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November 26, 2020

BY E-MAIL

The Honourable Jeff Yurek
Minister of Environment, Conservation and Parks
College Park 5th Floor, 777 Bay Street
Toronto, ON M7A 2J3

Re: Bill 229, Protect, Support and Recover from COVID-19 Act - Schedule 6 – Conservation Authorities Act

On behalf of the Council for the Corporation of the Town of Collingwood, I write to advise you of the following recommendation approved at its meeting held on November 23, 2020 for your consideration:

WHEREAS the Province has introduced Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act;

WHEREAS the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, permit appeal process and engaging in review and appeal of planning applications;

AND WHEREAS we rely on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the Planning Act;

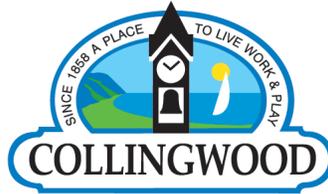
AND WHEREAS the changes allow the Minister to make decisions without CA watershed data and expertise;

AND WHEREAS the Legislation suggests that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs;

AND WHEREAS municipalities believe that the appointment of municipal representatives on CA Boards should be a municipal decision; and the Chair and Vice Chair of the CA Board should be duly elected;

AND WHEREAS the changes to the 'Duty of Members' contradicts the fiduciary duty of a CA board member to represent the best interests of the conservation authority and its responsibility to the watershed;

AND WHEREAS conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Service and Streamlining Initiative;



AND WHEREAS changes to the legislation will create more red tape and costs for the conservation authorities, and their municipal partners, and potentially result in delays in the development approval process;

AND WHEREAS municipalities value and rely on the natural habitats and water resources within our jurisdiction for the health and well-being of residents; municipalities value the conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value the conservation authority's work to ensure safe drinking water;

THEREFORE BE IT RESOLVED THAT Council of the Town of Collingwood respectfully requests the Province of Ontario repeal Schedule 6 of the Budget Measures Act (Bill 229);

AND FURTHER THAT the Province continue to work with conservation authorities to find workable solutions to reduce red tape and create conditions for growth;

AND FURTHER THAT the Province respect the current conservation authority/municipal relationships;

AND THAT the Province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role;

AND FURTHER THAT the Council of the Town of Collingwood endorse the comments of CAO Sonya Skinner as presented, and that they be forwarded with the feedback on Bill 229.

Should you require anything further, please do not hesitate to contact the undersigned at 705-445-1030 ext. 3293 or clerk@collingwood.ca .

Yours truly,
TOWN OF COLLINGWOOD

Encl. CAO Sonya Skinner – Letter RE: Bill 229, Protect, Support and Recover from COVID-19 Act - Schedule 6 – Conservation Authorities Act

c.c. Honourable Doug Ford, Premier of Ontario
Nottawasaga Valley Conservation Authority (NVCA)
Grey Sauble Conservation Authority (GSCA)
Federation of Canadian Municipalities (FCM)
Association of Municipalities of Ontario (AMO)



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The Honourable Jeff Yurek
Minister of Environment, Conservation and Parks
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RE: Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act

As the former CAO of a Conservation Authority and primarily considering the municipality's interests I am providing the following for your consideration.

Overall, I support the Motion being proposed to municipalities on this issue, as the changes proposed by the province have not been shown to be good for municipalities and there remain questions about how municipalities and/or CAs would deliver the CAs current roles in the new legislative paradigm proposed. At a minimum, time to seek and provide municipal input should be enabled by the province.

The changes include:

- Replacing the duty of members to act “with a view to furthering the objects of the authority” to require that members “generally act on behalf of their respective municipalities,”
- Requiring that all “non-core” work be subject to a specific MOU with each municipality (i.e. not part of a financial levy),
- Excluding conservation authorities from the definition of a public body as it relates to being able to seek to appeal certain land use planning decisions to the LPAT or being able to be added as a party to an appeal before the LPAT; or to be part of the “one window” for development consultations, and
- Removing the ability to issue a Stop Work Order and restricting some entry onto properties.

The fundamental idea that there is value in a shared approach to managing and monitoring the water that precipitates into one 'bowl' (watershed) is being weakened. Under the proposed approach the water flows in Collingwood would be analyzed and managed in Collingwood with limited engagement of those upstream and downstream, and where Board Members are bound by their new role definitions to only consider and articulate their own municipality's interests. In an era of increasing development and climate change with the potential for more flooding and droughts this will reduce our ability to address issues.

This does not affect the idea of a shared, independent, non-profit, environmental advisor under MOU to municipalities for Natural Heritage, however removing the other CA programs that cost-share fish and forest and plant experts opens us up to only have an option of for-profit companies advising Council or for development applicants paying more for their applications.

Finally, it assumes that there is someone(s) in the provincial government who can assess flooding risk better than CAs and thus override their decisions to allow developments where CAs regulate that they not go.

The NVCA levy for all the services provided to Collingwood is about \$270K from the Town in 2021 - those noted above plus water report cards, water quality initiatives, kids programs, tree planting services, official plan input, etc. This levy would be replaced by a lower levy for 'core services' and one or more MOUs for other things, adding paperwork and a new level of complexity to Conservation Authority Board decision-making.

CAs can be confusing to understand. Fundamentally, they regulate the protection of people and property from flooding and erosion (and carry out the science behind that), and as a secondary skill they monitor and advise municipalities and others about green spaces, however the green spaces work is advisory and advocacy and is not regulatory. Should you wish to read the detailed update on CAs that was provided to Council last year it is [here](#) on the Town's website from January of 2020.

While not all CAs have excellent management and developers or others do have legitimate concerns, instead of addressing specific issues or locations through the changes under this Bill they are being weakened and the roles they hold may end up in municipalities' list of accountabilities – and we are not positioned to act effectively on watershed-wide issues and opportunities.

Yours truly,

THE TOWN OF COLLINGWOOD

Signed Electronically

Sonya Skinner
Chief Administrative Officer