



**The Corporation of the City of Cornwall**  
**Regular Meeting of Council**  
**Resolution**

Department: Council  
Resolution Number: 2019-17  
Report Number: 2019-05-Council Members  
Meeting Date: December 9, 2019  
Subject: Bill 132 Safe Drinking Water Act and Aggregate  
Resources Act

Mover: Councillor Syd Gardiner

Seconder: Councillor Elaine MacDonald

Whereas the government has introduced Bill 132, Better for People, Smarter for Business Act, 2019, which aims to simplify and modernize regulations to lower the costs of doing business and make it easier to interact with the government; and

Whereas there are a total of 80 proposed changes, both legislative and regulatory, that will result in changes across 14 ministries if passed; and

Whereas, of importance is the opportunity to rectify a shortcoming relating to both the Safe Drinking Water Act and the Aggregate Resources Act; and

Whereas, while the proposed amendments to the Aggregate Resources Act raise the bar by requiring an application process where below water table extraction is proposed, this still leaves municipal council members vulnerable. The Safe Drinking Water Act identifies a duty of care for owners of drinking water sources; and

Whereas, without a concurrent amendment to the Safe Drinking Water Act, Council members will be responsible for decisions on applications that the province makes; and



Whereas Council Members need to be indemnified where contamination results from a provincial approval process; and

Whereas, if this Bill is not amended to assure municipal governments that there will be no below water table extraction without municipal agreement, or provide indemnification, municipal governments will have no alternative but to appeal applications to the Local Planning Appeal Tribunal (LPAT) to demonstrate due diligence at a minimum; and

Whereas this will greatly increase red tape and administrative burden for the LPAT and municipal governments, not to mention delay decisions for aggregate businesses which would risk new investment in the industry; and

Whereas a provincial approval for below water table extraction conflicts with Drinking Water Source Protection.

Now therefore be it resolved that the City of Cornwall lobby the provincial government to amend the Safe Drinking Water Act to indemnify municipal Council Members where drinking water sources are contaminated due to a provincial decision, such as an aggregate exaction permit.

Now therefore be it further resolved that this Resolution be forwarded to Stormont-Dundas-South Glengarry's MPP and MP, for their support.

Now therefore be it further resolved that this Resolution be forwarded to AMO requesting that it send it to all municipalities in Ontario for their support.

I, Manon L. Levesque, City Clerk for The Corporation of the City of Cornwall, do hereby certify that the above is a true copy of Resolution Number 2019-17 enacted by Council on Monday, December 9, 2019.

---

Manon L. Levesque  
City Clerk