

# THE EVIDENCE OF REFUSAL TO NOTIFY LANDOWNERS

## Severn's response to a request to circulate a watershed inquiry notice

**On January 27, 2026, the Township of Severn refused John Tait's request to circulate his watershed inquiry notice at municipal expense.** This issue presents the request and the written response so readers can examine the evidence themselves. [A-B]

## What was requested, and what happened?

**January 16, 2026:** John emailed Alison Gray and Patrick Trafford a three-page submission. It requested verbatim circulation to all owners whose properties were subject to watershed or environmental encumbrances, using municipal mailing infrastructure. It expressly did not request disclosure of owners' names or addresses. [A, C]

**January 27, 2026:** Alison Gray's covering email identified the January 16 request. The attached refusal was signed by Gray as Clerk and listed Patrick Trafford, County of Simcoe, as a copy recipient. [B-C]

## Severn's stated reasons

The Township said the proposed notice was neither required by statute nor associated with a Township-originated or sponsored event, and therefore the request "must be denied." It said MFIPPA provides access to records and does not require it to distribute the inquiry's information. [B]

The letter also said the Township had no record of owners meeting the request's description and could not produce that record from machine-readable records. It identified an IPC appeal route concerning whether such a record exists. These are the Township's stated positions. [B]

### YELLOW NOTICE - THE PUBLIC QUESTION

If Council declines this method of informing landowners, what practical alternative will it support so affected residents can find the records, understand their options and ask informed questions?

## LANDOWNER ACCESS TO INFORMATION | QUESTIONS FOR THE RECORD

### Questions for municipal decision-makers

These proposed questions concern affected landowners, including those who report being denied access to watershed information. They seek evidence for counsel review. For each answer, identify the responding person, their role, the relevant dates and the supporting records.

- 1. Who authorized the January 27, 2026 refusal?** Identify each person who made or approved the decision to decline circulation of the landowner notice, and the date and record of that decision.
- 2. What authority governed that decision?** Identify the policy, delegation, by-law, resolution or statutory provision relied on. Supply the version in force at the time and any disclosable approval record.
- 3. How was the intended landowner group interpreted?** State the meaning assigned to "watershed or environmental encumbrances" when assessing the request, and identify any criteria used to determine which parcels or owners would be included.
- 4. What search supported the no-record statement?** Identify the staff, dates, datasets and search methods used to assess whether a responsive landowner record existed or could be produced. Explain the basis for the stated inability to produce it from machine-readable records.
- 5. What relevant information had landowners already received?** Identify notices about the applicable restrictions or the inquiry, their contents, dates, intended recipients and delivery methods. Provide available distribution or delivery records.
- 6. Were other ways of informing landowners considered?** Identify any documented consideration of a webpage, public meeting, newsletter or other method, together with its estimated cost and the recorded decision.
- 7. Was any direction given concerning release or circulation?** If so, identify who gave it, to whom, when, its exact subject and the supporting record. Distinguish a direction about access to records from one about circulating the inquiry notice.
- 8. Were separate landowner requests for records refused?** Identify any such decisions concerning the information at issue, the records requested and the stated grounds. Provide disclosable or anonymized records; do not disclose private contact lists.

#### YELLOW NOTICE - IDENTIFY THE EVIDENCE

For any alleged denial: what information was sought, by which landowner, from which institution, on what date, and what response was given?

## AFFECTED LANDOWNERS | INDIVIDUAL EVIDENCE RECORD

### Questions for landowners reporting denied access

Each landowner should describe their own experience. Distinguish what you personally saw, sent or received from what another person told you. Identify the source of any information outside your own knowledge.

**9. What connects your parcel to the issue?** Identify the municipality and the map, designation, by-law, letter or other record you rely on as showing a watershed or environmental restriction affecting your property.

**10. What information did you seek?** State precisely what you requested, the institution or person approached, the date and the method used. Retain the complete request and any attachments.

**11. What response did you receive?** Give its date and author, identify what was provided and what remained unavailable, and attach the complete response. If no response arrived, state the period covered and any follow-up attempts.

**12. When did you learn of the restriction and the inquiry?** Record these dates separately and explain how you learned of each. Identify any notice actually received and what it said.

**13. What practical consequence followed?** Identify any decision you could not make, expense incurred or opportunity you say was affected by unavailable information. Give dates and records, and explain the connection rather than assuming it.

**14. What supports any financial amount claimed?** Identify invoices, tax records, independent appraisals or other evidence. State who prepared and paid for each assessment, its date and method, and whether the amount is an estimate or an established expense.

#### YELLOW NOTICE - THE LANDOWNERS ARE THE FOCUS

The documented refusal concerned a notice intended for affected landowners. Individual denials of access, and their consequences, should be established through each owner's records. The circulation refusal alone does not prove that every owner was denied records.

**Thank you to recipients who supply documents and potential evidence.** Please retain originals, provide complete copies where possible and say whether your material may be quoted publicly. Keep private identifiers out of public replies.

These are proposed evidence-gathering questions for counsel to adapt to the proceeding. They are not sworn testimony and do not guarantee admissibility.

**John Tait** | Lead Plaintiff, Watershed Debacle Inquiry  
[WatershedDebacle.ca](http://WatershedDebacle.ca) | [info.watersheddebacle@gmail.com](mailto:info.watersheddebacle@gmail.com)

## READING THE EVIDENCE | SOURCE GUIDE

### What the exhibits establish

They document a request for a municipally funded circulation service and a refusal with stated reasons. They do not settle whether earlier planning notices were adequate, whether any parcel suffered a compensable loss, or whether a separate legal duty was breached.

The refusal does not identify a mayoral instruction. Listing Patrick Trafford as a copy recipient does not establish that he was directed to withhold information. Alison Gray signed as Clerk. Severn identifies Mayor Mike Burkett and Deputy Mayor Judith Cox as its County Council representatives for 2022-2026. [B, 1]

#### YELLOW NOTICE - READ THE ORIGINAL REQUEST IN CONTEXT

Exhibit A is John Tait's submission, despite its title "NOTICE FROM SEVERN". Its proposed notice was not issued by the Township. "Neutral" is the request's description. Its legal assertions and suggested minimum loss of \$100,000 per property are not established findings or an independent appraisal.

**Two separate routes:** Access to government records can be requested through FOI, subject to applicable rules. Asking Council to fund or publish a private inquiry notice is a separate request. The IPC explains access rights and review of the adequacy of a records search; those processes do not themselves prove an obligation to circulate this notice. [2-3]

### Both source PDFs follow

**[A] Pages 5-7:** *NOTICE FROM SEVERN.pdf*, three-page undated request and proposed notice attached to John's January 16, 2026 email. All original wording is retained, including the printed 2025 footer.

**[B] Pages 8-9:** *Jan 27 2026 - Response to Request that the Township provide Notice.pdf*, two-page Township letter. John's home mailing address is redacted for public circulation; the remaining letter content is retained. Exhibit headers and issue page numbers have been added outside the source pages.

**[C] Transmission record:** John's January 16 email to Gray and Trafford, subject "Re: FOI Request A17-124-25 Notice of Decision"; Gray's January 27 reply, "Request for Circulation of Notice". The emails establish transmission dates and are retained in the sender's records.

**[1]** [Township of Severn - Council \(2022-2026\)](#).

**[2]** [IPC - Your access and correction rights](#).

**[3]** [IPC - Reasonable Search: What FOI Requesters Can Do](#). Public sources reviewed September 29, 2026.

**Corrections and responses are welcome.** Please identify the passage, provide the supporting record, and state whether your response may be published. This is an evidence review for public discussion, not a court ruling.

## NOTICE FROM SEVERN

### MFIPPA Request – Public-Interest Notification to Affected Landowners Regarding Watershed Encumbrance

**To: Clerk / FOI Coordinator Alison Gray and Simcoe FOIA head Patrick Trafford**  
Township of Severn county of Simcoe

**From:** John Tait  
Lead Plaintiff – Watershed Debacle Inquiry  
**Email:** [info.watersheddebacle@gmail.co](mailto:info.watersheddebacle@gmail.co)  
**Phone:** 416-938-0737

**RE: MFIPPA Request – Public-Interest Notification to Affected Landowners Regarding Watershed / Environmental Encumbrances on Private Land. We justifiably submit a legal demand for a "reverse onus". This should have been done and paid for by taxpayers in the interest of "duty of Care" and egregious harm to we the landowners.**

This request is made pursuant to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). It is structured expressly to avoid any disclosure of personal information while ensuring that affected taxpayers are adequately informed of a matter with serious financial, legal, and constitutional implications.

#### **1. Purpose of Request**

The watershed encumbrance materially restricts land use, development, forestry, severance, and marketability of private parcels within the Township of Severn. These restrictions have significant impacts on property value, tax equity, and the financial future of landowners.

#### **2. No Request for Personal Information**

This request does not seek disclosure of names, addresses, emails, or other personal identifiers. Accordingly, MFIPPA privacy exemptions are not engaged. This request will be made in order to protect landowners and duly advise them of this in enquiry and potential legal proceeding.

#### **3. Requested Remedy – Township-Issued Notice (Reverse Onus) sent verbatim.**

The Township is requested to distribute, at municipal expense, a neutral notice to ALL landowners whose properties are subject to watershed or environmental encumbrances, using existing municipal mailing infrastructure. This effectively eliminates any questionable acts displayed by council and this achieves the goal of the legally required notification. The wording of this notice will be of a professional legal notification presented by us and will

not be tampered with or altered or clouded by other content.. It will be used if necessary in a court of law to show a positive or negative concern by our elected officials.

**4. Proposed Contact Language: We will supply a legal notice to all landowners**

who believe their property may be affected by watershed or environmental encumbrances and who wish to obtain further information regarding the Watershed Debacle Inquiry and the potential for legal proceedings.

**Contact information**

**John Tait, Lead Plaintiff**

**Email: [info.watersheddebacle@gmail.com](mailto:info.watersheddebacle@gmail.com) Phone: 416-938-0737**

Landowners are encouraged to notify neighbors to contact us.

**5. Public-Interest Justification**

Taxpayers fund the imposition, administration, and defence of the encumbrance.

Withholding notice of potential judicial review from affected taxpayers is neither neutral nor defensible. Notification should have completed at the onset along with tax bill updates.

**6. Requested Response**

Please confirm within the statutory MFIPPA timeline whether the Township will issue such a notice, or provide the moral basis for refusal, there is a legal obligation to inform.

**Respectfully submitted,**

**John Tait**

**Lead Plaintiff – Watershed Debacle Inquiry**

**SEE LEGAL NOTICE SUPPLIED BELOW**

**Please send verbatim copy and paste.**

## **IMPORTANT LEGAL NOTICE TO LANDOWNERS**

**Watershed / Environmental Encumbrances on Private Property SEVERN ONT.**

### **TAKE NOTICE--LANDOWNER INQUIRY**

- **This notice is issued** in the public interest to inform landowners within the Township of Severn of matters that may materially affect private property rights, land use, and property value.
- **Properties within the Township** may be subject to **watershed, environmental, or related regulatory encumbrances** that can restrict development, severance, forestry activities, construction, or marketability.
- **These encumbrances** may also have implications for property valuation, taxation equity, and long-term financial planning.
- **Landowners are advised** that an independent, landowner-led inquiry—known as the **Watershed Debacle Inquiry**—is currently underway to examine the legal, financial, and constitutional implications of such encumbrances on private land.
- **This inquiry is assessing** whether affected landowners were adequately informed, whether proper notice was provided, and whether compensable impacts may have arisen as **SCC has**
- **Addressed in case law.-No personal information has been disclosed by the Township in issuing this notice** Landowner Participation is entirely voluntary.
- **If you believe your property may be affected**, or if you wish to obtain further information regarding the **Watershed Debacle Inquiry** or the potential for legal proceedings, you may
- **contact the Lead Plaintiff directly:**
- **Landowners who make contact** do so voluntarily and at their own discretion.
- **You are also encouraged** to advise neighboring landowners who may be affected to seek information independently, as good neighbors should.
- Losses appear to be at a MINIMUM \$100 000 dollars per affected property.**

#### **John Tait**

Lead Plaintiff – Watershed Debacle Inquiry

Website: [www.WatershedDebacle.ca](http://www.WatershedDebacle.ca)

Email: [info.watersheddebacle@gmail.com](mailto:info.watersheddebacle@gmail.com)

Phone: **416-938-0737**

This notice is provided for informational purposes only and does not constitute legal advice. No action is required unless you choose to seek further information.

Prepared in the public interest – WatershedDebacle.ca | John Tait, Lead Plaintiff © 2025



**Administration Office**  
**Mailing address**  
**Email**  
**Phone**

1024 Hurlwood Lane, Severn  
PO Box 159, Orillia, Ontario L3V 6J3  
info@severn.ca  
705-325-2315

January 27, 2026

John Tait  
[Home address redacted]

via email only  
info.watersheddebacle@gmail.com

**Re: Your request that the Township provide notice**

This will respond to your recent, but undated, request that the Township “distribute, at municipal expense, a neutral notice to ALL landowners whose properties are subject to watershed or environmental encumbrances, using existing municipal mailing infrastructure”.

As you may appreciate, while the Township will often provide notice of certain matters or events to its residents, those notices are either mandated by statute or arise from Township-originated/sponsored events. Your request that the Township distribute your notice concerning the “Watershed Debacle Inquiry” satisfies neither of these circumstances and, with respect, must be denied.

As for the framing of your request for assistance as a request under the *Municipal Freedom of Information and Protection of Privacy Act* (the “MFIPPA”), as you may know, the purpose of the MFIPPA is to provide a right of access to information (the “record”) under the control of institutions, such as the Township. The MFIPPA does not envision or accommodate requests to an institution to distribute information, whether or not a record, and the Township is under no duty to do so.

In any event, and for your information, the Township has no record of landowners whose properties are subject to “watershed or environmental encumbrances” and is incapable of producing such a record from machine readable records. You may appeal the question of whether such a record exists to the Information and Privacy Commissioner, at 2 Bloor Street East, Suite 1400, Toronto, ON M4W 1A8.

severn.ca



Should you have any questions, please contact Alison Gray, Director of Corporate Services/ Clerk at [agray@severn.ca](mailto:agray@severn.ca).

Regards,

*Alison Gray*

Alison Gray, BAH, CMO, AOMC  
Clerk

Cc Patrick Trafford, County of Simcoe