

**CORPORATION OF THE
TOWNSHIP OF CENTRAL FRONTENAC
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December 1, 2020

Honourable Sylvia Jones
Solicitor General
George Drew Building, 18th Floor
25 Grosvenor St
Toronto ON
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Dear Honourable Sylvia Jones:

Re: Schedule 6 of Bill 229

Please be advised that the Council of the Township of Central Frontenac passed the following resolution at their meeting held November 24, 2020:

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;

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;

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

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;

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;

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;

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;

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;

NOW THEREFORE BE IT RESOLVED:

1. THAT the Province of Ontario repeal Schedule 6 of the Budget Measures Act (Bill 229)
2. THAT the Province continue to work with conservation authorities to find workable solutions to reduce red tape and create conditions for growth
3. THAT the Province respect the current conservation authority/municipal relationships
4. 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.

We are concerned that Schedule 6 undermines the ability of conservation authorities to make non-political, technical decisions based on science. It does this by allowing the Minister to overrule the decisions of conservation authorities. Schedule 6 will also interfere with the fiduciary duty of a conservation authority board member. Board members have to think of watershed-wide interests in making decisions. We are also concerned that Schedule 6 limits the enforcement powers of conservation authorities. We have to agree with the Canadian Environmental Law Association (CELA) assessment of Schedule 6 of Bill 229, *“the package of amendments as proposed are likely to set back watershed planning and implementation of an ecosystem-based approach by decades. As such, CELA recommends Schedule 6 not be enacted in its present form and instead be withdrawn in its entirety from Bill 229.*

Yours truly,

Cathy MacMunn, AMCT, ACST
Chief Administrative Officer/Clerk

- c.c. Honourable Doug Ford, Premier
Honourable Rod Phillips, Minister of Finance
Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks
Minister Yakabuski, Ministry of Natural Resources and Forestry
Minister Clark, Ministry of Municipal Affairs and Housing
Scott Reid, M.P.
Randy Hillier M.P.P.
Quinte Conservation Authority
Mississippi Valley Conservation Authority
Rideau Valley Conservation Authority
Association of Municipalities of Ontario
Ontario Municipalities