



August 24, 2011

Mr. Eric Boysen
Director, Biodiversity Branch
Ministry of Natural Resources
P.O. Box 7000, 300 Water Street
5th Floor N
Peterborough, ON K9J 8M5

Dear Eric:

Re: Urbanization and Regulatory Flood Hazard

Thank you for the response letter of August 3, 2011. Conservation Ontario is looking forward to assisting the MNR in the review of the MNR technical guidance to support Section 28 CA approvals.

Currently the GTA Conservation Authorities are faced with extensive growth in new designated areas as per the growth plans. We have a number of pending approvals for major land development projects including the Central Pickering Development Land (Seaton) and various large Block Plans in the municipalities of Vaughan, Brampton and Caledon. As the timing of the approvals will most likely be required before the completion of an MNR review of its technical guidance, there is a need to proceed with an interim approach to manage the impacts of urbanization on the regulatory flood hazard.

An interim approach, proposed by Toronto and Region Conservation Authority (TRCA) is described as follows:

1. As part of the Master Environmental Servicing Plans being completed to support new major developments, TRCA will require the impacts on the regulatory flood hazard be assessed on a watershed basis.
2. If an increase in flood risk is apparent, TRCA will require that the increase be mitigated through the development process using acceptable stormwater management practices in consultation with the Municipality. This is similar to the current approach used to manage flood risk associated with the 2-100 year design storm events.

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3. In consultation with the Municipality, proposed stormwater management practices / flood storage will be integrated into landscape plans and every effort will be made to ensure public safety and to reduce risk associated with failure (i.e stormwater management practices / flood storage areas will be located offline, sufficiently away from the watercourse).
4. TRCA will recognize the benefits of these stormwater management practices in mitigating any increase in regulatory floods until such time further guidance is available from the MNR. Flood hazard mapping will not be modified as these stormwater management practices and controls will be designed to a level sufficient to mitigate any potential increases in flood limits downstream.

Given TRCA's leadership, we anticipate other GTA CAs will follow suit. Should you have any questions or concerns regarding the technical approach described above, please feel free to contact Sameer Dhalla, Senior Manager, Water Resources at Toronto and Region Conservation Authority at 416-661-6600 ext. 5350.

Conservation Ontario will continue to support the CAs in studying this issue further and will ensure findings from these technical studies are shared with the MNR for use in the upcoming review. As well, we look forward to finalization of the terms of reference for the Section 28 Regulation Committee and using it as a forum to further discuss this policy issue.

Thank you for taking action on this important issue, should you have any questions or would like to discuss further, please do not hesitate to contact me.

Sincerely,



Don Person
General Manager
Conservation Ontario



Brian Denney
Chief Administrative Officer
Toronto and Region Conservation

- c. CAOs / GMs of Conservation Authorities
Dan Marinigh, Director, Integrated Branch
Jennifer Keyes, Manager, Great Lakes and Water Policy Section
Peter Hulsman, Manager, Land and Water Services Section