



COUNCIL INFORMATION PACKAGE
SUMMARY
DECEMBER 11, 2020

1. **C-302-2020**
Correspondence received December 5 2020 from the City of Hamilton respecting a resolution requesting a cap on gas plant and greenhouse gas pollution.
2. **C-303-2020**
Correspondence received December 5 2020 from the City of Hamilton respecting a resolution requesting a temporary cap on food delivery service charges.
3. **C-304-2020**
Correspondence received December 7 2020 from Niagara Region Transportation Services respecting a Greater Niagara Circle Route presentation.
4. **C-305-2020**
Correspondence received December 7 2020 from the Municipality of Leamington respecting a resolution of support for the Municipality of Tweed Resolution 343 regarding Cannabis Production Facilities, the Cannabis Act, and Health Canada Guidelines.
5. **C-306-2020**
Correspondence received December 7 2020 from the Municipality of Southwest Middlesex respecting a resolution regarding drainage matters and CN Rail.
6. **C-307-2020**
Correspondence received December 7 2020 from Niagara SPCA respecting November 2020 monthly statistics.
7. **C-308-2020**
Correspondence received December 8 2020 from the Town of Fort Erie respecting a resolution regarding Bill 229 - Conservation Authorities Act.
8. **C-309-2020**
Correspondence received December 8 2020 from the Town of Orangeville respecting a resolution regarding Bill 229 - Conservation Authorities Act.
9. **C-310-2020**
Correspondence received December 8 2020 from the Township of Puslinch respecting a resolution regarding Bill 229 - Conservation Authorities Act.

10. **C-311-2020**
Correspondence received December 8 2020 from the City of Thorold respecting a request to Niagara Region to declare a state of emergency on mental health, homelessness, and addiction.
11. **C-312-2020**
Correspondence received December 9 2020 from the Town of Grimsby respecting a resolution regarding Bill 229 - Conservation Authorities Act.
12. **C-313-2020**
Correspondence received December 9 2020 from the Town of Grimsby respecting a resolution of support for the Town of Lincoln resolution regarding illicit cannabis operations.
13. **C-314-2020**
Correspondence received December 9 2020 from the Town of Grimsby respecting a resolution of support for the City of Niagara Falls resolution requesting Niagara Region to declare a state of emergency on mental health, homelessness, and addiction.
14. **C-315-2020**
Correspondence received December 9 2020 from the City of St. Catharines respecting a resolution requesting a cap on gas plant and greenhouse gas pollution.
15. **C-316-2020**
Correspondence received December 10 2020 from the City of St. Catharines respecting a resolution requesting funding for hospice workers.
16. **C-317-2020**
Correspondence received December 11 2020 from the Municipality of Marmora and Lake respecting a resolution regarding Bill 229 - Conservation Authorities Act.

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

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

Greater Niagara Circle Route

Committee Meeting: Monday, December 7th, 2020
1:00 pm / Virtual: Zoom



Greater Niagara Circle Route

Presented by

Rita Dillon, President, Niagara Freewheelers Bicycle Tour Club

Overview

Niagara Freewheelers Bicycling Touring Club

- History
- Membership
- Our rides/Use of GNC
- Winter Getaway
- Go back to riding; A Role Model
- 30th Anniversary

Greater Niagara Circle Route

Safety & Barriers

Feedback regarding safety concerns from tourists and residents regarding the unsafe barriers

- Swing gates
 - Cross 2/3 of the trail
 - Leave minimal space for passing
 - Dark in colour
 - Collisions and injuries have occurred due to cyclists hitting the gates



Greater Niagara Circle Route

Safety & Barriers Cont'd

Feedback regarding safety concerns from tourists and residents regarding the unsafe barriers

➤ Posts

- In the middle of the trail
- Several different types (round/cement, wooden/square), no visible markings
- Difficult to see, especially when cyclists are wearing eye protection



Greater Niagara Circle Route

Safety & Barriers Cont'd

Feedback regarding safety concerns from tourists and residents regarding the unsafe barriers

- Hazard-Port Colborne, bridge near flour mill
 - Has two different types of barriers
 - Major dip at the end of the bridge

- Hazard-Between St. Catharines and Port Colborne
 - No standardization of barrier types/creates a safety hazard
 - Concern with rationale that barriers are to keep motorized vehicles off trail
 - Suggestion of law enforcement to monitor and deal with motorized vehicle operators
 - Noted that some cement posts have been removed in St. Catharines following mayor involvement

Greater Niagara Circle Route

Maintenance

- Washouts; parts of the trail have disappeared
- City workers cut grass and leave clippings on the trail
- Constant concern with ATV's throwing gravel on the trail
- Numerous cracks in the trail surface between Lock 1 and Homer Bridge



Greater Niagara Circle Route

Maintenance Cont'd

- Pavement has heaved from frost, in Thorold near E.S. Fox
- Potholes throughout trail
- 5' pipe exposed where post was removed, posing a hazard



Greater Niagara Circle Route

Wayfinding & Tourism

- Signage required-tourists express difficulty navigating many sections of the trail
- Directions to attractions such as restaurants, cycling shops, shopping would be helpful



Greater Niagara Circle Route

Wayfinding & Tourism Cont'd

- Tourist experience diminished by sections covered in debris, lack of info/signage, hazards
- Trail appears as though it ends in downtown Welland, no indication of how to continue
- Transition to Friendship Trail in Port Colborne is problematic



Greater Niagara Circle Route

Wayfinding & Tourism Cont'd

- Lack of direction problematic when emergency medical services are needed
- Tourists unable to identify municipality due to lack of signage, no landmarks to indicate location to Emergency Medical Services which increases risk and response time
- Suggestion of colour coding trail/markings to differentiate municipalities
- Concern over area in Dain City that is not accessible by EMS
- Other parts of Canada and Europe mark trails much like roads with directional signage

Greater Niagara Circle Route

Accessibility

- Barriers prevent access for persons using mobility scooters, hand-powered bicycles tandem bicycles and tricycles
- Limits many older adults and individuals with mobility issues from using the trails
- Parents pushing strollers experience same difficulties



Greater Niagara Circle Route

Accessibility

Letter from Linda:

"I have chosen two barriers that are not accessible for a hand cyclist or a person who uses a wheelchair on the Greater Niagara Cycle Route. There are many others in Welland and Port Colborne that are extremely difficult to maneuver through. I often wonder why there are barriers in certain areas when an ATV could easily go onto the trail beside the barriers. I did not have someone that was willing to cycle to Port Colborne where I would have liked to take more photos.

The first few photos of a barrier that is not accessible is near the Welland Scuba Park parking lot and docks off Lincoln St. in Welland.

The other photos are taken near the Colborne St. and Forks Rd. intersection but along the trail heading to Port Colborne. There is a sign near this barrier that says "Welcome to Port Colborne".

I need two people to lift my hand cycle over these barriers so I can continue to cycle".

Greater Niagara Circle Route

Accessibility



Greater Niagara Circle Route

Economic Spin Off

- Huge economic payoffs from hosting cyclists are well researched and documented
- Cyclists are desirable tourists; do not pollute, make noise, wear out roads or cause congestion
- Bring spending dollars into the Niagara Region
- Waterside routes and spectacular views from two lakes and the design of the trail, allow tourists opportunity to sight see, browse towns across the region
- 2016 Desjardin development fund of \$100 million for projects in Quebec and Ontario. Quebec received \$600,000 for trail maintenance and upgrades
- Niagara Ferry-Freewheelers presentation

Greater Niagara Circle Route

Changes Since Covid-19

Explosion of people accessing outdoor activities

- Rise in popularity of biking seen during pandemic
- Toronto Sick Kids Hospital reports 258% increase in children visiting the ER due to bicycling accidents
- Members here in Niagara have started “Bike Niagara”, affiliate educating children up to grade 5 how to ride safely
- Since early Summer, bicycle retailers in Niagara have had little to no bicycle inventory and some predict supply chains will not be restored until next summer.
- Freewheelers along with five other cycling clubs form Niagara Cycling Clubs Alliance (NCCA) representing over 1000 cyclists

Greater Niagara Circle Route

GNCR- A Niagara Region Treasure

- Many cyclists come to enjoy the wine tours in Niagara-on-the-Lake and Beamsville and ride throughout the Niagara Region
- This is a prime time for Niagara Wineries while Canadians explore their own country
- Freewheelers website offers over 400 rides, complete with cue sheets and maps to routes across Niagara, a gift to every cyclist who plans to come to Niagara
- GNCR should be the treasure of Niagara with all municipalities sharing the cost as well as the benefits.

Greater Niagara Circle Route

Issues & Recommendations

(As Reported By Members)

Thorold

Greater Niagara Circle Route

ISSUES AS REPORTED BY MEMBERS AND RECOMMENDATIONS: Thorold

- Keeping the trail clear of gravel, debris and during inclement weather
- Orange paint to highlight bumps and dangers (more visible than white)
- Maintain sight lines by ensuring vegetation is trimmed
- Nails in wood bridge lifting and could cause flats
- Rotting wood in railway crossing after wood bridge, consider rubber
- Removal of graffiti on signs
- Improved paving at lock 7 to replace gravel and jagged concrete sections
- No sign at end of Edgeter that indicates crossing (trucks turn here and pose a risk)
- Section in front of E.S. Fox needs to be replaced

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Issues & Recommendations

(As Reported By Members)

Welland

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ISSUES AS REPORTED BY MEMBERS AND RECOMMENDATIONS: Welland

- West Main St. @ Division St., access to the canal path- curb needed as riders have to dismount to get on the side walk
- Trail becomes a narrow sidewalk at Main St. This should be paved and widened
- Often overhead branches hitting our helmets, particularly on the Thorold side near the bridge



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Issues & Recommendations

(As Reported By Members)

St. Catharines

Greater Niagara Circle Route

ISSUES AS REPORTED BY MEMBERS AND RECOMMENDATIONS: St. Catharines

- Trail is in desperate need of paving
- Many dangerous ruts and cave-ins
- Horizontal cracks in the pavement throughout area between Lock 1 and Homer Bridge

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Issues & Recommendations

(As Reported By Members)

Fort Erie

Greater Niagara Circle Route

ISSUES AS REPORTED BY MEMBERS AND RECOMMENDATIONS: Fort Erie

- Friendship Trail is great except for ALL crossings

Greater Niagara Circle Route

Issues & Recommendations

(As Reported By Members)

Port Colborne

Greater Niagara Circle Route

ISSUES AS REPORTED BY MEMBERS AND RECOMMENDATIONS: Port Colborne

- Port Colborne has recently put in a gravel section which was previously paved.
- The area of the flour mill has numerous problems. There are several types of barriers and where the trail ends at the railway tracks, there is no indication of where it continues.

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Issues & Recommendations

(As Reported By Members)

NOTL

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ISSUES AS REPORTED BY MEMBERS AND RECOMMENDATIONS: NOTL

- No problem with the Niagara Parkway, but we tend to ride on the road

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General Recommendations

- Water, washroom, maintenance facilities every 30 km
- All cities should reduce the hazard of mid-path posts (has been done inconsistently)
- Post signs regarding trail etiquette including keeping dogs on a short leash (St. Catharines has one, would be nice to see these at main access points and in between long stretches)
- Signs indicating bike repair station locations
- Trail crossing sign for motorists in both directions at Allanburg Bridge
- Portable toilet at Allanburg was useful, would be nice to remain
- Outside water bottle refill station at Lock 7
- Location of bike repair station at Lock 7, while visible, is not ideal due to high traffic. Consider Chapel St.

Greater Niagara Circle Route

Important Information As Reported by the Share the Road Cycling Coalition (STRCC) and the NCCA (Niagara Cycling Clubs Alliance)

- The NCCA's review of STRCC's **Bicycle Friendly Community** showed common **themes** information that might serve as a helpful support to any bicycle improvement suggestions on the GNCR. For example:
 - **Cycling infrastructure** like the GNCR is the overarching common improvement theme, mentioned more than any other suggestions, and which the other suggestions depend for success. It is a very important bike facility for our region and needs to be completed (i.e. shoulders on Lakeshore Rd. in NOTL) improved and well maintained.
 - **Winter maintenance policy** was mentioned three times in the feedback for Welland, Thorold and St. Catharines and specifically for the Welland Canal Trail in Welland. This is now even more important to encourage healthy exercise during the Covid pandemic.

Greater Niagara Circle Route

Important Information As Reported by the Share the Road Cycling Coalition (STRCC) and the NCCA (Niagara Cycling Clubs Alliance) Cont'd....

- **Design guidelines** were mentioned 3 times as an improvement suggestion for Welland, Niagara Falls and NOTL.
 - In this regard the Ontario Traffic Manual Book 18 Cycling Facilities talks about emergency service vehicle access to paths as follows:
 - **Flex bollards** - the most economical, functional, safer for trail users

*This may provide some support to removing the remaining unsafe metal/concrete barriers on the GNCR. Note – this version of Book 18 is dated Dec. 2013, and an update will be released soon.

Greater Niagara Circle Route

Important Information As Reported by the Share the Road Cycling Coalition (STRCC) and the NCCA (Niagara Cycling Clubs Alliance) Cont'd....

- **Port Robinson Ferry** Mentioned in NCCA presentation as broad type of improvement suggestion
- Suggested name of “Links and Extension to the Greater Niagara Circle Route”
- Suggested to develop and implement bike routes that would link to the GNCR including **Port Robinson Road** and the **Fonthill Spur** line from Fonthill into Thorold.
- Bike lanes have been added on Port Robinson Road in Pelham, but the same type of improvement is needed in the Thorold section of Port Robinson Road to the Ferry.
- The Fonthill Spur abandoned rail line needs to be developed so that road bikes can navigate it
- **Overall, the circle route is an excellent asset for the entire area and could be an economic boon to the region when properly developed, maintained and marketed.**

Greater Niagara Circle Route

Our Priorities-Summary

- Removal of unnecessary and unsafe barriers
- Replace necessary barriers with Flex Bollards
- Uniform signage throughout trail, including crossing signs to be erected
- Creation of a safety system making EMS services easier and more efficient
- Address and improve accessibility
- Surface repairs to ensure standards met
- Directional signs with trail logo throughout
- Shared contribution to an established organization responsible for trail maintenance
- Shared information as changes are made allowing opportunities to support/offer assistance

Greater Niagara Circle Route

Closing Remarks/Questions

Thank you

Greater Niagara Circle Route



Legislative Services
111 Erie Street North
Leamington, ON N8H 2Z9
519-326-5761
clerks@leamington.ca

November 23, 2020

SENT VIA EMAIL

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



Municipality of Southwest Middlesex

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 that reads "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



Community Services

Legislative Services

December 8, 2020

File #120203

Sent via email: premier@ontario.ca

The Honourable Doug Ford, Premier of Ontario
Room 281, Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Honourable and Dear Sir:

Re: Request the Province of Ontario to Withdraw Schedule 6 of the *Budget Measures Act (Bill 229) - Conservation Authorities Act*

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of December 7, 2020 passed the following resolution regarding the above matter:

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

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

Whereas the changes allow the Minister to make decisions without CA watershed data and expertise, and

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

.../2

Mailing Address:

The Corporation of the Town of Fort Erie
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: www.forterie.ca

Re: Request the Province of Ontario to Withdraw Schedule 6 of the *Budget Measures Act (Bill 229) - Conservation Authorities Act*

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

Whereas the changes to the "Duty of Members" contradicts the fiduciary duty of a CA board member to represent the best interests of the conservation authority and its responsibility to the watershed, and

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

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

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

Now therefore be it resolved,

That: The Province of Ontario withdraws Schedule 6 of the *Budget Measure Act (Bill 229)*, and further

That: The Province continues to work with conservation authorities to find workable solutions to reduce red tape and create conditions for growth, and further

That: The Province respects the current conservation authority/municipal relationships, and further

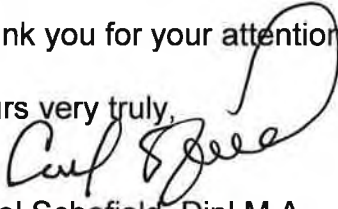
That: The Province embraces their long-standing partnership with the conservation authorities and provides them with the tools and financial resources they need to effectively implement their watershed management role, and further

Re: Request the Province of Ontario to Withdraw Schedule 6 of the *Budget Measures Act (Bill 229) - Conservation Authorities Act*

That: A copy of this resolution be circulated to the Premier of Ontario, the Minister of the Environment, Conservation and Parks, the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the Minister of Finance, the Auditor General, partner municipalities, Region of Niagara, Conservation Ontario, the Niagara Peninsula Conservation Authority, and Graydon Smith, President of the Association of Municipalities of Ontario.

Thank you for your attention to this very important matter

Yours very truly,



Carol Schofield, Dipl.M.A.
Manager, Legislative Services/Clerk
cschofield@forterie.ca

CS:dlk

c.c.

The Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks jeff.yurek@pc.ola.org

The Honourable John Yakabuski, Minister of Natural Resources and Forestry john.yakabuski@pc.ola.org

The Honourable Steve Clark, Minister of Municipal Affairs and Housing steve.clark@pc.ola.org

The Honourable Rod Phillips, Minister of Finance rod.phillips@pc.ola.org

The Honourable Bonnie Lysyk Auditor General of Ontario comments@auditor.on.ca

Kim Gavine, General Manager, Conservation Ontario kgavine@conservationontario.ca

Graydon Smith, President of the Association of Municipalities of Ontario amopresident@amo.on.ca

Chandra Sharma, CEO, Niagara Peninsula Conservation Authority csharma@npca.ca

Niagara Region ann-marie.norio@niagararegion.ca

Local Area Municipalities

Archived: December 11, 2020 2:27:06 PM
From: Tracy MacDonald
Sent: Tue, 8 Dec 2020 09:24:07
To:
Subject: Orangeville Council Resolution
Importance: Normal

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

Resolution 2020-426
Moved by Councillor Peters
Seconded by Mayor Brown

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 Phillips, 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 | www.orangeville.ca



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 10th.

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)

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

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

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 10th.

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

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

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



Hamilton
Conservation
Authority

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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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) 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



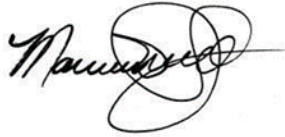
Town of Oakville

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



December 3, 2020

Office of the Regional Clerk
Niagara Region
1815 Sir Isaac Brock Way, P.O. Box 1042
Thorold, ON L2V 4T7

Ann-Marie.Norio@niagararegion.ca

Dear Ms. Norio:

Re: Resolution - Request to Region of Niagara to Declare State of Emergency on Mental Health, Homelessness and Addiction

Please be advised Thorold City Council, at its December 1, 2020 meeting, adopted the following resolution:

Whereas according to the Province of Ontario Emergency Response Plan (2008), Canadian municipalities are free to declare states of emergencies in response to “any situation or impending situation caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life or property”; and

Whereas approximately 625 residents – including 144 children in Niagara, were counted as homeless (March 2018), with shelter occupancy operating at 109.4 percent capacity; and

Whereas Niagara EMS reported 475 suspected opiate overdoses (Jan – September 2020); and

Whereas some Niagara-area municipalities have had services such as mental health removed from their hospitals; and

Whereas Niagara is severely lacking in mental health and addiction service.

Therefore be it resolved that the City of Thorold request the Niagara Region to declare a state of emergency on mental health, homelessness, and addiction.

...2

City of Thorold

P.O. Box 1044, 3540 Schmon Parkway, Thorold, Ontario L2V 4A7

www.thorold.ca

Tel: 905-227-6613

Declare State of Emergency on Mental Health, Homelessness and Addiction

Furthermore, the Niagara Regional Council, Niagara Region Public Health and Social Services, Premier of Ontario, the Provincial Minister of Health, Minister of the Attorney General, Minister of Children, Community, and Social Services, the Minister of Municipal Affairs and Housing, and the Leader of the Official Opposition, as well as the Prime Minister of Canada, all regional municipalities and all local area municipalities with the Niagara Region be copied on this resolution.

Yours truly,



Donna Delvecchio
City Clerk

DD:cd

ec: M. Dilwaria, Chief Administrative Officer

Niagara Regional Council
Niagara Region Public Health and Social Services
Premier of Ontario
Provincial Minister of Health
Minister of the Attorney General
Minister of Children, Community and Social Services
Minister of Municipal Affairs and Housing
Leader of the Official Opposition
Prime Minister of Canada
Local Area Municipalities



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

Office of the Town Clerk
160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3
Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010
Email: skim@grimsby.ca

December 9, 2020

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

Sent via email: minister.mecp@ontario.ca

Honourable Minister,

Re: Bill 229 Proposed Changes to the Conservation Authorities Act

At its meeting held on December 7, 2020, the Town of Grimsby Committee of the Whole approved the following resolution:

CW-20-094

Moved by Councillor Bothwell; Seconded by Councillor Freake;

Resolved that the correspondence with references to Bill 229 Proposed Changes to the Conservation Authorities Act and Bill 229 and Conservation Authorities be received; and

Be it further resolved that:

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, and engaging in review and appeal of municipal 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;



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

Office of the Town Clerk

160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3

Phone: 905-945-9634 Ext. 2015 | Fax: 905-945-5010

Email: skim@grimsby.ca

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 require a longer transition time to put in place agreements with conservation authorities for non-mandatory programs;

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 work with conservation authorities to address their concerns by repealing and/or amending changes to the Conservation Authorities Act and the Planning Act.

THAT the Province of Ontario delay enactment of clauses affecting municipal concerns.



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

Office of the Town Clerk
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Email: skim@grimsby.ca

THAT the Province of Ontario provide a longer transition period up to December 2022 for non-mandatory programs to enable coordination of CA-municipal budget processes.

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

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

And that this resolution be circulated to the Premier, Minister of Environment, Conservation and Parks, the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the Minister of Finance, the Auditor General, Sam Oosterhoff MPP, Dean Allison MP, local area municipalities, NPCA and Conservation Ontario.

CARRIED

YES: Councillors Bothwell, Dunstall, Freake, Kadwell, Ritchie, Sharpe, Vaine, Vardy and Mayor Jordan

If you have any questions, please contact the Town Clerk.

Regards,

Sarah Kim
Town Clerk

SK/dk

Cc. Hon. John Yakabuski, Minister of Natural Resources and Forestry, john.yakabuski@pc.ola.org
Hon. Steve Clark, Minister of Municipal Affairs and Housing, steve.clark@pc.ola.org
Hon. Rod Phillips, Minister of Finance, rod.phillips@pc.ola.org
Auditor General of Ontario, comments@auditor.on.ca
Sam Oosterhoff, MPP – Niagara West-Glanbrook, sam.oosterhoff@pc.ola.org
Dean Allison MP – Niagara West, dean.allison@parl.gc.ca



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

Office of the Town Clerk

160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3

Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010

Email: skim@grimsby.ca

Niagara Peninsula Conservation Authority
Conservation Ontario
Local Area Municipalities



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

Office of the Town Clerk
160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3
Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010
Email: skim@grimsby.ca

December 9, 2020

Municipality of Norfolk County
50 Colborne Street South
Simcoe, ON N3Y 4H3

Sent via email

Re: Supporting Resolution for Illicit Cannabis Operations

At its meeting held on December 7, 2020, the Town of Grimsby Committee of the Whole approved the following resolution:

CW-20-092

Moved by Councillor Bothwell; Seconded by Councillor Freake;

Resolved that the Town of Grimsby supports the Town of Lincoln correspondence item dated November 17, 2020 as attached and also supports the motion passed by the Municipality of Norfolk County on October 20, 2020 and correspondence dated October 26, 2020, as attached, with respect to Illicit Cannabis Operations.

And further that this endorsement, and attachments, be circulated to Dean Allison, MP; Sam Oosterhoff, MPP and all Ontario municipalities.

CARRIED

YES: Councillors Bothwell, Dunstall, Freake, Kadwell, Ritchie, Sharpe, Vaine, Vardy and Mayor Jordan

Please find enclosed noted attachments.

If you have any questions, please contact the Town Clerk.

Regards,





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

Office of the Town Clerk

160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3

Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010

Email: skim@grimsby.ca

Sarah Kim
Town Clerk

SK/dk

Cc. Dean Allison, MP – Niagara West, dean.allison@parl.gc.ca
Sam Oosterhoff, MPP – Niagara West-Glanbrook, sam.oosterhoff@pc.ola.org
All Ontario Municipalities



Norfolk County Office of the Mayor

October 26, 2020

The Right Honourable Justin Trudeau
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

Health Canada
Address Locator 0900C2
Ottawa, Ontario
K1A 0K9

The Honourable Doug Ford
Premier of Ontario
Legislative Building
Toronto ON M7A 1A1

Ontario Provincial Police
General Headquarters
Lincoln M. Alexander Queen's Park Building
777 Memorial Avenue
Orillia, ON
L3V 7V3

Dear Right Honourable Prime Minister Trudeau and Premier Ford,

Re: Illicit Cannabis Operations

At their meeting of October 20, 2020 Norfolk County Council approved Resolution No. 6 of the Council-In-Committee meeting of October 13, 2020 which reads as follows:

Res. 6

WHEREAS illicit cannabis grow operations are a significant issue in many municipalities in Ontario;

AND WHEREAS there are often significant negative impacts from illicit cannabis operations upon surrounding communities and residents;

AND WHEREAS the intent of legalizing cannabis was to eliminate the 'black market' not allow it to expand with relative impunity;

AND WHEREAS Norfolk County estimates that there are approximately 70 cannabis operations in our municipality;

THEREFORE BE IT RESOLVED,

THAT the Mayor issue a letter to the Prime Minister of Canada, Premier of Ontario, Health Canada and the Ontario Provincial Police;

AND THAT Norfolk County Council request that solutions to the current crisis which may include but are not limited to; better regulation and tracking of the prescription of cannabis in Canada by doctors, increased regulatory and enforcement presence by Health Canada, increased OPP resources, increased funding to municipalities to deal with complaints and By-Law issues generated by illicit cannabis grow operations;

AND FURTHER THAT a copy of the submission by Debbie France be attached to the Mayor's letter.

Your attention to this important issue is appreciated.

Yours Truly,



Mayor Kristal Chopp
Norfolk County

cc. Toby Barrett- MPP Haldimand-Norfolk
Diane Finley – MP Haldimand-Norfolk
All Ontario Municipalities

Submission Debbie France Cannabis Reference Material

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- 9) Federal MP's who are actively requesting Health Canada to solve Cannabis issue
- 10) Municipal guide to Cannabis legislation (by FCM)
- 11) The final report of the task force on Cannabis legalization and regulation
- 12) Municipalities who have refused requests for exceptions to bylaws
- 13) Court cases - Bylaw violation
- 14) Nuisance bylaw amendment - Cannabis Odour
- 15) Municipalities that have requested assistance from Province

Note: The list of links in this document is a small representation of information mostly connected to news articles that show there are significant issues connected to Marijuana Cultivation in Agricultural areas throughout the Province of Ontario. We encourage anyone viewing this document to search and reach out in their municipality to discover how the issues are unfolding in the Municipality they call home. Further investigation is likely to uncover similar issues in areas throughout the Province of Ontario and across the Country. We expect that further investigation is likely to uncover other elected officials who have been actively trying to find solutions for the constituents they were elected to serve. We encourage anyone viewing this information to connect with the author of the letter that accompanies this list or they can email their contact information and concerns to debbiefrance@live.ca and a representative of this group will reply to help address their concerns.

Cannabis Articles

1) *General knowledge*

Article: Gaping hole in pot legislation is hitting Norfolk hard (Ontario Farmer Jan 24, 2020)
(Perhaps best article to understand entire issue)

<https://www.ontariofarmer.com/features/gaping-hole-in-pot-legislation-is-hitting-norfolk-hard/>

Article: Change is in the wind (Ontario Planners June 1, 2018)
(Outlines challenges for Municipalities from a planning perspective)

<https://ontarioplanners.ca/blog/planning-exchange/june-2018/change-is-in-the-wind>

Submission Debbie France Cannabis Reference Material

Article: Stench among concerns as Bradford council hears about cannabis cultivation in Holland Marsh (Barrie Today Jun 14, 2020)

(Outlines common complaints amongst those living nearby grow ops)

<https://www.barrietoday.com/local-news/bradford-council-hears-from-public-about-cannabis-cultivation-in-holland-marsh-2433271>

Article: County council concerned by marijuana licences (Belleville Intelligencer June 25, 2020)

<https://www.intelligencer.ca/news/local-news/county-council-concerned-by-marijuana-licences>

2) Cannabis land use reports

Article: Final Land Use Study on Cannabis Production in The Town of Pelham

(Explains potential issues between Municipal By-laws & Farm & Food Protection Act relating to Cannabis) Review sections... 3.1, 3.2, 3.3, 3.5, 3.7 to understand potential issues

<https://pelham-pub.escribemeetings.com/filestream.ashx?DocumentId=21743>

3) Municipalities not permitting Cannabis grow ops on agricultural lands

Article: Brighton sets limits on where cannabis production facilities can locate (Northumberland news Apr 9, 2019)

<https://www.northumberlandnews.com/news-story/9274359-brighton-sets-limits-on-where-cannabis-production-facilities-can-locate/>

Article: Prime agricultural land no place for cannabis, Oro-Medonte coalition says (Simcoe May 31, 2020)

<https://www.simcoe.com/news-story/10001301-prime-agricultural-land-no-place-for-cannabis-oro-medonte-coalition-says/>

4) Municipal Panel & Roundtable Discussion with Local & Provincial Law Enforcement

Article: East Gwillimbury Cannabis Production Facilities Panel Discussion OPP & YRP discuss organized crime's active involvement in Cannabis production and the risks that it poses to residents (YouTube video)

<https://youtu.be/Oisv7MEIV14>

Article: Hastings-Lennox & Addington Roundtable on Illicit Cannabis Operations – Fed MP Derek Sloan

<https://www.facebook.com/watch/?v=3216967588368948&extid=jTObBPn7swAbfxrz>

5) Police Intervention - Police shut down massive illegal cannabis operation, seize more than 100k plants (CBC News Aug 21, 2020)

Article: <https://www.cbc.ca/news/canada/hamilton/project-woolwich-cannabis-niagara-1.5695691>

6) Police Intervention - Cannabis production allegedly fueling synthetic drug production labs (Project Moon)

Article: More than \$45m in drugs and cash seized as twin drug gangs dismantled in York Region
(CP24 Aug 8, 2019)

<https://www.cp24.com/news/more-than-45m-in-drugs-and-cash-seized-as-twin-drug-gangs-dismantled-in-york-region-1.4541063>

7) Police Intervention – raids involving production exceeding limits

St. Catharines

Article: Niagara police bust \$34m illegal cannabis operation (Global News July 1, 2020)

<https://globalnews.ca/news/7128873/niagara-illegal-cannabis-grow-op/>

King Township

Article: Police seize \$4.7m in illegal drugs after search of former Joe’s Garden property in King
(York Region Oct 7, 2019)

<https://www.yorkregion.com/news-story/9633352-police-seize-4-7m-in-illegal-drugs-after-search-of-former-joe-s-garden-property-in-king/>

Article: 8 charged after \$400k worth of ‘excess cannabis’ found on King Township grow-op
(CBC News Oct 2, 2018)

<https://www.cbc.ca/news/canada/toronto/eight-charged-marijuana-trafficking-cannabis-farms-york-region-1.4847114>

Article: Police bust marijuana grow op in King Township worth \$6.5m, seize 4,000 plants
(CTV News Aug 3, 2018)

<https://toronto.ctvnews.ca/police-bust-marijuana-grow-op-in-king-township-worth-6-5m-seize-4-000-plants-1.4039863>

Stouffville

Article: Police bust cannabis grow op in excess of licence limits near Aurora
(YorkRegion Jan 29, 2019)

<https://www.yorkregion.com/news-story/9148816-police-bust-cannabis-grow-op-in-excess-of-licence-limits-near-aurora/>

8) Police Intervention - Cannabis busts at US/Canada border

Article: Canadian resident arrested in relation to massive cannabis bust at U.S. border
(Global News June 16, 2020)

<https://globalnews.ca/news/7070697/canadian-involved-significant-drug-seizure-u-s-border/>

9) Federal MP's mentioned in articles who are actively requesting Health Canada to solve Cannabis issue

Article: MP Finley brings the issue of unlicensed large-scale marijuana producers to Parliament (Norfolk Today July 27, 2020) - **Fed MP Diane Finley**
<https://www.norfolktoday.ca/2020/07/27/96986/>

Article: Stomp out cannabis criminality: Sloan (Quinte News July 2, 2020) - **Fed MP Derek Sloan**
<https://www.quintenews.com/2020/07/02/stomp-out-cannabis-criminality-sloan/>

Article: 'Stinks like 10000 skunks': Tottenham residents want more potent restrictions for medical-marijuana growers (Simcoe Feb 11, 2020) - **Fed MP Terry Dowdall**
<https://www.simcoe.com/news-story/9844540--stinks-like-10-000-skunks-tottenham-residents-want-more-potent-restrictions-for-medical-marijuana-growers/>

10) Municipal guide to Cannabis legislation (by FCM)

<https://fcm.ca/en/resources/municipal-guide-cannabis-legalization>

11) The final report of the task force on Cannabis legalization and regulation

<https://hoban.law/2017/01/the-final-report-of-the-task-force-on-cannabis-legalization-and-regulation/>

12) Municipalities who have refused requests for exceptions to bylaws

Article: Marijuana setback relief denied (Simcoe Reformer May 29, 2019)
<https://www.simcoereformer.ca/news/local-news/marijuana-setback-relief-denied>

Article: Council officially denies the marijuana micro-cultivation facility (NewTecTimes March 6, 2020)
<http://newtectimes.com/?p=24388>

13) Court cases - Bylaw/Zoning violations

Article: Cannabis producer pleads guilty to violating bylaw (Simcoe Reformer Feb 20, 2020)
<https://www.simcoereformer.ca/news/local-news/cannabis-producer-enters-guilty-plea>

Article: East Gwillimbury takes medical marijuana facility to court (York Region Aug 12, 2020)
<https://www.yorkregion.com/news-story/10134439-east-gwillimbury-takes-medical-marijuana-facility-to-court/>

14) Nuisance bylaw amendment - Cannabis odour

Article: Council enacts nuisance by-law addressing cannabis odour concerns
(Bradford Today Jun 19, 2020)

<https://www.bradfordtoday.ca/local-news/council-enacts-nuisance-by-law-addressing-cannabis-odour-concerns-2441245>

Article: Hamilton targets large-scale personal grow operations with nuisance bylaw amendment
(Global News Apr 23, 2020)

<https://globalnews.ca/news/6857506/city-of-hamilton-nuisance-bylaw-amendments-personal-grow-operations-cannabis/>

Article: Nuisance bylaw to deal with cannabis odour coming soon to Lincoln
(Niagara This Week Aug 3, 2020)

<https://www.niagarathisweek.com/news-story/10128119-nuisance-bylaw-to-deal-with-cannabis-odour-coming-soon-to-lincoln/>

Article: Pelham gives stamp of approval on odour bylaw to deal with cannabis operations
(Niagara This Week Mar 27, 2020)

<https://www.niagarathisweek.com/news-story/9918340-pelham-gives-stamp-of-approval-on-odour-bylaw-to-deal-with-cannabis-operations/>

Article: Niagara area town buys \$5,000 device to measure weed smell after repeated complaints from residents (Timmins Today Jul 7, 2020)

<https://www.timminstoday.com/around-ontario/ontario-niagara-area-town-buys-5000-device-to-measure-weed-smell-after-repeated-complaints-from-residents-2545977>

15) Municipalities that have requested assistance from Province

Article: Council supports request for more control over cannabis production in municipalities
(Bradford Today May 22, 2020)

<https://www.bradfordtoday.ca/local-news/council-supports-request-for-more-control-over-cannabis-production-in-municipalities-2366228>



4800 SOUTH SERVICE RD
BEAMSVILLE, ON L0R 1B1
905-563-8205

November 17, 2020

SENT VIA EMAIL

Norfolk County
50 Colborne St., S.
Simcoe, ON N3Y 4H3

Attention: Andy Grozelle, County Clerk (andy.grozelle@norfolkcounty.ca)

RE: SUPPORT RESOLUTION FROM THE MUNICIPALITY OF NORFOLK COUNTY, ILLICIT CANNABIS OPERATIONS

Please be advised that Council for the Corporation of the Town of Lincoln at Special Council Meeting held on November 16, 2020, endorsed and passed the following motion in support of Norfolk County's motion (attached) regarding Illicit Cannabis Operations that was passed and ratified on October 20, 2020.

Moved by: Councillor Paul MacPherson; Seconded by: Councillor Dianne Rintjema

THAT Council for the Corporation of the Town of Lincoln support the correspondence item as attached from Norfolk County dated October 26, 2020 regarding Illicit Cannabis Operations.

CARRIED

Regards,

Julie Kirkelos
Town Clerk
jkirkelos@lincoln.ca

cc: Sam Oosterhoff, MPP
Dean Allison, MP
All Ontario Municipalities



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

Office of the Town Clerk
160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3
Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010
Email: skim@grimsby.ca

December 9, 2020

Mayor and Council
City of Niagara Falls
4310 Queen Street
Niagara Falls, ON L2E 6X5

Sent via email

**Re: Supporting Resolution for Niagara Region Declaring a State of Emergency on
Mental Health Homelessness and Addiction**

At its meeting held on December 7, 2020, the Town of Grimsby Committee of the Whole approved the following resolution:

CW-20-091

Moved by Councillor Sharpe; Seconded by Councillor Ritchie;

*Resolved that the correspondence from City of Niagara Falls with reference to
Niagara Region Declaring a State of Emergency on Mental Health
Homelessness and Addiction be received; and*

*That the Town of Grimsby support the City of Niagara Falls request to declare a
state of emergency on mental health, homelessness, and addition; and*

*That this resolution be circulated to Niagara Regional Council and all local area
municipalities.*

CARRIED

*YES: Councillors Bothwell, Dunstall, Freake, Kadwell, Ritchie, Sharpe, Vaine,
Vardy and Mayor Jordan*

If you have any questions, please contact the Town Clerk.

Regards,





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

Office of the Town Clerk

160 Livingston Avenue, P.O. Box 159, Grimsby, ON L3M 4G3

Phone: 905-945-9634 Ext. 2015 | **Fax:** 905-945-5010

Email: skim@grimsby.ca

Sarah Kim
Town Clerk

SK/dk

Cc. Niagara Regional Council
Local Area Municipalities

December 9, 2020

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

Sent via email: premier@ontario.ca

**Re: Ontario Gas Fired Power Plants
Our File 35.31.99**

Dear Premier Ford:

At its meeting held on November 30, 2020, St. Catharines City Council approved the following motion:

“WHEREAS the City of St. Catharines strategic plan focuses on livability and increased environmentally friendly initiatives; and

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 pollution by more than 300% by 2025 and by more than 400% by 2040; and

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); and

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); and

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); and

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; and

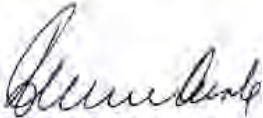
WHEREAS the Province of Ontario has alternative options to increasing gas-fired electricity generation, such as the Province of Quebec's offer to receive low-cost 24/7 power from its water powered reservoir system as a possible alternative; and

WHEREAS, other municipalities such as Hamilton, Kitchener, and Halton Hills have called on the Province of Ontario to phase out gas fired power plants by 2030 for cleaner, renewable energy; and

THEREFORE BE IT RESOLVED that the City of St. Catharines requests the Government of Ontario to place an interim cap of 2.5 mega tonnes per year on our gas plants' 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

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Premier of Ontario, to the local MPPs, the Association of Municipalities of Ontario (AMO), the Niagara Region, local area municipalities and the municipalities of Hamilton, Halton Hills and Kitchener.”

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:em

Cc Jennifer Stevens, MPP - St. Catharines, JStevens-CO@ndp.on.ca
Jeff Burch, MPP - Niagara Centre, JBurch-QP@ndp.on.ca
Wayne Gates, MPP - Niagara Falls, wgates-co@ndp.on.ca
Sam Oosterhoff, MPP - Niagara West-Glanbrook, sam.oosterhoff@pc.ola.org
Association of Municipalities of Ontario, amo@amo.on.ca
Niagara Region
Niagara Area Municipalities
City of Hamilton
City of Halton Hills
City of Kitchener

December 9, 2020

Honourable Christine Elliott
Minister of Health
5th Floor - 777 Bay St.
Toronto, ON M7A 2J3

Sent via email: christine.elliott@pc.ola.org

**Re: Hospice Workers
Our File 10.57.99**

Honourable Minister,

At its meeting held on November 30, 2020, St. Catharines City Council approved the following motion:

“WHEREAS Hospice Niagara, and hospices across this province, provide a number of critical services needed by Ontario and Niagara residents including: end of life Hospice Residence care; in-Home Palliative Care; Day Hospice; Bereavement Support; and Education and Consultation; and

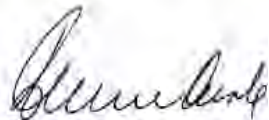
WHEREAS these services provide a central role in decreasing hospital emergency department volume, incidents of hallway medicine and costly hospital admissions for palliative and end-of-life care; and

WHEREAS Hospice care is the only health service whose health care workers are not fully funded by the Province and hospices and provincial organizations have requested that this funding be provided as delegations before the Standing Committee regarding Bill 3, the Compassionate Care Act;

THEREFORE BE IT RESOLVED that the City of St. Catharines recommends that Ontario's Health Ministry accept Hospice Niagara's request and start fully funding all hospice health care workers fully, and right away; and

BE IT FURTHER RESOLVED that this motion be forwarded directly to the Minister of Health Christine Elliot, all Niagara MPPs, the Region of Niagara and all Niagara municipalities.”

If you have any questions, please contact the Office of the City Clerk at extension 1524.



Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:em



Cc Chris Bittle, MP - St. Catharines, Chris.Bittle@parl.gc.ca
Vance Badawey, MP - Niagara Centre, Vance.Badawev@parl.gc.ca
Dean Allison, MP - Niagara West, dean.allison@parl.gc.ca
Tony Baldinelli, MP - Niagara Falls, Tony.Baldinelli@parl.gc.ca
Niagara Region
Niagara Area Municipalities



Received December 11, 2020
C-317-2020

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
613-472-2629 ext. 2232
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