



## Township of Brock Council Information Index

December 7 – December 11, 2020

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- [1694/20](#) Municipality of Marmora & Lake – Resolution: Bill 229

Date:	07/12/2020
Refer to:	Not Applicable
Meeting Date:	
Action:	null
Notes:	CII
Copies to:	

November 24, 2020

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building  
Queen's Park  
Toronto, ON M7A 1A1

Paul Miller  
M.P.P. Hamilton East-Stoney Creek  
289 Queenston Road  
Hamilton, Ontario L8K 1H2

Andrea Horwath  
Opposition Party Leader  
New Democratic Party of Ontario  
M.P.P Hamilton Centre  
20 Hughson St. S., Suite 200  
Hamilton ON L8N 2A1

Donna Skelly  
M.P.P. Flamborough-Glanbrook  
2000 Garth Street, Suite 104  
Hamilton, ON L9B 0C1

Monique Taylor  
M.P.P. Hamilton Mountain  
2-555 Concession Street  
(Royal Bank Building)  
Hamilton, Ontario L8V 1G2

Sandy Shaw  
M.P.P. Hamilton West-Ancaster-Dundas  
177 King Street West  
Dundas, ON L9H 1V3

Dear Premier Ford and Members of Provincial Parliament,

At its meeting of November 11, 2020, Hamilton City Council approved Item 8 of the General Issues Committee Report 20-018, which reads as follows:

**9. Temporary Cap on Food Delivery Service Charges (Item 10.1)**

WHEREAS, the restaurant industry plays a crucial role in the City's economy, as well as the livelihoods of residents, families and communities;

WHEREAS, the restaurant industry has been severely impacted throughout the COVID-19 pandemic, particularly due to substantially decreased indoor dining;

WHEREAS, restaurant owners have become increasingly dependent on delivery and take-out services for the viability of their businesses;

WHEREAS, restaurants are under pressure from high commission fees being charged by the major food delivery service apps;

WHEREAS, major cities throughout the United States have implemented temporary caps on the fees charged by food delivery service apps, as an option to assist the restaurant industry throughout the COVID-19 pandemic; and,

WHEREAS, the City of Hamilton does not have the authority to regulate food delivery service company fees or cap the fees that they charge;

THEREFORE, BE IT RESOLVED:

- (a) That the Mayor correspond with the Premier of Ontario, and local Members of Provincial Parliament to ask that the Province implement a temporary cap on commissions for food service delivery companies; and,
- (b) That a copy of that request be sent to other municipalities in Ontario and the Association of Municipalities of Ontario for their endorsement.

Therefore, the City of Hamilton respectfully requests your timely consideration to this matter.

Sincerely,

Fred Eisenberger  
Mayor

Copied: Municipalities of Ontario  
Association of Municipalities of Ontario

Date:	07/12/2020
Refer to:	Not Applicable
Meeting Date:	
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Copies to:	

November 24, 2020

The Honourable Greg Rickford  
 Minister of Energy, Northern Development  
 & Mines and Minister of Indigenous Affairs  
 Whitney Block, Room 5630  
 5th Floor, 99 Wellesley St. W.  
 Toronto, ON M7A 1W1

Dear Minister Rickford:

At its meeting of November 11, 2020, Hamilton City Council approved Item 10 of the General Issues Committee Report 20-018, which reads as follows:

**10. Request for an Interim Cap on Gas Plant and Greenhouse Gas Pollution and the Development and Implementation of a Plan to Phase-Out Gas-Fired Electricity Generation (Item 10.2)**

WHEREAS, the Government of Ontario is planning to increase reliance on gas-fired electricity generation from Ontario's gas-fired power plants, which is anticipated to increase greenhouse gas (GHG) pollution by more than 300% by 2025 and by more than 400% by 2040;

WHEREAS, Canada's temperature is rising more than double the rate of the rest of the world (which is in alignment with climate models and projections impacting northern climates most significantly);

WHEREAS, the Province of Ontario will adversely impact more than a third of the greenhouse gas reductions it achieved by phasing-out its dirty coal-fired power plants, due to a power plan built around ramping up gas-fired generation to replace the output of the Pickering Nuclear Station (scheduled to close in 2024);

WHEREAS, alternative options are available to reversing short sighted cuts to energy efficiency programs and stop under-investing in this quick to deploy and low-cost resource, which include maximizing our energy efficiency efforts by paying up to the same price per kilowatt-hour (kWh) for energy efficiency measures as we are currently paying for power from nuclear plants (e.g., up to 9.5 cents per kWh);

WHEREAS, the Province of Ontario should continue to support renewable energy projects that have costs that are below what we are paying for nuclear power and work with communities to make the most of these economic opportunities;

WHEREAS, the Province of Ontario has alternative options to increasing gas-fired electricity generation, such as the Province of Quebec's offer to receive low-cost 24/7 power from its water powered reservoir system as a possible alternative;

WHEREAS, a fossil-free electricity system is critically important to Hamilton's efforts to reduce GHG emissions by replacing fossil fuel use with electric vehicles, electric buses, electric heat pumps, and other steps dependent on a fossil-free electricity supply; and,

WHEREAS, our staff have noted this problem in their report on Updated Timelines and SMART Corporate Goals and Areas of Focus for Climate Mitigation and Adaptation where they warn that "Unless the Province of Ontario changes direction on Ontario's fuel supply mix, it is expected natural gas, and therefore GHG emissions, may continue to increase as the nuclear facilities are refurbished and the Province of Ontario further supplements the electricity grid with natural gas inputs";

THEREFORE, BE IT RESOLVED:

- (a) That the City of Hamilton request the Government of Ontario to place an interim cap of 2.5 mega tonnes per year on our gas plant and greenhouse gas pollution and develop and implement a plan to phase-out all gas-fired electricity generation by 2030 to ensure that Ontario meets its climate targets; and,
- (b) That a copy of this resolution be sent to the Premier of Ontario, to the local MPP's, to the Region of Waterloo and local area municipalities.

Therefore, there City of Hamilton respectfully requests your consideration of this matter and looks forward to your response.

Sincerely,

Fred Eisenberger  
Mayor

Copied: The Honourable Doug Ford, Premier of Ontario  
Andrea Horwath, Opposition Party Leader, New Democratic Party of Ontario,  
M.P.P Hamilton Centre  
Monique Taylor, M.P.P. Hamilton Mountain  
Paul Miller, M.P.P. Hamilton East-Stoney Creek  
Donna Skelly, M.P.P. Flamborough-Glanbrook  
Sandy Shaw, M.P.P. Hamilton West-Ancaster-Dundas  
Region of Waterloo  
Ontario Municipalities  
Association of Municipalities of Ontario

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Refer to:	Not Applicable
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## Agriculture & Rural Economic Development Succession Planning Workshop



The average age of a Durham region farmer is 58 years old - and most don't have a transition plan. And while our family farms are getting better at compromise, it can only happen with candid, transparent communication.

Join [Merle Good](#), a transition expert, to learn about the importance of transition planning, how to start one and how real talk can benefit your farm and family.

What you'll learn:

- How to make hard decisions and still respect the family and business lifecycle
- Honouring the equity of the previous generation – and aspirations of the next one
- Using tax and legal strategies with roles, responsibilities, business structures and estate planning to achieve inter-generational clarity

Thursday, December 17, 2020  
12 p.m. Eastern

**[Register today](#)**



**Contact Us**  
Toll-free: 1-800-706-9857  
Online: [www.investdurham.ca](http://www.investdurham.ca)

As a contact of the Region of Durham's Planning and Economic Development Department, you have been added to our mailing list. If you wish to be removed from the mailing list, please use the unsubscribe link located at the bottom of this e-newsletter.

If this information is required in an accessible format, please contact the Planning and Economic Development Department at 905-668-7711 ext. 2609 (toll-free at 1-800-706-9857).



Municipality of Southwest Middlesex

Date:	07/12/2020
Refer to:	Not Applicable
Meeting Date:	
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Copies to:	

December 7, 2020

Please be advised that the Council of Southwest Middlesex passed the following resolution at it's November 25, 2020 Council meeting:

Drainage Matters: CN Rail

Moved by Councillor McGill  
Seconded by Councillor Vink

“WHEREAS municipalities are facilitators of the provincial process under the *Drainage Act* providing land owners to enter into agreements to construct or improve drains, and for the democratic procedure for the construction, improvement and maintenance of drainage works; and

WHEREAS municipal drain infrastructure and railway track infrastructure intersect in many areas in Ontario; and

WHEREAS coordination with national railways is required for the construction or improvement of drains that benefit or intersect with national railways; and

WHEREAS the national railways have historically participated in the process for construction, improvement and maintenance of drainage works; and

WHEREAS currently municipalities are experiencing a lack of coordination with national railways on drainage projects; and

WHEREAS the lack of coordination is resulting in projects being significantly delayed or cancelled within a year; and

WHEREAS municipal drains remove excess water to support public and private infrastructure and agricultural operations;

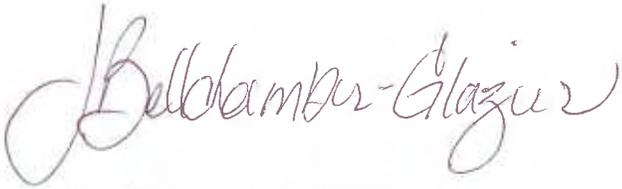
THEREFORE be it resolved that the Province of Ontario work with the Federal Minister of Transportation to address concerns regarding municipal drainage matters and need for coordination with the national railways; and

THAT Council circulate the resolution to the Provincial Ministers of Agriculture, Food, and Rural Affairs, and Municipal Affairs and Housing, and the Federal Minister of Transportation, the local MP and MPP, the Association of Municipalities of Ontario, and all municipalities.”

Municipality of Southwest Middlesex Resolution #2020-274

Carried

Sincerely,

A handwritten signature in cursive script, reading "Bellchamber-Glazier".

Jillene Bellchamber-Glazier  
CAO-Clerk

Cc: The Honorable Marc Gardeau, Minister of Transport  
The Honorable Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs  
Monte McNaughton, MPP Lambton-Middlesex-London  
Lianne Rood, MP Lambton-Kent-Middlesex  
The Association of Municipalities of Ontario  
All Ontario Municipalities

Date:	07/12/2020
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## MEDIA STATEMENT

1670/20

### LSRCA Chair and Board of Directors Stand by Call to Remove Schedule 6 of Bill 229

**Lake Simcoe watershed, ON, December 5, 2020** – Despite overwhelming support from the Association of Municipalities of Ontario, Big City Mayors, the Canadian Environmental Law Association, more than 64 citizen and environmental organizations, tens of thousands of Ontarians and numerous provincial MPPs, to remove schedule 6 of Bill 229, the Province is now poised to pass the schedule, with minor amendments and a new section added.

While the Province has made some concessions, these don't go nearly far enough to address our very serious concerns. In fact, we understand that new changes have now been introduced that will force conservation authorities to contravene our mandate to protect people, infrastructure, and the environment. We're down to the wire and our Board and staff stand firm on our call to the Province to remove Schedule 6 from Bill 229. We need action now, not after the Bill goes for third and final reading on Monday, December 7.

If the Province proceeds with Schedule 6 in the omnibus budget bill, LSRCA will be forced to issue permits to allow for development, through Ministers Zoning Orders (MZO), to proceed regardless of the impacts to the environment and our communities. This action will dismantle the very system put in place, since Hurricane Hazel in 1954, to keep our communities healthy and out of harm's way from flooding and other hazards created by poor land use planning.

LSRCA has been raising the alarm for weeks now. These wholesale changes to the Conservation Authorities Act will impact our planning, permitting and enforcement role. We maintain our appeal to the Province to remove Schedule 6 from Bill 229. Instead, we ask that they work closely with conservation authorities to maintain current safeguards and to prevent irreparable damage to the framework that protects Ontarians; a framework that has existed through cross-party cooperation for the last 75 years. By working with us, we know the Province can continue to maintain its duty to keep Ontarians and their communities safe and our environment healthy, while allowing ecologically balanced development to occur into the future.

- Lake Simcoe Region Conservation Authority Board Chair, Wayne Emmerson  
Chairman and Chief Executive Officer, Regional Municipality of York

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*LSRCA's mission is to work with our community to protect and restore the Lake Simcoe watershed by leading research, policy, and action.*

Media Contact: Kristen Yemm, Director, Communications & Engagement - e-mail:  
k.yemm@LSRCA.on.ca - mobile: 905-758-0108



44816 Harriston Road, RR 1, Gorrie On N0G 1X0  
 Tel: 519-335-3208 ext 2 Fax: 519-335-6208  
[www.howick.ca](http://www.howick.ca)

Date:	07/12/2020
Refer to:	Not Applicable
Meeting Date:	
Action:	null
Notes:	CII
Copies to:	

December 3, 2020

The Honourable Ernie Hardeman  
 Minister of Agriculture, Food and Rural Affairs

By email only [minister.omafra@ontario.ca](mailto:minister.omafra@ontario.ca)

Dear Mr. Hardeman:

Please be advised that the following resolution was passed at the December 1, 2020 Howick Council meeting:

**Moved by Councillor Hargrave; Seconded by Councillor Illman:**

**Be it resolved that Council request the Ministry of Agriculture, Food and Rural Affairs amend the Tile Drainage Installation Act and/or the regulations under the Act that would require tile drainage contractors file farm tile drainage installation plans with the local municipality; and further, this resolution be forwarded to Minister of Agriculture, Food and Rural Affairs, Huron-Bruce MPP Lisa Thompson, Perth-Wellington MPP Randy Pettapiece, Rural Ontario Municipal Association, Ontario Federation of Agriculture, Christian Farmers Federation Of Ontario, Land Improvement Contractors of Ontario, Drainage Superintendents of Ontario and all Ontario municipalities. Carried. Resolution No. 288/20**

If you require any further information, please contact this office, thank you.

Yours truly,

*Carol Watson*

Carol Watson, Clerk  
 Township of Howick



**Howick**  
TOWNSHIP

44816 Harriston Road, RR 1, Gorrie On N0G 1X0  
Tel: 519-335-3208 Fax: 519-335-6208  
[www.howick.ca](http://www.howick.ca)

## **Background Information to the Township of Howick Resolution No. 288-20 Requesting Amendments to the Agricultural Tile Drainage Installation Act**

### **Rational for Proposed Amendments**

Over the years, Howick Township staff have received many requests for tile drainage information on farmland. Usually these requests come after a change in ownership of the farm. Some of these drainage systems were installed recently but many are 30 to 40 or more years old. Many were installed by contractors who are no longer in business or who have sold the business and records are not available.

Information is generally available if the tile was installed under the Tile Drain Loan Program because a drainage plan is required to be filed with the municipality. If the tile system was installed on a farm without using the Tile Drain Loan Program, there likely are no records on file at the municipal office.

The other benefits to filing tile drainage plans with the municipality are identified in Section 65 of the Drainage Act.

- 65(1) – Subsequent subdivision of land (severance or subdivision)
- 65(3) – Drainage connection into a drain from lands not assessed to the drain
- 65(4) – Drainage disconnection of assessed lands from a drain
- 65(5) – Connecting to a municipal drain without approval from council

Section 14 of the Act states:

(1) “The Lieutenant Governor in Council may make regulations,

(a) providing for the manner of issuing licences and prescribing their duration, the fees payable therefor and the terms and conditions on which they are issued;

(a.1) exempting classes of persons from the requirement under section 2 to hold a licence, in such circumstances as may be prescribed and subject to such restrictions as may be prescribed;

(b) Repealed: 1994, c. 27, s. 8 (5).

(c) establishing classes of machine operators and prescribing the qualifications for each class and the duties that may be performed by each class;



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Tel: 519-335-3208 Fax: 519-335-6208  
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- (d) providing for courses of instruction and examinations and requiring licence holders or applicants for a licence under this Act to attend such courses and pass such examinations;
- (e) prescribing the facilities and equipment to be provided by persons engaged in the business of installing drainage works;
- (f) prescribing standards and procedures for the installation of drainage works;
- (g) prescribing performance standards for machines used in installing drainage works;
- (h) prescribing forms and providing for their use;
- (i) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1990, c. A.14, s. 14; 1994, c. 27, s. 8 (4, 5)."

I believe it would be beneficial if a regulation required the installer, of agricultural drainage, to file a plan of the drainage system with the municipality following completion of the work.

While most of Section 14 deals with contractor, machine and installer licences, I think that Section 14(f) or 14(i) may allow a regulation change. This would be a better solution than an amendment to the Act.

### **Recommendations:**

- Request by municipal resolution that the Ministry of Agriculture, Food and Rural Affairs amend the Tile Drainage Installation Act and/or the regulations, under the Act, that would require tile drainage contractors file all farm tile drainage installation plans in the Municipality where the installation took place
- Send the municipal resolution to:
  - Minister of Agriculture, Food and Rural Affairs
  - Lisa Thompson, MPP Huron Bruce
  - Randy Pettapiece, MPP Perth Wellington
  - Rural Ontario Municipal Association [roma@roma.on.ca](mailto:roma@roma.on.ca)
  - [OFA](#)
  - [CFFO](#)
  - All Ontario municipalities
  - the Land Improvement Contractors of Ontario (LICO), and
  - the Drainage Superintendents Association of Ontario (DSAO)

Wray Wilson, Drainage Superintendent  
Township of Howick  
[drainage@howick.ca](mailto:drainage@howick.ca)

**From:** [AMO Communications](#)  
**To:** [Becky Jamieson](#)  
**Subject:** Join the City of Brampton's 2nd Conference on Economic Empowerment and Anti-Black Racism  
**Date:** December 4, 2020 10:34:29 AM

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AMO Policy Update



Date:	07/12/2020
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December 4, 2020

## Join the City of Brampton's 2<sup>nd</sup> Conference on Economic Empowerment and Anti-Black Racism

**December 7, 2020, 9:00am-4:30pm**

Dear Friends:

Join the City of Brampton's Economic Empowerment and Anti-Black Racism Unit in a discussion on economic development.

This conference will bring together experts in finance, education, community support and more to engage in a conversation on ensuring a more vibrant, fair and progressive future for Canada's Black communities and their economic potential.

Let's work towards better understanding the importance of supporting Black communities, the challenges they face and the actions needed to bring about positive change.

Event Inquires: [economicantiblackracism@brampton.ca](mailto:economicantiblackracism@brampton.ca)

[Click here](#) for information on the speakers and agenda for the day.

[Click here](#) to register for the event.

Thank you.

Please review the City of Brampton e-mail disclaimer statement at:  
<http://www.brampton.ca/EN/Online-Services/Pages/Privacy-Statement.aspx>

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**From:** [AMO Communications](#)  
**To:** [Becky Jamieson](#)  
**Subject:** AMO Policy Update – COVID-19 Vaccine Distribution Task Force, New COVID-19 Measures, Long-Term Care Commission, and AMO-Ontario Annual Joint MOU Statement  
**Date:** December 4, 2020 3:13:41 PM

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## AMO Policy Update



Date: 07/12/2020  
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December 4, 2020

# AMO Policy Update – COVID-19 Vaccine Distribution Task Force, New COVID-19 Measures, Long-Term Care Commission, and AMO-Ontario Annual Joint MOU Statement

## COVID-19 Vaccine Distribution Task Force

The Ontario government has announced the [appointment](#) of nine members of the new [Ministers' COVID-19 Vaccine Distribution Task Force](#). The task force, chaired by General (Retired) Rick Hillier, former Chief of Defence Staff for the Canadian Forces, will oversee the delivery, storage, and distribution of COVID-19 vaccines.

This task force will work with General Hillier (Ret.) to advise the Province on the planning and execution of the Province's COVID-19 immunization program. It is understood that the task force will work across several ministries for the needed expertise in operations and logistics, federal-provincial and Indigenous relations, health and clinical domains, behavioural science, public health and immunization, ethics, and information technology and data. We also know that the Province will be working in partnership with AMO and municipal leaders with respect to local implementation and public education efforts.

## New COVID-19 Measures for Three Regions

After consultation with provincial and local public health officials, the Province is moving [three public health regions](#) to new levels with stronger public health measures as set out in the [Keeping Ontario Safe and Open Framework](#).

Based on the latest data, the following public health regions will move from their current level in the framework to the following levels **effective Monday, December 7, 2020 at 12:01 a.m.**

- Orange - Restrict
  - Middlesex-London Health Unit; and
  - Thunder Bay District Health Unit
  
- Yellow - Protect
  - Haliburton, Kawartha, Pine Ridge District Health Unit.

All other public health regions are remaining at their current levels. For further information please see [COVID-19 Response Framework](#) for the full list of public health region classifications.

## **Long-Term Care Commission Releases Second Set of Recommendations**

[Ontario's Long-Term Care COVID-19 Commission](#) issued a [letter](#) today to the government outlining a second set of recommendations for implementation to mitigate the impact of the second wave of the pandemic. The recommendations focus on three areas: leadership and accountability; using performance indicators to assess each home's readiness to prevent and manage outbreaks; and, focused inspections by the Ministry of Long-Term Care to assess compliance with measures known to reduce the impact of the virus.

AMO continues to engage with the Commission to provide a municipal perspective on lessons learned and recommendations. An initial submission was provided. To view this document and other resources about long-term care and seniors, see the [AMO website](#).

## **AMO-Ontario Annual Joint MOU Statement**

In 2008, Ontario and AMO released the first joint statement on the Memorandum of Understanding (MOU) between AMO and the Province of Ontario and have done it annually since that time. The [2019/2020 MOU Joint Statement](#) is now available.

Since November 2019 (the last Annual Statement), AMO and Ontario had a record 16 formal MOU meetings, covering over 70 agenda items. It should be noted that in addition to these formal MOU meetings the Province has continually engaged AMO and its members on the government's COVID-19 response.

AMO's [COVID-19 Resources](#) page is being updated continually so you can find critical information in one place. Please send any of your municipally related pandemic questions to [covid19@amo.on.ca](mailto:covid19@amo.on.ca).

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**Lesley Donnelly****From:**  
**Sent:**  
**To:**  
**Subject:**

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AMO Communications <Communicate@amo.on.ca>  
 December 3, 2020 1:53 PM  
 Becky Jamieson  
 Sharing Information That Matters to Municipalities An AMO-Municipal World Partnership

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December 3, 2020

## Sharing Information That Matters to Municipalities

### *An AMO-Municipal World Partnership*

The Association of Municipalities of Ontario (AMO) and Municipal World have teamed up to create a streamlined, easy to access information source for municipalities.

In the coming weeks AMO and Municipal World will be reaching out to the municipal sector to gather information on topics of interest. Information collected will be shared on the portal Municipal World is developing.

*What are we looking for?*

Local innovation in policy and service delivery. Every few weeks we will issue a call for information on a specific issue or service. Municipalities can share unique approaches, pilot projects, partnerships etc. they are undertaking.

*Why are we doing this?*

2020 has demonstrated the need for new and nimble approaches to providing services our communities rely on. It has also shown that municipalities can work in new and innovative ways. AMO and Municipal World understand that one size doesn't fit all but that there many things to share and learn from one another and what better way to do that then through a portal dedicated to sharing information that matters to municipalities. Municipalities will be able to access this information to inform their planning and decision making.

*This Weeks Topic: **Human Resource Practices***

COVID-19 has changed the world as we know it. Municipalities have adapted. We would like to know how you are accommodating staff and what you are considering for the future, more working from home? New space designs?

Please send your ideas and information to: Petra Wolfbeiss at [pwolfbeiss@amo.on.ca](mailto:pwolfbeiss@amo.on.ca) or 416.971.8099 ext. 404

*Disclaimer: AMO and Municipal World acknowledges the information collected and shared is not peer reviewed and is meant as an ideas forum for the municipal sector.*

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Association of Municipalities of Ontario  
200 University Ave. Suite 801, Toronto ON Canada M5H 3C6

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From: [FCM Communiqué](#)  
To: [Brock General](#)  
Subject: FCM Voice: Fall Economic Statement response | Resolutions deadline | FCM scholarships | more  
Date: December 7, 2020 12:11:52 PM

1675/20

[View email in browser](#)

logo NEWS | December 7, 2020



Date:	07/12/2020
Refer to:	Not Applicable
Meeting Date:	
Action:	null
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## Reading the Fall Economic Statement

Last week’s Fall Economic Statement sends encouraging signals to municipalities on what’s to come in the federal post-COVID recovery plan. FCM especially welcomed new commitments to tackle homelessness by expanding the Reaching Home Strategy—along with measures that will support a green and inclusive recovery.

However, our most critical priority is to ensure municipalities have the support they need to continue protecting frontline services and transit systems. Without that, there will be no recovery. The national Safe Restart Agreement provided municipalities with badly-needed emergency funding at the deepest moment of COVID’s first wave, but we’ll need successor arrangements soon as pandemic impacts stretch through 2021.

### READ FCM'S RESPONSE TO THE FALL ECONOMIC STATEMENT



### Upcoming deadline for FCM resolutions

The deadline to submit resolutions for consideration at FCM’s March 2021 Board of Directors meeting and 2021 Annual Conference is fast approaching. If your municipality is considering adopting a resolution on an issue of national significance that falls within federal and municipal jurisdiction, this is an opportunity to have your voice heard.

Resolutions must be submitted by January 11, including all required supporting documentation, to [resolutions@fcm.ca](mailto:resolutions@fcm.ca).

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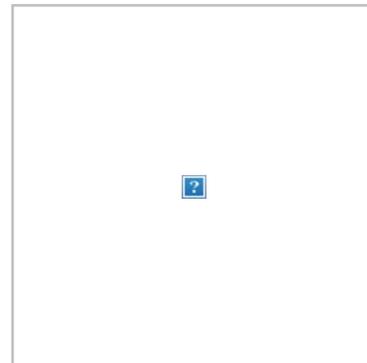
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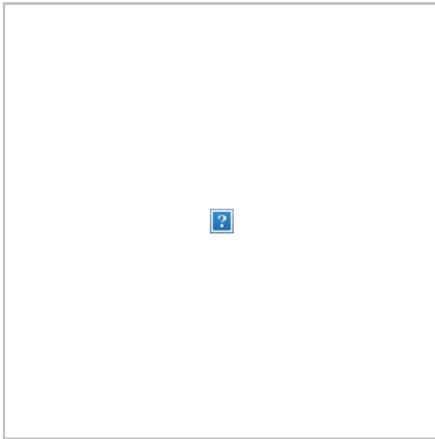


**Dec 4:** THREAD: FCM is securing vital support for municipalities on the front lines of COVID-19. Now we need to grow our united national voice to keep cities + communities supported and at the heart of tomorrow's recovery. Cities + Communities, join FCM today:  
<https://together2021.fcm.ca>

**Dec 3:** We need concrete federal commitments to support #cdnmuni operations as pandemic impacts stretch through 2021. We urgently need action from federal + provincial partners to protect services, keep transit running + support vulnerable Canadians.  
<https://fcm.ca/recovery#cdnpoli>

**Nov 30:** Today's #fiscalupdate sends encouraging signals for what's to come in the recovery plan for municipalities on the frontlines of pandemic response. But we'll need more concrete commitments to operating support for #cdnmuni to protect frontline services + transit through 2021.

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 clerks@leamington.ca

November 23, 2020

SENT VIA EMAIL

Date:	07/12/2020
Refer to:	Not Applicable
Meeting Date:	
Action:	null
Notes:	CII
Copies to:	

**RE: Support of Municipality of Tweed Resolution 343 regarding Cannabis Production Facilities, the Cannabis Act, and Health Canada Guidelines**

Please be advised that the Council of The Corporation of the Municipality of Leamington, at its meeting held Tuesday, November 17, 2020 enacted the following resolution:

**No. C-355-20**

WHEREAS federal parliament passed the Cannabis Act S.C. 2018, c. 16; and

WHEREAS pharmaceutical companies and industries are required to follow strict regulations and governing legislation including Narcotic Control Regulations C.R.C., c 1041 and Controlled Drugs and Substances Act (Police Enforcement) Regulations SOR/9-234 in order to produce medicinal products pursuant to a licence issued by Health Canada; and

WHEREAS Health Canada issues registrations and certificates for individual medicinal cannabis production without municipal consultation and regardless of land use planning regulations or other municipal regulations that may be in place; and

WHEREAS municipalities are authorized under the Planning Act, R.S.O. 1990, C. P 13 to pass a comprehensive zoning by-law that is in compliance with the appropriate County Official Plan which must be in compliance with the Provincial Policy Statement; and

WHEREAS the Provincial Policy Statement, Official Plan and Zoning By-Law in effect for each area is designed to secure the long-term safety and best use of the land, water and other natural resources found in that area's natural landscape; and

WHEREAS section 128 of the Municipal Act, 2001, S.O. 2001, c. 25 authorizes a municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances; and

WHEREAS The Corporation of the Municipality of Leamington has passed Comprehensive Zoning By-Law 890-09 and By-law 35-18, regulating certain matters related to cannabis which limits Part II Cannabis Facilities to Industrial Zones; and

WHEREAS The Corporation of the Municipality of Leamington has not been consulted by Health Canada prior to the issuance of registrations or certificates for the production of cannabis by individuals within the Municipality; and

NOW THEREFORE BE IT RESOLVED THAT The Corporation of the Municipality of Leamington requests that immediate action be taken by all levels of government to require that those individuals who may be issued a registration or certificate to produce medical cannabis adhere to the same strict regulations and legislation as licensed pharmaceutical companies and industries;

AND FURTHER, that the Association of Municipalities of Ontario advocate with the Federation of Canadian Municipalities to the Government of Canada that similar regulations and guidelines for medical cannabis licensing in alignment with other pharmaceutical industries;

AND FURTHER, that the distribution of medical cannabis be controlled through pharmacies in consistent with other medications;

AND FURTHER, that all properties which are the subject of an application to produce cannabis be disclosed in advance to the municipalities within which the property is situated; and

AND FURTHER, that this resolution be circulated to the Prime Minister of Canada, Health Canada, the Premier of the Province of Ontario, the Minister of Municipal Affairs and Housing, the Ontario Provincial Police, the Association of Municipalities of Ontario, and all upper, lower and single tier municipalities within the Province of Ontario.

Carried



Sincerely,  
Brenda M. Percy, Clerk

cc: The Right Honourable Justin Trudeau, Prime Minister  
Health Canada  
Honourable Doug Ford, Premier  
Honourable Steve Clark, Minister of Municipal Affairs and Housing  
Ontario Provincial Police  
Association of Municipalities of Ontario  
All Ontario Municipalities

**From:** [AMO Communications](#)  
**To:** [Becky Jamieson](#)  
**Subject:** AMO Policy Update – Initial Vaccination Approach, AG Annual Report, Wetland Conservation Program  
**Date:** December 7, 2020 3:21:56 PM

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## AMO Policy Update



Date:	08/12/2020
Refer to:	Not Applicable
Meeting Date:	
Action:	null
Notes:	CII
Copies to:	

December 7, 2020

# AMO Policy Update – Initial Vaccination Approach, AG Annual Report, Wetland Conservation Program

## Ontario Approach on Key Populations to Vaccinate First

The Ontario government is getting ready to [distribute COVID-19 vaccines](#) as soon as they are received, beginning with vaccinating vulnerable populations and those who care for them. As recommended by the COVID-19 Vaccine Distribution Task Force, the Province has now identified key populations to receive the vaccine first, including long-term care and retirement home residents and the staff who provide care to these groups. The government has stated that this approach is informed by science and prioritizes population groups that are at greatest risks of COVID-19.

Groups to receive the early vaccine doses in the first few months of the Ontario immunization program will include:

- residents, staff, essential caregivers, and other employees of congregate living settings (e.g. long-term care homes and retirement homes) that provide care for seniors as they are at higher risk of infection and serious illness from COVID-19;
- health care workers, including hospital employees, other staff who work or study in hospitals, and other health care personnel;
- adults in Indigenous communities, including remote communities where risk of transmission is high; and
- adult recipients of chronic home health care.

As well, the Province will be prioritizing the rollout of the vaccine in regions with the highest rates of COVID-19 infection, including those in the Red-Control and Lockdown zones. The immunization program will focus on health care workers and the most vulnerable populations in those regions.

It is expected that clarification on who comprises the group of staff who work/study in hospitals and other health care personnel will be provided shortly (i.e. inclusion of paramedics in this grouping).

We have been assured that as further information is available about the various type of vaccines and availability of doses, additional details related to the implementation of the COVID-19 immunization program will be provided by the Province.

## Auditor General 2020 Annual Report

The Auditor General, Bonnie Lysyk, has released her [reflections](#) and the *2020 Annual Report*. It focuses on consumer protection, oversight, and operational effectiveness. The Report also includes follow up reports on recommendations from previous Annual Reports. The 13 value-for-money audits in the *2020 Annual Report* are summarized in this [News Release](#). AMO staff will review the Report and follow up with any analysis from a municipal lens if required.

## New Ontario Wetland Conservation Program

The Honourable Steve Clark, Minister of Municipal Affairs and Housing, has announced a new \$30 million, five-year [Wetlands Conservation Partner Program](#) to help create and restore wetlands in the Great Lakes watershed. In the first year, Ontario is providing \$6 million to Ducks Unlimited Canada (DUC) focusing on restoration projects in the Lake Ontario and Lake Erie watersheds. Later years of the program will focus on wetlands in other Great Lakes watersheds and inland waterways. Wetlands help to improve water quality and to manage stormwater as well as play an important role in ecosystem health.

AMO's [COVID-19 Resources](#) page is being updated continually so you can find critical information in one place. Please send any of your municipally related pandemic questions to [covid19@amo.on.ca](mailto:covid19@amo.on.ca).

\*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



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Please see the resolution below that was passed by Orangeville Council last night.

Resolution 2020-426

Moved by Councillor Peters

Seconded by Mayor Brown

Date:	08/12/2020
Refer to:	Not Applicable
Meeting Date:	
Action:	null
Notes:	CII
Copies to:	

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

AND WHEREAS the Legislation introduces several changes and new sections that could remove and/or significantly hinder 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 conservation authority 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 the budget that Orangeville spends on conservation authority work is a bargain for the services provided;

AND WHEREAS municipalities believe that the appointment of municipal representatives on conservation authority boards should be a municipal decision; and the Chair and Vice Chair of the conservation authority boards should be duly elected;

AND WHEREAS it has been the Town of Orangeville's experience with the Credit Valley Conservation Authority that having a chair or vice-chair serve for more than one year has produced experienced individuals;

AND WHEREAS the changes to the 'Duty of Members' contradicts the fiduciary duty of a conservation authority 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 municipalities value and rely on the natural habitats and water resources within conservation authority jurisdictions for the health and well-being of residents; municipalities value conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value conservation authorities' work to ensure safe drinking water;

THEREFORE, BE IT RESOLVED THAT: (i) the Province of Ontario repeal Section 6 of the Budget Measures Act (Bill 229), and (ii) that the Province continue to work with conservation authorities to find workable solutions to reduce red tape; AND

THAT this resolution be circulated to Premier Doug Ford, MPP Sylvia Jones, the Minister of the Environment, Conservation, and Parks Jeff Yurek, the Minister of Finance Rod Philips, all Conservation authorities throughout Credit Valley, and all Ontario Municipalities

Carried

Thanks,

**Tracy Macdonald | Assistant Clerk | Corporate Services**  
**Town of Orangeville** | 87 Broadway | Orangeville ON L9W 1K1  
519-941-0440 Ext. 2256 | Toll Free 1-866-941-0440 Ext. 2256  
[tmacdonald@orangeville.ca](mailto:tmacdonald@orangeville.ca) | [www.orangeville.ca](http://www.orangeville.ca)



Date:	09/12/2020
Refer to:	Not Applicable
Meeting Date:	
Action:	null
Notes:	CII
Copies to:	

RE: Propose Changes to the Conservation Authorities Act: Schedule 6 of Bill 229

Please be advised that Township of Puslinch Council, at its meeting held on December 2, 2020 considered the aforementioned topic and subsequent to discussion, the following was resolved:

**Resolution No. 2020-362:** Moved by Councillor Sepulis and  
Seconded by Councillor Goyda

**That Council receive Correspondence items 10.5, 10.6, 10.7, and 10.8 and Consent Agenda item 6.4 regarding the Proposed Amendments to the Conservation Authorities Act through Bill 229 be received; and**

**Whereas the Township of Puslinch Council has been copied on the following correspondence related to proposed amendments to the Conservation Authorities Act (CA Act), contained in Schedule 6, Bill 229**

- (a) Conservation Halton Letter to Ontario Premier dated Nov. 17, 2020**
- (b) Hamilton Conservation Authority to Ontario Premier and Ministers dated Nov. 23, 2020**
- (c) Grand River Conservation Authority to Ontario Premier dated Nov. 24, 2020; and**

**Whereas Council at it's meeting of Nov. 18 passed the following motion:**

**GIVEN THAT The Township of Puslinch does not want to see an increased risk to public safety, or increased liabilities to the Province, municipalities, and conservation authorities. Nor does the Township of Puslinch want more red tape, disruption and ultimately delays in helping the government achieve its goal of economic recovery; and**

**GIVEN the time sensitive nature of this Bill, we encourage the Province to consult with Municipalities and Conservation Authorities in an expedient manner; and**

**GIVEN that the Township of Puslinch feels that there are better solutions to deal with actual and perceived issues.**

**BE IT RESOLVED THAT The Township of Puslinch respectfully requests the Province to**



**withdraw Schedule 6 from Bill 229 until a more thorough analysis of the appropriate solutions can take place, with more clarity on what problems were identified through the consultation process. The Township of Puslinch also encourage the Province to engage with municipalities and Conservation Authorities as the Province works on regulations that will eventually define the various Conservation Authorities Act clauses. The Township of Puslinch feels this is critical to ensure that the focus and performance of Conservation Authorities is actually improved where required.**

**FURTHER that this resolution be forwarded to the Premier, the Minister of the Environment, Conservation and Parks, the Minister of Municipal Affairs and Housing, the Minister of Natural Resources and Forestry, Minister of Finance, Conservation Ontario, MPP Ted Arnott, and all Ontario Municipalities.**

**Be it resolved that the Township of Puslinch Council supports the views expressed in the above noted letters from Conservation Halton, the Hamilton Conservation Authority and the Grand River Conservation Authority who provide vital services to the Township of Puslinch; and**

**FURTHER that this resolution be forwarded to the Premier, the Minister of the Environment, Conservation and Parks, the Minister of Municipal Affairs and Housing, the Minister of Natural Resources and Forestry, Minister of Finance, Conservation Ontario, MPP Ted Arnott, AMO, ROMA and all Ontario Municipalities.**

**CARRIED**

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Sincerely,  
Courtenay Hoytfox  
Deputy Clerk

# Grand River Conservation Authority

**Report number:** GM-11-20-85

**Date:** November 23, 2020

**To:** Members of the Grand River Conservation Authority

**Subject:** Proposed Amendments to the Conservation Authorities Act through Bill 229

---

## **Recommendation:**

THAT Report Number GM-11-20-85 – Proposed Amendments to the Conservation Authorities Act through Bill 229 be approved as amended;

AND THAT Grand River Conservation Authority Report GM-11-20-85 be submitted to the Premier, Ministers of Environment, Conservation and Parks, Natural Resources, Municipal Housing and Affairs and Finance, watershed MPPs, Association of Municipalities of Ontario, Rural Ontario Municipalities Association, and circulated to watershed municipalities;

AND THAT staff be directed to draft a cover letter which highlights the GRCA's key concerns with the proposed changes to the Conservation Authorities Act which will accompany the report to be distributed.

## **Summary:**

On November 5, 2020, through Bill 229 Protect, Support and Recover from COVID-19 Act (Budget Measures), the province introduced amendments to the *Conservation Authorities Act* (Schedule 6) and the *Planning Act*. If enacted, some changes will significantly impact the role of a conservation authority board to establish programs and services. As well, the proposed amendments will enable Regulations that will either limit or completely change the role of conservation authorities to protect Ontario's environment and ensure people and property are safe from natural hazards.

## **Report:**

### **Background:**

A provincial review of the *Conservation Authorities Act* has been ongoing since 2015. Amendments were approved in 2017, a minor change in 2018 and these were followed by further amendments in 2019. In 2019, the province indicated the proposed amendments were to help conservation authorities focus and deliver on the core mandate and to improve governance. The Grand River Conservation Authority (GRCA) provided comments on the Environmental Registry Posting through GM-04-19-41- Environmental Registry Posting 013-5018- Modernizing Conservation Authority Operations. The amendments were later passed through Bill 108, More Homes, More Choice Act. At that time, the scope of the changes to conservation authority board

governance and composition; mandatory, municipal and other programs and services; natural hazard permits and other areas were to come out through various regulations.

In the fall of 2019, the Minister of Environment, Conservation and Parks (MECP) hosted meetings with each individual conservation authority (CA) to gain a better understanding of the programs and services provided by each Authority. In the early winter of 2020, the MECP also hosted stakeholder consultation sessions across the province to gain feedback from the various groups, agencies and organizations who deal with, or work with CAs. The Vice-Chair and senior staff attended the South-western session and submitted formal written comments in response to questions posed by the MECP. MECP has confirmed that they received over 2,500 submissions in response to these consultation sessions; however, the results of these sessions have not been publicly shared.

### **Bill 229**

On November 5, 2020, the province introduced Bill 229 Protect, Support and Recover from COVID-19 Act which includes amendments to the *Conservation Authorities Act* (Schedule 6). The province identified these changes as necessary to improve transparency and consistency in conservation authority operations, strengthen municipal and provincial oversight and streamline conservation authority roles in permitting and land use planning.

While previously proposed changes to the Act have been posted to the Environmental Registry of Ontario (ERO) for a period of public comment; these new changes are posted on the ERO for information only. Under Section 33 of the Environmental Bill of Rights (1993), public consultation is not required if the proposal forms part of or gives effect to a budget or economic statement that is presented to the Legislative Assembly. It is anticipated that Bill 229 will be passed in the next few weeks as the legislature is due to rise on December 10<sup>th</sup>.

On November 9, 2020, MECP hosted an information session with all 36 Conservation Authority General Managers to provide additional information on the proposed amendments and timelines. MECP has indicated that regulations to implement the Act will be released for public comment in the coming weeks and a second set of regulations will be released for public comment in early 2021.

### **Proposed Amendments:**

Attached as appendix 1 is a summary chart of the proposed amendments to the *Conservation Authorities Act* and comments on the effects of those changes. This document was prepared by Conservation Ontario and circulated to the Board on November 13, 2020.

The changes to *Conservation Authorities Act* can be categorized into 5 sections:

- 1. Objects, Powers and Duties**
- 2. Regulatory**
- 3. Enforcement**
- 4. Governance**
- 5. Other**

Key changes to the Act under each of these categories are discussed below:

## 1. **Objects, Powers and Duties**

- Narrows the objects of a conservation authority from providing “programs and services designated to further conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals” (*Conservation Authorities Act*, s20(1)) to: (i) mandatory programs and services, (ii) municipal programs and services, and (iii) other program and services.
- A number of proposed clauses that would enable the Minister to make regulations that would prescribe standards and requirements for Municipal Programs and Services (i.e. Service agreements between municipalities and CAs) and Other Programs and Services (i.e. as determined by the Board and if municipal levy is used would require municipal agreements)
- Proposed amendment of the *Planning Act* to include conservation authorities to subsection 1(2) which would remove CAs as a public body and name CAs under the one window approach of MMAH for the purposes of appeals only. This may remove conservation authorities, who are private landowners, from the right of appeal.
- Removal of power for CAs to expropriate lands for existing and future projects

### *GRCA Comments:*

The purpose of the *Conservation Authorities Act* remains the same. “The purpose of the Act is to provide for the organisation and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watershed in Ontario.” 2017, c.23. Sched. 4, s.1. The objects within the *Conservation Authorities Act* have been amended to reflect the mandatory program and services that will be prescribed by regulations. At this time, it is anticipated that the changes to the objects would not impact the way in which the organization operates. In the next few weeks, the province has indicated that it will be releasing regulations that will further define the mandatory programs and services which could potentially have an impact on the scope and scale of current programs.

Although clauses related to non-mandatory programs already exist in the previously amended Act through Bill 108, the province has proposed additional wording that allows the Minister to dictate the standards and requirements for municipal or other programs and services agreed upon through service level agreements (non-mandatory programs). Historically, GRCA has negotiated directly with municipalities to tailor agreements to the need of the service for that specific municipality. Local autonomy in these program and services could be compromised with prescribed provincial standards and requirements. The non-mandatory, municipal and other local programs, do not receive funding from the province and through agreement, may be funded by municipal levy or other sources.

The proposed consequential changes to the *Planning Act* are still being clarified with the Ministry, however it is anticipated that it would remove conservation authorities ability to appeal a municipal planning decision to the Local Planning Appeal Tribunal (LPAT), unless it is through the Minister of Municipal Affairs and Housing. It is unclear if a conservation authority can participate in an appeal to support a municipality upon request or when this is included in an agreement between the conservation authority and municipality.

The ability to appeal is a tool that is a necessary but seldom used tool in our toolbox. The Ministry staff stated that this change only affects the role of the conservation authority in an appeal process and that participation in reviewing land use planning applications would still be occurring. Conservation Authorities participation in land use

planning and the ability to appeal a decision ensures that key issues are identified and addressed early in the approval process so the landowner may proceed with other approvals such as the conservation authority permit in an efficient manner. It also ensures that the watershed lens is being applied to planning and land use decisions and that people and their property in or near new development or redevelopment are protected from natural hazards such as flooding.

When necessary GRCA attends LPAT hearings to support the municipality and to ensure that policies and development conditions are imposed to reduce flood risks and to ensure mitigation and setbacks are in place to address other natural hazards such as erosion hazards or along the Lake Erie shoreline. Extreme weather events and changing climate increase the importance of our role in the planning process.

The 2019 Provincial Flood Advisor's report notes the important role that conservation authorities play in the land use planning process. The main legislative tools used to manage flood risk, the report states, include the *Planning Act* together with the Provincial Policy Statement (PPS) and the *Conservation Authorities Act*. As a result of the Flood Advisor's recommendations, the 2020 PPS was revised to state that mitigating natural hazard risks, including those associated with climate change, will require the province, planning authorities, and conservation authorities to work together. Similarly, the Made-in-Ontario Environment Plan asserts that within the context of environmental planning, conservation authorities' core mandate is protection from natural hazards and conserving natural resources.

Another significant concern is that this change may also remove our right to appeal planning decisions as a landowner. This is of significant concern as GRCA owns and manages over 48,000 acres of property throughout the watershed to support flood hazard management, to maintain a reliable water supply, to protect natural areas and biodiversity, to provide community recreation/education and to manage other environmentally sensitive natural lands. Conservation authorities are considered private landowners (not public lands) and the potential removal of the right to appeal a land use planning decision is a significant concern.

The amendments to the Act also removes the ability to utilize the *Expropriation Act* for existing and future projects. MECP has recommended that should this be required for a CA project that the municipality or the province could expropriate the lands necessary.

## 2. Regulatory

- Allow an applicant, within 120 days of a conservation authority receiving a permit application, to appeal to the LPAT if no decisions by the conservation authority has been made.
- Authorize the Minister of Natural Resources and Forestry to issue an order to take over and decide an application for a permit under section 28 of the Conservation Authorities Act in place of the conservation authority (i.e. before the conservation authority has made a decision on the application).
- Allows an applicant, within 30 days of a conservation authority issuing a permit, with or without conditions, or denying a permit, to request the minister to review the conservation authority's decision.
- Where the minister has taken over a permit application or is reviewing a permit decision by a conservation authority, allow an applicant to appeal

directly to LPAT where the minister fails to make a decision within 90 days.

- In addition to the provision to seek a minister's review, provide the applicant with the ability to appeal a permit decision to LPAT within 90 days after the conservation authority has made a decision.

*GRCA Comments:*

The proposed 120 day timeline for a CA to make a decision on permit applications may be problematic since there is no indication from the province when the 120 day timeline is triggered (submission of application) or if there will be a requirement for complete applications. There is a broad spectrum and complexity of applications that CAs deal with and the majority of permits that are submitted with satisfactory construction or development plans and technical reports can be reviewed in a timely manner. For complex files, there may be additional time required for the applicant and/or their consultants to address GRCA technical comments on the proposal e.g. floodplain mapping analysis. The proposed timeline of 120 days for a decision oversimplifies the permitting process.

Over the past several years, and again in 2019 Conservation Ontario and CAs have worked with the province, AMO, landowners groups and the building industry to develop the recently CA wide adopted 'Client Service Standards for Conservation Authority Plan and Permit Review'. This document sets forth industry standards and procedures to ensure CA plan and permit review process are transparent, predictable and fair. GRCA permit application decisions are consistently made within the current client service standards. The current standards exclude the time period the applicant or their consultants are preparing responses to GRCA technical or policy comments which can take several weeks or in limited cases a few months.

The current appeal process for permits has been administered through the Mining and Lands Tribunal. With these proposed amendments, all permit appeals will be processed through LPAT. There is concern regarding the change in tribunals; the Mining and Lands Tribunal has the history and natural hazard technical experience in adjudicating *Conservation Authorities Act* cases for decades. Due to the volume of appeals at LPAT, it is anticipated that there could be lengthy delays for hearings and inconsistent decisions across the province. This also has the potential to redirect staffs' time to focus more on managing the appeal process for permit applications than what was previously required.

Under these proposed amendments, the Minister will be able to step in and take over the issuance or denial of a permit under Section 28 without consultation with the CA. A significant concern with this is a decision is made without watershed specific technical information required to make the decisions and the precedent that could be set for future application similar in nature.

Many of the amendments to this section of the legislation provide the Minister with significant additional powers to intervene in the permit process.

### **3. Enforcement**

- Eliminated the (not yet proclaimed) powers for officers appointed by conservation authorities to issue stop orders (*Conservation Authorities Act* provision 30.4)

- Clarified conditions for officers appointed by conservation authorities to enter lands without a warrant for the purposes of:
  - determining whether to issue a permit (amendment to unproclaimed *Conservation Authorities Act* provision 30.2(1))
  - ensuring compliance with the prohibitions, regulations, or permit conditions, only when the officer has “reasonable grounds to believe that a contravention of a provision of the Act or a regulation...is causing or likely to have significant effects...” (*Conservation Authorities Act* provision 30.2(1.1))

*GRCA Comments:*

In previous updates to the Act, the province recognized that many compliance tools were outdated. The legislation prior to 2017 was not a deterrent for illegal activities and rapid response tools were not available to stop ongoing illegal activities. Although the fines have been substantially increased in 2017 (not yet enacted), the current proposal would remove a much needed compliance tool – the Stop (work) Order. The Made-In-Ontario Plan also recognized the role of conservation authorities in enforcement and it includes the provincial action “Work with municipalities, conservation authorities, other law enforcement agencies and stakeholders to increase enforcement on illegal dumping of excess soil.” Although not yet enacted, the Stop Order provision would have provided another tool to use when managing enforcement challenges and could have helped to avoid a time consuming and costly injunction process.

Obtaining injunctions takes further staff time and conservation authorities will incur significant costs for legal and court fees. Given the lack of provincial funding this cost will continue to be borne by municipalities and ultimately the taxpayers. The time needed to obtain such an order can be lengthy resulting in unnecessary and significant damage to the environment, impacts to natural hazard areas such as development in a floodplain which then puts people and property at risk.

Removing an officer’s ability to enter lands (s. 30.2) within the authority’s jurisdiction is inconsistent with similar municipal and provincial legislation. Coupled with the removal of a Stop Order provision (s. 30.4), these amendments do not afford officers an ability to “prevent or reduce the effects or risks” associated with illegal and egregious activities. Examples of other provincial legislation with Stop Orders include *Building Code Act* S.14, *Environmental Protection Act* S.8, *Planning Act* S. 49.

#### **4. Governance**

- Removing the power to define in regulation the composition, appointment or minimum qualifications for a Board member (S.40 (1)(a) and replaced it with:
  - Mandate that the municipal councillors appointed by a particular municipalities as members of a conservation authority be selected from that municipality’s own councillors only S.14 (1.1)
  - Enabling the Minister to appoint an additional member to the Board to represent the agricultural sector (new *Conservation Authorities Act* provision 14(4)).
- Limit the term of the Chair and Vice-Chair to one year and to no more than two consecutive terms (new *Conservation Authorities Act* provision 17 (1.1))

- Amending the duties of members to act on behalf of their respective municipalities rather than the Conservation Authority

*GRCA Comments:*

As previously mentioned in formal comments provided to the province in April 2019 and comments provided to the province during stakeholder consultation in 2020, the GRCA is supportive of changes that increase transparency and accountability of conservation authorities. GRCA is also supportive of the province's intent to clearly define mandatory programs and services provided by the conservation authorities and we look forward to the opportunity to provide input on the regulations that will be posted for public input.

There are a number of proposed amendments that require the posting of documents, board agendas and minutes, financial audits and standard accounting practices that are already undertaken by the GRCA.

Municipalities will no longer be able to appoint a member of the public to the Board. Over the years, the GRCA has benefited from having citizen appointments to the Board. This has helped to incorporate a diverse perspectives for watershed decision making. In order to ensure that a municipal Mayor may participate on a conservation authority board it is recommended that the specification of 'municipal councillor' in the proposed amendments be changed to "municipally elected official".

In the event that the Minister appoints a member to represent the agricultural sector, the appointment process has not been specified, and it is assumed that these appointments would have the same voting privileges as all members and would be entitled to receive per diems and to be appointed as the chair or vice-chair. It is unclear how the change to fiduciary duty would affect this member.

The current legislation deferred board composition to a future Regulation. The proposed amendment removed this clause and replaced it with clauses that specify who can be a members of the board so there will be no opportunity for further input on determining who is eligible to be a member of the Board.

The proposed amendments have set a limit to the Chair and Vice-chair to hold office for one year term and no more than two consecutive terms. Under GRCA By-law 3-2020, the by-law states, "The individuals elected shall hold office until their successors are elected and will be eligible for re-election to the same office for up to a maximum of five one-year terms."

Conservation Authorities are corporate entities. Good governance dictates that the Board acts on behalf of the organization and in the public interest. By changing the duty of members to act on behalf of their respective municipalities, it contradicts the concept of fiduciary duty of a Board Member to represent the best interests of the corporation they are overseeing. It puts an individual municipal interest above the broader watershed interests further to the purpose of the Act. The standards of care for directors are set out under the *Business Corporations Act*.

'Every director and officer of a corporation in exercising his or her powers and discharging his or her duties to the corporation shall, (a) act honestly and in good faith with a view to the best interests of the corporation...; and (b) exercise the care, diligence and skill that a responsible prudent person would exercise in comparable circumstances'

Additionally, the Auditor General of Ontario recommended in their report on the Niagara Peninsula Conservation Authority that, " to ensure effective oversight of conservation authorities' activities through boards of directors, we recommend that the Ministry of the Environment, Conservation and Parks clarify board members' accountability to the conservation authority" to which the ministry response was in agreement.

## 5. Other

The amendments to the Act also include the requirement for a transition plan to be developed and implemented to ensure compliance with the regulations for mandatory programs and services and agreements or MOUs with municipal partners. Through discussions with MECP staff, it has been stated that the transition plan should be completed and implemented in time to support the 2022 budget process.

It has been GRCA's experience that it can take one to two years to negotiating and finalizing a municipal agreement or MOU given the complexity of the agreement and the number of stakeholders involved (municipal and CAs).

The development and implementation of the transition plan will require a change to GRCA's budget model, an assessment of all programs and services to ensure compliance with the regulations and development and negotiation with municipalities for MOU for non-mandatory programs and services (up to 26).

It is unknown when regulations will be posted for public input and approved.

### **Summary of GRCA's Response to Proposed Amendments to the Conservation Authorities Act:**

- GRCA requests that the clause be edited to remove the ability for the Minister to prescribe standards and requirements for non-mandatory, municipal and local programs and services.
- GRCA requests that the amendment to the *Planning Act* be removed from Schedule 6 of Bill 229.
- GRCA requests that Bill 229 Schedule 6 clauses in S.28 be amended by removing references to LPAT and replacing it with the Mining and Lands Tribunal.
- GRCA requests that the existing unproclaimed clauses in the *Conservation Authorities Act* 2019 related to Powers of Entry (30.2) and Stop Order (30.4) remain in the *Conservation Authorities Act* and proposed amendments related to these clauses be removed from Bill 229 Schedule 6.
- GRCA requests that the wording for fiduciary responsibilities in the *Conservation Authorities Act* be amended back to: "Every member of an authority shall act honestly and in good faith with a view to furthering the objects of the authority."
- GRCA requests that a future regulation regarding the transition plan have an implementation date that is 18-24 months after the regulation is approved.

Most of the amendments proposed would be implemented through new or amended legal instruments or policies. The GRCA will contact MECP and MNRF to offer assistance and technical expertise on any working groups/technical committees

established to review future changes to the regulations, policy and/or provincial standards related to the implementation of the *Conservation Authorities Act*.

**Financial implications:**

Without the details of the proposed regulations, it is difficult to determine the financial implications for the amendments to the *Conservation Authorities Act*. Additional reports will come to the Board regarding updates to the program and services of the GRCA as they are posted to the Environmental Bill of Rights.

**Other department considerations:**

Operations, Administration, Resource Management and Engineering Divisions were consulted on the preparation of this report.

**Prepared by:**

Samantha Lawson  
Chief Administrative Officer



November 24, 2020

**BY EMAIL**

**To: Grand River Watershed Member Municipalities**

**Re: Bill 229: Protect, Support and Recover from COVID-19 Act (Budget Measures)**

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I am writing on behalf of the Grand River Conservation Authority (GRCA) to provide you with an update on our concerns regarding the Province's proposed changes to the Conservation Authorities Act and the Planning Act under Bill 229: Protect, Support and Recover from COVID-19 Act (Budget Measures).

On Monday, November 23, 2020, the GRCA General Membership held a special board meeting to review and discuss the Province's proposed changes to the Conservation Authorities Act and the Planning Act through Schedule 6 in Bill 229.

While the GRCA board expressed support for the Province's stated objectives to modernize the Conservation Authorities Act, and enhance transparency and accountability, the board also voiced deep concern that some of the proposed changes may have a considerable impact on conservation authorities, their watershed management responsibilities, and consequently, on the health and wellness of the Grand River watershed and its residents.

At the meeting, board members passed a motion requesting staff to send *GRCA Report GM-11-20-85 Proposed Amendments to the Conservation Authorities Act through Bill 229* to the Premier of Ontario, the Ministers of Environment, Conservation and Parks, Natural Resources and Forestry, Municipal Affairs and Housing, and Finance, as well as all watershed MPPs, watershed municipalities, the Association of Municipalities of Ontario and the Rural Ontario Municipal Association. The report outlines the proposed changes in five key areas of concern for the GRCA: Objects, Powers and Duties; Regulatory; Enforcement; Governance and Other.

Please find attached the GRCA board report, as well as a letter that has been sent to the Province detailing our concerns. The GRCA is requesting that:

- the clause in S.21.1.2 of Bill 229 be edited to remove the ability for the Minister to prescribe standards and requirements for non-mandatory, municipal and local programs and services;
- the amendment to the Planning Act be removed from Schedule 6 of Bill 229;
- Bill 229 Schedule 6 clauses in S.28 be amended by removing references to the Local Planning Appeal Tribunal and replacing it with the Mining and Lands Tribunal;
- the existing un-proclaimed clauses in the Conservation Authorities Act 2019 related to Powers of entry (30.2) and Stop Order (30.4) remain in the Conservation Authorities Act and proposed amendments related to these clauses be removed from Bill 229 Schedule 6;

- the wording for fiduciary responsibilities in the CA Act be amended back to: “Every member of an authority shall act honestly and in good faith with a view to furthering the objects of the authority”; and that
- a future regulation regarding the transition plan have an implementation date that is 18-24 months after the regulation is approved.

We would encourage our watershed municipalities to contact their local MPPs and ask that the Province of Ontario work with conservation authorities to address these concerns, before the changes are enacted.

We look forward to continuing our productive partnership with our watershed municipalities, as we work together to address local issues and opportunities that benefit the entire watershed.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Helen Jowett', written in a cursive style.

Helen Jowett, Chair  
Grand River Conservation Authority

cc Association of Municipalities of Ontario, Rural Ontario Municipalities Association



November 24, 2020

**BY EMAIL**

The Honourable Doug Ford, Premier of Ontario  
Office of the Premier  
Legislative Building, Queens Park  
Toronto, ON M7A 1A1

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Dear Premier Ford,

Re: Bill 229: Protect, Support and Recover from COVID-19 Act (Budget Measures)

I am writing on behalf of the Grand River Conservation Authority (GRCA) to express our concerns regarding the Province's proposed changes to the Conservation Authorities Act and the Planning Act under Bill 229: Protect, Support and Recover from COVID-19 Act (Budget Measures).

The GRCA is governed through a partnership of 38 watershed municipalities, which work together to address local issues and opportunities that benefit the entire watershed. Elected or appointed representatives from these municipalities form the membership of the GRCA board, making us directly accountable to our member municipalities and the people that live in the watershed. We work closely with our municipal partners to deliver programs and services that mitigate flood damage, provide access to outdoor spaces, share information about the natural environment and make the watershed more resilient to climate change.

For example, through the Rural Water Quality Program, the GRCA has built strong relationships with the farming community. The GRCA delivers this voluntary program on behalf of 6 Upper Tier municipalities in the watershed to help farmers implement best practices to improve and protect surface and groundwater quality. Since 1998, more than \$56 million has been invested by municipalities and landowners – an investment that supports the rural economy and source water protection, builds green infrastructure and climate change resiliency on the landscape, and helps to improve the quality of the Grand River.

While we support the Province's stated objectives to modernize the Conservation Authorities Act, and enhance transparency and accountability, we are also concerned that some of the proposed changes will have a considerable impact on conservation authorities, their watershed management responsibilities, and consequently, on the health and wellness of the Grand River watershed and its residents.

The GRCA is requesting that:

- the clause in S.21.1.2 of Bill 229 be edited to remove the ability for the Minister to prescribe standards and requirements for non-mandatory, municipal and local programs and services;
- the amendment to the Planning Act be removed from Schedule 6 of Bill 229;
- Bill 229 Schedule 6 clauses in S.28 be amended by removing references to the Local Planning Appeal Tribunal and replacing it with the Mining and Lands Tribunal;

- the existing un-proclaimed clauses in the Conservation Authorities Act 2019 related to Powers of entry (30.2) and Stop Order (30.4) remain in the Conservation Authorities Act and proposed amendments related to these clauses be removed from Bill 229 Schedule 6;
- the wording for fiduciary responsibilities in the CA Act be amended back to: “Every member of an authority shall act honestly and in good faith with a view to furthering the objects of the authority”; and that
- a future regulation regarding the transition plan have an implementation date that is 18-24 months after the regulation is approved.

Please find attached *GRCA Report GM-11-20-85 Proposed Amendments to the Conservation Authorities Act through Bill 229*, which outlines our key areas of concern. We are asking that the Province work with conservation authorities to address these concerns before Bill 229 is passed. We would also like to offer our assistance and technical expertise to the Ministry of the Environment, Conservation and Parks and the Ministry of Natural Resources and Forestry on any working groups or technical committees established to review future changes to the regulations, policies or provincial standards related to the implementation of the Conservation Authorities Act.

We look forward to continuing our productive relationship with the Province, and supporting your government’s effort to improve the governance and accountability of conservation authorities.

Yours sincerely,



Helen Jowett, Chair  
Grand River Conservation Authority

- c. Hon. Jeff Yurek, Minister of Environment, Conservation and Parks; Hon. John Yakabuski, Minister of Natural Resources and Forestry; Hon. Steve Clark, Minister of Municipal Housing and Affairs, Hon. Rod Phillips, Minister of Finance; Grand River watershed Members of Provincial Parliament

# Grand River Conservation Authority

**Report number:** GM-11-20-85

**Date:** November 23, 2020

**To:** Members of the Grand River Conservation Authority

**Subject:** Proposed Amendments to the Conservation Authorities Act through Bill 229

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## **Recommendation:**

THAT Report Number GM-11-20-85 – Proposed Amendments to the Conservation Authorities Act through Bill 229 be approved as amended;

AND THAT Grand River Conservation Authority Report GM-11-20-85 be submitted to the Premier, Ministers of Environment, Conservation and Parks, Natural Resources, Municipal Housing and Affairs and Finance, watershed MPPs, Association of Municipalities of Ontario, Rural Ontario Municipalities Association, and circulated to watershed municipalities;

AND THAT staff be directed to draft a cover letter which highlights the GRCA's key concerns with the proposed changes to the Conservation Authorities Act which will accompany the report to be distributed.

## **Summary:**

On November 5, 2020, through Bill 229 Protect, Support and Recover from COVID-19 Act (Budget Measures), the province introduced amendments to the *Conservation Authorities Act* (Schedule 6) and the *Planning Act*. If enacted, some changes will significantly impact the role of a conservation authority board to establish programs and services. As well, the proposed amendments will enable Regulations that will either limit or completely change the role of conservation authorities to protect Ontario's environment and ensure people and property are safe from natural hazards.

## **Report:**

### **Background:**

A provincial review of the *Conservation Authorities Act* has been ongoing since 2015. Amendments were approved in 2017, a minor change in 2018 and these were followed by further amendments in 2019. In 2019, the province indicated the proposed amendments were to help conservation authorities focus and deliver on the core mandate and to improve governance. The Grand River Conservation Authority (GRCA) provided comments on the Environmental Registry Posting through GM-04-19-41- Environmental Registry Posting 013-5018- Modernizing Conservation Authority Operations. The amendments were later passed through Bill 108, More Homes, More Choice Act. At that time, the scope of the changes to conservation authority board

governance and composition; mandatory, municipal and other programs and services; natural hazard permits and other areas were to come out through various regulations.

In the fall of 2019, the Minister of Environment, Conservation and Parks (MECP) hosted meetings with each individual conservation authority (CA) to gain a better understanding of the programs and services provided by each Authority. In the early winter of 2020, the MECP also hosted stakeholder consultation sessions across the province to gain feedback from the various groups, agencies and organizations who deal with, or work with CAs. The Vice-Chair and senior staff attended the South-western session and submitted formal written comments in response to questions posed by the MECP. MECP has confirmed that they received over 2,500 submissions in response to these consultation sessions; however, the results of these sessions have not been publicly shared.

### **Bill 229**

On November 5, 2020, the province introduced Bill 229 Protect, Support and Recover from COVID-19 Act which includes amendments to the *Conservation Authorities Act* (Schedule 6). The province identified these changes as necessary to improve transparency and consistency in conservation authority operations, strengthen municipal and provincial oversight and streamline conservation authority roles in permitting and land use planning.

While previously proposed changes to the Act have been posted to the Environmental Registry of Ontario (ERO) for a period of public comment; these new changes are posted on the ERO for information only. Under Section 33 of the Environmental Bill of Rights (1993), public consultation is not required if the proposal forms part of or gives effect to a budget or economic statement that is presented to the Legislative Assembly. It is anticipated that Bill 229 will be passed in the next few weeks as the legislature is due to rise on December 10<sup>th</sup>.

On November 9, 2020, MECP hosted an information session with all 36 Conservation Authority General Managers to provide additional information on the proposed amendments and timelines. MECP has indicated that regulations to implement the Act will be released for public comment in the coming weeks and a second set of regulations will be released for public comment in early 2021.

### **Proposed Amendments:**

Attached as appendix 1 is a summary chart of the proposed amendments to the *Conservation Authorities Act* and comments on the effects of those changes. This document was prepared by Conservation Ontario and circulated to the Board on November 13, 2020.

The changes to *Conservation Authorities Act* can be categorized into 5 sections:

- 1. Objects, Powers and Duties**
- 2. Regulatory**
- 3. Enforcement**
- 4. Governance**
- 5. Other**

Key changes to the Act under each of these categories are discussed below:

## 1. **Objects, Powers and Duties**

- Narrows the objects of a conservation authority from providing “programs and services designated to further conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals” (*Conservation Authorities Act*, s20(1)) to: (i) mandatory programs and services, (ii) municipal programs and services, and (iii) other program and services.
- A number of proposed clauses that would enable the Minister to make regulations that would prescribe standards and requirements for Municipal Programs and Services (i.e. Service agreements between municipalities and CAs) and Other Programs and Services (i.e. as determined by the Board and if municipal levy is used would require municipal agreements)
- Proposed amendment of the *Planning Act* to include conservation authorities to subsection 1(2) which would remove CAs as a public body and name CAs under the one window approach of MMAH for the purposes of appeals only. This may remove conservation authorities, who are private landowners, from the right of appeal.
- Removal of power for CAs to expropriate lands for existing and future projects

### *GRCA Comments:*

The purpose of the *Conservation Authorities Act* remains the same. “The purpose of the Act is to provide for the organisation and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watershed in Ontario.” 2017, c.23. Sched. 4, s.1. The objects within the *Conservation Authorities Act* have been amended to reflect the mandatory program and services that will be prescribed by regulations. At this time, it is anticipated that the changes to the objects would not impact the way in which the organization operates. In the next few weeks, the province has indicated that it will be releasing regulations that will further define the mandatory programs and services which could potentially have an impact on the scope and scale of current programs.

Although clauses related to non-mandatory programs already exist in the previously amended Act through Bill 108, the province has proposed additional wording that allows the Minister to dictate the standards and requirements for municipal or other programs and services agreed upon through service level agreements (non-mandatory programs). Historically, GRCA has negotiated directly with municipalities to tailor agreements to the need of the service for that specific municipality. Local autonomy in these program and services could be compromised with prescribed provincial standards and requirements. The non-mandatory, municipal and other local programs, do not receive funding from the province and through agreement, may be funded by municipal levy or other sources.

The proposed consequential changes to the *Planning Act* are still being clarified with the Ministry, however it is anticipated that it would remove conservation authorities ability to appeal a municipal planning decision to the Local Planning Appeal Tribunal (LPAT), unless it is through the Minister of Municipal Affairs and Housing. It is unclear if a conservation authority can participate in an appeal to support a municipality upon request or when this is included in an agreement between the conservation authority and municipality.

The ability to appeal is a tool that is a necessary but seldom used tool in our toolbox. The Ministry staff stated that this change only affects the role of the conservation authority in an appeal process and that participation in reviewing land use planning applications would still be occurring. Conservation Authorities participation in land use

planning and the ability to appeal a decision ensures that key issues are identified and addressed early in the approval process so the landowner may proceed with other approvals such as the conservation authority permit in an efficient manner. It also ensures that the watershed lens is being applied to planning and land use decisions and that people and their property in or near new development or redevelopment are protected from natural hazards such as flooding.

When necessary GRCA attends LPAT hearings to support the municipality and to ensure that policies and development conditions are imposed to reduce flood risks and to ensure mitigation and setbacks are in place to address other natural hazards such as erosion hazards or along the Lake Erie shoreline. Extreme weather events and changing climate increase the importance of our role in the planning process.

The 2019 Provincial Flood Advisor's report notes the important role that conservation authorities play in the land use planning process. The main legislative tools used to manage flood risk, the report states, include the *Planning Act* together with the Provincial Policy Statement (PPS) and the *Conservation Authorities Act*. As a result of the Flood Advisor's recommendations, the 2020 PPS was revised to state that mitigating natural hazard risks, including those associated with climate change, will require the province, planning authorities, and conservation authorities to work together. Similarly, the Made-in-Ontario Environment Plan asserts that within the context of environmental planning, conservation authorities' core mandate is protection from natural hazards and conserving natural resources.

Another significant concern is that this change may also remove our right to appeal planning decisions as a landowner. This is of significant concern as GRCA owns and manages over 48,000 acres of property throughout the watershed to support flood hazard management, to maintain a reliable water supply, to protect natural areas and biodiversity, to provide community recreation/education and to manage other environmentally sensitive natural lands. Conservation authorities are considered private landowners (not public lands) and the potential removal of the right to appeal a land use planning decision is a significant concern.

The amendments to the Act also removes the ability to utilize the *Expropriation Act* for existing and future projects. MECP has recommended that should this be required for a CA project that the municipality or the province could expropriate the lands necessary.

## 2. Regulatory

- Allow an applicant, within 120 days of a conservation authority receiving a permit application, to appeal to the LPAT if no decisions by the conservation authority has been made.
- Authorize the Minister of Natural Resources and Forestry to issue an order to take over and decide an application for a permit under section 28 of the Conservation Authorities Act in place of the conservation authority (i.e. before the conservation authority has made a decision on the application).
- Allows an applicant, within 30 days of a conservation authority issuing a permit, with or without conditions, or denying a permit, to request the minister to review the conservation authority's decision.
- Where the minister has taken over a permit application or is reviewing a permit decision by a conservation authority, allow an applicant to appeal

directly to LPAT where the minister fails to make a decision within 90 days.

- In addition to the provision to seek a minister's review, provide the applicant with the ability to appeal a permit decision to LPAT within 90 days after the conservation authority has made a decision.

*GRCA Comments:*

The proposed 120 day timeline for a CA to make a decision on permit applications may be problematic since there is no indication from the province when the 120 day timeline is triggered (submission of application) or if there will be a requirement for complete applications. There is a broad spectrum and complexity of applications that CAs deal with and the majority of permits that are submitted with satisfactory construction or development plans and technical reports can be reviewed in a timely manner. For complex files, there may be additional time required for the applicant and/or their consultants to address GRCA technical comments on the proposal e.g. floodplain mapping analysis. The proposed timeline of 120 days for a decision oversimplifies the permitting process.

Over the past several years, and again in 2019 Conservation Ontario and CAs have worked with the province, AMO, landowners groups and the building industry to develop the recently CA wide adopted 'Client Service Standards for Conservation Authority Plan and Permit Review'. This document sets forth industry standards and procedures to ensure CA plan and permit review process are transparent, predictable and fair. GRCA permit application decisions are consistently made within the current client service standards. The current standards exclude the time period the applicant or their consultants are preparing responses to GRCA technical or policy comments which can take several weeks or in limited cases a few months.

The current appeal process for permits has been administered through the Mining and Lands Tribunal. With these proposed amendments, all permit appeals will be processed through LPAT. There is concern regarding the change in tribunals; the Mining and Lands Tribunal has the history and natural hazard technical experience in adjudicating *Conservation Authorities Act* cases for decades. Due to the volume of appeals at LPAT, it is anticipated that there could be lengthy delays for hearings and inconsistent decisions across the province. This also has the potential to redirect staffs' time to focus more on managing the appeal process for permit applications than what was previously required.

Under these proposed amendments, the Minister will be able to step in and take over the issuance or denial of a permit under Section 28 without consultation with the CA. A significant concern with this is a decision is made without watershed specific technical information required to make the decisions and the precedent that could be set for future application similar in nature.

Many of the amendments to this section of the legislation provide the Minister with significant additional powers to intervene in the permit process.

### **3. Enforcement**

- Eliminated the (not yet proclaimed) powers for officers appointed by conservation authorities to issue stop orders (*Conservation Authorities Act* provision 30.4)

- Clarified conditions for officers appointed by conservation authorities to enter lands without a warrant for the purposes of:
  - determining whether to issue a permit (amendment to unproclaimed *Conservation Authorities Act* provision 30.2(1))
  - ensuring compliance with the prohibitions, regulations, or permit conditions, only when the officer has “reasonable grounds to believe that a contravention of a provision of the Act or a regulation...is causing or likely to have significant effects...” (*Conservation Authorities Act* provision 30.2(1.1))

*GRCA Comments:*

In previous updates to the Act, the province recognized that many compliance tools were outdated. The legislation prior to 2017 was not a deterrent for illegal activities and rapid response tools were not available to stop ongoing illegal activities. Although the fines have been substantially increased in 2017 (not yet enacted), the current proposal would remove a much needed compliance tool – the Stop (work) Order. The Made-In-Ontario Plan also recognized the role of conservation authorities in enforcement and it includes the provincial action “Work with municipalities, conservation authorities, other law enforcement agencies and stakeholders to increase enforcement on illegal dumping of excess soil.” Although not yet enacted, the Stop Order provision would have provided another tool to use when managing enforcement challenges and could have helped to avoid a time consuming and costly injunction process.

Obtaining injunctions takes further staff time and conservation authorities will incur significant costs for legal and court fees. Given the lack of provincial funding this cost will continue to be borne by municipalities and ultimately the taxpayers. The time needed to obtain such an order can be lengthy resulting in unnecessary and significant damage to the environment, impacts to natural hazard areas such as development in a floodplain which then puts people and property at risk.

Removing an officer’s ability to enter lands (s. 30.2) within the authority’s jurisdiction is inconsistent with similar municipal and provincial legislation. Coupled with the removal of a Stop Order provision (s. 30.4), these amendments do not afford officers an ability to “prevent or reduce the effects or risks” associated with illegal and egregious activities. Examples of other provincial legislation with Stop Orders include *Building Code Act* S.14, *Environmental Protection Act* S.8, *Planning Act* S. 49.

#### **4. Governance**

- Removing the power to define in regulation the composition, appointment or minimum qualifications for a Board member (S.40 (1)(a) and replaced it with:
  - Mandate that the municipal councillors appointed by a particular municipalities as members of a conservation authority be selected from that municipality’s own councillors only S.14 (1.1)
  - Enabling the Minister to appoint an additional member to the Board to represent the agricultural sector (new *Conservation Authorities Act* provision 14(4)).
- Limit the term of the Chair and Vice-Chair to one year and to no more than two consecutive terms (new *Conservation Authorities Act* provision 17 (1.1))

- Amending the duties of members to act on behalf of their respective municipalities rather than the Conservation Authority

*GRCA Comments:*

As previously mentioned in formal comments provided to the province in April 2019 and comments provided to the province during stakeholder consultation in 2020, the GRCA is supportive of changes that increase transparency and accountability of conservation authorities. GRCA is also supportive of the province's intent to clearly define mandatory programs and services provided by the conservation authorities and we look forward to the opportunity to provide input on the regulations that will be posted for public input.

There are a number of proposed amendments that require the posting of documents, board agendas and minutes, financial audits and standard accounting practices that are already undertaken by the GRCA.

Municipalities will no longer be able to appoint a member of the public to the Board. Over the years, the GRCA has benefited from having citizen appointments to the Board. This has helped to incorporate a diverse perspectives for watershed decision making. In order to ensure that a municipal Mayor may participate on a conservation authority board it is recommended that the specification of 'municipal councillor' in the proposed amendments be changed to "municipally elected official".

In the event that the Minister appoints a member to represent the agricultural sector, the appointment process has not been specified, and it is assumed that these appointments would have the same voting privileges as all members and would be entitled to receive per diems and to be appointed as the chair or vice-chair. It is unclear how the change to fiduciary duty would affect this member.

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The proposed amendments have set a limit to the Chair and Vice-chair to hold office for one year term and no more than two consecutive terms. Under GRCA By-law 3-2020, the by-law states, "The individuals elected shall hold office until their successors are elected and will be eligible for re-election to the same office for up to a maximum of five one-year terms."

Conservation Authorities are corporate entities. Good governance dictates that the Board acts on behalf of the organization and in the public interest. By changing the duty of members to act on behalf of their respective municipalities, it contradicts the concept of fiduciary duty of a Board Member to represent the best interests of the corporation they are overseeing. It puts an individual municipal interest above the broader watershed interests further to the purpose of the Act. The standards of care for directors are set out under the *Business Corporations Act*.

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Additionally, the Auditor General of Ontario recommended in their report on the Niagara Peninsula Conservation Authority that, "to ensure effective oversight of conservation authorities' activities through boards of directors, we recommend that the Ministry of the Environment, Conservation and Parks clarify board members' accountability to the conservation authority" to which the ministry response was in agreement.

## 5. Other

The amendments to the Act also include the requirement for a transition plan to be developed and implemented to ensure compliance with the regulations for mandatory programs and services and agreements or MOUs with municipal partners. Through discussions with MECP staff, it has been stated that the transition plan should be completed and implemented in time to support the 2022 budget process.

It has been GRCA's experience that it can take one to two years to negotiating and finalizing a municipal agreement or MOU given the complexity of the agreement and the number of stakeholders involved (municipal and CAs).

The development and implementation of the transition plan will require a change to GRCA's budget model, an assessment of all programs and services to ensure compliance with the regulations and development and negotiation with municipalities for MOU for non-mandatory programs and services (up to 26).

It is unknown when regulations will be posted for public input and approved.

### **Summary of GRCA's Response to Proposed Amendments to the Conservation Authorities Act:**

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Most of the amendments proposed would be implemented through new or amended legal instruments or policies. The GRCA will contact MECP and MNRF to offer assistance and technical expertise on any working groups/technical committees

established to review future changes to the regulations, policy and/or provincial standards related to the implementation of the *Conservation Authorities Act*.

**Financial implications:**

Without the details of the proposed regulations, it is difficult to determine the financial implications for the amendments to the *Conservation Authorities Act*. Additional reports will come to the Board regarding updates to the program and services of the GRCA as they are posted to the Environmental Bill of Rights.

**Other department considerations:**

Operations, Administration, Resource Management and Engineering Divisions were consulted on the preparation of this report.

**Prepared by:**

Samantha Lawson  
Chief Administrative Officer



November 24, 2020

**BY EMAIL**

The Honourable Doug Ford, Premier of Ontario  
Office of the Premier  
Legislative Building, Queens Park  
Toronto, ON M7A 1A1

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Dear Premier Ford,

Re: Bill 229: Protect, Support and Recover from COVID-19 Act (Budget Measures)

I am writing on behalf of the Grand River Conservation Authority (GRCA) to express our concerns regarding the Province's proposed changes to the Conservation Authorities Act and the Planning Act under Bill 229: Protect, Support and Recover from COVID-19 Act (Budget Measures).

The GRCA is governed through a partnership of 38 watershed municipalities, which work together to address local issues and opportunities that benefit the entire watershed. Elected or appointed representatives from these municipalities form the membership of the GRCA board, making us directly accountable to our member municipalities and the people that live in the watershed. We work closely with our municipal partners to deliver programs and services that mitigate flood damage, provide access to outdoor spaces, share information about the natural environment and make the watershed more resilient to climate change.

For example, through the Rural Water Quality Program, the GRCA has built strong relationships with the farming community. The GRCA delivers this voluntary program on behalf of 6 Upper Tier municipalities in the watershed to help farmers implement best practices to improve and protect surface and groundwater quality. Since 1998, more than \$56 million has been invested by municipalities and landowners – an investment that supports the rural economy and source water protection, builds green infrastructure and climate change resiliency on the landscape, and helps to improve the quality of the Grand River.

While we support the Province's stated objectives to modernize the Conservation Authorities Act, and enhance transparency and accountability, we are also concerned that some of the proposed changes will have a considerable impact on conservation authorities, their watershed management responsibilities, and consequently, on the health and wellness of the Grand River watershed and its residents.

The GRCA is requesting that:

- the clause in S.21.1.2 of Bill 229 be edited to remove the ability for the Minister to prescribe standards and requirements for non-mandatory, municipal and local programs and services;
- the amendment to the Planning Act be removed from Schedule 6 of Bill 229;
- Bill 229 Schedule 6 clauses in S.28 be amended by removing references to the Local Planning Appeal Tribunal and replacing it with the Mining and Lands Tribunal;

- the existing un-proclaimed clauses in the Conservation Authorities Act 2019 related to Powers of entry (30.2) and Stop Order (30.4) remain in the Conservation Authorities Act and proposed amendments related to these clauses be removed from Bill 229 Schedule 6;
- the wording for fiduciary responsibilities in the CA Act be amended back to: “Every member of an authority shall act honestly and in good faith with a view to furthering the objects of the authority”; and that
- a future regulation regarding the transition plan have an implementation date that is 18-24 months after the regulation is approved.

Please find attached *GRCA Report GM-11-20-85 Proposed Amendments to the Conservation Authorities Act through Bill 229*, which outlines our key areas of concern. We are asking that the Province work with conservation authorities to address these concerns before Bill 229 is passed. We would also like to offer our assistance and technical expertise to the Ministry of the Environment, Conservation and Parks and the Ministry of Natural Resources and Forestry on any working groups or technical committees established to review future changes to the regulations, policies or provincial standards related to the implementation of the Conservation Authorities Act.

We look forward to continuing our productive relationship with the Province, and supporting your government’s effort to improve the governance and accountability of conservation authorities.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Helen Jowett', written in a cursive style.

Helen Jowett, Chair  
Grand River Conservation Authority

- c. Hon. Jeff Yurek, Minister of Environment, Conservation and Parks; Hon. John Yakabuski, Minister of Natural Resources and Forestry; Hon. Steve Clark, Minister of Municipal Housing and Affairs, Hon. Rod Phillips, Minister of Finance; Grand River watershed Members of Provincial Parliament

A Healthy Watershed for Everyone

November 23, 2020

**Via Email**

Honourable Doug Ford, Premier of Ontario  
Honourable Rod Phillips, Minister of Finance  
Honourable Jeff Yurek, Minister of Environment, Conservation and Parks  
Honourable John Yakabuski, Minister of Natural Resources and Forestry  
Honourable Steve Clark, Minister of Municipal Affairs and Housing

**Re: Concerns with *Bill 229: Protect, Support and Recover from COVID 19 Act (Budget Measures Act) - Schedule 6 – Conservation Authorities Act***

On November 5th, the Province released proposed changes to the Conservation Authorities Act as part of its omnibus bill announced with the provincial budget. The Province has stated they are amending the Act to improve transparency and consistency in conservation authority operations, strengthen municipal oversight and streamline conservation authority roles in permitting and land use planning. Additional regulations under the Act are still to be provided later this fall to provide a more complete understanding of how the changes are to be implemented and what their full impact will be.

We feel it is important to highlight that conservation authorities were originally created to address concerns regarding the poor state of the natural environment and the need to establish programs based on watershed boundaries for natural resource management. Conservation authorities bring the local watershed science and information into decision making to ensure that Ontario's communities are protected.

While we are encouraged that the purpose of the Act to provide for the organization and delivery of programs and services that further conservation, restoration, development, and management of natural resources in Ontario watersheds remains the same, Hamilton Conservation Authority (HCA) is very concerned that proposed changes to the Conservation Authorities Act and the Planning Act if passed, would reduce our ability to protect the natural environment and our watershed, and remove citizen representation and their most valuable insight and input to our Board.

The legislative changes appear to be an excessive intervention in local matters in an area where the Province makes little financial contribution. In the case of HCA, the Province contributes just 2% of the annual revenues for the operating budget. The remaining 98% of our funding comes from our municipal partners (38%) and self generated funds (60%).

Proposed changes provide new appeal avenues for permit applications to go to the Local Planning Appeal Tribunal (LPAT) and even the ability of the Minister of Natural Resources and Forestry to issue certain permits, in place of the conservation authority. It must be stressed that an appeal process already exists to applicants allowing them access directly to the HCA Board, a Board that is built with municipal oversight imbedded. Conservation authorities are important agencies which help protect Ontario's environment. Their science-based watershed information helps to steer development to appropriate places where it will not harm the environment or create safety risks to people. HCA already issues the vast majority of minor and major permits with efficiency and high service standards. HCA is committed to providing excellent client service, and we have a strong history of working cooperatively with our watershed municipalities, residents and businesses to ensure efficient and timely planning and regulatory review processes. Through a review of the current permit review process, Conservation Ontario estimates that the new changes to the permitting appeals process could delay development approvals by as much as 200 days. As well, costs can be expected to increase due to more staff time being required for permit appeals processes rather than time being spent on actually issuing permits.

Changes have been proposed to the Planning Act that create a gap in the land use planning system. Currently, conservation authority participation in the planning appeals process ensures that watershed science and data is being applied to planning and land use decisions. This input would be lost and it is an important tool for HCA to have when needed. Additionally, though unintentional, this change could also impact our right to appeal planning decisions as a landowner. This is a concern as our conservation lands, made up of 11,000 acres of forests, 145 km of trails, fields, streams, wildlife and plant life, are under HCA's care and protection, as they have been for over 60 years.

Conservation authorities have long requested the ability to issue stop work orders to protect environmentally sensitive areas. The proposed changes to the Act remove unproclaimed provisions for this enhanced enforcement and only retain the current tools such as prosecution, injunctions and fines; these existing tools do not provide the ability to effectively stop, on a timely basis, any significant threats and impacts and prevent damage.

As briefly mentioned, if passed, HCA would lose citizen representatives on its board who currently make up half the board of directors. The citizen members come from diverse backgrounds with experience in a number of fields, and are active members of their communities. They bring a wide array of knowledge, governance experience and expertise to their positions. These members provide valuable input on HCA programs and services from a citizen's point of view.

Of equal importance, HCA has only two participating municipalities with 10 members from Hamilton and 1 from the Township of Puslinch, which represents the unique situation of 99% of our watershed being within the City of Hamilton and the City of Hamilton being our major funder. With the new proposed requirements to rotate the Chair and Vice Chair role, there would be no democratic election process given the

representative from Puslinch would simply be appointed as the Vice Chair or Chair every 2 years. And finally, the proposed amendments would also require municipally appointed councillors to make decisions in the best interest of the municipality they represent and not the conservation authority and its watershed, the organization that they are supposed to represent when sitting as a Board member of the Authority. This is contrary to proper board governance.

In these stressful times, nature and the outdoors play an important role in people's mental and physical health. After this year, we have seen just how important these spaces - and that protection - is for our community. We will continue promoting our vision of a healthy watershed for everyone.

We do not want to see an increased risk to public safety, or increased liabilities to the Province, municipalities, and conservation authorities. Nor do we want more red tape, disruption and ultimately delays in helping the government achieve its goal of economic recovery. As such I respectfully ask that as a result of our concerns:

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

If there are any actual and/or perceived issues pertaining to certain conservation authorities, they might best be addressed through area-specific solutions created to resolve them that can be identified through local analysis and consultation.

Sincerely,



Councillor Lloyd Ferguson  
Chair, Hamilton Conservation Authority

Cc:

HCA Board of Directors

City of Hamilton Mayor and Council

Township of Puslinch Mayor and Council

Ted Arnott, MPP Wellington – Halton Hills

Andrea Horwath, MPP Hamilton Centre

Paul Miller, MPP Hamilton East – Stoney Creek

Sandy Shaw, MPP Hamilton West – Ancaster – Dundas

Donna Skelly, MPP Flamborough – Glanbrook

Monique Taylor, MPP Hamilton Mountain



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[conservationhalton.ca](http://conservationhalton.ca)

Protecting the Natural  
Environment from  
Lake to Escarpment

The Honourable Doug Ford  
Premier of Ontario

The Honourable Jeff Yurek  
Minister of the Environment, Conservation, and Parks  
Ministry of the Environment, Conservation, and Parks

The Honourable Rod Phillips  
Minister of Finance  
Ministry of Finance

November 17, 2020

Dear Premier Ford, Minister Yurek and Minister Phillips,

We are writing to you today in response to the proposed amendments to the *Conservation Authorities Act* (CA Act), contained in Schedule 6, Bill 229. **We anticipate that some of the more prescriptive changes proposed in Bill 229 will lead to the opposite of your government's stated desire to help conservation authorities (CA) modernize and operate with greater focus, transparency and efficiency.**

The Progressive Conservative Government under the leadership of George Drew passed the *Conservation Authorities Act* and the *Planning Act*. He recognized that Ontario needed to invest in a sound transformative strategy to help Ontarians recover from the devastation of World War Two, not just economically, but also emotionally, as a community. These progressive actions were further strengthened by Premier Frost. Today, as the Province faces unprecedented pressures from both, a global pandemic and climate change, we need to strengthen the cooperative role played by CAs.

For over 60 years, Conservation Halton (CH) has served the interests of its residents and stayed true to those founding principles – conserving the environment to enable watershed communities to prosper socially and economically while ensuring resilience and safety for generations to come. From planting four million trees, to managing 11,000 acres of land, teaching millions of children, ensuring people build their homes and businesses in safe places and constantly checking the pulse of our environment through monitoring and restoration, CH has been a trusted, accountable partner to the Province and our municipalities. Today, CH serves over one million residents in one of the fastest growing areas in Ontario. Our residents and municipalities depend on us to deliver cost-effective services that ensure growth and development support sustainable and vibrant communities.

CH has played a collaborative role in the previous consultations regarding the modernization of the CA Act. While it was unexpected to see further proposed changes to the Act in Bill 229, we are encouraged that the purpose of the Act to provide for the organization and delivery of programs and services that

further conservation, restoration, development, and management of natural resources in Ontario watersheds remains the same.

It is our view that several of the proposed amendments will increase the risk to life and property from natural hazards and the degradation of the environment. **We respectfully request you withdraw Schedule 6 from Bill 229 until a more thorough analysis of the appropriate solutions can take place, with more clarity on what problems were identified through the consultation process.** We also encourage you to engage with CAs as you work on regulations that will eventually define the limits of the various CA Act clauses. We feel this is critical to ensure that the focus and performance of CAs is actually improved.

Several changes, such as those related to governance, ministerial authority to issue permits, the removal of our ability to appeal decisions at LPAT, and the removal of enforcement tools will lead to increased administrative costs, red tape, delays, and above all bring into question the integrity and transparency of the permitting and planning process. **These changes will also result in a more uncertain, litigious and discordant atmosphere, which will hinder our ability to work with applicants to find practical solutions for safe development. These changes will undo the hard work CH has done over the last five years to ensure we are customer-centric, accountable, efficient and solutions oriented.** Specifically:

- **There is no duplication, red tape or going beyond our mandate**  
CH and our municipal partners work in a complementary way, avoid duplication of effort and remain focused on our core responsibilities through detailed MOUs and workplans. CH worked with our partners and customers to develop clear, quantifiable service delivery targets, which we have achieved, and publicly reported on with consistency. We track all permitting and plan review metrics on a quarterly basis to ensure nothing is slipping.
- **Our permit/planning fees only cover the cost to review and we have high service standards**  
CH works with the development industry to ensure there is transparency on how our fees are determined, what costs are included and what standard of service we deliver in exchange. This approach is highly appreciated by our BILD chapter and they have encouraged other agencies to adopt our approach. We will be happy to share correspondence to this effect with you. We work on a cost-recovery model to ensure we keep the cost to taxpayers as low as possible.
- **The integrity of the permitting process will be compromised – these amendments will increase risk, liability, delays, and lead to inconsistency**  
CH currently issues 95% of minor permits and 98% of major permits within 30 and 90 review days respectively (not calendar days). We value the process as much as we value the output of our services in this area. It is our view that the proposed amendments that would allow the Minister of Natural Resources and Forestry jurisdiction over certain permit applications and the appeal process has the potential to allow individuals to circumvent checks and balances that exist to protect the communities in our watersheds. It is unclear whether the minister would have regard for local conditions, technical input or Board-approved policies. These proposed changes may inadvertently cause more people in the community to be at risk, rather than protected, from natural hazards.
- **The amendments introduce a “stakeholder governance model” that has no legal precedence**  
The proposed changes to the composition of CA boards negatively disrupts what is currently a relatively apolitical structure. This will significantly reduce the capacity of boards to make

decisions on a watershed basis. Our Board of Directors carry out their fiduciary responsibilities, guide strategy, approve policies in support of our Provincial and municipal responsibilities and track performance. They ensure CH makes decisions with integrity, based solely on our core responsibilities. It is our view that changing the composition to reflect elected officials that represent the interests of their respective municipalities creates a setting ripe for conflict of interest. It runs counter to all governance principles.

- **These amendments compromise our ability to create jobs & deliver services without tax dollars**  
Conservation Halton is focused on our core programs. We are equally competent and resourceful in providing further opportunities for Ontarians in recreation and education on our conservation lands—especially during the pandemic when the need for safe and accessible greenspace is at an all-time high—and we are even more proud that we are able to fund these opportunities 100% self-sufficiently. Our responsible monetization of assets and generation of revenue creates value for the community as well as employment opportunities. We are concerned that should the Ministry set fees or other limits on non-mandatory programs and services—particularly those that we already successfully run without the support of tax dollars—our ability to provide important recreational, educational, and employment opportunities that allow our community to interact with conservation will be significantly diminished. Our municipal levy for 2021 is under 28% and the provincial contribution is close to 2% of our total budget. We have worked hard to achieve such low reliance on taxpayer funding. At the same time, we have expanded access to our parks by 35% this season, giving Ontario families a safe place to visit during the COVID-19 pandemic.

**In conclusion, we do not want to see an increased risk to public safety, or increased liabilities to the Province, municipalities, and conservation authorities. Nor do we want more red tape, disruption and ultimately delays in helping the government achieve its goal of economic recovery.** Given the time sensitive nature of this Bill, we encourage the Province to consult with Conservation Halton and other CAs in an expedient manner. We have attached a more detailed (Board) report on our key concerns.

We appreciate you taking the time to consider our concerns. **We feel there are better solutions to deal with actual and perceived issues.** We would be pleased to discuss these and our desire to work with you to define the governing regulations at your earliest convenience. Please contact Conservation Halton CEO, Hassaan Basit ([CEOoffice@hrca.on.ca](mailto:CEOoffice@hrca.on.ca)) so we can help support your mandate while ensuring success for all stakeholders.

Regards,

Gerry Smallegange



Chair, Conservation Halton Board of Directors

Mayor Rob Burton, BA, MS



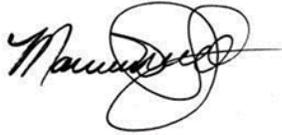
Town of Oakville

Mayor Gordon Krantz



Town of Milton

Mayor Marianne Meed Ward



City of Burlington

Mayor Rick Bonnette



Town of Halton Hills

Cc:

The Honourable John Yakabuski, Minister of Natural Resources and Forestry  
Ministry of Natural Resources and Forestry

The Honourable Steve Clark, Minister of Municipal Affairs and Housing  
Minister of Municipal Affairs and Housing

Ted Arnott  
MPP Wellington—Halton Hills

Jane McKenna  
MPP Burlington

Effie J. Triantafilopoulos  
MPP Oakville North—Burlington

Stephen Crawford  
MPP Oakville

Parm Gill  
MPP Milton

Andrea Horwath  
MPP Hamilton Centre

Sandy Shaw  
MPP Hamilton West—Ancaster—Dundas

Rudy Cuzzetto  
MPP Mississauga—Lakeshore

Donna Skelly  
MPP Flamborough-Glanbrook

**From:** [do-not-reply](#)  
**To:** [Brock Clerks](#)  
**Subject:** Highlights of Recent Liquor Reforms to Support Businesses  
**Date:** December 9, 2020 7:34:04 PM

Date:	10/12/2020
Refer to:	Not Applicable
Meeting Date:	
Action:	null
Notes:	CII
Copies to:	Becky, Deena



**Alcohol and Gaming  
Commission of Ontario**  
 90 Sheppard Avenue East  
 Suite 200  
 Toronto ON M2N 0A4

*December 9, 2020*

(La version française suit la version anglaise)

## Highlights of Recent Liquor Reforms to Support Businesses

Today, the Government of Ontario announced that it has recently amended a number of regulations that affect the liquor industry. These reforms are intended to support businesses as they work to recover from the COVID-19 pandemic and offer consumers greater choice and convenience, now and into the future.

In addition, the Alcohol and Gaming Commission of Ontario (AGCO) is amending some of its policies to provide additional relief and reduce administrative burden for businesses.

Together, these reforms impact a number of AGCO licensees, including liquor sales licensees, liquor delivery services, and manufacturers.

Most of the changes announced today will take effect on January 1, 2021, unless otherwise noted. Amendments relating to which liquor sales licensees may sell liquor with food for takeout or delivery are effective immediately. All of these changes are outlined in the AGCO [Highlights of Recent Liquor Reforms to Support Businesses Information Bulletin](#).

Licensees are reminded that they must continue to follow any public health measures put in place by the Ontario Government or their municipality. The AGCO updates [a page](#) on its website to help licensees understand how the province's COVID-19 Response Framework affects them.

**Note:** Please visit the AGCO's website at [www.agco.ca](http://www.agco.ca) on or after January 1, 2021 for more information on the changes announced today. Online applications for new authorizations will be available in the iAGCO portal starting in January 2021.

For more information, call AGCO Customer Service Monday to Friday 8:30 am – 5:00 pm at 1-416-326-8700 (toll free 1-800-522-2876) or contact AGCO anytime via the [iAGCO online portal](#).

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## Conservation Authority Worried by Passing of Schedule 6 in Bill 229 *We're Deeply Concerned for Ontarians' Health and Safety*

**Lake Simcoe watershed, ON, December 10, 2020** – Despite significant opposition from a range of stakeholders and Indigenous groups, and the resignations of half the Greenbelt Council, the Province passed Schedule 6 of Ontario's Budget Measures Act (Bill 229), leaving conservation authorities (CAs) alarmed about the future safety of hundreds of thousands of Ontarians and their communities.

"We did everything in our power to share our concerns with the province, including a unanimous board-endorsed resolution calling for the removal of Schedule 6, said Lake Simcoe Region Conservation Authority (LSRCA) Chair, Chairman and CEO of York Region, Wayne Emmerson. "While this new legislation included some concessions, it stands to raise a number of unprecedented challenges related to planning and permitting."

Passed on Tuesday, with Schedule 6 intact and with new changes added, Bill 229 now bolsters provincial Minister Zoning Orders<sup>1</sup> by forcing conservation authorities to issue permits, even if they go against their provincially delegated responsibility to protect people, infrastructure, and the environment. This is in addition to the already concerning amendments which included new powers for the Minister to bypass conservation authorities and issue permits as well as curtail the CAs' ability to appeal to the Local Planning Appeal Tribunal.

"One of our main concerns is that we'll be forced into approving permits that may cause flooding and erosion and jeopardize human health and safety; it's certainly not the outcome we had hoped for," said Mike Walters, LSRCA's Chief Administrative Officer. "Our new way of business will have to focus on how to bring the less environmentally-conscious on board with the science behind our decisions and hope that they will meet any necessary conditions of approval so that we can mitigate as much damage and harm as possible. The alternative is really just going to mean more delays and greater costs to the taxpayers of Ontario."

Walters continued, "LSRCA is grateful to its numerous supporters who sent letters, emails, media releases, and all the residents who signed petitions, called their MPPs and expressed support for the work we do. Your message was heard by LSRCA and we will continue to operate in a manner that maintains your trust. We will also continue to encourage the Province to work more closely with us to ensure that Ontarians and our natural environment remain safe and healthy."

-30-

*LSRCA's mission is to work with our community to protect and restore the Lake Simcoe watershed by leading research, policy, and action.*

**Media Contact:** Kristen Yemm, Director, Communications and Community Engagement

e-mail: [k.yemm@LSRCA.on.ca](mailto:k.yemm@LSRCA.on.ca) | office: 1-800-465-0437 or 905-895-1281 extension 315 | mobile: 905-758-0108

**From:** [AMO President](#)  
**To:** [Becky Jamieson](#)  
**Subject:** Value of AMO Membership and MEPCO Support in 2021  
**Date:** December 10, 2020 4:16:20 PM

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AMO Value of Membership



Date:	11/12/2020
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December 10, 2020

AMO is your organization.

In 2020, we worked hard to make an incredibly difficult year a little easier for you. We developed and shared critically important information, facts and webinars that helped you keep your communities safe and well informed. We worked in collaboration with the Province to effect countless policy decisions needed for municipalities to manage in an unprecedented pandemic. This work resulted in swift changes such as virtual council meetings allowing you to get on with the job of governing, managing and protecting your communities. We advocated for you for federal and provincial financial assistance with the added costs of human services, operations and transit, resulting in more than \$4 billion in financial relief. We did our job so you could do yours. That's what AMO does year-in and year-out, and never more so than in 2020.

Your membership makes all the difference; we simply couldn't do it without your support.

2020 was a tough year for conference organizers, but we did our best to ensure we were not letting you down. With incredible support from our host, the City of Ottawa, the Province and TVO, we delivered a ground-breaking virtual conference to your doorstep. The reviews were strong, and the lessons were valuable. For reasons all too apparent, the AMO Conference will be virtual again in 2021, hosted virtually by the City of London. Thank you for supporting AMO through your conference attendance in 2020 and please join us again in 2021.

AMO is a highly influential policy and advocacy organization, but it's also much more. Through our Local Authority Services (LAS) – AMO's Business Services organization, there are many programs and services designed to support municipalities. In 2020, AMO delivered approximately \$650 million of federal gas tax funding to Ontario municipalities, including payment of the full year allocation in June to get federal infrastructure funding to you sooner during the pandemic. Since the first gas tax agreement was signed in 2005, AMO has delivered nearly \$9 billion in federal funding to municipalities in Ontario, based on a formula and terms that put you in control of local capital investment.

We also advance municipal employer interests in OMERS as your sponsor representative through the Municipal Employer Pension Centre of Ontario (MEPCO). Through MEPCO, we ensure that your voice influences the governance and the administration of the \$100 billion OMERS plan. We know that OMERS is important to you and to your employees. Making sure it's affordable, sustainable and meaningful, is MEPCO's top priority. Now, in the face of global markets rocked by a pandemic, the governance and administration of the OMERS fund is more important than ever. Your ongoing support of MEPCO is essential to our success.

You have my commitment that we will continue our hard work on your behalf in 2021. To do that, we need your membership in AMO and MEPCO. The related membership invoices have been mailed to your treasury department for payment. Municipal governments are the frontline of governments. Let us work together in 2021 to ensure the collective voice of municipal government in Ontario is heard loud and clear. Best wishes to you, your friends and family, and your community for a happy, safe and festive holiday season.

Sincerely,



Graydon Smith

AMO President

Mayor of the Town of Bracebridge

\*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.

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Association of Municipalities of Ontario  
200 University Ave. Suite 801, Toronto ON Canada M5H 3C6



**From:** [AMO Communications](#)  
**To:** [Becky Jamieson](#)  
**Subject:** AMO Policy Update – COVID-19 Municipal Financial Impacts, Supportive Housing Expansion, COVID-19 Modelling and Emergency Orders Extended, Fall Legislative Session Adjourned  
**Date:** December 10, 2020 4:42:32 PM

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## AMO Policy Update



Date:	11/12/2020
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December 10, 2020

# AMO Policy Update – COVID-19 Municipal Financial Impacts, Supportive Housing Expansion, COVID-19 Modelling and Emergency Orders Extended, and Fall Legislative Session Adjourned

## Financial Accountability Office Reports on Financial Impacts of COVID-19 on Ontario Municipalities

Today, the Financial Accountability Office (FAO) released its [report](#) on COVID-19 and Ontario's Municipal Finances, finding that the pandemic will ultimately result in a cost of \$6.8 billion in lost revenues and expenses for municipal governments. The report also affirms the importance of federal and provincial support through the Safe Restart Agreement (SRA) which provides \$4 billion in critical assistance to municipalities which, together with municipal cost saving measures, has mitigated the negative financial impact in 2020. However, support in 2021 is limited to transit impacts in the first quarter.

The FAO report's conclusions are consistent with AMO's understanding of the pandemic's financial impact on municipalities and the importance of access to continued support to avoid service reductions, use of reserves for capital projects, increased property taxes, or resort to deficit budgets.

AMO responded to the report through a [new release](#) acknowledging the financial impacts and noting that AMO and FCM continue to advocate for the extension of the Safe Restart Agreement to address 2021 financial impacts.

### Report Highlights:

#### COVID-19 Impact on Municipal Finances:

- COVID-19 will have a negative impact on municipal budgets of \$6.8 billion

ultimately, projected to be \$4.1 billion in 2020 and \$2.7 billion in 2021.

- The pandemic reduced revenues by \$4.7 billion and will likely increase expenses by 2.1 billion over the two years.
- Municipalities saved of \$1.1 billion through layoffs, reduced transit, recreation services, and cancelled programming in 2020.
- The Safe Restart Agreement funding provided \$2 billion to municipalities to date. The remaining \$2 billion is to be provided for those able to demonstrate outstanding general operating pressures in 2020 and transit pressures in 2020 and Q1 of 2021.

#### 2021 Implications:

- Together municipal cost savings and federal and provincial financial support have mitigated negative municipal budget impacts in 2020, but the projected \$2.7 billion (\$0.9 billion transit and \$1.8 billion operating) in 2021 will only be partially offset by SRA support.
- This may require municipalities to access reserves, the availability of which will vary throughout the sector; reduce services or other measures to contain costs; or reduce budget surpluses/run deficits to manage financial needs.

[AMO](#) has cautioned that service reductions or deferring capital investments because of COVID-19 cost pressures would have the affect of undermining Ontario's economic recovery.

### **Ontario Expanding Supportive Housing**

The government announced it is expanding funding for [Supportive Housing](#). Over \$47 million in investments will strengthen supports for individuals with mental health and addictions issues who are either homeless or at-risk of becoming homeless. The initiative is part of the implementation of the Roadmap to Wellness plan.

### **COVID-19 Modelling and Emergency Order Extension**

Solicitor General, Sylvia Jones, announced today that the Province would [extend all Emergency Orders](#) under the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020 (ROA) until January 20, 2021. These include orders related to the reopening stages and areas currently in lockdown.

Later in the day, the Ontario Chief Medical Officer of Health, Dr. David Williams, released updated pandemic modelling showing growth in cases, ICU bed occupancy, and mortality. The modelling suggests that relaxing current public health restrictions would increase cases, ICU demand and mortality, and noted that current restrictions were much less restrictive on mobility than during the spring.

In addition, the presentation noted that inadequate housing, multi-generational housing, and the prevalence of essential workers outside of health care settings all presented risks for case growth.

## Ontario Legislature Adjourned

The Fall session of the Legislature wrapped up on Tuesday. The next session will begin on February 16<sup>th</sup>, 2021.

AMO's [COVID-19 Resources](#) page is being updated continually so you can find critical information in one place. Please send any of your municipally related pandemic questions to [covid19@amo.on.ca](mailto:covid19@amo.on.ca).

\*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.



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Premier of Ontario  
 Legislative Building  
 Queen's Park  
 Toronto ON M7A 1A1  
 Premier@ontario.ca

SENT BY EMAIL

December 11, 2020

Re: Council Resolution – Bill 229

Further to the Meeting of Council on December 1, 2020 Council of the Corporation of the Municipality of Marmora and Lake passed the following motion:

**MOTION2020DEC01-276**

Moved by Deputy Mayor Mike Stevens  
 Seconded by Councillor Ron Derry

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.

THEREFORE BE IT RESOLVED:

THAT the Province of Ontario repeal Schedule 6 of the Budget Measures Act (Bill 229).

THAT the Province continues to work with conservation authorities to find workable solutions to reduce red tape and create conditions for growth.

THAT the Province respects the current conservation authority/municipal relationships.

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.

THAT Council supports the resolution of the Town of Mono passed on November 24, 2020, regarding Schedule 6 of Bill 229.

AND THAT Council supports the resolution of the City of Quinte West passed on November 16, 2020, regarding Schedule 6 of Bill 229.



FURTHER THAT this resolution is forwarded to the Premier of Ontario, the Minister of the Environment, Conservation and Parks, Minister of Natural Resources and Forestry, Minister of Municipal Affairs & Housing, Bay of Quinte MPP Todd Smith, AMO, Conservation Ontario, CVCA and Quinte Conservation.

**Carried**

I trust this is the information you require, however, should additional information or clarification be required do not hesitate to contact me at your convenience.

Sincerely,

Jennifer Bennett,  
Deputy Clerk  
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[jbennett@marmoraandlake.ca](mailto:jbennett@marmoraandlake.ca)

cc: The Honourable Doug Ford  
Todd Smith, MPP Prince Edward-Hastings  
Minister of the Environment, Conservation and Parks  
Minister of Natural Resources and Forestry  
Minister of Municipal Affairs & Housing  
Conservation Ontario  
Crowe Valley Conservation Authority  
Quinte Conservation  
Association of Municipalities of Ontario  
All Municipalities within the Province of Ontario