

Section I – Items for Board of Directors Action

TO: Chair and Members of the Board of Directors
Friday, April 19, 2024 Meeting

FROM: Sameer Dhalla, Director, Development and Engineering Services

RE: **VOLUNTARY PROJECT REVIEW 2023**
Works Undertaken by Organizations Exempt from Ontario Regulation 166/06, as amended

KEY ISSUE

Summary report on the Voluntary Project Review (VPR) of works undertaken by organizations exempt from Ontario Regulation 166/06, as amended – Regulation of Development, Interference with Wetlands and Alteration to Shorelines and Watercourses, through VPR letters issued up to and during 2023.

RECOMMENDATION:

THE BOARD OF DIRECTORS RECOMMENDS THAT the summary information related to provincial and federal Crown Corporation projects reviewed through the Toronto and Region Conservation Authority (TRCA) Voluntary Project Review in accordance with Section 28 of the Conservation Authorities Act, be received;

AND THAT TRCA staff continue to advocate that Crown corporations undertaking environmental assessments for infrastructure projects consider working with TRCA through its VPR process during the environmental assessment and detailed design phase for projects located within TRCAs regulation limit to ensure potential issues related to the control of flooding, erosion, dynamic beaches and unstable soils or bedrock, or that jeopardize the health or safety of persons or result in the damage or destruction of property, are addressed;

AND FURTHER THAT TRCA staff continue to report back to the TRCA Board of Directors through the Executive Committee on a yearly basis for projects that completed the Voluntary Project Review process.

BACKGROUND

Since 2014, TRCA has provided an option for provincial and federal government ministries and Crown corporations exempt from the Conservation Authorities Act to apply for VPR under the requirements of Section 28 regulatory approval processes. The intent of this application process is to assist ministries and government agencies in reducing risk from natural hazards and to better protect the natural environment and address flooding, erosion, and all applicable tests under the CA Act.

To protect the environment, reduce risk and achieve greater certainty for provincial and federal government proponents, TRCA developed a process whereby the exempt ministry or crown corporate may voluntarily request TRCA to review and comment on

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detailed design activities to confirm that TRCA policies and procedures applicable to non-exempt proponents are being addressed. Once TRCA concerns are satisfied, a VPR letter is provided by TRCA staff at the design stage confirming TRCA objectives and requirements have been satisfied as set out in The Living City Policies and Ontario Regulation 166/06, as amended. Please refer to the attachment Voluntary Project Review: Summary of 2023 Projects for a summary of the 10 VPR letters staff issued in 2022.

The program began with issuing two (2) VPR letters to Metrolinx in 2014. Since then, TRCA has expanded the program to meet the needs of service partners, and a total of 113 letters have been issued overall. Over this time, 90 per cent of VPR letters have been issued to Metrolinx or project consortiums related to Metrolinx projects in accordance with the terms of our Metrolinx/TRCA Service Level Agreement (SLA).

In terms of Metrolinx specifically, the SLA includes the review of projects related to GO Expansion, Bus Rapid Transit, Light Rail Transit and Subway projects. Applications are made at the discretion of Metrolinx itself and include works such as retaining walls, bridges and culverts, track expansions, station and parking facilities, staging, storage and access, erosion and sediment controls, restoration, and utility relocations. While most VPR letters issued have been to Metrolinx, other VPR letters have been issued to 407 ETR, for works on Parks Canada lands, Infrastructure Ontario, Hydro One (no longer a Crown corporation), and Ontario Power Generation.

In addition to Metrolinx and associated consortiums and 407 ETR that are referenced in the attached table, staff continue to advocate the VPR application review process to others crown agencies and associated consortia, including but not limited to the Ministry of Transportation (MTO), PortsToronto, Parks Canada, Waterfront Toronto, Infrastructure Ontario, etc.

Relationship to TRCA's 2023-2034 Strategic Plan

This report supports the following Pillars and Outcomes set forth in TRCA's 2023-2034 Strategic Plan:

Pillar 1 Environmental Protection and Hazard Management:

- 1.4 Balance development and growth to protect the natural environment ensuring safe sustainable development

Pillar 2 Knowledge Economy:

- 2.3 Advocacy and adaptability in the face of policy pressures

NEXT STEPS

TRCA staff will continue to work with partners to advocate for and review projects submitted under the TRCA VPR process and TRCA will report back to the TRCA Board of Directors through the Executive Committee on VPR letters issued in 2024.

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Attachments: 1

Attachment 1: Voluntary Project Review: Summary of 2023 Projects