

Section III – Items for the Information of the Board

TO: Chair and Members of the Board of Directors
Friday, June 21, 2024 Meeting

FROM: Laurie Nelson, Director, Policy Planning

RE: SUMMARY OF 2023-2024 TRCA POLICY CONSULTATION SUBMISSIONS

KEY ISSUE

Summary of Toronto and Region Conservation Authority (TRCA) submissions on federal and provincial legislative, regulatory, or policy initiatives relevant to TRCA interests from January 2023 to May 2024, for the information of TRCA Board of Directors.

RECOMMENDATION:

WHEREAS in 2023 and to date in 2024, TRCA submitted letter responses to senior level governments on several legislative, regulatory and policy consultation initiatives relevant to TRCA programs and services;

THEREFORE, LET IT BE RESOLVED THAT the TRCA staff report on a summary of TRCA policy consultation submissions in 2023 through to May 2024, be received;

AND FURTHER THAT the Clerk & Manager, Policy, so advise municipal partners and Conservation Ontario.

BACKGROUND

From time to time, the Province of Ontario, and the Government of Canada release legislative, regulatory, policy or guideline proposals of interest to TRCA, the majority of which are provincial and are posted on the Environmental Registry of Ontario (ERO). The Planning Policy and Regulation Business Unit within the TRCA Policy Planning Division is primarily responsible for leading internal reviews of government proposals on a range of matters relevant to TRCA interests.

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TRCA staff coordinate internal circulations of government materials and draft submissions based on staff input that integrates the expertise and inter-disciplinary perspectives of TRCA's teams. Comments and recommendations are informed by the successes and challenges staff experience in their day-to-day work with municipalities, proponents, and other stakeholders, with emphasis on shared provincial, municipal and TRCA objectives.

All TRCA federal or provincial policy submissions are vetted through senior staff, approved, and signed by the Chief Executive Officer, or designate, prior to submission to ensure alignment with TRCA's Strategic Plan pillars and outcomes.

Policy Consultation Topics

ERO postings responded to in 2023 and 2024 predominantly focused on proposals to amend legislation, regulations, and policies to streamline government functions with the intent of increasing housing supply. TRCA responded to these postings to advocate for the proposed legislative frameworks to maintain best environmental practice for implementing development and infrastructure projects that create safe and resilient communities.

Indicative of the broad range of expertise TRCA staff lent to these consultation initiatives, are the examples of postings responded to: the merging of key planning documents – the Provincial Policy Statement and the Growth Plan into a new “Provincial Planning Statement,” amendments to municipal site plan control for residential development of 10 or fewer units, streamlining environmental permissions for stormwater management, changes to environmental assessment requirements for municipal infrastructure projects, a number of federal and provincial endangered species proposals, and reducing zoning barriers to accelerate implementation of additional residential units.

Other postings represented a pulling back of previous government initiatives such that lands slated for development and removed from the Greenbelt were returned to the Greenbelt. This included adding back some but not all of the legal protections (the Central Pickering Development Plan was removed and not replaced) that was previously present within the Duffins Rouge Agricultural Preserve and for Seaton lands.

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There have been a number of area specific or site-specific consultations related to Minister Zoning Orders (MZOs) and ongoing discussions related to their potential repeal or implementation once enacted.

A more recent example of a post affecting conservation authorities in particular was to bring into effect approved amendments to the Conservation Authorities Act through regulation. The posting discussed how the regulation would prescribe powers from the Act for the Minister to prevent a conservation authority from issuing a permit and to take over the permitting process in place of a conservation authority, and to review permit decisions at the request of an applicant.

Species focused consultations included national recovery strategies for the Jefferson Salamander and the Redside Dace under the federal Species at Risk Act, and protection and recovery of Black Ash under the Ontario Endangered Species Act. TRCA reviewed and responded to these and other species related initiatives, such as the proposed update to the Ontario Invasive Species Strategic Plan, and preliminary work by Environment and Climate Change Canada on the National Biodiversity Strategy.

RATIONALE

The outcomes of senior government initiatives can have implications on TRCA's day-to-day work in multiple roles as a resource management agency, a regulator, a public commenting body representing the provincial interest for natural hazards, and as a landowner and proponent of conservation land projects. Therefore, it is important for TRCA to provide input on government proposals to encourage alignment with and support for TRCA and municipal partner objectives and interests.

The policy work undertaken to respond to consultations is also important for strengthening relationships and coordination between TRCA and partners. For example, provincial proposals are commonly based on the themes of streamlining reviews and approvals and finding efficiencies to stimulate and expedite business activities such as major plans and projects. It is vital for TRCA to highlight its expertise, experience and shared objectives and issues, to demonstrate TRCA's valuable role in collaborating with its partners to achieve efficiencies and effectiveness that supports environmentally responsible and sustainable community building. Accordingly, federal, provincial, and municipal staff, as well as

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Conservation Ontario sometimes reach out to TRCA for information and advice, in recognition of TRCA’s broad expertise in watershed and ecosystem science, on-the-ground experience in development and infrastructure review, flood and erosion remediation, and ecosystem restoration.

Chronological List of Postings and TRCA Responses

Due to the volume and limited timeline of policy consultations (generally 30 days for ERO postings), it is challenging to bring TRCA submissions to the Board of Directors or Executive Committee prior to their submission. In some instances, the comment period for ERO postings is concurrent with legislative approval processes so that comments are submitted at the same time a Bill is becoming law. Despite this, it is important for TRCA to document any issues or concerns for the public record and for the reference of federal and provincial staff who may be working on subsequent related initiatives.

Recognizing that Board Members may have an interest in TRCA’s submissions that are not brought to the Board, **Table 1** below contains a list of provincial policy consultations from 2023 for which TRCA completed and submitted responses, with status of decisions noted. Copies of TRCA letter responses from 2023 are available to Board members upon request.

Table 1 – 2023 TRCA Submissions to Government Policy Consultations

Posting	Proposal Summary	Submission Date
Proposed <u>Planning Act</u>, City of Toronto Act 2006 and Ministry of Municipal Affairs and Housing Act Changes (Schedules 2, 4, and 6 of Bill 97 – the proposed <u>Helping Homebuyers, Protecting Tenants Act, 2023</u> and Site Plan for Residential Development of 10 or Fewer Units – Two Proposed New Minister’s Regulations under the Planning Act and the City of Toronto Act,	The Ministry of Municipal Affairs and Housing (MMAH) sought input on amendments to a suite of provincial Acts through Bill 97, the proposed <u>Helping Homebuyers, Protecting Tenants Act, 2023</u> , in support of the government’s Housing Supply Action Plan. Amendments to	May 5, 2023

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<p>2006 (ERO #019-6821 and ERO #019-6822) Link: http://ero.ontario.ca/notice/019-6821 and http://ero.ontario.ca/notice/019-6822)</p>	<p>the <u>Planning Act</u> were included in this proposal to permit municipalities to use site plan control for residential developments of 10 or fewer units under certain circumstances. Bill 23, the <u>More Homes Built Faster Act, 2022</u>, amended the <i>Planning Act</i> to exclude these types of developments from being subject to site plan control.</p> <p><u>Decision Summary:</u> Ontario has made changes to the <u>Planning Act, City of Toronto Act, 2006</u> and MMAH act to support increasing housing supply and streamlining the planning process. New regulations through Bill 97: the <u>Helping Homebuyers, Protecting Tenants Act, 2023</u> in support of Ontario's Housing Supply Action Plan.</p>	
<p>Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument (ERO #019-6813)</p>	<p>MMAH consulted on a province-wide Provincial Planning Statement that would adopt certain policies from A Place to Grow and the Provincial Policy Statement, 2020 into a single policy</p>	<p>June 22, 2023, and August 3, 2023</p>

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<p>Link: http://ero.ontario.ca/notice/019-6813</p>	<p>instrument. The new Provincial Policy Statement, anticipated to take effect in the fall of 2023, presents policies under five pillars intended for streamlining and to be housing focused. This proposal notice was updated on June 16, 2023, to provide notice that natural heritage policies were available for review and input as part of the proposed Provincial Planning Statement.</p> <p><u>Decision Summary:</u> MMAH updated the draft document and released it for review on April 10, 2024 (see ERO #019-8462 in Table 2)</p>	
<p>Notice of Completion: Ontario Place Redevelopment under the Class Environmental Assessment for Public Works (ERO #019-7311) Link: http://ero.ontario.ca/notice/019-7311</p>	<p>As part of the redevelopment of Ontario Place, the Ministry of Infrastructure completed the Category C Public Work Class Environmental Assessment (EA) Project for the future public spaces and parkland (the public realm) and released a draft Environmental Study Report (ESR).</p>	<p>August 31, 2023</p>

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	<p><u>Decision Summary:</u> The ESR has been finalized and outlines the preferred design for the public realm at the site.</p>	
<p>Supporting Critical Transmission Infrastructure in Northeast and Eastern Ontario (ERO #019-7336) Link: http://ero.ontario.ca/notice/019-7336</p>	<p>The Ministry of Energy proposed actions that, subject to approvals, would facilitate the development of critical electricity transmission projects to support economic growth and electrification in Northeast and Eastern Ontario, while advancing a shared goal of reconciliation by providing economic and partnership opportunities for Indigenous communities.</p> <p><u>Decision Summary:</u> The Ministry of Energy has decided to move forward with the proposal. Lieutenant Governor in Council has approved the Orders in Council (OICs) and Minister’s Directive pursuant to the <u>Ontario Energy Board Act, 1998</u>. The OICs and Directive will facilitate the timely development of three</p>	<p>September 8, 2023</p>

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	new transmission lines across northeast and eastern Ontario.	
<p>(FEDERAL CONSULTATION) Amended recovery strategy for the Jefferson Salamander (<i>Ambystoma jeffersonianum</i>) and the Unisexual Ambystoma, Jefferson Salamander Dependent Population (<i>Ambystoma laterale</i> – (2) <i>jeffersonianum</i>) in Canada Link: https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/recovery-strategies/jefferson-salamander-unisexual-ambystoma.html</p>	<p>The Recovery Strategy for the Jefferson Salamander, was originally prepared by Environment and Climate Change Canada in coordination with the provincial government, was posted as final on the Species at Risk Public Registry in February 2016.</p> <p>This proposal is to amend the strategy to: include one newly listed species, the Unisexual Ambystoma, Jefferson Salamander dependent population (<i>Ambystoma laterale</i> – (2) <i>jeffersonianum</i>); update all sections to reflect changes in the COSEWIC status and SARA status of Jefferson Salamander (<i>Ambystoma jeffersonianum</i>); revise critical habitat based on the new listing and new information; and align the recovery strategy with</p>	September 15, 2023

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	<p>current guidelines and templates for recovery documents.</p> <p><u>Decision Summary:</u> Ongoing, strategy under development</p>	
<p>Streamlining permissions for water takings for construction site dewatering activities and foundation drains (ERO #019-6853) Link: http://ero.ontario.ca/notice/019-6853</p>	<p>The Ministry of the Environment, Conservation and Parks (MECP) proposed changes to streamline permissions for temporary water taking activities for construction site dewatering activities and foundation drains. Furthermore, MECP proposed to remove the current requirements to notify the local conservation authority of the water taking to align with changes to the <u>Conservation Authorities Act</u>.</p> <p><u>Decision Summary:</u> No decision posted.</p>	<p>October 30, 2023</p>
<p>Streamlining environmental permissions for stormwater management under the Environmental Activity and Sector Registry (ERO #019-6928) Link: http://ero.ontario.ca/notice/019-6928</p>	<p>MECP proposed:</p> <ul style="list-style-type: none"> a new regulation to allow owners of certain stormwater management works to self-register on the Environmental Activity and Sector Registry (EASR) 	<p>October 30, 2023</p>

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	<ul style="list-style-type: none"> • to exempt some stormwater management works in residential areas from approval requirements • to amend Ontario Regulation 287/07 General, made under the <u>Clean Water Act, 2006</u>, by removing the need for, limiting, or restricting the types of policies to be included in source protection plans where a significant drinking water threat is being managed through an EASR registration or prohibition. <p><u>Decision Summary:</u> No decision posted.</p>	
<p>Developing the government response statement for Black Ash under the <u>Endangered Species Act, 2007</u> and Protecting Black Ash and its habitat under the <u>Endangered Species Act, 2007</u> (ERO #019-6990 and ERO #019-7378) Link: https://ero.ontario.ca/notice/019-6990 and</p>	<p>MECP proposed a government response statement in accordance with s. 12.1 of the <u>Endangered Species Act, 2007</u> that outlines actions the government will take and support to protect and recover Black Ash in Ontario. Concurrently, MECP sought input on proposed</p>	<p>November 2, 2023</p>

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http://ero.ontario.ca/notice/019-7378	<p>regulations that will set out how Black Ash and its habitat will be protected under the <u>Endangered Species Act, 2007</u>.</p> <p><u>Decision Summary:</u> MECP has finalized the government response statement (GRS: species-specific policy) that outlines the actions to protect and recover Black Ash in Ontario. Also, MECP has made new regulations that identify how <u>Endangered Species Act, 2007</u> protection applies to Black Ash and its habitat.</p>	
<p>The Future of the Great Lakes Economy: Ontario’s Marine Transportation Strategy (ERO #019-5275) Link: https://ero.ontario.ca/notice/019-5275</p>	<p>The Ontario Marine Transportation Strategy includes Ontario’s 10-year vision for marine transportation with the goal of supporting the performance and environmental sustainability of Ontario’s marine sector. Potential environmental impacts of the Strategy include enhanced support for an environmentally sustainable marine sector</p>	<p>November 28, 2023</p>

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	<p>and an overall greener provincial transportation network, including supporting green shipping corridors in the Great Lakes, short sea shipping, and pursuing green and alternative fuels research.</p> <p><u>Decision Summary:</u> No decision posted.</p>	
<p>Proposal to return lands to the Greenbelt – Greenbelt Statute Law Amendment Act, 2023 and New Act regarding the Duffins Rouge Agricultural Preserve easement and covenants (ERO #019-7739 and ERO #019-7735) Link: https://ero.ontario.ca/notice/019-7739 and https://ero.ontario.ca/notice/019-7735</p>	<p>MMAH proposed legislation that would restore the 15 parcels of land that were redesignated or removed from the Greenbelt in late 2022. The <u>Greenbelt Statute Law Amendment Act, 2023</u>, would ensure any future boundary changes are made through an open, public, and transparent legislative process. To align with the broader proposed amendments to return lands to the Greenbelt, a new Act was proposed that would continue the protection of the easements and covenants applicable to the lands covered by the <u>Duffins Rouge Agricultural Preserve Act, 2005</u> (DRAPA) to protect</p>	<p>November 30, 2023</p>

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	<p>the lands for agricultural uses.</p> <p><u>Decision Summary:</u> Changes have been made to restore the 15 areas of land that were redesignated or removed from the Greenbelt in December 2022. <u>The Greenbelt Law Amendment Act, 2023</u> also ensures that any future changes to the Greenbelt boundary can only be made through legislation. The <u>Greenbelt Statute Law Amendment Act, 2023</u> includes Schedule 1 – DRAPA, 2023 effective December 6, 2023. DRAPA, 2023 reinstates legal protections of the easements and covenants applicable to the lands within the Duffins Rouge Agricultural Preserve.</p>	
<p>Proposed regulatory amendments to encourage greater reuse of excess soil (ERO #019-7636) Link: https://ero.ontario.ca/notice/019-7636</p>	<p>MECP proposed amendments to Ontario Regulation 406/19 (the excess soil regulation) and the Rules for Soil Management and Excess Soil Quality Standards to encourage greater reuse of low-risk excess soils</p>	<p>December 1, 2023</p>

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	<p>as part of a circular economy and to prevent usable soil from being disposed of in landfill.</p> <p><u>Decision Summary:</u> Amendments have been made to Ontario Regulation 406/19 and the associated Soil Rules to increase soil management flexibility and support greater reuse of excess soil from housing, infrastructure, and other construction projects.</p>	
<p>Amendment to Ontario Regulation 316/07 under the <u>Provincial Parks and Conservation Reserves Act, 2006</u> to create a recreational class provincial park in the Township of Uxbridge (ERO #019-7733) Link: https://ero.ontario.ca/notice/019-7733</p>	<p>MECP proposed to create a new provincial park (recreational class) in the Township of Uxbridge under the <u>Provincial Parks and Conservation Reserves Act, 2006</u>. The proposed provincial park in the Oak Ridges Moraine would include provincially owned properties, totalling up to approximately 532 hectares. The proposed park would provide opportunities for visitors to enjoy the area's natural beauty, while strengthening the long-term protection of</p>	<p>December 1, 2023</p> <p>(Note: More information on this initiative is in the report to TRCA Board of Directors, Oct 20, 2023, Item 10.2.1 Discussions on Potential TRCA Lands to be included in Uxbridge Urban Provincial Park)</p>

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	biodiversity and important habitat. <u>Decision Summary:</u> No decision posted.	

Policy consultations from 2024 for which TRCA completed and submitted responses, with status of decisions noted are listed below in **Table 2**. Copies of these more recent TRCA letter responses are attached to this report and are numbered and referenced accordingly.

Table 2 – 2024 TRCA Submissions to Government Policy Consultations (up to May 2024)

Posting	Proposal Summary	Submission Date
Renewing the Ontario Invasive Species Strategic Plan (ERO #019-7582) Link: https://ero.ontario.ca/notice/019-7582	The Ministry of Natural Resources and Forestry (MNRF) initiated a renewal of the Ontario Invasive Species Strategic Plan (2012) to address the ongoing and increasing threat of invasive species in Ontario. To support the renewal and guide future efforts, a review of progress has been completed to highlight milestones and significant achievements in invasive species prevention and management.	January 2, 2024 Refer to Attachment 1

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	<p><u>Decision Summary:</u> No decision posted.</p>	
<p>(FEDERAL CONSULTATION) Canada's Interim 2030 National Biodiversity Strategy Link: https://www.canada.ca/en/environment-climate-change/services/biodiversity/national-biodiversity-strategy</p>	<p>Environment and Climate Change Canada (ECCC) is leading the development of Canada's 2030 National Biodiversity Strategy. This strategy will establish a shared vision for addressing biodiversity loss in Canada, reflect Canada's domestic priorities for biodiversity conservation and sustainable use, and guide how Canada implements the Kunming-Montreal Global Biodiversity Framework (KMGBF).</p> <p><u>Decision Summary:</u> Ongoing, to be finalized October 2024.</p>	<p>February 9, 2024</p> <p>Refer to Attachment 2</p>
<p>Consultation on proposed Building Code Amendments to expand provisions of Encapsulated Mass Timber Construction (ERO #019-8129) Link: https://ero.ontario.ca/notice/019-8129</p>	<p>MMAH proposed changes to the Ontario Building Code related to the use, maximum height, and application of Encapsulated Mass</p>	<p>February 16, 2024</p> <p>Refer to Attachment 3</p>

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Posting	Proposal Summary	Submission Date
	<p>Timber Construction (EMTC). These changes would allow for expanded use of mass timber construction while facilitating faster construction and reducing on-site disruption.</p> <p><u>Decision Summary:</u> No decision posted.</p>	
<p>Regulatory changes under the <u>Endangered Species Act (ESA)</u> to improve implementation of the species at risk program (ERO #019-8016) Link: https://ero.ontario.ca/notice/019-8016</p>	<p>MECP proposed to amend several regulations made under the ESA to increase certainty and streamline processes for Ontarians and deliver ESA protections where they are needed most.</p> <p><u>Decision Summary:</u> No decision posted.</p>	<p>February 20, 2024</p> <p>Refer to Attachment 4</p>
<p>(FEDERAL CONSULTATION) Recovery Strategy and Action Plan for the Redside Dace (<i>Clinostomus elongatus</i>) in Canada Link: https://species-registry.canada.ca/index-en.html#/consultations/78</p>	<p>Fisheries and Oceans Canada (DFO) sought advice on a proposed Recovery Strategy and Action Plan for Redside Dace, a small, colourful member of the minnow family primarily found in southern Ontario.</p>	<p>March 4, 2024</p> <p>Refer to Attachment 5</p>

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	<p>Redside Dace populations have been lost from several tributaries to western Lake Ontario, and the extent of several remaining populations has been reduced within watersheds. In 2017, the Redside Dace was listed as endangered under Canada's <u>Species at Risk Act</u> (SARA).</p> <p><u>Decision Summary:</u> No decision posted.</p>	
<p>New regulation to focus municipal environmental assessment requirements (ERO #019-7891) Link: https://ero.ontario.ca/notice/019-7891</p>	<p>MECP proposed to revoke the Municipal Class EA (MCEA) and make a new environmental assessment regulation for municipal infrastructure that puts the focus on certain water, shoreline, and sewage system projects. The proposed approach intends to eliminate the unnecessary burden on lower-impact projects and reduce duplicative requirements.</p>	<p>March 17, 2024</p> <p>Refer to Attachment 6</p>

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	<p><u>Decision Summary:</u> No decision posted.</p>	
<p>Review of proposed policies for a new provincial planning policy instrument (ERO #019-8462) Link: https://ero.ontario.ca/notice/019-8462</p>	<p>MMAH sought feedback on an updated proposed Provincial Planning Statement that incorporates feedback received through the previous consultation on the proposed Provincial Planning Statement (ERO #019-6813).</p> <p><u>Decision Summary:</u> No decision posted.</p>	<p>May 2, 2024</p> <p>Refer to Attachment 7</p>
<p>Regulation detailing new Minister's Permit and Review powers under the Conservation Authorities Act (ERO #019-8320) Link: https://ero.ontario.ca/notice/019-8320</p>	<p>MNRF proposed regulation which set out the circumstances under which Minister powers could be used to issue an order to prevent a conservation authority from issuing a permit and to take over the permitting process in the place of a conservation authority, and to review a conservation authority permit decision at the request of the applicant.</p>	<p>May 6, 2024</p> <p>Refer to Attachment 8</p>

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Posting	Proposal Summary	Submission Date
	<p><u>Decision Summary:</u> No decision posted.</p>	
<p>Proposed Regulatory Changes under the <u>Planning Act Relating to Cutting Red Tape to Build More Homes Act, 2024 (Bill 185): Removing Barriers for Additional Residential Units and Proposed Planning Act, City of Toronto Act 2006, and Municipal Act, 2001 Changes (Schedules 4, 9, and 12 of Bill 185 – the proposed Bill 185, Cutting Red Tape to Build More Homes Act, 2024) (ERO #019-8366 and ERO #019-8369)</u> Link: https://ero.ontario.ca/notice/019-8366 and https://ero.ontario.ca/notice/019-8369</p>	<p>Through the <u>More Homes Built Faster Act</u>, changes were made to the <u>Planning Act</u> to accelerate implementation of the province’s additional residential unit (ARU) framework. MMAH sought feedback on zoning by-law barriers to the creation of additional residential units. MMAH sought feedback on proposed changes to the <u>Planning Act, City of Toronto Act, 2006, and Municipal Act, 2001</u> through the proposed Bill 185, <u>Cutting Red Tape to Build More Homes Act, 2024</u>.</p> <p><u>Decision Summary:</u> No decision posted.</p>	<p>May 9, 2024</p> <p>Refer to Attachment 9</p>

Also provided for the information of the Board are the following summaries of select provincial legislative and policy initiatives and TRCA submissions from the above.

New regulation to focus municipal environmental assessment requirements (ERO #019-7891)

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MECP proposed to revoke the MCEA process and make a new streamlined environmental assessment regulation for municipal infrastructure projects. The new regulation would mean that certain water, sewage, and shoreline/in-water infrastructure projects would be subject to environmental assessment requirements. The proposed approach intends to eliminate the burden on lower-impact projects and reduce duplicative requirements.

Other projects currently subject to the MCEA, however, were not listed in the proposed regulation and would therefore no longer have EA Act requirements. TRCA's response, (Attachment 6), highlighted the risk of removing environmental assessment requirements from certain projects, such as municipal roads, new parking lots, reconstruction of bridges, all water crossings, and private sector infrastructure projects.

TRCA comments also expressed that removing EA requirements from these projects would compromise the ability for regulatory agencies such as conservation authorities, to provide early comments to proponents for avoiding risk via more environmentally sound preferred alternatives, while meeting project objectives. TRCA strongly advocated for requirements and guidance in a master planning or similar process that examines environmental impacts of alternatives, and that notification to the conservation authority be required where projects are proposed within regulated areas. To date, a decision has not yet been posted on this proposal.

Regulation detailing new Minister's Permit and Review powers under the Conservation Authorities Act (ERO #019-8320)

MNRF is proposing a regulation which would set out the circumstances under which Minister powers could be used to issue an order to prevent a conservation authority from issuing a permit and to take over the permitting process in the place of a conservation authority, and to review a conservation authority permit decision at the request of the applicant. The posting did not include a draft regulation but provided a summary of the relevant and recently proclaimed provisions in the Conservation Authorities Act and some detailed criteria that would be set out in the regulation.

TRCA's response, (Attachment 8), acknowledged and supported the importance of efficiency, certainty, transparency, and accountability in planning and permitting review processes so that development and infrastructure projects can occur in a timely manner. However, given the

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potential risk to public health and safety or property from natural hazards, and the growing risk from climate change and extreme weather events, TRCA recommended that the proposed regulation require permit decisions to be consistent with the provincial interest related to public health and safety as set out in the Provincial Policy Statement 2020, the Draft Provincial Planning Statement 2024, and the Conservation Authorities Act and associated regulations, including relevant sections and objectives of Ontario Regulation 686/21: Mandatory Programs and Services related to the risk of natural hazards.

TRCA's submission added that it has been our experience that major and complex development and infrastructure permit applications, such as the proposed development activities that would be specified in the regulation, are generally projects associated with municipally led comprehensive planning processes that incorporate an integrated watershed management approach, comprising technical studies and analysis to protect new and intensifying communities. These permits require close coordination with municipalities as well as various ministries and agencies to ensure conservation authority regulatory interests are addressed and to avoid potential conflict or delay with various approval processes. To address these issues, TRCA recommended criteria for the proposed regulation and further that the Ministry engage with conservation authorities to discuss the proposed regulation requirements and implementation details. To date, a decision has not yet been posted on this proposal.

Review of proposed policies for a new provincial planning policy instrument (ERO #019-8462)

MMAH sought feedback on an updated proposed Provincial Planning Statement that incorporated feedback received through the previous consultation on the document (ERO #019-6813) proposed to replace the current Provincial Planning Statement and the Growth Plan for the Greater Golden Horseshoe (A Place to Grow). TRCA's response, (Attachment 7), to the proposed revised document, noted appreciation for the increased reference to conservation authorities and the requirement for large and fast-growing municipalities to undertake watershed planning. TRCA, however, expressed concern that watershed planning was used only in reference to sewer, water, and stormwater services and not to inform large scale development and urban boundary expansions, as it currently is in A Place to Grow.

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The TRCA submission also commented that policies around a changing climate could provide clearer implementation guidance on how to build community resilience and cross-reference policies on watershed planning, water and natural hazard management and the wise use of natural resources. Watershed and subwatershed planning prior to large scale development help to identify and guide avoidance, minimization, mitigation and where necessary, compensation for urban impacts. To date, a decision has not yet been made on this proposal.

Minister's Zoning Orders (MZO) and Community Infrastructure and Housing Accelerator Orders

In addition to monitoring the ERO for provincial legislative, regulatory and policy consultations, TRCA staff monitor for MZOs and Community Infrastructure and Housing Accelerator (CIHA) proposals within TRCA's jurisdiction and regulated area. Generally, submissions on MZO-related ERO postings outline TRCA's regulatory interests based on the requirements of Section 28.1.2 of the Conservation Authorities Act for MZO-related conservation authority permits. Where TRCA has been engaged through the municipal process, the submission includes TRCA's latest comments on the proposal. In those instances where there has been no prior engagement, TRCA requests that the details of the proposal be circulated to determine permit requirements. The government has recently introduced a new [zoning order framework](#) that all MZOs must follow, and under Bill 185 has proposed to remove CIHAs from the Planning Act. Staff will report back this fall to the Board of Directors with a comprehensive report on MZOs within the TRCA jurisdiction and regulated areas.

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:

1.3 Maintain healthy and resilient watershed ecosystems in the face of a changing climate

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

Pillar 2 Knowledge Economy:

2.4 Integrate environmental considerations and science into decision making

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 and 120-19. No additional funding is proposed to support the policy analysis work associated with the preparation of these comments.

DETAILS OF WORK TO BE DONE

TRCA staff will continue to monitor federal policy consultations, the Environmental Registry of Ontario, the Regulatory Registry of Ontario, the Ontario Legislative Assembly website, and the Province of Ontario News' Website to ensure TRCA is aware of, and where appropriate, participates and comments on legislative, regulatory, policy and technical guidance initiatives affecting TRCA interests.

Staff will keep the Board of Directors and Committees of the Board informed of TRCA submissions at regular intervals, will monitor the outcomes of future decision notices, and report on the implications of major initiatives as appropriate. Staff will also update TRCA policies and procedures as required and facilitate training to reflect legislative and policy changes affecting TRCA.

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Date: May 24, 2024

Attachments: 9

Item 9.2

Attachment 1: TRCA Letter MNRF Renewing the Ontario Invasive Species Strategic Plan ERO 019-7582

Attachment 2: TRCA Comments National Biodiversity Strategy 2030

Attachment 3: TRCA Letter MMAH Encapsulated Mass Timber Construction ERO 019-8129

Attachment 4: TRCA Letter MECP ESA Regulatory Changes ERO 019-8016

Attachment 5: TRCA Correspondence Department of Fisheries and Oceans Recovery Strategy

Attachment 6: TRCA Letter MECP New Regulation Municipal EA ERO 019-7891

Attachment 7: TRCA Letter Provincial Land Use Plans Branch Provincial Planning Statement ERO 019-8462

Attachment 8: TRCA Letter MNRF Minister's Permit and Review Regulation ERO 019-8320

Attachment 9: TRCA Letter Bill 185 ERO 019-8366 and ERO 019-8369
OSB