



Special Meeting of the Board of Directors Meeting was held via videoconference, on Friday, November 13, 2020 pursuant to section C.12 of the TRCA's Board of Directors Administrative By-Law. The Chair Jennifer Innis, called the meeting to order at 10:32 a.m.

PRESENT

Jennifer Innis	Chair
Jack Heath	Vice-Chair
Paul Ainslie (<i>out: 11:40 a.m.</i>)	Member
Kevin Ashe (<i>out: 12:01 p.m.</i>)	Member
David Barrow	Member
Ronald Chopowick	Member
Dipika Damerla (<i>out: 12:04 p.m.</i>)	Member
Joanne Dies	Member
Jennifer Drake	Member
Paula Fletcher	Member
Gordon Highet	Member
Linda Jackson	Member
Maria Kelleher (<i>out: 12:25 p.m.</i>)	Member
Mike Layton	Member
Basudeb Mukherjee	Member
Michael Palleschi (<i>in: 11:20 a.m.</i>)	Member
James Pasternak	Member
Steve Pellegrini	Member
Anthony Perruzza	Member
Gino Rosati	Member
Don Sinclair	Member
Connie Tang (<i>in: 11:05 a.m.</i>)	Member
Estair Van Wagner (<i>out: 12:28 p.m.</i>)	Member

ABSENT

Shelley Carroll	Member
Chris Fonseca	Member
Xiao Han	Member
Cynthia Lai	Member
Rowena Santos	Member

The Chair recited the Acknowledgement of Indigenous Territory.

PRESENTATIONS

- 3.1.** A presentation by Laurie Nelson, Director, Policy Planning, TRCA in regard to item 4.1 – Impact of Bill 229, *Protect, Support and Recover from COVID-19 Act* (Budget Measures), 2020

RES.#A175/20 - PRESENTATION

Moved by: Linda Jackson

Seconded by: Jennifer Drake

THAT above-noted presentation 3.1 be received.

CARRIED

Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020

Amendments to the *Conservation Authorities Act*

Laurie Nelson
Director, Policy Planning

November 13, 2020

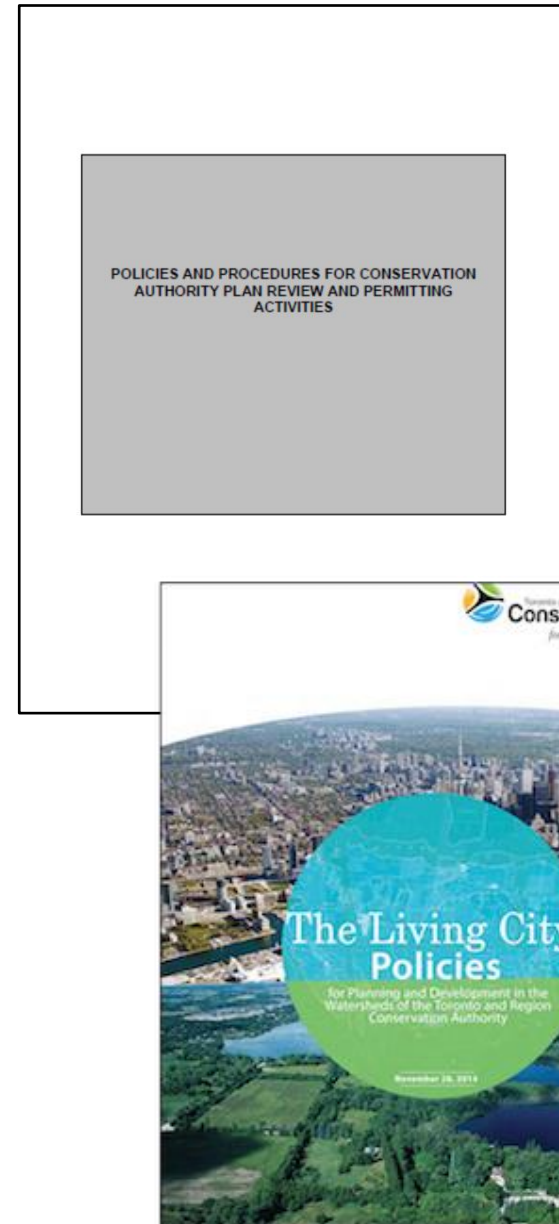
Presentation Outline

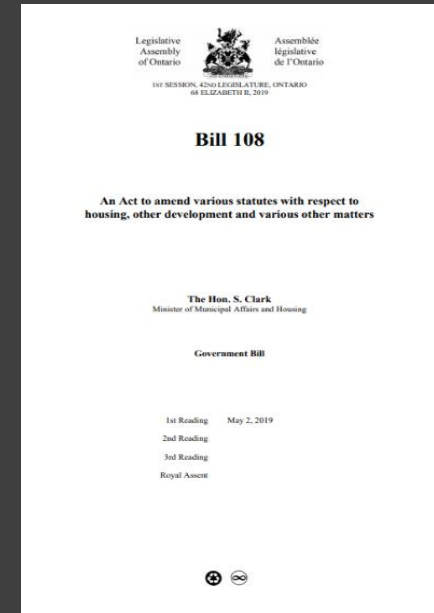
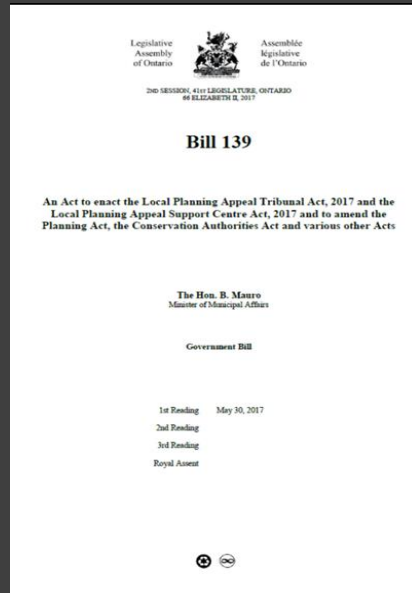
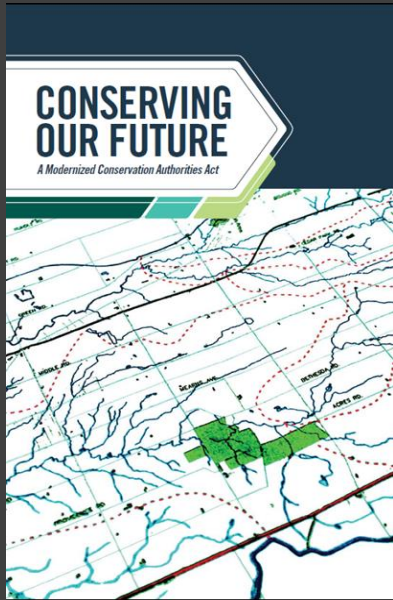
- Conservation Authority Roles
- Phases of *Conservation Authorities Act* Review
- Provincial Consultation and TRCA Engagement Since 2019
- Bill 229: Impact of Proposed CA Act Amendments
 - CA Planning Role
 - CA Permitting Role
 - Enforcement and Compliance
 - Governance
- Input from Board to Inform Final Submission

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MNRF Policies and Procedures for CA Plan Review and Permitting Activities, 2010

- Public Commenting Body
- Delegated Provincial Interest
- Regulatory Authority
- Service Provider
- Resource Management Agency
- Landowner





CA Act Review 2015 – 2019

Made in Ontario Environment Plan

“Work in collaboration with municipalities and stakeholders to ensure that conservation authorities focus and deliver on their core mandate of protecting people and property from flooding and other natural hazards and conserving natural resources.”



Preserving and Protecting
our Environment for
Future Generations

A Made-in-Ontario Environment Plan



Ministry of the Environment,
Conservation and Parks



Conservation Authorities Act Purpose

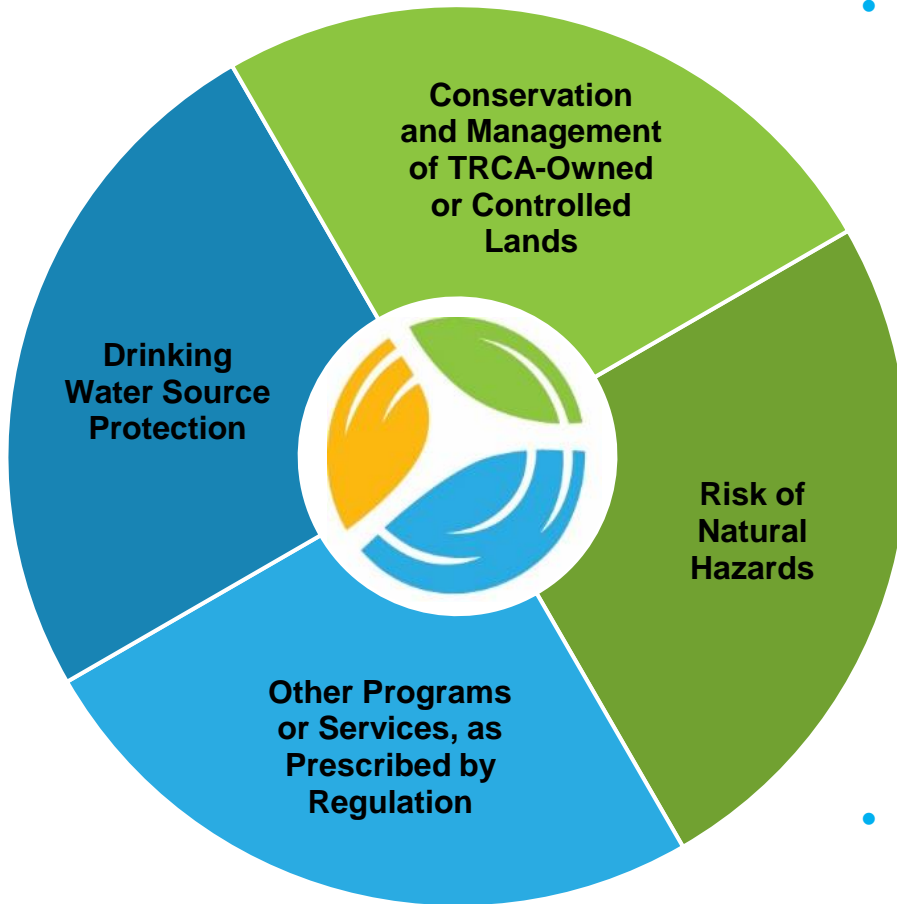
Purpose

0.1 The purpose of this Act is to provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watersheds in Ontario.

CA Programs and Services

- The *Building Better Communities and Conserving Watersheds Act, 2017* (Bill 139) amended the CA Act with provisions addressing:
 1. Mandatory programs and services
 2. Municipal programs and services
 3. Other programs and services
- The CA Act was amended again on June 6, 2019 as part of Schedule 2 of the *More Homes, More Choice Act* (Bill 108).

Mandatory CA Programs and Services



- Programs and services related to:
 - the risk of natural hazards;
 - the conservation and management of lands owned or controlled by the authority;
 - the authority's duties, functions and responsibilities as a source protection authority under the *Clean Water Act, 2006*.
- Other programs and services as prescribed by regulation

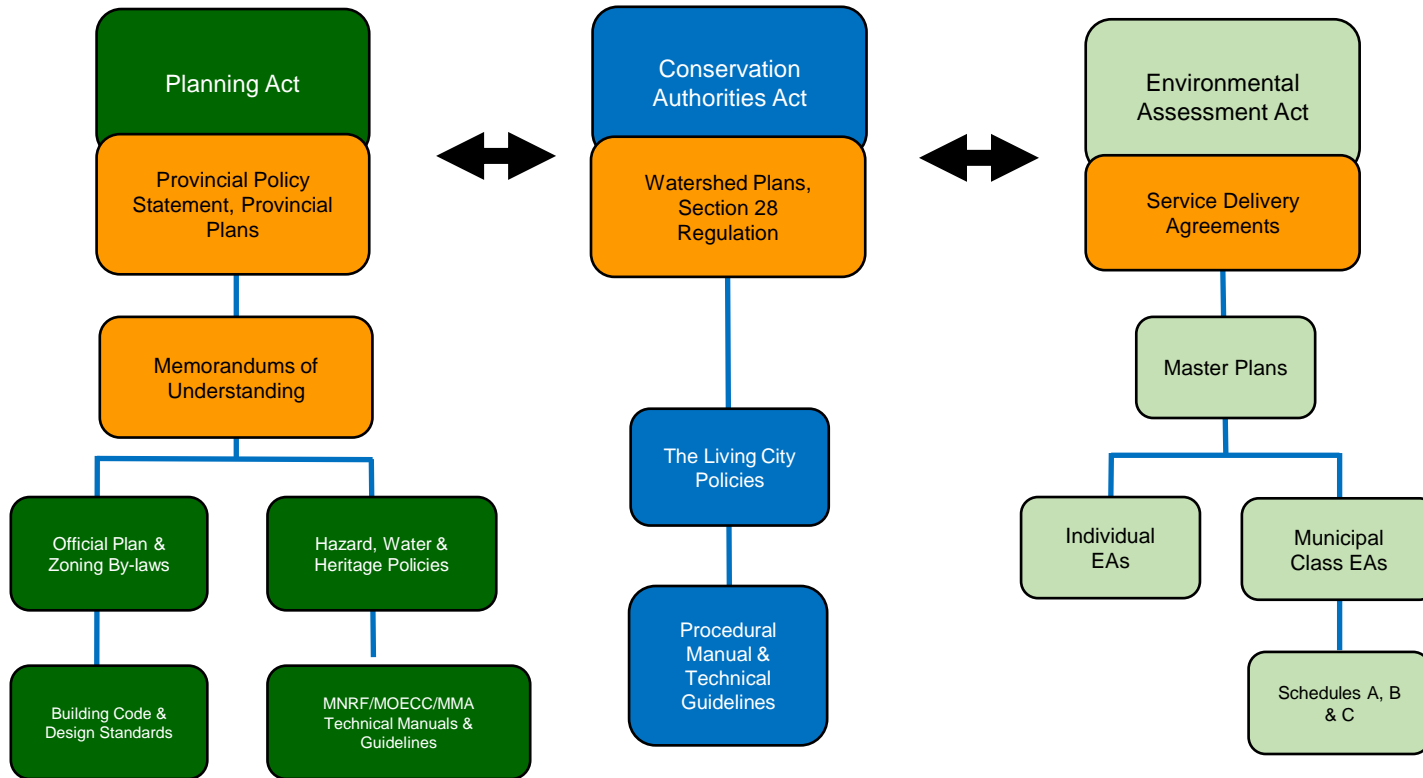
Provincial Consultation and TRCA Engagement

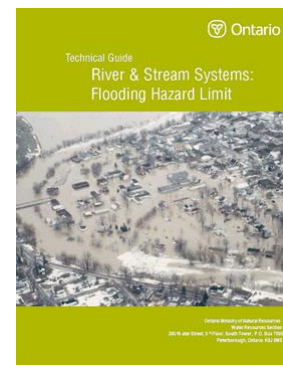
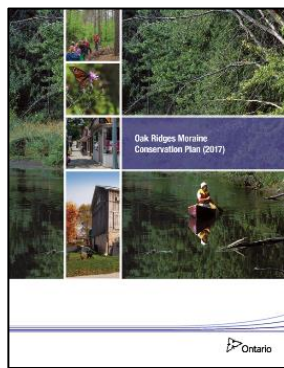
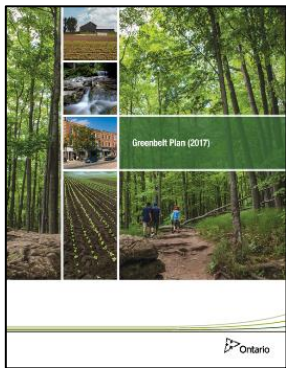
- TRCA meeting with MECP Minister – Nov 2019
- TRCA Chair and staff attended three Provincial multi-stakeholder engagement sessions – Jan/Feb 2020
- MECP Online Survey Submission – March 2020
- Municipal partners issued Council resolutions of support for conservation authority programs and services
- Ongoing dialogue with Provincial staff
- Meetings with partner municipalities for the purpose of developing Memorandums of Understanding (MOUs) and Service Level Agreements (SLAs)

Bill 229: Proposed CA Act Amendments

- Bill 229, *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 introduced in the legislature Thursday, November 5, 2020
- Schedule 6 proposes amendments to the *Conservation Authorities Act* and the *Planning Act*
- Enabling regulations for implementation have yet to be released

TRCA Roles & Responsibilities





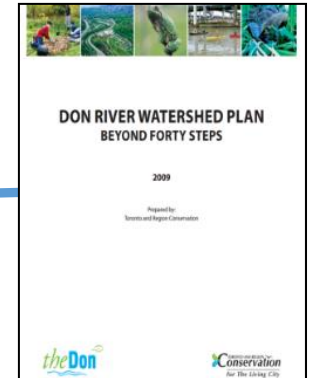
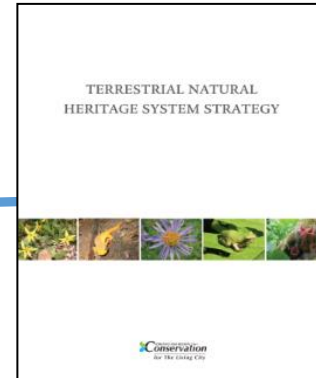
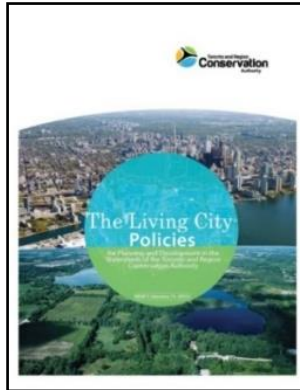
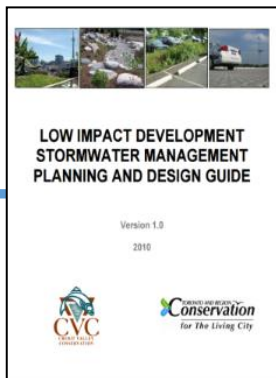
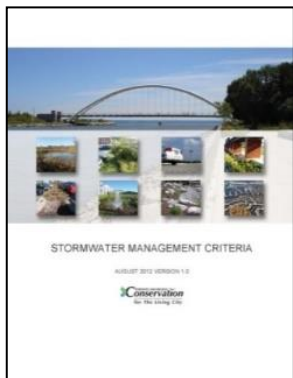
Provincial Plans, Policies & Technical Guidelines



Municipal plan input, development and environmental assessment review, permitting and compliance, policy analysis, technical expertise & advice

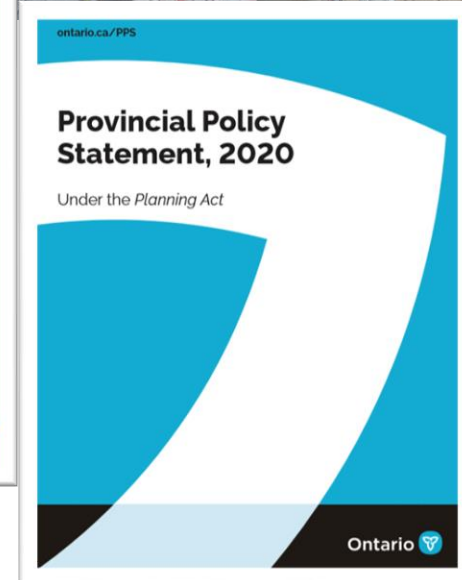
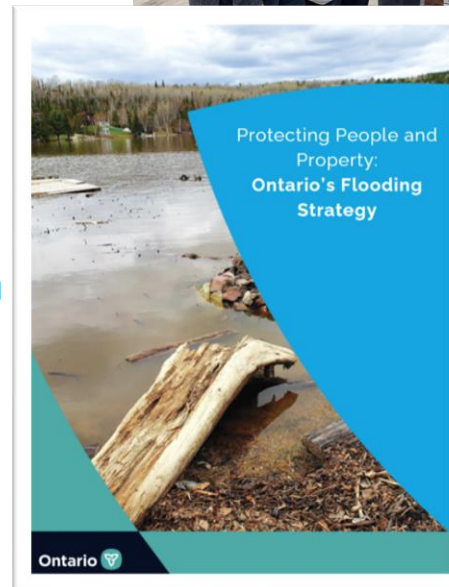


Conservation Authority Watershed Plans, Policies & Technical Guidelines



Flood Advisor's Recognition of CAs

- The 2019 Provincial Flood Advisor's report notes the important role **conservation authorities** play in the lands use planning process, with the main legislative tools to manage flood risk being the *Planning Act* together with the PPS and CA Act
- "The Province is committed to working with municipalities, the federal government, homeowners, **conservation authorities**, industry and Indigenous communities to advance the actions contained within this Strategy."



Bill 229 Planning Act Amendments

PROPOSED CHANGE

Planning Act

26. Subsection 1 (2) of the *Planning Act* is amended by striking out “all ministries” and substituting “all conservation authorities under the *Conservation Authorities Act* and all ministries”.

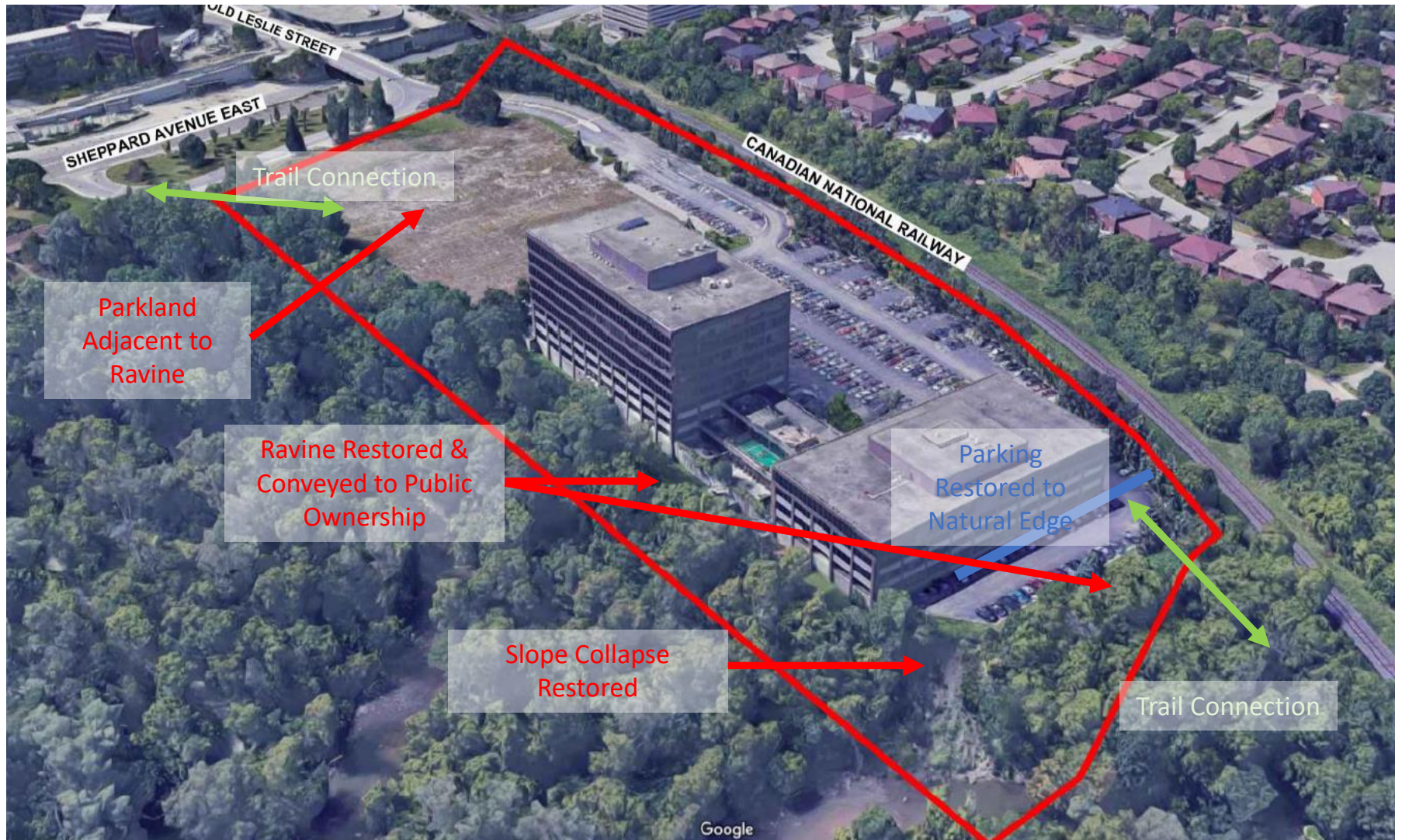
DRAFT RESPONSE

- Rescind proposed amendment

IMPLICATION

- limits our ability to be an independent party at LPAT to protect our interests as a landowner or to fulfill our mandate
- only permitted to have participant status or support a municipality through technical advice
- CAs would only be able to represent the provincial interest on natural hazards where the Minister was an appellant or party to an appeal

TRCA as Party at LPAT



CA Regulated Areas



TRCA's Ontario Regulation 166/06, as Amended: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation

Requires permission from TRCA for:

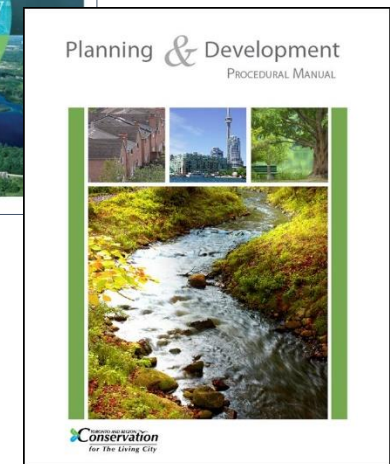
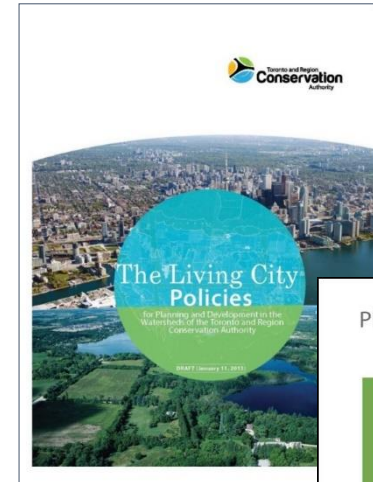
- **Development** in or adjacent to valley and stream corridors, Lake Ontario shoreline, watercourses, hazardous lands and wetlands
- **Straightening, changing, diverting or interfering** in any way with an existing channel of a watercourse
- **Changing or interfering** in any way with a wetland

Development means:

- Construction, reconstruction, erection or placing of a building or structure;
- Altering the use or potential use of the building or structure
- Increasing the size of the building or structure or the number of dwelling units in the building or structure;
- Site grading; or
- Placing, dumping or removal of any material, originating on the site or elsewhere.

TRCA Regulation

- Regulation tests: control of flooding, erosion, dynamic beaches, pollution or the conservation of land
- **New tests:**
 - jeopardize health or safety of persons or result in the damage or destruction of property
 - other requirements that may be prescribed
- CA Regulation is “applicable law” under *Building Code Act*
- Regulation requirements “flagged” in the Planning and Environmental Assessment processes



Why the Regulation is Important



Bill 229 CA Act Permitting Amendments

PROPOSED CHANGE

- Authorize the **Minister** of Natural Resources and Forestry to issue an order to take over and decide an application for a permit in place of the CA (i.e. before the CA has made a decision on the application).
- Allow an applicant, within 30 days of a CA issuing a permit, with or without conditions, or denying a permit, to **request the Minister to review the CA's decision.**
- If the Minister refuses to conduct a review, or fails to conduct the review within 30 days of providing notice of a review, provide the applicant with the ability to **appeal the CA's decision to LPAT** within 90 days after the conservation authority has made a decision.

IMPLICATION

- Removes CA decision-making authority based on local technical expertise
- Undermines consistency in decision-making as a science-based review

DRAFT RESPONSE

- Rescind and retain current process
- Current appeal process does not warrant reform

Bill 229 CA Act Permitting Amendments

PROPOSED CHANGE

- Where the Minister has taken over a permit application or is reviewing a permit decision by a CA, allow an applicant to appeal directly to **LPAT** where the Minister fails to make a decision within 90 days.
- Allow applicants to appeal directly to LPAT where a CA fails to make a decision on section 28 permit applications within 120 days.
- Provide permit applicants with the ability to appeal permit fees charged by a CA to LPAT.

IMPLICATION

- LPAT (over capacity, heavy case load) replacing Mining and Lands Tribunal (MLT)
- MLT current body of case law is not transferred to consider watershed perspective, cumulative impact, precedence

DRAFT RESPONSE

- Rescind as MLT is appropriate tribunal for CA permit appeals
- TRCA – 1000 plus permits/year with no appeals in several years

Bill 229 CA Act Permitting Amendments

PROPOSED CHANGE

- CAs have 120 days after an application is made to make a decision.
- Applicant may appeal the application directly to LPAT.

IMPLICATION

- No regulation introduced for complete application requirements

DRAFT RESPONSE

- Rescind or establish complete application requirements
- CAs have consistently demonstrated timely decision making



Enforcement and Compliance Challenges



Unlawful large-scale filling



Unlawful interference with watercourse



Unlawful filling on unstable slope



Unlawful wetland destruction



Unlawful activities – TRCA landholdings

Bill 229 Enforcement Amendments - Warrantless Entry Provisions

PROPOSED CHANGE

- changes to the circumstances when an entry to land may be exercised by a CA **officer** so that such circumstances are similar to, but **narrower** than, the entry powers now in effect in section 28 of the Act.

IMPLICATION

- Identifies that only an “officer” can access property for the purposes of addressing permit applications.
- Excludes access by planning and technical staff without an officer.
- All criteria must all be met for entry.
- Proposed wording replacing un-proclaimed provisions reduces officer ability to access property to identify compliance issues.

DRAFT RESPONSE

- Reinstate current wording to an “authority” so that technical staff can enter to make assessment of conditions.
- Rescind amendments, maintain provisions providing the ability to access property.

Bill 229: Enforcement - Stop order - Repealed

PROPOSED CHANGE

Stop Order

~~30.4 (1) An officer appointed under section 30.1 may make an order requiring a person to stop engaging in or not to engage in an activity if the officer has reasonable grounds to believe that the person is engaging in the activity, has engaged in the activity or is about to engage in the activity and, as a result, is contravening,~~

~~(a) subsection 28 (1) or a regulation made under subsection 28 (3) or under section 28.5; or~~

~~(b) the conditions of a permit that was issued under section 28.1 or under a regulation made under clause 28.5 (1) (c). 2017, c. 23, Sched. 4, s. 29.~~

~~(2) Information to be included in order~~

~~(3) Service of order~~

~~(4) Registered mail~~

~~(5) Effective date~~

~~(6) Right to hearing~~

~~(7) Powers of authority~~

~~(8) Reasons for decision~~

~~(9) Appeal~~

IMPLICATION

- Section 30.4 repealed in its entirety and removes an officer's ability to stop works under any circumstances.

DRAFT RESPONSE

- Rescind the proposed repeal amendments and provide the ability to stop work.

Bill 229: Enforcement – Enhanced Provisions

PROPOSED CHANGE

No Changes Proposed to Enforcement provisions regarding CA landholdings relating to Section 29.

IMPLICATION

- TRCA one of the largest landowners in GTA – 18,000 ha.
- Limits ability to protect and effectively address ongoing abuses of public land and address unlawful activities.

DRAFT RESPONSE

Required: similar protections afforded to Ontario's Provincial Parks and Provincial Enforcement Officers.

Bill 229: Governance Amendments - Member Responsibilities

PROPOSED CHANGE

Members of authority

14.1 Every member of an authority shall act honestly and in good faith and, in the case of the members appointed by participating municipalities, shall generally act on behalf of their respective municipalities.

IMPLICATION

- Members must act on behalf of their municipality
- Counter to the intent of the Act to collectively manage watersheds and to NPCA Audit recommendation
- Board members have a fiduciary duty to act on behalf of the CA they are appointed to, rather than their respective municipalities – otherwise, conflict of interest.

DRAFT RESPONSE

- Every member of an authority shall act honestly and in good faith with a view to furthering the objects of the authority

Bill 229: Governance Amendments - Authority Members

PROPOSED CHANGE

Municipal councillors appointed

14 (1.1) The members of the authority shall be municipal councillors chosen by each municipal council from among its own councillors.

DRAFT RESPONSE

- Requires input of Board members.

IMPLICATION

- The City of Toronto is comprised of 25 municipal councillors and the mayor, who is elected city-wide. In accordance with Section 5(4) of the Act, such an amendment would require 15 municipal councillors (60%) of Toronto's municipal council to be members of the authority.

Bill 229: Governance Amendments - Term Limits

PROPOSED CHANGE

Chair, vice-chair

17(1.1) A chair or vice-chair appointed under subsection (1) shall hold office for a term of one year and shall serve for no more than two consecutive terms.

IMPLICATION

- Term limits will be set for the Chair and Vice-Chair of the authority's members.

DRAFT RESPONSE

- CA terms should align with municipal council terms (terms of two years and shall serve for no more than two consecutive terms).

Bill 229: Governance Amendments – Accounting Standards

PROPOSED CHANGE

38(1) Every authority shall cause its accounts and transactions to be audited annually by a person licensed under the Public Accounting Act, 2004 and shall ensure that the annual audit is prepared in accordance with generally accepted accounting principles for local governments recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada, as they exist from time to time.

IMPLICATION

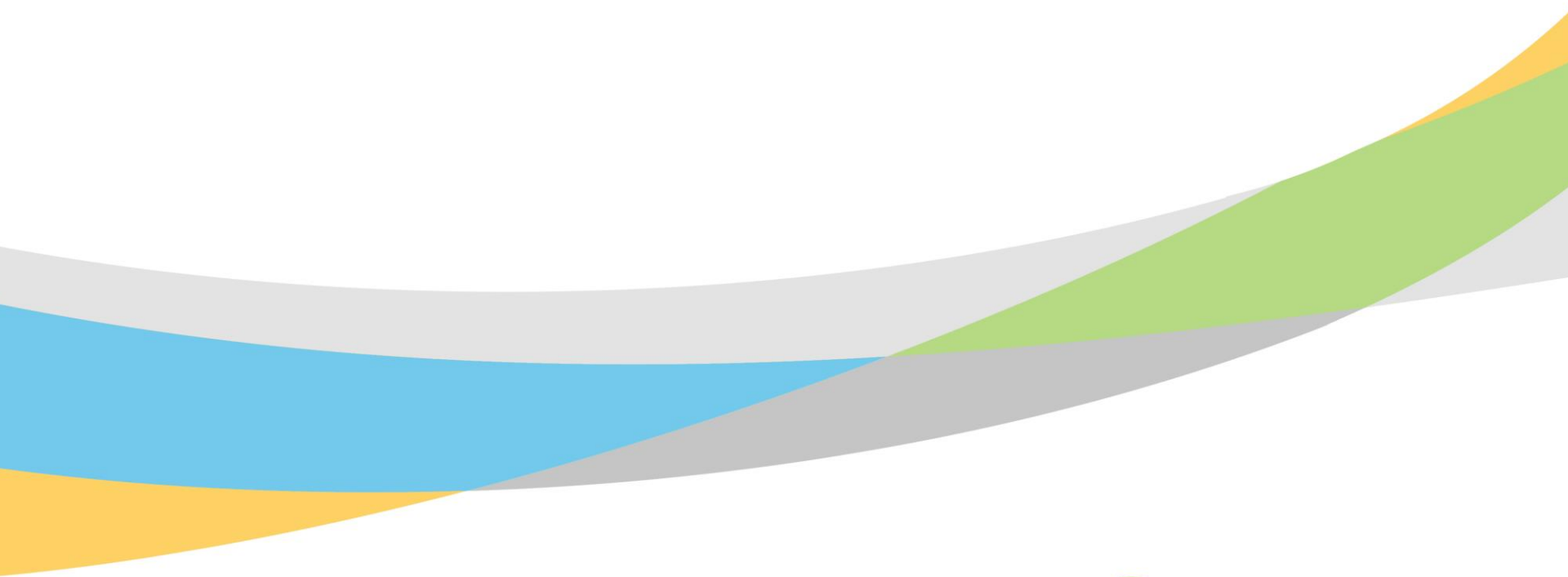
- Further clarity around defining the accounting standards that conservation authorities are being asked to follow is required, as there are specific sections in ‘generally accepted accounting principles for local governments’, that could permit different accounting methodology.

DRAFT RESPONSE

- 38(1) Each authority shall cause its accounts and transactions to be audited annually by a person licensed under the *Public Accounting Act, 2004* and the financial statements must be prepared in accordance with Canadian Public Sector Accounting Standards, as recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada, excluding sections available to government not-for-profit organizations, as they exist from time to time.

Questions and Comments

Input from the Board to Inform TRCA's Final Submission to the Province



Section I – Items for Board of Directors Action

RES.#A176/20 - IMPACT OF BILL 229, *PROTECT, SUPPORT AND RECOVER FROM COVID-19 ACT (BUDGET MEASURES)*, 2020

The Province of Ontario has proposed amendments to the *Conservation Authorities Act* and the *Planning Act* in Schedule 6 of [Bill 229](#), that present major implications for Toronto and Region Conservation Authority's (TRCA) ability to fulfill its mandate, primarily in the areas of planning, permitting and enforcement.

Moved by: Linda Jackson
Seconded by: Jennifer Drake

WHEREAS on November 5, 2020, the Province of Ontario introduced Bill 229, *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, which proposes amendments to the *Conservation Authorities Act* and *Planning Act*;

AND WHEREAS the proposed amendments will diminish TRCA's ability to serve its municipal partners and other watershed stakeholders in the protection from natural hazards and conserving natural resources, primarily in the areas of planning, permitting and enforcement;

THEREFORE, LET IT BE RESOLVED THAT TRCA's Board of Directors request that the Government of Ontario remove proposed amendments to the *Conservation Authorities Act* and *Planning Act* in Bill 229 relating to planning, permitting and enforcement and include strengthened provisions related to enforcement, in order to support a balanced approach to development, enable conservation authorities to mitigate natural hazards and protect natural heritage, and to prevent any downloading of enforcement costs to municipalities;

AND FURTHER THAT the Clerk and Manager, Policy, so advise the Premier, Minister of Environment, Conservation and Parks, the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the Minister of Finance, MPPs in our jurisdiction, TRCA's partner municipalities, neighbouring conservation authorities and Conservation Ontario.

RES.#A177/20 - AMENDMENT TO THE MAIN MOTION

Moved by: Jack Heath
Seconded by: Anthony Perruzza

THAT the third paragraph of the main motion be amended as follows:

THEREFORE, LET IT BE RESOLVED THAT TRCA's Board of Directors request that the Government of Ontario remove proposed amendments to the *Conservation Authorities Act* and *Planning Act* in Bill 229 relating to planning, permitting and enforcement and include strengthened provisions related to enforcement including powers to require the restoration of lands including taxation abilities involving our local municipalities if they have been subjected to illegal activities, including enforcement powers that are on par with other Provincial Officers, in order to support a balanced approach to development, enable conservation authorities to mitigate

natural hazards and protect natural heritage, and to prevent any downloading of enforcement costs to municipalities;

THE AMENDMENT WAS:

CARRIED

THE RESULTANT MOTION READS AS FOLLOWS:

WHEREAS on November 5, 2020, the Province of Ontario introduced Bill 229, *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, which proposes amendments to the *Conservation Authorities Act* and *Planning Act*;

AND WHEREAS the proposed amendments will diminish TRCA's ability to serve its municipal partners and other watershed stakeholders in the protection from natural hazards and conserving natural resources, primarily in the areas of planning, permitting and enforcement;

THEREFORE, LET IT BE RESOLVED THAT TRCA's Board of Directors request that the Government of Ontario remove proposed amendments to the *Conservation Authorities Act* and *Planning Act* in Bill 229 relating to planning, permitting and enforcement and include strengthened provisions related to enforcement including powers to require the restoration of lands including taxation abilities involving our local municipalities if they have been subjected to illegal activities, including enforcement powers that are on par with other Provincial Officers in order to support a balanced approach to development, enable conservation authorities to mitigate natural hazards and protect natural heritage, and to prevent any downloading of enforcement costs to municipalities;

AND FURTHER THAT the Clerk and Manager, Policy, so advise the Premier, Minister of Environment, Conservation and Parks, the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the Minister of Finance, MPPs in our jurisdiction, TRCA's partner municipalities, neighbouring conservation authorities and Conservation Ontario.

CARRIED

BACKGROUND

Previous Bill 108 Amendments and Advocacy Efforts

TRCA has been a value-added collaborator throughout the three-year provincial consultation process regarding the modernization of the *Conservation Authorities Act* (the Act or the CA Act). Prior to previous amendments to the Act under Bill 108, the *More Homes, More Choice Act*, TRCA with its municipal partners, Conservation Ontario, and neighbouring conservation authorities in the Greater Golden Horseshoe, strongly advocated that the Province recognize critical role that conservation authorities (CAs) play as watershed and natural resource management agencies. In addition to requesting the addition of "conserving natural resources" as a mandatory program or service, it was strongly voiced that stronger enforcement powers were needed to improve regulatory compliance in the control of natural hazards and the conservation of land.

Bill 108 received Royal Assent on June 6, 2010 and assigned greater prescriptions to the three categories of programs and services established through Bill 139 amendments (mandatory, municipally-driven and Board-driven). Some of the key legislative amendments were made in section 21.1 (1) of the Act. They require conservation authorities to provide programs or services that meet the following descriptions and that have been prescribed in regulations:

- i. Programs and services related to the risk of natural hazards
- ii. Programs and services related to the conservation and management of lands owned or controlled by the authority, including any interests in land registered on title
- iii. Programs and services related to the authority's duties, functions and responsibilities as a source protection authority under the [Clean Water Act, 2006](#)
- iv. Programs and services related to the authority's duties, functions and responsibilities under an Act prescribed by the regulations

Subsequent to Standing Committee and Third reading of Bill 108, a late addition to these categories as part of the amendments, was a clause that enables CAs to provide a program or service other than those listed above, but it must first be prescribed in a provincial regulation. The Environmental Registry of Ontario [Decision notice](#) on the approval of the CA Act amendments under Bill 108 reports that this clause was added to address comments received by the Province that CAs' mandatory programs and services were being defined too narrowly.

The Bill 108 provisions governing municipally directed programs and services, (non-mandatory), require a publicly available Memorandum of Understanding or agreement. Provisions were also added for other programs and services (non-mandatory), which state that a conservation authority may provide, within its area of jurisdiction, such other programs and services it determines are advisable to further its objects. Nonetheless, if municipal funding is involved, there must be a public agreement in place between CAs and municipalities.

Key amendments are un-proclaimed and awaiting regulations

Many of the amendments from Bill 108 regarding programs and services and enforcement provisions are not yet in effect because they require enacting regulations. CAs, municipalities and other stakeholders have been eagerly awaiting the release of the draft regulations as they would reveal greater detail on the scope of CAs' mandate and were expected to grant enhanced enforcement powers to address un-proclaimed provisions and ongoing community concerns. Since then, individual briefings with CAs were held with Minister's staff and local MPPs.

Multi-Stakeholder Consultation Sessions

In early 2020, the Province conducted further consultation by hosting four in-person multi-stakeholder consultation sessions, as previously reported to the TRCA Executive Committee and Board of Directors. TRCA staff participated in three of the sessions in Barrie, Colborne and London. The Chair of TRCA's Board of Directors and TRCA's Chief Executive Officer also attended the sessions. Consisting of facilitated roundtable discussions and presentations from the agricultural sector, building industry, Conservation Ontario, and an environmental non-government organization, participants were provided with a series of questions under themes of mandatory and non-mandatory programs and services, the existing CA model, and partnerships.

The conversations during the roundtable discussions were generally consistent with the ongoing dialogue with the Province and stakeholders throughout the CA Act review process. TRCA staff attending the sessions made it clear in their discussions that the forthcoming draft regulations should enable TRCA to support provincial and municipal goals and objectives in the context of a growing and intensifying city-region.

Conservation Authorities Act Survey

Following the provincial multi-stakeholder consultation, the Ministry of Environment, Conservation and Parks issued an [on-line survey](#) to the public (survey closed March 13, 2020) that solicited input on the conservation authority model as it relates to transparency, permitting, oversight, Board composition and partnerships. It also asked for feedback on which programs and services should be mandatory within the areas of managing natural hazards, managing conservation authority-owned lands, and drinking water source protection.

TRCA's survey response was previously reported to the TRCA Board of Directors through a [Policy Submissions Summary report](#) and was informed by previously Board-endorsed TRCA submissions. After the survey closed, the Province stated on the survey website that, "The province is moving forward with a proposal to further define the core mandate of conservation authorities. These changes would improve the governance, oversight and accountability of conservation authorities, while respecting taxpayer dollars by giving municipalities more say over the conservation authority services they pay for."

It should also be noted that at that time, several municipalities within TRCA's jurisdiction, (and across the Province), passed Council resolutions of support for the valuable work of CAs for submission to the Province.

TRCA Memorandums of Understanding and Service Level Agreements

Recognizing the Bill 108 amendments to the Act that require CAs to establish Memorandums of Understanding (MOUs) for any municipally funded non-mandatory programs and services, and in anticipation of the enabling regulations, TRCA has been engaging its municipal partners in discussions to develop MOUs and other service level agreements (SLA). This has led to consensus on the importance of developing new standardized agreements to ensure consistency, accountability, and transparency. Pursuing MOUs and SLAs with our partner municipalities is helping identify ongoing funding for TRCA's programs, projects and services for 2021 and beyond, while also supporting our municipalities in their needs, priorities and desired outcomes. As such, MOUs are good business practice and allow a municipality to procure TRCA services more easily through procurement policy exemptions. The most recent update on the work underway was provided in a [report](#) to the Board of Directors on September 25, 2020.

Bill 229 carried on First Reading

On November 5, 2020, the Province of Ontario introduced Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020. Schedule 6 of Bill 229 proposes amendments to the *Conservation Authorities Act* and the *Planning Act*. As of the writing of this report, the Bill is proceeding through the legislature and carried on First Reading. The Province did not introduce any associated regulations.

Key amendments proposed under Bill 229, as stated in the ERO Bulletin, are:

- Remove the authority for conservation authorities to expropriate lands. Conservation authorities would have the ability to request either the Province or a municipality expropriate land.
- Require participating municipalities to appoint municipal councillors as conservation authority members and that municipally appointed members generally act on behalf of their municipalities. This proposal would repeal the un-proclaimed provision made in Bill 108 that members were to act with a view to furthering the objects of the conservation authority.

- Enable the minister to appoint a member to the conservation authority from the agricultural sector.
- Require that conservation authority chairs and vice-chairs rotate every two years between different participating municipalities.
- Enable the minister to delegate some of their duties and powers under the *Conservation Authorities Act*, for example to a ministry official.
- Add a legal provision to the *Conservation Authorities Act* related to aboriginal and treaty rights under the Constitution. Such a non-derogation provision would recognize that nothing in the Act would abrogate or derogate from the existing aboriginal and treaty rights recognized and affirmed by section 35 of the Constitution.
- Authorize the Minister of Natural Resources and Forestry to issue an order to take over and decide an application for a permit under section 28 of the *Conservation Authorities Act* in place of the conservation authority (i.e. before the conservation authority has made a decision on the application).
- Allow an applicant, within 30 days of a conservation authority issuing a permit, with or without conditions, or denying a permit, to request the minister to review the conservation authority's decision.
- Where the minister has taken over a permit application or is reviewing a permit decision by a conservation authority, allow an applicant to appeal directly to LPAT where the minister fails to make a decision within 90 days.
- In addition to the provision to seek a minister's review, provide the applicant with the ability to appeal a permit decision to LPAT within 90 days after the conservation authority has made a decision.
- Allow applicants to appeal directly to LPAT where a conservation authority fails to make a decision on section 28 permit applications within 120 days.
- Provide permit applicants with the ability to appeal permit fees charged by a conservation authority to LPAT.
- Amend the un-proclaimed warrantless entry provisions to change the circumstances when an entry to land may be exercised by a conservation authority officer so that such circumstances are similar to entry powers now in effect in section 28 of the Act.
- Remove the un-proclaimed provisions for conservation authorities to be able to issue stop work orders and retain the current enforcement tools, such as laying charges and potential court injunctions.
- An amendment to the *Planning Act* to add conservation authorities to subsection 1 (2) of the *Planning Act*. This amendment, if passed, would make conservation authorities part of the Province's one window planning approach. This would mean that a conservation

authority could not, as a public body under that Act, appeal a decision to LPAT or become a party to an appeal before LPAT.

Letter from TRCA Chair to the Premier of Ontario and Ministries

TRCA has stated our main concerns with the proposed amendments in a letter from TRCA's Chair to the Premier of Ontario and Ministers of Environment, Conservation and Parks, Natural Resource and Forestry, Finance, and Municipal Affairs and Housing (Attachment 1). The letter will be the basis of TRCA's formal comment submission to the Province and will be further informed by input from members of the Board of Directors.

ERO Bulletin on Schedule 6 of Bill 229 requires no consultation

The Ministry of Environment, Conservation and Parks (MECP) has also posted a [Bulletin](#) on the Environmental Registry of Ontario (ERO) for the information of the public. The ERO Bulletin states that MECP is amending the CA Act to improve transparency and consistency in conservation authority operations, strengthen municipal and provincial oversight, and streamline conservation authority roles in permitting and land use planning.

Section 33 of the *Environmental Bill of Rights*, 1993 (EBR) exempts proposals from the public consultation requirements under the EBR if the proposal forms part of, or gives effect to, a budget or economic statement presented to the Legislative Assembly. There is therefore no obligation for the government to consult on the proposed amendments because this proposal was brought forward under a budget measures bill. (It should be noted that the Legislative Assembly of Ontario webpage on Bill 229, lists "Committee" prior to Second Reading and again, prior to Third Reading. TRCA has made a request to appear before the Committee prior to Second Reading).

The ERO Bulletin also states that later this fall, the government intends to consult on regulatory proposals for mandatory programs and services, section 28 natural hazards, section 29 conservation authority lands, agreements and transition under the CA Act. These proposals will be posted on the Environmental Registry for public consultation.

Ministry of Environment, Conservation and Parks (MECP) Webinar

On the morning of November 6, 2020, the MECP invited TRCA, other conservation authorities and Conservation Ontario (CO) to join a webinar that afternoon on the proposed amendments affecting conservation authorities under Bill 229. At the webinar, MECP staff provided an overview of the Bill's proposed amendments and fielded questions from the attendees. CO and CA staff sought clarification on the amendments proposing alternate permit review and appeal processes. Participants also expressed doubt as to level of efficiency the proposed measures would bring to permit appeal and approval given the demonstrated success of ongoing CO and CA-driven streamlining initiatives.

Efforts in this area were acknowledged in 2020 by the Minister of Natural Resources and Forestry in a letter to the Chair of Conservation Ontario stating that the Minister was pleased to see the progress and success of Conservation Ontario's Client Service and Streamlining Initiative (Attachment 4). TRCA's own efforts to increase operational efficiencies, streamline processes and enhance customer service to support provincial priorities for streamlining the planning and development approvals process were outlined in a 2019 [report](#) to TRCA Board of Directors.

TRCA Action Items Post Bill 229 Release

Upon release of the proposed amendments in Schedule 6 of Bill 229 on November 5, 2020,

TRCA staff undertook the following actions:

- Provided a verbal, high level update to the Executive Committee on November 6, 2020
- Issued a [press release](#) to 250-plus members of the media and posted on TRCA's website summarizing our initial response to the proposed amendments
- Issued social media posts on priority areas of planning, permitting and enforcement, for use by municipalities and public support
- Issued a letter from TRCA's Chair to the Premier of Ontario and Ministers of Environment, Conservation and Parks, Natural Resource and Forestry, Finance, and Municipal Affairs and Housing (Attachment 1)
- Issued a letter to Members of Provincial Parliament urging them to support conservation authorities (Attachment 2)
- Drafted a sample municipal council resolution of support for conservation authorities in the wake of Bill 229 for use by municipal partners (Attachment 3)
- Requested to appear before Standing Committee prior to the Second Reading of Bill 229

Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

Strategy 2 – Manage our regional water resources for current and future generations

Strategy 4 – Create complete communities that integrate nature and the built environment

Strategy 7 – Build partnerships and new business models

Strategy 8 – Gather and share the best sustainability knowledge

Strategy 12 – Facilitate a region-wide approach to sustainability

FINANCIAL DETAILS

Staff are engaged in this policy analysis work per the normal course of duty, with funding support provided by TRCA's participating municipalities to account 120-12. No additional funding is proposed to support the policy analysis work associated with the preparation of these comments.

DETAILS OF WORK TO BE DONE

Staff are undertaking the following next steps:

- Formalize TRCA's final submission to the Province in response to Bill 229 based on input from the Board of Directors meeting
- Prepare a written submission for Committee prior to Second Reading on Bill 229
- Continue to engage with our partner municipalities to obtain resolutions of support from local municipal and regional Councils, residents throughout our jurisdiction, and our network of supporters to reach out to the Premier, MECP, MMAH, MNRF and local members of provincial Parliament to voice support for the changes proposed by TRCA.

- Continue to monitor the Environmental Registry of Ontario and the Province of Ontario News' Website to ensure TRCA is aware of, participates in consultation, and comments on the yet to be released draft regulations under the amended CA Act.
- Continue to engage the Province (including, but not limited to, MECP, MNRF, MMAH) through the legislative process, as opportunities arise, and through continued consultation and engagement with Ministry contacts already established through the Act consultation process in order to advocate for TRCA's recommendations.
- Continue to inform the Board of Directors of new developments on the CA Act and supporting regulations, particularly outcomes of our engagement with the Province.

Report prepared by: Mary-Ann Burns, extension 5763, Jessica Murray, extension 6437

Emails: marvann.burns@trca.ca, jessica.murray@trca.ca

For Information contact: Mary-Ann Burns, extension 5763, Laurie Nelson, extension 5281

Emails: marvann.burns@trca.ca, laurie.nelson@trca.ca

Date: November 13, 2020

Attachments: 4

Attachment 1: TRCA Chair's Letter

Attachment 2: TRCA letter to Members of Provincial Parliament

Attachment 3: Draft Resolution for Councils of municipalities in TRCA's jurisdiction

Attachment 4: Letter to Conservation Ontario from Minister of Natural Resources and Forestry

Office of the Chair



November 10, 2020

The Honourable Doug Ford
Premier of Ontario

Via Email
premier@ontario.ca

The Honourable Jeff Yurek
Minister of the Environment, Conservation and Parks

minister.mecp@ontario.ca

The Honourable Steve Clark
Minister of Municipal Affairs and Housing

minister.mah@ontario.ca

The Honourable John Yakabuski
Minister of Natural Resources and Forestry

minister.mnrf@ontario.ca

The Honourable Rod Phillips
Minister of Finance

Minister.fin@ontario.ca

Re: Urgent Request to Meet Prior to First Reading of Bill 229 to Discuss Elements We Support and Our Concerns With Proposed Amendments to the Planning Act and Sections 28, 29, and 30 of the CA Act Related to Enforcement, Planning and Permitting

TRCA is the largest Conservation Authority in Ontario with almost 5 million people living in our jurisdiction that includes 9 watersheds and over 70 km of Lake Ontario Shoreline stretching from Mississauga to Ajax and across the Oak Ridges Moraine from Mono in the west to Uxbridge in the east. TRCA issues up to 1,000+ permits per year for a jurisdiction spanning nine watersheds and is home to some of Canada's largest and fastest growing municipalities, including Toronto, Markham, Brampton, and Vaughan. We advance flood infrastructure, trails and restoration projects and work with municipalities and applicants to ensure timely issuance of development and infrastructure approvals, while protecting our communities from the risks of flooding and erosion. We are also experts at ensuring our watersheds and the Lake Ontario shoreline are protected, restored, and made more resilient to impacts of climate change including more extreme weather events.

TRCA was actively involved in the provincial consultation on the CA Act by attending every session, meeting with officials in several ministries, and providing multiple submissions to the Province. Since the amendments in Bill 229 were released, TRCA has consulted with our key stakeholders, including municipal councillors and staff at the single tier, six upper and fifteen lower tier municipalities that we serve, and heard similar concerns from them around these specific amendments.

TRCA Support for Transparency and Accountability Provisions

As noted in TRCA's original response to the proposed amendments, we remain supportive of all changes made to enhance the transparency and accountability of conservation authorities, which represent current practice and level of service that TRCA already provides. We want to discuss how we can further support the government on enacting and implementing these measures as part of this Bill.

Concerns About Weakened Enforcement Powers Despite Increasing Illegal Activities

Throughout the consultation process, TRCA, as the single largest landowner in the Greater Toronto Area, has been adamant in urging the Province to enhance the enforcement powers of conservation authorities. Enhancing these powers is essential to address issues like illegal large-scale filling operations and the destruction of natural features increasing in frequency within municipalities in our jurisdiction. In order to adequately manage natural hazards and the natural resources of our lands that are subject to increased illegal fill operations, filling of wetlands, and dumping, TRCA requested similar powers to those of Provincial Enforcement Officers to accomplish our mandate.

The unproclaimed provisions under section 30 (enforcement and offences) need to be reinstated. The amendments directly impact an officers ability to effectively address TRCA's permit compliance objectives, work with proponents and stakeholders to proactively address compliance issues, and limit an officer's ability to address significant impacts to natural hazards and features that might jeopardize the health and safety of persons or result in significant damage to property in an efficient and timely manner.

Removing an officer's ability to enter lands (s. 30.2) within the authority's jurisdiction is inconsistent with similar municipal and provincial legislation, and coupled with the removal of a Stop Order provision (s. 30.4) does not afford officers an ability to "prevent or reduce the effects or risks" associated with illegal and egregious activities, and puts the onus on an authority to engage in a time consuming and costly injunction process.

Lastly, the TRCA, through our May 21, 2019 correspondence to the Province, requested enhanced enforcement provisions to allow TRCA officers, under s.29 of the Act, to adequately protect our significant public landholdings (18,000 ha) to effectively address ongoing abuses and unlawful activities, similar to the protections afforded to Ontario's Provincial Parks.

Planning Act and S. 28 and 30 CA Act Amendments Run Counter to Provincial Flood Advisor Recommendations and recent PPS Planning Act Changes

We are also concerned with proposed amendments to the *Planning Act* which would limit our ability to be an independent Party at LPAT to protect our landholdings and to fulfill our mandate. TRCA attends LPAT hearings to ensure that policies and development conditions are imposed to reduce flood risks and to ensure mitigation and setbacks are in place to

address natural hazards such as erosion hazards near steep slopes or along the eroding and hazardous Lake Ontario shoreline. Extreme weather events and changing climate increase the importance of our role in the planning process.

The 2019 Provincial Flood Advisor's report notes the important role that conservation authorities play in the land use planning process. The main legislative tools used to manage flood risk, the report states, include the *Planning Act* together with the Provincial Policy Statement (PPS) and the *Conservation Authorities Act*. As a result of the Flood Advisor's recommendations, the 2020 PPS was revised to state that mitigating natural hazard risks, including those associated with climate change, will require the Province, planning authorities, and conservation authorities to work together. Similarly, the Made in Ontario Environment Plan asserts that within the context of environmental planning, conservation authorities' core mandate is protection from natural hazards and conserving natural resources.

The proposed changes to planning, permitting and enforcement provisions in the Act are incongruent with recommendations of the Provincial Flood Advisor, the updated Provincial Policy Statement under the *Planning Act*, and do not reflect the concerns raised by the public and municipalities in our jurisdiction. These proposed changes, if passed, will increase risk to public infrastructure and private property, and will ultimately diminish TRCA's and our municipal partners' ability to protect the environment and fulfill our obligations to the communities we serve.

The proposed amendments to sections 28 and 30 of the CA Act and the *Planning Act* amendments included in this Bill that would eliminate our ability to independently represent ourselves at LPAT run counter to Provincial Flood Advisor report findings. What is proposed would serve to diminish the effective integration of the legislative tools and undermine the ability of conservation authorities to meaningfully contribute to our collective responsibility for public safety and natural resource management with other parties at forums such as LPAT when necessary.

Compendium Regulations and Amendments Must Be Reviewed Concurrently

Without having regulations to support these amendments, concerns are prevalent that there may be unintended consequences or inefficiencies and ineffective outcomes. TRCA currently issues over 1000 + permits per year with no appeals in many years; most GGH CAs issue permits well within Conservation Ontario streamlining initiative timelines. This begs the question why there are proposed changes that would create a two-tier permitting process, allowing applicants to circumvent a process that is working well to reach the same end of issuing a permit. As well, the proposed option for applicants to request a review of an authority's permit decision could have operational impacts related to fees, could bog down an already stressed LPAT system, and create confusion and uncertainty for applicants. It is also unclear whether there is capacity in the Ministry and in LPAT for this new two-tier system. It is our experience that there is not.

Governance Concerns

There are two governance amendments in sections 14 and 17 of the Act that must be revised prior to this Budget Bill being enacted, as they are impractical to implement. As an example, section 14 would require 60% of the City of Toronto Council to sit on TRCA's Board and permits Board members to act on behalf of their respective municipalities, which is in contravention to their fiduciary responsibilities.

This issue was raised throughout the consultation process, in accordance with the Auditor General's special audit of the Niagara Peninsula Conservation Authority; at that time, the Ministry's response to the first recommendation in the audit report cited the need for board members to act in the best interest of the conservation authority for which they are appointed. Moreover, for members to act on behalf of their municipality is counter to the intent of the CA Act which was to transcend political boundaries for municipalities sharing a watershed to collectively manage and protect its resources.

Concluding Comments and Request to Discuss Our Concerns

In closing, while we remain supportive of transparency and accountability provisions, if the amendments impacting planning, permitting and enforcement, cannot be strengthened to allow us to fulfill our mandate, we would respectfully request that they be rescinded from this Bill. The removal of these amendments at this time would give the Province time to work with its stakeholders to prepare Act changes and supporting regulations concurrently to ensure they work well together, are properly resourced and communicated, and are aligned with other government objectives such as reducing flood risk and preparing for the impacts of a changing climate.

TRCA's next Board of Directors meeting is on Friday, November 13, 2020, and TRCA will be providing a formal response to the Province at that time, however, it is urgent that we discuss these concerns prior to first reading of the Bill given the time sensitivity related to passing [Bill 229](#) in order to approve the Provincial budget. We respectfully request that your office please contact Leena Eappen Executive Coordinator at leena.eappen@trca.ca in the Chairs and CEO's Office to arrange a time to meet.

Thank you for your consideration of this request and I look forward to discussing this matter at your earliest convenience.

Regards,

<Original Signed by>

Jennifer Innis
Chair, Board of Directors

Office of the Chair



November 13, 2020

Dear Member of Provincial Parliament:

Re: Permitting, Planning and Enforcement Concerns with Proposed Amendments to the *Planning Act* and Sections 28, 29, and 30 of the *Conservation Authorities Act*

TRCA is the largest Conservation Authority in Ontario with almost 5 million people living in our jurisdiction that includes 9 watersheds and over 70 km of Lake Ontario Shoreline stretching from Mississauga to Ajax and across the Oak Ridges Moraine from Mono in the west to Uxbridge in the east. TRCA issues up to 1,000+ permits per year and is home to some of Canada's largest and fastest growing municipalities, including Toronto, Markham, Brampton, and Vaughan. We advance flood infrastructure, trails and restoration projects and work with municipalities and applicants to ensure timely issuance of development and infrastructure approvals, while protecting our communities from the risks of flooding and erosion. We are also experts at ensuring our watersheds and the Lake Ontario shoreline are protected, restored, and made more resilient to impacts of climate change including more extreme weather events.

TRCA was actively involved in the provincial consultation on the Conservation Authorities Act (CA Act) by attending every session, meeting with officials in several ministries, and providing multiple submissions to the Province. Since the amendments in Bill 229 were released, TRCA has consulted with our key stakeholders, including municipal councillors and staff at the single tier, six upper and fifteen lower tier municipalities that we serve, and heard similar concerns from them around these specific amendments.

TRCA Support for Transparency and Accountability Provisions

TRCA remains supportive of all changes made to enhance the transparency and accountability of conservation authorities, which represent current practice and level of service that TRCA already provides. We want to discuss how we can further support the government on enacting and implementing these measures as part of this Bill.

Concerns About Weakened Enforcement Powers Despite Increasing Illegal Activities

Throughout the consultation process, TRCA, as the single largest landowner in the Greater Toronto Area, has been adamant in urging the Province to enhance the enforcement powers of conservation authorities. Enhancing these powers is essential to address issues like illegal large-scale filling operations and the destruction of natural features increasing in frequency within municipalities in our jurisdiction. In order to adequately manage natural hazards and the natural resources of our lands that are subject to increased illegal fill operations, filling of wetlands, and dumping, TRCA requested similar powers to those of Provincial Enforcement Officers to accomplish our mandate.

The unproclaimed provisions under section 30 (enforcement and offences) need to be reinstated. The amendments directly impact an officer's ability to effectively address TRCA's permit compliance objectives, work with proponents and stakeholders to proactively address compliance issues, and limit an officer's ability to address significant impacts to natural hazards and features that might jeopardize the health and safety of persons or result in significant damage to property in an efficient and timely manner.

Significantly limiting the conservation authority's ability to enter lands (s. 30.2), within the authority's jurisdiction is inconsistent with similar municipal and provincial legislation, and coupled with the removal of a Stop Order provision (s. 30.4) does not afford officers an ability to "prevent or reduce the effects or risks" associated with illegal and egregious activities, and puts the onus on an authority to engage in a time consuming and costly injunction process.

Lastly, the TRCA, through our May 21, 2019 correspondence to the Province, requested enhanced enforcement provisions to allow TRCA officers, under s.29 of the Act, to adequately protect our significant public landholdings (18,000 ha) to effectively address ongoing abuses and unlawful activities, similar to the protections afforded to Ontario's Provincial Parks.

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The 2019 Provincial Flood Advisor's report notes the important role that conservation authorities play in the land use planning process. The main legislative tools used to manage flood risk, the report states, include the *Planning Act* together with the Provincial Policy Statement (PPS) and the *Conservation Authorities Act*. As a result of the Flood Advisor's recommendations, the 2020 PPS was revised to state that mitigating natural hazard risks, including those associated with climate change, will require the Province, planning authorities, and conservation authorities to work together. Similarly, the Made in Ontario Environment Plan asserts that within the context of environmental planning, conservation authorities' core mandate is protection from natural hazards and conserving natural resources.

The proposed changes to planning, permitting and enforcement provisions in the Act are incongruent with recommendations of the Provincial Flood Advisor, the updated Provincial Policy Statement under the *Planning Act*, and do not reflect the concerns raised by the public and municipalities in our jurisdiction. These proposed changes, if passed, will increase risk to public infrastructure and private property, and will ultimately diminish TRCA's and our municipal partners' ability to protect the environment and fulfill our obligations to the communities we serve.

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Compendium Regulations and Amendments Must Be Reviewed Concurrently

Without having regulations to support these amendments, concerns are prevalent that there may be unintended consequences or inefficiencies and ineffective outcomes. TRCA currently issues over 1,000+ permits per year with no appeals in many years; most Greater Golden Horseshoe CAs issue permits well within Conservation Ontario streamlining initiative timelines. This begs the question why there are proposed changes that would create a two-tier permitting process, allowing applicants to circumvent a process that is working well to reach the same end of issuing a permit. As well, the proposed option for applicants to request a review of an authority's permit decision could have operational impacts related to fees, could bog down an already stressed LPAT system, and create confusion and uncertainty for applicants. It is also unclear whether there is capacity in the Ministry and in LPAT for this new two-tier system, as in our experience, there is not.

Governance Concerns

There are two governance amendments in sections 14 and 17 of the Act that must be revised prior to this Budget Bill being enacted, as they are impractical to implement. As an example, section 14 would require 60% of the City of Toronto Council to sit on TRCA's Board and permits Board members to act on behalf of their respective municipalities, which is in contravention to their fiduciary responsibilities.

This issue was raised throughout the consultation process, in accordance with the Auditor General's special audit of the Niagara Peninsula Conservation Authority; at that time, the Ministry's response to the first recommendation in the audit report cited the need for board members to act in the best interest of the conservation authority for which they are appointed. Moreover, for members to act on behalf of their municipality is counter to the intent of the CA Act which was to transcend political boundaries for municipalities sharing a watershed to collectively manage and protect its resources.

Concluding Comments and Request to Discuss Our Concerns

In closing, while we remain supportive of transparency and accountability provisions, if the amendments impacting planning, permitting and enforcement, cannot be strengthened to allow us to fulfill our mandate, we would respectfully request that they be rescinded from this Bill. The removal of these amendments at this time would give the Province time to work with its stakeholders to prepare Act changes and supporting regulations concurrently to ensure they work well together, are properly resourced and communicated, and are aligned with other government objectives such as reducing flood risk and preparing for the impacts of a changing climate.

Thank you for your consideration of this request and I look forward to discussing this matter at your earliest convenience.

Sincerely,

Jennifer Innis
Chair

John MacKenzie, M.Sc. (PI) MCIP, RPP
Chief Executive Officer

Draft Resolution for Councils of Municipalities in TRCA's Jurisdiction

WHEREAS on November 5, 2020, the Government of Ontario introduced Bill 229, *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020, an omnibus bill that proposes limitations to conservation authorities' permitting, planning and enforcement powers.

AND WHEREAS these changes will hinder conservation authorities' abilities to fulfill their mandates, do not reflect the Provincial Flood Advisor and Auditor General recommendations, and recently updated Provincial land use policies, and are problematic for the partner municipalities that they serve who rely on conservation authorities to help regulate development and illegal activities;

THEREFORE, LET IT BE RESOLVED THAT **INSERT MUNICIPALITY** request that the Government of Ontario remove proposed amendments to the *Conservation Authorities Act* and *Planning Act* in Bill 229 relating to planning, permitting and enforcement, and include strengthened provisions related to enforcement, in order to support a balanced approach to development, enable conservation authorities to mitigate natural hazards and protect natural heritage, and to prevent any downloading of enforcement costs to municipalities;

AND FURTHER THAT this resolution be forwarded to the Premier, the Minister of Environment, Conservation and Parks, the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the Minister of Finance, all **INSERT MUNICIPALITY** MPPs, all conservation authorities serving our jurisdiction, and the Association of Municipalities of Ontario.

Ministry of Natural
Resources and Forestry

Office of the Minister

Room 6630, Whitney Block
99 Wellesley Street West
Toronto ON M7A 1W3
Tel: 416-314-2301

Ministère des Richesses
naturelles et des Forêts

Bureau du ministre

Édifice Whitney, bureau 6630
99, rue Wellesley Ouest
Toronto (Ontario) M7A 1W3
Tél.: 416-314-2301



AUG 11 2020

354-2020-1243

Mr. Wayne Emmerson
Chair
Conservation Ontario
chair@conservationontario.ca

Dear Mr. Emmerson:

A handwritten signature in blue ink that reads 'Wayne'.

Thank you for providing me with an update on Conservation Ontario's Client Service and Streamlining Initiative. I am pleased to see the progress and success since its launch.

As you are aware, Ontario has committed to modernizing the regulations under the *Conservation Authorities Act* to focus conservation authorities on their core mandate of protecting people and property from flooding and other natural hazards following recommendations from the Special Advisor on Flooding's Report, and also in support of the government's Housing Supply Action Plan.

This work, along with the success of the Client Service and Streamlining Initiative, complements the broader work led by the Ministry of the Environment, Conservation and Parks (MECP). Both my ministry and the MECP are working together to define the conservation authorities mandatory natural hazard management program; ensure that other recent changes to the Act increase transparency; and help to focus conservation authorities' ability to deliver on their core mandate.

As proposals for new changes are developed, I assure you that opportunities for further consultation will be available for stakeholders to provide their feedback. I look forward to continuing to work together to protect people, property and communities from flooding and other natural hazards.

Thank you again for writing.

Sincerely,

A handwritten signature in blue ink that reads 'John Yakabuski'.

John Yakabuski
Minister of Natural Resources and Forestry

- c. The Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks
The Honourable Steve Clark, Ministry of Municipal Affairs and Housing
Kim Gavine, General Manager, Conservation Ontario

ADJOURNMENT

ON MOTION by Linda Jackson, the meeting adjourned at 12:43 p.m., on November 13, 2020.

Jennifer Innis
Chair

John MacKenzie
Chief Executive Officer

/am