



COUNCIL INFORMATION PACKAGE

SUMMARY

AUGUST 11, 2023

1. **C-2023-293**

Correspondence dated August 9, 2023 from the Ministry of Environment, Conservation and Parks respecting amendments to the Environmental Assessment Act.

2. **C-2023-294**

Correspondence dated August 11, 2023 from the Town of Grimsby to the Hon. Doug Ford, Premier Association respecting a resolution of support for the Association of Municipalities of Ontario (AMO) for the Government of Ontario to improve Municipal Codes of Conduct and Enforcement.

**Ministry of the Environment,
Conservation and Parks**

Environmental Assessment
Modernization Branch

135 St. Clair Avenue West
4th Floor
Toronto ON M4V 1P5

**Ministère de l'Environnement, de
la Protection de la nature et des Parcs**

Direction de la modernisation des processus
d'évaluation environnementale

135, avenue St. Clair Ouest
4^e étage
Toronto ON M4V 1P5



August 9, 2023

Greetings,

Today, I am writing to provide you with an update on recent decisions made by the province to modernize Ontario's environmental assessment (EA) program.

Moving to a Project List under the *Environmental Assessment Act*

A key element of the EA modernization initiative is identifying projects that should be subject to EA requirements in a regulation. The move to a project list approach is a shift from the current framework where environmental assessment requirements are based mainly on who is undertaking the project.

In November 2021, the ministry began consultation on a proposal for the projects that would require a comprehensive EA and related actions, and the ministry is now proceeding with certain policy elements from the 2021 proposal. Specifically, the ministry has made amendments to three regulations and updated two related guides, as further described below. The changes will simplify processes and provide new exemptions. The remaining elements of comprehensive EA projects regulation proposal and related actions are under consideration.

In March 2023, the ministry updated the Moving to a Project List Environmental Registry posting with a revised proposal. The revisions to the proposal do not relate to the policy elements discussed within this update.

Amendments to Certain Regulations under the *Environmental Assessment Act*

Amendments to three regulations under the *Environmental Assessment Act* have been approved, and related actions have been taken, implementing certain policy elements of the proposal [Moving to a project list approach under the Environmental Assessment Act](#):

- The Waste Management Projects Regulation (Ontario Regulation 101/07) was amended to change the environmental assessment requirements for certain landfill expansion projects and to make the minister the decision-maker for a request to elevate a waste management project following the streamlined environmental assessment process to an individual environmental assessment

- The Transit Projects and Metrolinx Undertakings (Ontario Regulation 231/08) was amended to authorize the minister to amend or revoke conditions previously imposed in a notice given by the minister to allow the proponent to proceed with a transit project.
- The General Regulation (Ontario Regulation 334) was amended to expand the current exemption for Crown undertakings (activities) related to land claim settlements to include those Crown undertakings related to any settlement of the Algonquins of Ontario Land Claim.
 - The Algonquin Land Claim Declaration Order was also amended to align with the exemption in the regulation.

Updated Guide to Environmental Assessment Requirements for Waste Management Projects

The Guide to Environmental Assessment Requirements for Waste Management Projects ([Waste Guide](#)) has been updated to reflect amendments to the environmental assessment requirements set out in Ontario Regulation 101/07, and to make other administrative updates. The changes include:

- Updating the EA requirements for certain landfill expansion projects.
- Making the minister the decision-maker in relation to elevation requests.
- Updating the regulatory terminology and description of EA requirements in light of recent amendments to the Regulation related to thermal treatment, to include advanced recycling and the resulting recovery of materials, and identifying information to be included when undertaking the Environmental Screening Process for an advanced recycling (thermal treatment) project.
- Administrative updates recognizing the Guide was last updated in 2007.

Updated Guide to Environmental Assessment Requirements for Electricity Projects

The Guide to Environmental Assessment Requirements for Electricity Projects ([Electricity Guide](#)) has been updated to change the decision-making authority for elevation requests for electricity projects and make other administrative updates to reflect changes since the guide was last updated. The changes include:

- Adding information to Section A.6.2.3 (Consultation with Indigenous Communities) of the guide to align with the Waste Guide, including in relation to the Crown's duty to consult, contacting the ministry for a list of Indigenous communities for consultation, and documenting the consultation process.
- Updating the ministry's name to "Ministry of the Environment, Conservation and Parks".
- Updating the thresholds for transmission line projects that determine the type of environmental assessment process required.

The regulations were filed and came into force on August 8, 2023 and the updated guides are in effect (posted to the Environmental Registry website on August 8, 2023).

Further details of the amendments to the three regulations and related actions and copies of the updated guides are available on the Environmental Registry of Ontario ([ERO 019-4219](#)). Details about the regulatory amendments made with respect to advanced recycling are available here ([ERO 019-4867](#)). More information on our other efforts to modernize the EA program can also be found at: [Modernizing Ontario's environmental assessment program](#).

Please do not hesitate to contact my team at EAModernization.mecp@ontario.ca if you have any comments or questions.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Cross".

Annamaria Cross
Director, Environmental Assessment Modernization
Ministry of the Environment, Conservation and Parks



**The Corporation of the Town of Grimsby
Administration**

Office of the Town Clerk

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Received August 11, 2023
C-2023-294

August 11th, 2023

SENT VIA E-MAIL

Premier's Office
Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Attention: The Hon. Doug Ford, Premier

Dear Premier Ford:

**RE: Legislative Amendments to Improve Municipal Codes of Conduct and
Enforcement**

Please be advised that the Council of the Corporation of the Town of Grimsby at its meeting held on August 8, 2023 passed the following resolution:

Moved by: Councillor Vardy

Seconded by: Councillor Howe

WHEREAS all Ontarians deserve and expect a safe and respectful workplace; and

WHEREAS municipal governments, as the democratic institutions most directly engaged with Ontarians need respectful discourse; and

WHEREAS several incidents in recent years of disrespectful behaviour and workplace harassment have occurred amongst members of municipal councils; and

WHEREAS these incidents seriously and negatively affect the people involved and lower public perceptions of local governments; and

WHEREAS municipal Codes of Conduct are helpful tools to set expectations of council member behaviour; and

WHEREAS municipal governments do not have the necessary tools to adequately enforce compliance with municipal Codes of Conduct.

NOW, THEREFORE BE IT RESOLVED THAT the Town of Grimsby supports the call of the Association of Municipalities of Ontario for the Government of Ontario to introduce legislation to strengthen municipal Codes of Conduct and compliance with them in consultation with municipal governments; and

BE IT FURTHER RESOLVED THAT the legislation encompass the Association of Municipalities of Ontario's recommendations for:

- Updating municipal Codes of Conduct to account for workplace safety and harassment
- Creating a flexible administrative penalty regime, adapted to the local economic and financial circumstances of municipalities across Ontario
- Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province
- Allowing municipalities to apply to a member of the judiciary to remove a sitting member if recommended through the report of a municipal Integrity Commissioner
- Prohibit a member so removed from sitting for election in the term of removal and the subsequent term of office; and

BE IT FURTHER RESOLVED THAT this legislation be prioritized for the fall of 2023 given the urgency of this issue; and

BE IT FURTHER RESOLVED THAT this resolution be sent to the Premier of Ontario, Niagara MPPs, the Minister of Municipal Affairs and Housing, the Associate Minister of Women's Social and Economic Opportunity, the Association of Municipalities of Ontario, and all Niagara municipalities.

If you require any additional information, please let me know.

Regards,

A handwritten signature in cursive script, appearing to read 'Bonnie Nistico-Dunk'.

Bonnie Nistico-Dunk
Town Clerk/jb

cc. Sam Oosterhoff, MPP Niagara West
Jeff Burch, MPP Niagara Centre
Wayne Gates, MPP Niagara Falls
Jennie Stevens, MPP St. Catharines
Hon. Steve Clark, Minister of Municipal Affairs and Housing
Hon. Charmaine Williams, Associate Minister of Women's Social and Economic
Opportunity
The Association of Municipalities of Ontario
Niagara Area Municipalities