultants Inc. ("Meridian") on behalf of the Highland Companies ("Highland") commenting on an application for Official Plan Amendment by NDACT (the "Application") and addressed to your attention. This letter constitutes CAUSE's comments on Meridian's correspondence.

1. Highland Allegation: the proposed designation does not meet the PPS definition of Specialty Crop Area

The Provincial Policy Statement 2005 (the "PPS") sets the overall context for reviewing the potential for this area to be designated as a Specialty Crop Area, and must be read in its entirety. As such, it is appropriate to look beyond the definition of Specialty Crop Area in assessing whether the proposed definition is consistent with the PPS. In particular, policy 4.5, in the Implementation and Interpretation section of the PPS provides that:

The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through municipal official plans.

8

FEB - 3 2011

Policy 4.6 provides that:

The policies of this Provincial Policy Statement represent minimum standards. This Provincial Policy Statement does not prevent planning authorities and decision-makers from going beyond the minimum standards established in specific policies, unless doing so would conflict with any policy of this Provincial Policy Statement.

These sections of the PPS justify the addition of policies for the protection of a Locally Significant Specialty Crop Area in the Township of Melancthon (the “Township”) Official Plan (the “OP”), even if the protection afforded goes beyond the minimum required by the PPS. Ensuring protection of the Township’s unique agricultural areas is justified by the PPS in the circumstances. In particular, section 1 of the PPS (Building Strong Communities) is premised on the idea that

Ontario’s long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support strong, liveable and healthy communities, protect the environment and public health and safety and facilitate economic growth.

Policy 1.1.4.1, which pertains to development in Rural Areas in municipalities, provides in part:

In *rural areas* located in municipalities:

- (d) development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted;
- (e) locally-important agricultural and resource areas should be designated and protected by directing non-related development to areas where it will not constrain these uses.

This policy supports the principle of designating locally significant features.

Additionally, section 2 of the PPS (Wise Use and Management of Resources) provides the policy context for protection of agricultural lands, including potential Specialty Crop Areas. Policy 2.3.1 provides that Specialty Crop Areas “shall be given the highest priority for protection, followed by Classes 1, 2 and 3 soils, in this order of priority.”

A report prepared by Dr. J. Kenneth Torrance in support of the requested Official Plan Amendment, titled *The Honeywood Soils Series and Potato Production in Dufferin County, Ontario* concludes that

The Honeywood soil in Dufferin County is a Class 1 soil for potato production.

The agroclimatic conditions in the highlands of Dufferin County are the best match in southwestern Ontario to the optimum conditions for potato production.

The combination of the soil and agroclimatic conditions and the properties of the Honeywood soil, together, combine to make the areas of Honeywood soil in Dufferin County uniquely suited, and “special” for production of potatoes.

The combination of the soil and the agroclimate, while satisfactory for the production of corn and oilseed crops, are suboptimum for those purposes; these crops produce higher yields in warmer regions of Ontario.

Under scenarios of global warming, the highlands of Dufferin County will increase their advantage for potato production relative to warmer regions of Ontario.

The landscape of the areas of Dufferin County, particularly the area occupied by the Honeywood soil in northeastern Melancton, constitutes a landscape that is unique within eastern Canada; it is an area of potential heritage interest.

The scientific evidence strongly supports the local knowledge of the area’s farmers by confirming that the Honeywood soil, on level to gently sloping band in Dufferin County, is exceptional in the context of potato growing.

In other words, the area proposed to be designated represents a significant agricultural area with unique characteristics that support extremely productive and high quality potato production in the Township, in the County of Dufferin and in the Province of Ontario; that benefits from a combination of soils (Honeywood loam), agroclimate conditions and a specific ground water regime; and the clustering of farms and production facilities geared to potato production. Significant amalgamation of farms and reinvestment in equipment to intensify production has recently occurred. These conclusions provide the scientific justification for the requested designation and policies, on the basis that the area is unique and warrants protection as an agricultural specialty area.

2. Highland Allegation: consideration of the proposed OPA would set a precedent for agricultural lands in Ontario

The scientific conclusions underlying the request for an Official Plan Amendment to designate certain lands in the Township as Locally Significant Specialty Crop Area suggest that the lands proposed to be designated are unique in the Province. In these circumstances, the risks suggested by Meridian that:

- (a) the PPS definition of Specialty Crop Area will be seen to be expanded; and
- (b) all potato producing lands in the Province will be considered Specialty Crop Areas

are non-existent.

3. Highland Allegation: the proposed OPA is inconsistent with the PPS provisions regarding mineral aggregate resources

The Ontario Municipal Board, in the Town of Caledon and James Dick Construction Limited case, has recently made the following findings regarding the mineral aggregate resource policies of the 1997 Provincial Policy Statement, whose policies regarding mineral aggregate resources are materially similar to the policies regarding mineral aggregate resources of the 2005 PPS:

In Part IV, Implementation/Interpretation, the PPS provides that the “Provincial Policy Statement is to be read in its entirety, and all pertinent policies are to be applied to each situation....” the Board finds that all policies must be considered and weighed when landuse decisions are made; no policy is to be given priority over any other policy.

Part I, Preamble and Part II, Principles set out matters of significance to the Province. The Preamble states “a healthy economy is vital to Ontario’s ongoing prosperity. Wisely managed growth can result in communities which are economically and environmentally sound and which meet the full range of needs of their current and future residents.”

The Principles provide “Ontario’s long term economic prosperity, environmental health and social well being depend on:

1. managing change and promoting efficient, cost effective development and land use patterns which stimulate economic growth and protect the environment and public health;
2. protecting resources for the economic and/or environmental benefits; and
3. reducing the potential for public cost or risk to Ontario’s residents by directing development away from areas where there is a risk to public health or safety or of property damage.”

It is in the context of this Preamble and Principles that the PPS addresses Mineral Resources. Policy 2.2.1 provides “mineral resources (mineral aggregates, minerals and petroleum resources) will be protected for long term use.”

Policy 2.2.3 deals particularly with Mineral Aggregates. Policy 2.2.3.1 provides “as much of the mineral aggregate resources as is realistically possible will be made available to supply mineral resource needs as close to the market as possible.” Policy 2.2.3.2 provides “mineral aggregate operations will be protected from activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.” Policy 2.2.3.3 provides “in areas adjacent to or in known deposits of mineral aggregates, development which would preclude or hinder the establishment of new operations or access to the resources will only be permitted if: (a) resource use would not be feasible; or (b) the proposed land uses or development serves a greater long term public interest; and (c) issues of public health, public safety, and environmental impact are addressed.”

The Board finds that the PPS, rather than regarding aggregate extraction as something to be discouraged, acknowledges the importance of such extraction. In particular, the PPS directs that

mineral resources be protected for long term use and that as much of the resource as is realistically possible be made available to supply needs as close to the market as possible.

As no provincial policy takes priority over any other policy, the Mineral Aggregate policies must be considered in conjunction with all other relevant provincial policies: Policy 1, Efficient, Cost Effective Development and land use patterns, including Policy 1.1.1(b) which provides "rural areas will generally be a focus of resource activity; Policy 2.3, Natural Heritage; Policy 2.4 Water Quality and Policy 2.5 Cultural Heritage. All provincial policies must be weighed and balanced by the Board....

As such, the policies quoted by Meridian must be balanced against other policies of the PPS, to determine:

- (a) whether the protection of mineral aggregate resources for extraction is appropriate; and
- (b) whether, if such protection is appropriate, its relative merit as compared to the protection of the agricultural resource.

In this regard, 2.3.5, Removal of Land from Prime Agricultural Areas would provide guidance to the approval authority. This policy provides as follows:

2.3.5.1 Planning authorities may only exclude land from *prime agricultural areas* for:

...

- b) extraction of *minerals, petroleum resources* and *mineral aggregate resources* in accordance with policies 2.4 and 2.5; and
- c) limited non-residential uses, provided that:
 - 1. the land does not comprise a *specialty crop area*;
 - 2. there is a demonstrated need within the planning horizon provided for in policy 1.1.2 for additional land to be designated to accommodate the proposed use;
 - 3. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
 - 4. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.

Prime agricultural area means areas where *prime agricultural lands* predominate. This includes: areas of *prime agricultural lands* and associated Canada Land Inventory Class 4-7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime agricultural land means land that includes *specialty crop areas* and/or Canada Land Inventory Classes 1, 2, and 3 soils, in this order or priority for protection.

This analytical framework makes clear that the designation of lands in the Township as Locally Significant Specialty Crop Area does not preclude the development of mineral aggregate operations. Consideration of such a designation would merely appropriately require the balancing of the potential for mineral aggregate extraction against these additional factors.

4. Highland Allegation: the proposed OPA is contrary to the Green Energy and Green Economy Act

Schedule K of the *Green Energy and Green Economy Act, 2009* amends the *Planning Act* to provide that section 24 of the *Planning Act* does not apply to renewable energy undertakings. Section 24 of the *Planning Act* is the section that prohibits public works from being undertaken or by-laws from being passed that are not in conformity with an official plan. The *Green Energy and Green Economy Act, 2000* even goes beyond section 24 of the *Planning Act* and provides that “for greater certainty, an official plan does not affect a renewable energy undertaking.” Accordingly, should Highland seek the approvals required to implement a renewable energy undertaking, the proposed amendment to the OP will not be applicable to that undertaking, as long as the above-noted provisions of the Act continue to apply.

5. Highland Allegation: the Application is incomplete

Nothing in O.Reg. 543/06 or the OP requires the provision of a planning justification report or a financial impact report. The Township properly determined that the Application was complete.

6. Highland Allegation: there has been no consultation with affected property owners

CAUSE disputes that the Application has followed a secretive, inappropriate and discriminatory process. NDACT has availed itself of its rights pursuant to the *Planning Act*, and it and the Township have abided by the procedural requirements of that Act.

The Ontario Municipal Board has held that the *Planning Act* permits “third party” applications for Official Plan Amendment. Mr. Krushelnicki stated in *Material Handling Problem Solvers Inc. v. Essex (Town)*, that:

In short the statutory right to make a private application for amendment to the official plan and by-laws of a municipality, for any parcel of land, is given to any person, including those who have no legal interest in the subject lands.

The Application, having been properly made, will continue to follow all of the statutory requirements related to notice and public consultation. Highland, like any other member of the public, will have the opportunity to make representations in respect of the Application at one or more public meetings, and to have its representations considered by Council.

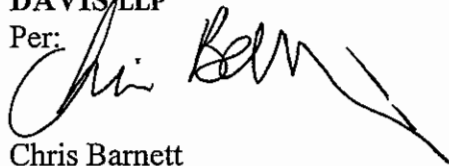
7. Highland Allegation: the goal of the application is to block Highland, not to preserve farmland

This Application will be decided on its planning merits. CAUSE submits that NDACT's motivations (whether or not Highland has correctly characterised them) are an irrelevant consideration.

Yours truly,

DAVIS LLP

Per:



Chris Barnett
CMB/lkb

cc: Carol Neumann, Rural Planner - Environmental and Land Use Policy, OMAFRA
Denise Holmes, CAO/Clerk-Treasurer, Melancthon Township
Citizens' Alliance United for a Sustainable Environment
North Dufferin Agricultural and Community Task Force
Mono Mulmur Citizens' Coalition