

**TOWNSHIP OF ESSA
CONSENT AGENDA
WEDNESDAY, NOVEMBER 18, 2020**

A – ITEMS RECEIVED AS INFORMATION

- p. 1 1. Resolution from the City of Hamilton dated September 8, 2020, re: Amending the AGCO Licensing and Application Process for Cannabis Retail Stores to Consider Radial Separation from Other Cannabis Locations.
- p. 4 2. Resolution from the Town of Grimsby dated October 19, 2020, re: Proposed Regulation under the Ontario Heritage Act (Bill 108).
- p. 18 3. Resolution from the City of Belleville dated October 28, 2020, re: Accessibility for Ontarians with Disabilities Act – Website Support.
- p. 20 4. Correspondence from the Ministry of Finance dated October 29, 2020, re: Release of the 2021 Ontario Municipal Partnership Fund (OMPF) Allocations.
- p. 22 5. Correspondence from the Nottawasaga Valley Conservation Authority (NVCA) dated October 31, 2020, re: NVCA Extends Healthiest Section of the Nottawasaga River.
- p. 24 6. Township of Essa Building Department Building Stats – October 2020.
- 7. AMO Communications – Policy Updates:
 - p. 25 a) October 30, 2020 – 2021 OMPF Allocations and LTC Home Community Paramedicine Program.
 - p. 28 b) November 3, 2020 – COVID-19 Response Framework and AMO’s Bill 218 Submission.
 - p. 30 c) November 4, 2020 – Additional Funding for Broadband.
 - p. 31 d) November 5, 2020 – 2020 Provincial Budget.
- p. 35 8. Correspondence from the County of Simcoe dated November 2, 2020, re: Update from the Minister of Seniors, Deb Schulte – Federal Government.
- p. 37 9. E-mail from Creating the Next Generation Network (CENGN) dated November 6, 2020, re: Township of Essa Community EOI – Full Package.
- p. 38 10. Notice of Statutory Public Meeting (Virtual) from the County of Simcoe, re: Proposed County Official Plan Amendment.
- p. 40 11. Ontario Energy Board Notice to Customers of Enbridge Gas Inc., re: Enbridge Gas Inc. has applied to raise its Natural Gas Rates effective January 1, 2021.
- p. 41 12. Email from the Ministry of Municipal Affairs and Housing (MMAH) dated November 10, 2020, re: National Disaster Mitigation Program – Intake 6 Launch.
- Items 13. Information on Bill 229 and Proposed Amendments to the Conservation Authorities Act:
 Added
 - a) November 11, 2020 – Conservation Ontario “Backgrounder: Concerns About Changes to the Conservation Authorities Act and Planning Act Which Affect Conservation Authorities”.
 - b) November 11, 2020 – Conservation Ontario “Summary of Proposed Amendments

to the Conservation Authorities Act & Planning Act Through Bill 229 and Implications”.

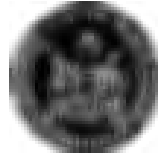
- c) November 13, 2020 – NVCA Media Release.
- d) November 13, 2020 – Correspondence from Wayne Emerson (Chair and CEO of Regional Municipality of York, and former Mayor of Whitchurch Stouffville) Chair of Conservation Ontario, to Premier and Ministers Re: Major Streamlining and Cost Concerns with Bill 229: Protect, Support and Recover from COVID-19 Act (Budget Measures Act) – Schedule 6 – Conservation Authorities Act.
- e) November 16, 2020 – Letter from NVCA Chair, Vice Chair, and CAO to Watershed CAO's, Re: Provincial Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020.
- f) Listing of additional references re: Benefits of Conservation Authorities in Ontario.

B – ITEMS RECEIVED AND REFERRED TO SERVICE AREA FOR ACTION

None.

C – ITEMS RECEIVED AND REFERRED TO SERVICE AREA FOR REVIEW AND REPORT TO COUNCIL

None.



OFFICE OF THE MAYOR
CITY OF HAMILTON

September 8, 2020

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

Honourable Doug Downey
Attorney General
Ministry of the Attorney General
McMurtry-Scott Building
720 Bay Street, 11th Floor
Toronto, ON M7A 2S9

Subject: **Amending the AGCO Licensing and Application Process for Cannabis Retail Stores to Consider Radial Separation from Other Cannabis Locations**

Dear Premier & Attorney General,

Hamilton City Council, at its meeting held on August 21, 2020, approved a motion, Item 6.1, which reads as follows:

WHEREAS in late 2019 the Province of Ontario announced that the AGCO had been given regulatory authority to open the market for retail cannabis stores beginning in January 2020, without the need for a lottery;

WHEREAS the AGCO has continued to send Cannabis Retail Store applications to the City of Hamilton for the required 15-day comment period,

WHEREAS the City has reviewed 61 Cannabis Retail Store applications for comment since January 2020;

WHEREAS the AGCO does not take into consideration radial separation for Cannabis Retail Stores.

THEREFORE, BE IT RESOLVED:

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- (a) That the Mayor contact the Premier of Ontario, Ministry of Attorney General, and local Members of Parliament to ask that the Province consider amending its licensing and application process for Cannabis Retail Stores to consider radial separation from other cannabis locations.
- (b) That the request be sent to other municipalities in Ontario, including the Association of Municipalities of Ontario for their endorsement.
- (c) That Staff be requested to submit heat maps outlining the location of all proposed AGCO Cannabis Retail Store in the City on all AGCO Cannabis Retail Store applications.

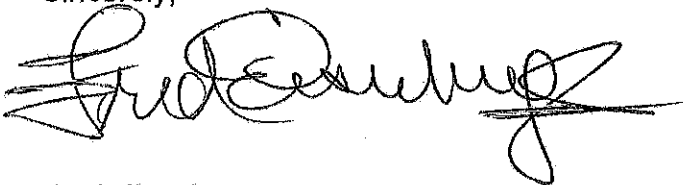
As per the above, we write to request, on behalf of the City of Hamilton, that the appropriate legislative and regulatory changes be made and implemented to the AGCO licensing and application process to take into consideration radial separation for Cannabis Retail Stores as a condition of approval for a license.

Currently the City of Hamilton has reviewed 61 cannabis retail location applications since January 2020. Approximately 12 of these potential locations are within 50m (or less) of each other.

The City of Hamilton appreciates that the AGCO conducts a background search prior to approving any licenses, however the lack of separation between locations poses a community safety issue, as the over saturation in specific area(s)/wards, can negatively impact the surrounding community with increased traffic flow, and an overall "clustering" of stores within a small dense area.

The City of Hamilton is confident that radial separations from cannabis retail locations will have a significant positive impact on the community and allow for its residents to continue to enjoy a safe and healthy community lifestyle.

Sincerely,



Fred Eisenberger
Mayor

C: Hon. Donna Skelly, MPP, Flamborough-Glanbrook

Hon. Andrea Horwath, Leader of the Official Opposition, MPP, Hamilton Centre
Hon. Paul Miller, MPP, Hamilton East-Stoney Creek
Hon. Monique Taylor, MPP, Hamilton Mountain
Hon. Sandy Shaw, MPP, Hamilton West-Ancaster-Dundas

Report To: Committee of the Whole

Meeting Date: October 19, 2020

**Subject: Proposed Regulation under the Ontario Heritage Act
(Bill 108)**

Recommendation(s)

1. That the Report PA20-22 dated October 19, 2020, be received and
2. That the report be endorsed and submitted to the Province, along with the following motion, as the Town of Grimsby's comments to the Environmental Registry.

WHEREAS Royal Assent has been granted to Bill 108 entitled 'More Homes, More Choice Act, 2019' on June 6, 2019; and,

WHEREAS Schedule 11 of Bill 108 contains amendments to the Ontario Heritage Act which require appeals under the Ontario Heritage Act to be heard by the Local Planning Appeal Tribunal not the Conservation Review Board; and,

WHEREAS the Conservation Review Board is an adjudicative tribunal that, through the mandate provided by the Ontario Heritage Act, considers a number of matters such as:

- The proposed designation of a property as having cultural heritage value or interest;
- Applications for the repeal of a By-law on a specific property;
- Applications related to the alteration of a property covered by a By-law; and,
- Matters related to archaeological licensing. AND,

WHEREAS Schedule 11 of Bill 108 will come into effect on a date to be proclaimed by the Lieutenant Governor; and,

WHEREAS the Local Planning Appeal Tribunal are not experts in heritage matters unlike members of the Conservation Review Board; and,

WHEREAS the Local Planning Appeal Tribunal decisions are binding decisions unlike the Conservation Review Board non-binding recommendations; and,

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WHEREAS the Ontario Heritage Act provides a means for municipalities to protect and preserve the cultural heritage value or interest of the municipality for generations to come; and,

WHEREAS the Conservation Review Board currently provides reports to municipal council's setting out its findings of fact, and its recommendations so that a final decision can be rendered by municipalities about what is valuable in their community;

WHEREAS the Town of Grimsby remains committed to the preservation and protection of property of cultural heritage value or interest;

NOW THEREFORE BE IT RESOLVED THAT the Town of Grimsby strongly recommends that Schedule 11 of Bill 108 be amended to remove the powers provided to the Local Planning Appeal Tribunal, retaining authority for hearing certain appeals by the Conservation Review Board; and,

BE IT FURTHER RESOLVED THAT the Town of Grimsby strongly recommends that Schedule 11 of Bill 108 be amended to return the authority for final decisions to municipal council's as the elected representative of the communities wherein the property and its features of cultural heritage value exist; and,

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, Lisa McLeod the Minister of Heritage, Sport, Tourism and Culture Industries, Andrea Horwath, MPP and Leader of the Official Opposition and the Ontario NDP Party, MPP Steven Del Duca Leader of the Ontario Liberal Party, Mike Schreiner MPP and Leader of the Green Party of Ontario, Sam Oosterhoff MPP Niagara West; and,

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Association of Municipalities of Ontario (AMO), all MPP's in the Province of Ontario, the Niagara Region and all Municipalities in Ontario for their consideration."

We strongly recommend that the Ontario government consider amendments to Bill 108 to return the final authority to municipal Council's to determine what is of cultural heritage value or interest in their communities with the benefits of the expert and professional advice provided by the Conservation Review Board.

Purpose

To provide staff with direction to provide comments to the Environmental Registry on the proposed changes to the Ontario Heritage Act (Bill 108). As the impetus for the new proposed regulations is Bill 108, *The More Homes, More Choices Act*, staff remain concerned that the Province's stated objective to increase housing supply should not come at the expense of the Town of Grimsby's irreplaceable cultural heritage resources, as the purpose of the *Ontario Heritage Act* being to protect and conserve heritage properties.

Background

Updates to the Ontario Heritage Act (Bill 108)

In November 2018, the Province introduced a consultation document: "Increasing Housing Supply in Ontario." On May 2, 2019, the Minister of Municipal Affairs and Housing introduced "More Homes, More Choice: Ontario's Housing Supply Action Plan" and the supporting Bill 108 – the proposed More Homes, More Choice Act. The Province stated that the objective of these initiatives is to ensure more housing choices/supply and address housing affordability. The Ontario Heritage Act was one of 13 provincial statutes impacted by Bill 108.

At that time, the proposed regulations for the OHA were unknown but the Ministry of Tourism, Culture and Sport indicated that regulations were to be released "later this year" after consultation and would be posted for comment. At that time, the changes to the OHA were expected to be proclaimed and in full force and effect for July 1, 2020. Later this date was changed to January 1, 2021. The proposed regulations were released for public comment on September 21, 2020, being partially delayed by the COVID-19 pandemic. The changes to the OHA are still anticipated to be proclaimed on January 1, 2021. Comments on the proposed regulations are due to the Environmental Registry by November 5, 2020. Communication from the Ministry of Tourism, Culture and Sport indicates that 'Updates to the existing Ontario Heritage Tool Kit, which will support implementation of the amendments and proposed regulation, are forthcoming. Drafts of the revised guides will be made available for public comment later this fall.' Staff will share this information with the Grimsby Heritage Advisory Committee and Council as it becomes available.

Analysis/Comments

The Environmental Registry posting includes the proposed regulations and a summary of the proposed regulations for the following:

1. Principles that a municipal council shall consider when making decisions under specific parts of the OHA.
2. Mandatory content for designation by-laws.
3. Events which would trigger the new 90-day timeline for issuing a notice of intention to designate and exceptions to when the timeline would apply.
4. Exceptions to the new 120-day timeline to pass a designation by-law after a notice of intention to designate has been issued.
5. Minimum requirements for complete applications for alteration or demolition of heritage properties.
6. Steps that must be taken when council has consented to the demolition or removal of a building or structure, or a heritage attribute.
7. Information and material to be provided to Local Planning Appeal Tribunal (LPAT) when there is an appeal of a municipal decision to help ensure that it has all relevant information necessary to make an appropriate decision.
8. Housekeeping amendments related to amending a designation by-law and an owner's reapplication for the repeal of a designation by-law.
9. Transition provisions.

Many of the proposed regulations are procedural and provide clarity on the new processes that were including in Bill 108. The summary of the proposals is as follows:

Regulatory Proposals

1. Principles to guide municipal decision making

The amendments to the Ontario Heritage Act give authority to prescribe principles that a municipal council shall consider when making decisions under prescribed provisions of Parts IV and V of the Act. The proposed principles relate to the purpose of the Ontario Heritage Act and are intended to help decision-

makes better understand what to focus on when making decisions under the Act.

The proposed principles are consistent with Ontario's policy framework for cultural heritage conservation. The proposed principles provide context for a municipality to follow when making decisions about designated heritage properties, including the minimization of adverse impacts to the cultural heritage value of a property or district. They also require the municipality to consider the views of all interested persons and communities. The new principles will be used in conjunction with Ontario Regulation 9/06, for which no changes have been proposed at this time. While staff already use many similar principles to guide the review process, it is noted that many of the principles use 'should' rather than 'shall' in reference to the principles. The most problematic is the principle that "property that is determined to be of cultural heritage value or interest should be protected and conserved for all generations". Using 'should' rather than 'shall' contradicts the Provincial Policy Statement 2020, which states "Significant built heritage resources and significant cultural heritage landscapes shall be conserved". Staff would prefer consistency in the language in these two provincial policies and recommend that the language from the PPS 2020 be adopted as a principle for the Ontario Heritage Act.

An additional recommendation would be that the definition of 'adaptive reuse' included in this section be revised from "the alteration of a property of cultural heritage value or interest to fit new uses or circumstances while retaining the heritage attributes of the property" to "the alteration of a property of cultural heritage value or interest to fit new uses or circumstances while retaining the cultural heritage value or interest and the heritage attributes of the property".

2. Mandatory content for designation by-laws

The Ontario Heritage Act amendments provide a regulatory authority to prescribe mandatory content for designation by-laws. The goal is to achieve greater consistency across municipalities and to provide improved clarity for property owners through designation by-laws including:

- Identifying the property for the purposes of locating it and providing an understanding of its layout and components;*
- Establishing minimum requirements for the statement of cultural heritage value or interest; and*
- Setting standards for describing heritage attributes.*

From staff's perspective, the most significant changes to the requirements for a

designation by-law are:

- The requirement to include a map or image of the area. This has not typically been done in the past due to the preferences of the Land Registry Office; however, from a staff perspective, this would not be difficult or onerous.
- The description of the heritage attributes must be 'brief' and also explain how each attribute contributes to the cultural heritage value or interest of the property. Staff note that the requirement for explanations may make the description less brief, but are generally supportive of this requirement as it may help clarify both the heritage attributes and the cultural heritage value of the property. However, this requirement will likely increase the amount of staff time required to draft designation by-laws.
- The by-law may list any features of the property that are not heritage attributes. Including a formal list of non-heritage attributes within the by-law could provide clarity to both the property owner and the Town of Grimsby.

3. 90-day timeline to issue a Notice of Intention to Designate Amendments to the Ontario Heritage Act establish a new 90-day timeline for issuing a notice of intention to designate (NOID) when the property is subject to prescribed events. It also allows for exceptions to this restriction to be prescribed.

The new timeline is intended to encourage discussions about potential designations with development proponents at an early stage to avoid designation decisions being made late in the land use planning process. The ministry has proposed three triggers which would place this restriction on council's ability to issue a NOID. These are applications submitted to the municipality for either an official plan amendment, a zoning by-law amendment or a plan of subdivision.

The proposed regulation also provides exceptions to when the 90-day timeline applies. The ministry is proposing the following categories of exceptions.

- Mutual agreement – Where an extension of, or exemption from, the 90-day restriction on issuing a NOID is mutually agreed to by the municipality and the property owner who made the application under *the Planning Act*.
- Administrative restrictions – Where municipal council or heritage committee are limited in their ability to reasonably fulfill the statutory requirements for issuing a NOID within the original 90-day timeframe. This would apply in cases of a declared emergency or where a municipal heritage committee would be unable to provide its recommendations to council. The timeframe would be extended by 90 days.
- New and relevant information – Where new and relevant information could have an impact on the potential cultural heritage value or interest of the

property is revealed and needs further investigation. Council would be able to extend the timeframe through a council resolution. In the case of new and relevant information council would have 180 days from the date of the council resolution to ensure there is sufficient time for further information gathering and analysis to inform council's decision.

Expiration of restriction – The 90-day restriction on council's ability to issue a NOID would not remain on the property indefinitely and would no longer apply when the application that originally triggered the 90-day timeframe is finally disposed of under the Planning Act.

The proposed regulation also provides notification requirements related to the exceptions to the 90-day timeframe restriction.

Overall, the regulations provide required clarity to the proposed new timelines. Staff are pleased that one of the exemptions to the new regulated timelines is through mutual agreement, as many developers in Grimsby have demonstrated their willingness to work with staff and Council to work towards heritage conservation goals through the planning process.

The exemption for 'new and relevant' materials is useful to ensure that all parties have all of the information needed to make a decision. To this end, the regulations also provide a definition of 'new and relevant' to be applied in this context.

The termination period for the 90-day timelines is limited to the lifespan of the specific planning application. This will ensure that properties are not prohibited from heritage conservation indefinitely.

However, staff have several concerns in regards to these proposed regulations. First, the 90 day timeline will not provide enough time for the town to request and review a peer review of a Heritage Impact Assessment, should the town feel that review is necessary. Staff recommend that the 90 day timeline be increased, or that an additional exemption be included that provides municipalities more time to address requirements for peer review. Likewise, the substantially reduced time limit for planning decisions in Bill 108, especially in regards to decisions for zoning by-law amendments, will create challenges for staff where heritage properties are involved in a planning application.

Staff also note that these new timelines will require significant changes to internal processes in order to accommodate the regulations, which in turn will take a significant amount of staff time to coordinate between Heritage Planning staff, and Planning staff.

4. 120-day timeline to pass a designation by-law Amendments to the Ontario Heritage Act establish a new requirement for designation by-laws to be passed within 120 days of issuing a Notice of Intention to Designate (NOID). It also

allows for exceptions to be prescribed. The ministry is proposing the following categories for exceptions.

- *Mutual agreement - Where an extension of, or exemption from, the requirement to pass a by-law within 120 days of issuing a NOID is mutually agreed to by the municipality and the property owner.*
- *Administrative restrictions – Where municipal council is limited in its ability to reasonably fulfill the statutory requirements for passing a designation bylaw within the original 120-day timeframe. This would apply in cases of a declared emergency.*
- *New and relevant information – Where new and relevant information that could have an impact on the potential cultural heritage value or interest of the property is revealed and needs further investigation.*
- *Council would be able to extend the timeframe through a council resolution to ensure there is enough time for further information gathering and analysis to inform its decision.*
- *Council would have an additional 180 days from the date of the council resolution to pass the bylaw.*

Exceptions allowing for the extension of the 120-day timeframe for passing a by-law must occur prior to the expiry of the initial 120 days. The proposed regulation includes notification requirements related to the exceptions to the 120-day timeframe.

Similar to the exemptions for the 90-day designation notice timeline, the proposed exemptions to pass a designation by-law, especially through mutual agreement, are generally considered helpful. The practice of passing a by-law soon after the objection period has expired (or an appeal has been resolved), is already undertaken in Grimsby for most designations. However, staff would note that implementing these regulations will require staff time to accomplish.

5. 60-day timeline to confirm complete applications, alteration or demolition and contents of complete applications

Amendments to the Ontario Heritage Act establish a new timeline of 60 days for the municipality to respond to a property owner about the completeness of their application for alteration of, or demolition or removal affecting, a designate heritage property. It also provides a regulatory authority for the Province to set out minimum requirements for complete applications. The purpose of these provincial minimum standards is to ensure transparency so that property owners are aware of what information is required when making an application. The

details of what is proposed in regulation reflect current municipal best practices. The proposed regulation also enables municipalities to build on the provincial minimum requirements for complete applications as a way of providing additional flexibility to address specific municipal contexts and practices. Where municipalities choose to add additional requirements, the proposed regulation requires them to use one of the following official instruments: municipal by-law, council resolution or official plan policy. The proposed regulation establishes that the 60-day timeline for determining if the application is complete and has commenced starts when an application is served on the municipality. It further proposes that applications may now be served through a municipality's electronic system, in addition to email, mail or in person.

The introduction of a timeline to confirm a complete application for heritage issues is new, but is not unwelcome as it will provide clarity for the property owner and the town. The list of submission requirement set out in the regulations is similar to the requirements that the town already requires; however, a more thorough review of any proposed materials should be undertaken and a report brought forward to Council to confirm Grimsby's list of required submissions and be adopted by municipal by-law as required by the regulation. The ability for the town to set its own additional requirements (through due process) is important to ensure that the town's heritage conservation goals are met.

However, staff note that the requirements for a complete application are only applied to subsections 33 (2) and 34 (2) of the *Ontario Heritage Act*, meaning that there are no requirements for a complete application for properties designated under Part V as part of heritage conservation districts. Staff recommend that the requirements for complete application also be applied to district properties.

6. Prescribed steps following council's consent to a demolition or removal under s. 34.3

Amendments to the Ontario Heritage Act provide that municipal council consent is required for the demolition or removal of any heritage attributes, in addition to the demolition or removal of a building or structure. This is because removal or demolition of a heritage attribute that is not a building or structure, such as a landscape element that has cultural heritage value, could also impact the cultural heritage value or interest of a property.

Prior to the amendments, where council approved a demolition or removal under s. 34, the Act required council to repeal the designation by-law. However, in cases where only certain heritage attributes have been removed or demolished, or where the demolition or removal was of a structure or building that did not have cultural heritage value or interest, the property might still retain cultural

heritage value or interest. In these cases, repeal of the by-law would not be appropriate.

The proposed regulation provides municipalities with improved flexibility by requiring council to first determine the impact, if any, of the demolition or removal on the cultural heritage value or interest of the property and the corresponding description of heritage attributes. Based on the determination council makes, it is required to take the appropriate administrative action, which ranges from issuing a notice that no changes to the by-law are required, to amending the by-law as appropriate, to repealing the by-law. Council's determination and the required administrative actions that follow are not appealable to LPAT.

The proposed regulation provides that, where council has agreed to the removal of a building or structure from a designated property to be relocated to a new property, council may follow an abbreviated process for designating the receiving property. The proposed regulation provides a series of administrative steps to support the designation by-law. Council's determination that the new property has cultural heritage value or interest and the subsequent designation by-law made under this proposed regulation would not be appealable to LPAT.

The requirement to issue notice for demolition of any heritage attributes of a property was a concern, however, the clarification that a repealing by-law may not be required for every demolition is helpful. Following the demolition or removal, if the cultural heritage value or interest and heritage attributes do not need amending, the only notice requirement is to the Ontario Heritage Trust, who are already required to receive notice of all decisions regarding alterations, demolitions, removals and relocations.

However, staff would note that the wording of the regulation is slightly confusing: "After the demolition or removal of a building, structure or heritage attribute on the property is complete, the council of the municipality shall, in consultation with the municipal heritage committee established under section 28 of the Act, if one has been established, make one of the following determinations.." Staff are unclear on if this means that removal of any building, even one that is not a heritage attribute (i.e. a modern garden shed), requires Council approval.

7. Information to be provided to LPAT upon an appeal with the exception of decisions made under section 34.3 as described above, all final municipal decisions related to designation, amendment and repeal, as well as alteration of a heritage property under the Act will now be appealable to LPAT, in addition to decisions related to demolition and Heritage Conservation Districts, which were already appealable to LPAT. The decisions of LPAT are binding. Preliminary objections to designation matters will now be made to the municipality, before the final decision is made. Prior to the amendments, appeals of designation-related notices or appeals of alteration decisions were made to the Conservation Review Board, whose decisions were not binding.

A regulatory authority was added to ensure that appropriate information and materials related to designations, alteration and demolition decisions are forwarded to the LPAT to inform appeals. The proposed regulation outlines which materials and information must be forwarded for every LPAT appeal process in the Act by the clerk within 15 calendar days of the municipality's decision.

The two-tier process of objection to the municipality, followed by appeal to the LPAT, is a noted concern as this new process will create delays for property owners, staff, the Grimsby Heritage Advisory Committee and Council. The updated regulation does not change this; it provides a list of the materials and information required for LPAT appeals.

8. Housekeeping amendments

Amendments to the Act included regulatory authority to address a few housekeeping matters through regulation. Previously, where a municipality proposed to make substantial amendments to an existing designation by-law it stated that the designation process in section 29 applied with necessary modifications. The proposed regulation clearly sets out the modified process, including revised language that is more appropriate for an amending by-law. The proposed regulation also makes it clear that there is no 90-day restriction on issuing a notice of proposed amendment to a by-law and provides that council has 365 days from issuing the notice of proposed amendment to pass the final amending by-law and that this timeframe can only be extended through mutual agreement.

The proposed regulation also outlines restrictions on a property owner's ability to reapply for repeal of a designation by-law where the application was unsuccessful, unless council consents otherwise. The one-year restriction on an owner's reapplication maintains what had been included in the Act prior to the amendments.

The ability to amend a heritage designation by-law is improved through the regulations that provide clarity to the stated process. Staff support this regulation as it will make it easier to update old designation by-laws as required, as well as make amendments to by-laws that require updating to remove listed heritage attributes as per the new regulation.

9. Transition

Section 71 of the Ontario Heritage Act establishes a regulation-making authority for transitional matters to facilitate the implementation of the amendments, including to deal with any problems or issues arising as a result of amendments. The proposed transition rules provide clarity on matters that are already in progress at the time the amendments come into force.

General Transition Rule

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All processes that commenced on a date prior to proclamation would follow the process and requirements set out in the Act as it read the day before proclamation. The proposed regulation sets out the specific triggers for determining if a process had commenced.

Exceptions

Outstanding notices of intention to designate. Where council has published a notice of intention to designate but has not yet withdrawn the notice or passed the by-law at the time of proclamation, the municipality will have 365 days from proclamation to pass the by-law, otherwise the notice will be deemed withdrawn. Where a notice of intention to designate has been referred to the Conservation Review Board, the 365 days would be paused until the Board either issues its report or until the objection has been withdrawn, whichever occurs earlier.

90-Day restriction on issuing a NOID

The 90-day restriction on council's ability to issue a NOID would only apply where all notices of complete application have been issued by the municipality in relation to a prescribed Planning Act application, on or after proclamation.

Prescribed steps following council's consent to demolition or removal (s.34.3)

The ministry is proposing that the prescribed steps would apply following consent to an application by the municipality or by order of the Tribunal, where at the time of proclamation council had not already repealed the by-law under s. 34.3.

Staff would note that the transitions proposed will place increased demand on staff time and resources in order to prepare for the January 1, 2021 implementation deadline. As this has not been accounted or planned for, staff would recommend that the proclamation deadline be pushed to July 1, 2021 to allow municipalities more time to prepare, especially in consideration of the COVID-19 pandemic, which has already created additional stress on staff resources.

Regulatory Impact Assessment

The objective of the proposed regulation is to improve provincial direction on how to use the Ontario Heritage Act, provide clearer rules and tools for decision making, and support consistency in the appeals process. Direct compliance costs and administrative burdens associated with the proposed regulations are unknown at this time. New rules and tools set out in the proposed regulations are expected to result in faster development approvals.

There are anticipated social and environmental benefits as the proposed regulation seeks to achieve greater consistency to protecting and managing heritage property across the province.

Overall, staff support many of the proposed regulation changes, as they provide greater clarity for the new processes created through Bill 108. Some of the concerns identified

by the town in their comments on Bill 108 remain, such as all appeals being moved to the Local Planning Appeal Tribunal (LPAT) from the Conservation Review Board (CRB).

The proposed regulations appear to be consistent with the objectives of Provincial policy and the OHA to conserve significant cultural heritage resources. However, many of the town's existing processes will need to be adjusted to conform to the proposed regulation changes. Staff would recommend to the Province that more time be provided to municipalities to accommodate the new regulations, especially given that the COVID-19 pandemic is in the second wave and also because the revised Ontario Heritage Took Kit has not been provided for draft comment and review. Additionally, staff resources will need to be evaluated in light of the current volume of heritage alteration applications to ensure the delivery of heritage reports and notices occur within the specified timelines. The substantially reduced time limit for planning decisions in Bill 108, especially in regards to decisions for zoning by-law amendments, will create challenges for staff where heritage properties are involved in a planning application.

The Province has noted that the direct compliance costs and administrative burdens are unknown at this time. Staff would suggest that the cost and burden on already stressed municipalities operating in an ongoing pandemic would be significant.

Strategic Priorities

This report addresses the corporate strategic goal to: Protect, preserve and enhancing Grimsby's distinct heritage and culture

Financial Impact

There are no direct financial implications arising from the recommendations in this report. However, the proposed regulation changes will have undetermined financial impacts for the town.

Public Input

Members of the public may provide comments on Bill 108's proposed changes through the related postings on the Environmental Registry of Ontario (ERO) website.

Conclusion

As the impetus for the new proposed regulations is Bill 108, *The More Homes, More Choices Act*, staff remain concerned that the Province's stated objective to increase housing supply should not come at the expense of the Town of Grimsby's irreplaceable cultural heritage resources, as the purpose of the *Ontario Heritage Act* being to protect and conserve heritage properties.

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Prepared by,

A handwritten signature in cursive script, appearing to read "B. Verrecchia".

Name: Bianca Verrecchia
Title: Assistant Heritage Planner

Submitted by,

A handwritten signature in cursive script, appearing to read "Antonietta Minichillo".

Name: Antonietta Minichillo
Title: Director of Planning, Building & Bylaw

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CORPORATE SERVICES DEPARTMENT
TELEPHONE 613-968-6481
FAX 613-967-3206

City of Belleville

169 FRONT STREET
BELLEVILLE, ONTARIO
K8N 2Y8

October 28, 2020

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

Dear Premier Ford:

**RE: Accessibility for Ontarians with Disabilities Act – Web-site Support
New Business
10, Belleville City Council Meeting, October 26, 2020**

This is to advise you that at the Council Meeting of October 26, 2020, the following resolution was approved.

“WHEREAS Section 14(4) of O. Reg 191/11 under the Accessibility for Ontarians with Disabilities Act requires designated public sector organizations to conform to WCAG 2.0 Level AA by January 1, 2021; and

WHEREAS the City remains committed to the provision of accessible goods and services; and

WHEREAS the City provides accommodations to meet any stated accessibility need, where possible; and

WHEREAS the declared pandemic, COVID-19, has impacted the finances and other resources of the City; and

WHEREAS the Accessibility for Ontarians with Disabilities Act contemplates the need to consider technical or economic considerations in the implementation of Accessibility Standards;

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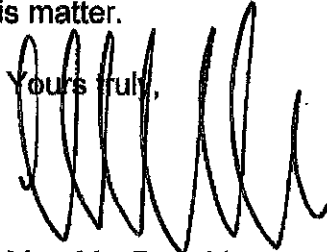
10. New Business
Belleville City Council Meeting
October 26, 2020

Page 2

BE IT THEREFORE RESOLVED THAT the Corporation of the City of Belleville requests that the Province of Ontario consider providing funding support and training resources to municipalities to meet these compliance standards; and

THAT this resolution be forwarded to the Premier of the Province of Ontario, Prince Edward-Hastings M.P.P., Todd Smith, Hastings – Lennox & Addington M.P.P., Daryl Kramp, the Association of Municipalities of Ontario and all municipalities within the Province of Ontario.”

Thank you for your attention to this matter.

Yours truly,


Matt MacDonald
Director of Corporate Services/City Clerk

MMacD/nh
Pc: AMO

Todd Smith, MPP Prince Edward-Hastings
Daryl Kramp, MPP Hastings – Lennox & Addington
Councillor Thompson, City of Belleville
Ontario Municipalities

19



AH

7th Floor, Frost Building South
7 Queen's Park Crescent
Toronto ON M7A 1Y7
Telephone: 416-325-0400

7^e étage, Édifice Frost Sud
7 Queen's Park Crescent
Toronto ON M7A 1Y7
Téléphone: 416-325-0400

October 29, 2020

Dear Head of Council:

I am writing to announce the release of the 2021 Ontario Municipal Partnership Fund (OMPF) allocations.

Last fall, we committed to providing OMPF allocations well in advance of the municipal budget year. Today, we are delivering on that commitment by ensuring municipalities have the information they need to plan their budgets.

Our government recognizes the importance of the OMPF for many of Ontario's communities. We also know that stability is a priority for municipalities, particularly in these uncertain times.

That is why the Premier committed to maintain the overall structure and \$500 million program envelope for the 2021 OMPF, as announced at the Association of Municipalities of Ontario (AMO) conference this past August.

In addition to ensuring stability, I am pleased to advise that maintaining the program envelope will allow for a further \$5 million in support to be targeted to northern and rural municipalities. The Rural Communities Grant will be increased to \$152 million to further support rural municipalities with the highest levels of farmland. The Northern and Rural Fiscal Circumstances Grant will be increased to \$92 million to further support northern and rural municipalities with the most challenging fiscal circumstances.

The 2021 OMPF will also continue to be responsive to changing municipal circumstances through annual data updates and related adjustments.

As in prior years, Transitional Assistance will ensure that the 2021 funding guarantee for municipalities in northern Ontario will be at least 90 per cent of their 2020 OMPF allocation and for municipalities in southern Ontario will be at least 85 per cent of their 2020 OMPF allocation.

Northern and rural municipalities with the most challenging fiscal circumstances will continue to have their guarantee enhanced up to 100 per cent of the prior year's allocation.

.../cont'd

The Ministry of Finance's Provincial-Local Finance Division will be providing your municipal Treasurers and Clerk-Treasurers with further details on the 2021 OMPF. This information and other supporting materials will be posted online at <https://www.fin.gov.on.ca/en/budget/ompf/2021>.

As you know, our government has been reviewing the OMPF in consultation with municipalities, to ensure the program meets the needs of local communities, especially small, northern and rural municipalities. Given the unprecedented circumstances surrounding the COVID-19 pandemic, we will be taking more time for the review. Discussions with municipal partners are expected to resume later this year.

I also wanted to take this opportunity to acknowledge the extraordinary challenges municipalities are facing as a result of the COVID-19 pandemic.

The Ontario government, in partnership with the federal government, is providing up to \$4 billion in one-time assistance to Ontario's 444 municipalities and 110 public transit systems as part of the Safe Restart Agreement. This includes up to \$2 billion to assist municipalities with operating pressures and up to \$2 billion for COVID-19 related financial impacts to municipal transit agencies.

This historic funding commitment will help local governments protect the health and well-being of the people of Ontario, while continuing to deliver critical public services such as public transit and shelters. Together, Ontario will continue down the path of renewal, growth and economic recovery.

We respect our municipal partners and remain committed to listening and working together to improve the quality of life for people across Ontario. By continuing to work closely with municipalities, our government is charting a path to a strong recovery and getting Ontario back on track.

Sincerely,

Original signed by

The Honourable Rod Phillips
Minister of Finance

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



**Nottawasaga Valley
Conservation Authority**



Nottawasaga Futures
South Simcoe Streams Network Program

AS

MEDIA RELEASE

FOR IMMEDIATE RELEASE

NVCA extends healthiest section of the Nottawasaga River

UTOPIA, Ontario (October 31, 2020) – Thanks to an environmentally progressive landowner and farmer, the Nottawasaga Valley Conservation Authority (NVCA), Nottawasaga Futures, South Simcoe Streams Network, Nottawasaga Steelheaders and Headwaters Flyfishers have restored the water quality and trout habitat in a section of the Nottawasaga River in Adjala Tosorontio.

“The NVCA Board of Directors sincerely thanks the landowner, funders and project partners for the success of this project,” said Keith White, Chair of NVCA. “These resources allows our stewardship staff to continue to improve water quality and wildlife habitat across the watershed.”

Originating from the Niagara Escarpment, the Nottawasaga River starts off pristine and provides some of the best quality water found in the Nottawasaga Valley Watershed. This section of the river also supports high quality coldwater fish habitat and provides excellent spawning habitat for trout and salmon.

“The quality of the water and trout habitat of the river slowly degrades as this water leaves the escarpment and flows from the Village of Hockley towards Alliston,” explained Fred Dobbs, NVCA’s Manager of Stewardship. “Summer stream temperatures, the amount of sediment and phosphorus concentrations increase as water moves downstream through Adjala Tosorontio. Sometimes, the temperature of the water increases at a faster rate, mainly due to a lack of stream-side forest cover and these warming zones are high priority sections for stream restoration.”

In 2017, as staff were strategizing and prioritizing restoration efforts, a land owner in one rapid warming zone approached the NVCA about opportunities to form a partnership for restoring the land and river on the farm. This would consist of a multi-year project involving tree planting, installing livestock fencing along the creek and stabilizing stream banks using heavy machinery. These actions would greatly improve water quality, native fish habitat and trout production.

NVCA stewardship staff got to work right away. In 2018, fencing was installed on both sides of the 900 m stretch of river on the property. This way, cattle would not be able to trample the vegetation on the stream banks, therefore reducing erosion and improving fish

habitat. In the spring of 2019, tree planting was completed by volunteers working with Nottawasaga Futures staff. In the summer of 2019 and 2020, a total of 450 m of eroding river bank was stabilized using a 20 tonne excavator to add natural vegetation to the slopes and to install woody trout habitat in the river. In 2020, a floodplain was also constructed to help protect adjacent landowners against flooding as well as providing an abundance of habitat for amphibians.

"To keep the Nottawasaga River healthy, the water needs to be kept cool as much as possible," continued Fred Dobbs, NVCA's Manager of Stewardship Services. "Warm water encourages algae growth which reduces oxygen concentrations for fish and other animals that live in the river. It's much easier to keep cold water cold than it is to cool it down after it warms up, so we are working at the upstream end of the warming zone and will be working downstream in stages. Cold water conditions benefit recreational sport fishing species like rainbow trout, Chinook salmon and brown trout as well as native fish such as Northern Brook Lamprey and Burbot."

The Nottawasaga River Restoration Program has been generously funded by Fisheries and Oceans Canada, Patagonia-Tides Foundation, Cabelas Canada, Ontario Trillium Foundation and Alectra Utilities.

- 30 -

About NVCA: The Nottawasaga Valley Conservation Authority is a public agency dedicated to the preservation of a healthy environment through specialized programs to protect, conserve and enhance our water, wetlands, forests and lands.

About SSSN: About SSSN: The South Simcoe Streams Network is dedicated to improving water quality and stream habitat along local waterways. Established under Nottawasaga Futures in 2008, this grass roots non-profit program is designed to involve multiple partners and resident communities to help protect and promote a healthy natural environment.

Media contact: Maria Leung, Communications Coordinator 705-424-1479 ext.254, mleung@nvca.on.ca

Oct-20

Current

Permits Issued	# Permits Issued	# Permits Issued YTD	Monthly Construction Value of Permits Issued	Construction Value of Permits Issued YTD	Monthly Building Permit Fees	Building Permit Fees YTD
Residential	30	306	\$3,575,528.00	\$27,494,915.00	\$46,009.69	\$343,282.92
Commercial	3	18	\$25,000.00	\$738,136.00	\$525.00	\$10,386.29
Industrial	0	1	\$0.00	\$167,000.00	\$0.00	\$1,639.06
Institutional	0	3	\$0.00	\$130,000.00	\$0.00	\$225.00
Public Utilities	0	0	\$0.00	\$0.00	\$0.00	\$0.00
Agricultural	0	4	\$0.00	\$520,000.00	\$0.00	\$1,008.11
TOTAL	33	332	\$3,600,528.00	\$ 29,050,051.00	\$46,534.69	

Y.O.Y.	26	282	\$1,999,210.00	\$ 18,685,919.00	\$25,396.15	\$ 198,073.21	80.00%
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NEW SFD CONSTRUCTION

Dwelling Units Created

Type	Current Month	YTD	Dwelling Const. Value	Dwelling Const. Value YTD
SFD/SEMI/ROW	10	100	\$3,118,000.00	\$22,036,000.00
Mult Res Bldgs	0	0	\$0.00	\$0.00
Accessory Apt within Existing Res Bldg	0	0	\$ -	\$0.00
TOTAL	10	100	\$3,118,000.00	

Y.O.Y.	4	36	\$ 1,012,000.00	\$ 10,321,030.00
	150.00%	177.78%	208.10%	113.51%

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Ab

From: AMO Communications <Communicate@amo.on.ca>
Sent: October 30, 2020 2:21 PM
To: Lisa Lehr <llehr@essatownship.on.ca>
Subject: AMO Policy Update – 2021 OMPF Allocations, LTC Home Community Paramedicine Program

AMO Update not displaying correctly? [View the online version](#)
Add Communicate@amo.on.ca to your safe list



October 30, 2020

AMO Policy Update – 2021 OMPF Allocations and LTC Home Community Paramedicine Program

2021 OMPF Allocations Announced

Late yesterday, the Ministry of Finance issued allocation notices for the 2021 Ontario Municipal Partnership Fund (OMPF). The total funding envelope will remain at \$500 million. These dollars are distributed to 389 municipal governments across the province and provide unconditional operating support for local frontline services. This early announcement of the 2021 OMPF allocations is much appreciated given current 2021 municipal budget deliberations.

At the 2020 Annual AMO Conference, Premier Ford announced that there would be “no changes to the structure” of the OMPF for 2021. This was positive news for municipalities amidst the ongoing uncertainty of the COVID-19 pandemic. The adverse financial impacts to date will carry into the 2021 budget year and a stable and predictable OMPF benefits Ontario’s municipalities and communities.

Letters to Heads of Council and Treasurers have been sent out and the allocation notices may also be viewed on the [Ministry's website](#). We understand that \$5 million is being shifted from the Transition and Stabilization Grants and has been reallocated in the Rural Communities Grant by \$2 million and the Northern & Rural Fiscal Circumstances Grant by \$3 million, keeping with recent practice.

The Ontario Municipal Partnership Fund (OMPF) provides unconditional operating support from the Province to municipal governments. It uses an equalization approach to address challenges in rural and northern communities, with funding based on various community fiscal health indicators.

Historical OMPF Allocations (in millions of \$):

Component	2012	2013	2014	2015	2016	2017	2018
Social Services Grant	25	0	0	0	0	0	0
Policing Grant	94	0	0	0	0	0	0
Farmland and Managed Forests Grant	46	0	0	0	0	0	0
Assessment Equalization Grant	147	0	149	149	149	149	149
Northern Communities Grant	86	0	79	79	84	84	89
Rural Communities Grant	162	0	138	138	143	148	150
Northern and Rural Fiscal Circumstances Grant	0	0	50	55	67	82	89
Transitional and Stabilization Grants	38	0	134	94	61	41	33
TOTAL OMPF	598	575	550	515	505	505	510

LTC Home Community Paramedicine Program Launched

Today the government announced an investment of up to \$5 million for a new community paramedicine initiative. It is designed to support people staying in their homes longer while on the waitlist to access long-term care. AMO is supportive of this stand-alone community paramedicine program as it will be fully funded by the provincial government and operated in partnership with local municipalities and District Social Services Administration Boards.

It will be implemented in phases. The first phase will include the communities of Brant County, Cochrane District, the City of Ottawa, Renfrew County, and York Region. These communities will build upon their existing community paramedicine programs to expand their service offering. Depending on the successful experience of the first phase projects, we understand that the program may be expanded to additional communities interested in participating in a second phase of the program on a voluntary basis.

"Our population is aging, with increasingly complex health care needs. This strains both long-term care and paramedic services. It's great to see community paramedicine evolve to meet this growing challenge with full provincial funding through Phase 1 of this program. It leverages the expertise of community paramedics to ease the pressure on long-term care and help keep seniors who need support safe and comfortable at home."

Graydon Smith, President, Association of Municipalities of Ontario

AMO's [COVID-19 Resources](#) page is being updated continually so you can find critical

information in one place. Please send any of your municipally related pandemic questions to covid19@amo.on.ca.

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

From: AMO Communications <Communicate@amo.on.ca>
Sent: November 3, 2020 3:23 PM
To: Lisa Lehr <llehr@essatownship.on.ca>
Subject: AMO Policy Update – COVID-19 Response Framework, AMO's Bill 218 Submission

AMO Update not displaying correctly? [View the online version](#)
Add Communicate@amo.on.ca to your safe list



November 3, 2020

AMO Policy Update – COVID-19 Response Framework and AMO's Bill 218 Submission

COVID-19 Response Framework Released with Additional Business Relief

The provincial government has now released their COVID-19 Response Framework: Keeping Ontario Safe and Open. The framework outlines provincial priorities, principles, and the approach to implementing measures to address the pandemic including the indicators that will guide decisions that impact municipalities.

As indicated in the document, the government is proposing to act earlier by implementing measures to protect public health and prevent closures while preparing also to gradually loosen measures as public health indicators trends improve. The framework identifies specific measures for various activities that will help municipal governments, businesses, and the public plan accordingly with greater clarity of what to expect in different scenarios. The government has also identified which level of measures is currently set out for each Public Health Unit region in the province.

The government is also making \$300 million available for rebates to businesses required to close or significantly restrict services in areas subject to modified Stage 2 public health restrictions (Ottawa, Peel, Toronto, and York Region). The financial assistance will also be available, going forward, in areas categorized as Control or Lockdown. Beginning November 16, 2020, eligible businesses will be able to apply for temporary property tax and energy cost rebates directly to the Province through a single, online application portal.

AMO Submission: Bill 218, Supporting Ontario's Recovery and Municipal Elections Act, 2020

AMO provided a submission to the Standing Committee on Justice Policy of the Ontario Legislative Assembly. The Standing Committee is considering Bill 218 which provides liability protection for good faith actions to protect Ontarians from the COVID-19 and makes changes to the *Municipal Elections Act, 1996* (MEA). AMO is strongly supportive of the liability protection provisions in the Bill but has raised significant and principled concerns regarding the MEA changes.

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

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From: AMO Communications <Communicate@amo.on.ca>
Sent: November 4, 2020 2:55 PM
To: Lisa Lehr <llehr@essatownship.on.ca>
Subject: AMO Policy Update – Additional Funding for Broadband

AMO Update not displaying correctly? [View the online version](#)
Add Communicate@amo.on.ca to your safe list



November 4, 2020

AMO Policy Update – Additional Funding for Broadband

Ontario Announces \$680 Million in More Funding for Broadband

Today the Province announced an additional \$680 million to improve and expand broadband and cellular access across the province. This funding is on top of the \$315 million to support the Up to Speed: Ontario's Broadband and Cellular Action Plan. It is also consistent with the Ontario Onwards Action Plan's commitment to improve access to broadband and cellular services.

Today's investment doubles the Improving Connectivity in Ontario (ICON) program, to \$300 million to support rural, northern, and remote connectivity. Details on the remaining funding announced should be available in the coming weeks.

AMO is pleased that the Province is making additional broadband and cellular investments a priority. Municipal governments are hearing loud and clear the need for better connectivity from students, families, businesses, and seniors across Ontario. Municipal governments are hopeful that this investment, combined with the federal government's anticipated Universal Broadband Fund (UBF), will help connect residents and communities to faster and better services.

AMO will provide additional details on these funding allocations as they become available.

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

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From: AMO Communications <Communicate@amo.on.ca>
Sent: November 5, 2020 7:31 PM
To: Lisa Lehr <llehr@essatownship.on.ca>
Subject: AMO Policy Update: 2020 Provincial Budget

AMO Update not displaying correctly? [View the online version](#)
Add Communicate@amo.on.ca to your safe list



November 5, 2020

AMO Policy Update: 2020 Provincial Budget

The Honourable Rod Phillips, Minister of Finance has released the 2020 Provincial Budget. It provides a three-year fiscal outlook for Ontario and this comes after being delayed by the emergence of the COVID-19 pandemic this Spring. The budget touches on several economic scenarios related to the speed of economic growth but does not articulate a path forward toward a balanced budget. This will be provided in the 2021 Spring budget.

Below are the immediate highlights of new items in the 2020 Provincial Budget of a municipal interest. Within the budget document, the word "municipal" is found over 140 times reflecting a great deal of focus and priority placed toward Ontario's municipal sector.

These items are wide-ranging and provided at a high level. The expectation is that a more detailed Budget Bill will follow shortly.

Fiscal Outlook

COVID-19 has impacted the global economy and Ontario has felt the impact. Provincial GDP declined by 12.3 per cent in the second quarter of this year. Despite some economic improvement of late, the economy is expected to contract by 6.5 per cent in 2020. The volatility created by the pandemic will result in a ranging economic growth projection for 2021 with it expected to narrow in 2022. Finally, the provincial debt-to-GDP ratio is projected to hit 50 per cent within two years.

Minister Phillips has outlined [Ontario's 2020 Budget](#) as the next phase of Ontario's Action Plan. Through three main pillars of *Protect*, *Support*, and *Recover* the

government is making \$45 billion (\$30 billion already announced) in commitments over the next three years to manage the pandemic, focus on addressing the COVID-19 challenges and economic difficulties, and support key investments to deliver on an economic recovery.

Budget Impacts to Municipal Governments:

Business Education Tax

The government is lowering the Business Education Tax rates in recognition of this long-standing municipal concern. These rates will be lowered 0.88 % (10 basis points lower than 0.98%) and the Province is expected to adjust payments to school board to off-set reductions in education property taxes. The Province expects this to produce \$450 million in savings for 2021.

Property Tax Relief for Small Business

Municipalities will be provided flexibility to target property tax relief for small businesses with a provincial commitment to consider matching these reductions. Through a new optional property subclass for business properties, municipalities will be able to define this for their own local needs.

- Additionally, existing property tax exemption for Ontario branches of the Royal Canadian Legion will apply for 2019 and subsequent tax years to Ontario units of the Army, Navy and Air Force Veterans in Canada.

Addressing Speculative Sales

Addressing speculative sales amendments to the *Assessment Act* are being introduced to allow for the potential creation of optional new assessment tools to address concerns regarding redevelopment and speculative sales. This reflects an earlier private member's bill (i.e. Bill 179) put forward by MPP Robin Martin.

Broadband and Infrastructure

The Budget confirmed recent announcements on broadband and cellular as well as infrastructure investments. Yesterday, the government announced an additional \$680 million to support broadband and cellular connectivity for unserved and underserved communities, including a doubling of the ICON program to \$300 million. Also noted was the recent COVID-19 Resiliency Stream of the Investing in Canada Infrastructure Program, which makes \$250 million of provincial and federal funding available to municipalities with no local cost match required.

Long-Term Care

The Budget announced previous commitments made which included the increase of daily direct care for long-term residents to four hours a day over a four-year period. It also reiterated the Province's commitment to the Accelerated Build Pilot Program made in July 2020.

These investments build on supports announced as part of the first phase of Ontario's response to COVID-19, and the investments made to protect vulnerable seniors through the COVID-19 Fall Preparedness Plan.

Stormwater Investments

New investments in stormwater systems include:

- \$15 million over two years in one-time funding to support municipalities to improve the management of Lake Ontario wastewater and stormwater discharges, to reduce combined sewer overflows and bypasses, lower phosphorus discharges.
- \$10 million over 2 years to support wastewater monitoring and public reporting, to improve transparency around monitoring and public reporting of sewage overflows and bypasses from municipal systems in the Great Lakes.

Public Transit

The \$4 billion Safe Restart Agreement provides \$2 billion to Ontario's transit systems to help support services during the pandemic and Ontario has provided municipal governments and transit operators with \$15 million in provincial funding to support enhanced cleaning.

Conservation Authorities

Today's announcement confirms anticipated changes to the *Conservation Authorities Act* and regulations. While additional clarity will be sought on a number of matters, we understand that the local service agreement MOU's between Conservation Authorities and Municipal Governments are a local matter and the province is not intending to reduce this local control of MOUs through future regulation.

Ontario's Community Building Fund

The budget invests \$100 million over 2 years to support community tourism, cultural and sport organizations. Funding support will be available to municipalities. The program will be delivered by Ontario Trillium Foundation through two streams. One stream will provide funding to municipalities to make investments in infrastructure

rehabilitation and renovation, to meet and address public health protocols and local community needs.

Seniors

The budget puts forward an investment in **Seniors Active Living Centres** in the amount of \$3.1 million over the next fiscal year (2021-22).

In addition, Ontario is proposing new tax relief to help seniors live safely at home longer through the new Seniors' Home Safety Tax Credit for the 2021 taxation year, providing a 25 per cent credit on eligible renovations of up to \$10,000.

Inclusive Community Grants Program

The budget invests \$2 million over 2 years to fund the development of community supports that promote healthy and active aging, support social engagement, and help with participation in the labour force.

Within today's budget, there are several repeated provincial announcements that were made throughout the year. For this budget update, many of them have been omitted for brevity as they have been shared by AMO previously to members.

AMO will continue to review the budget details as well as the proposed legislation that is expressed to follow the budget. Updates will be provided as additional information becomes available.

AMO Contact: Rick Johal, Senior Advisor, rjohal@amo.on.ca, 905-962-7425.

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

From: Tosh, Christy <Christy.Tosh@simcoe.ca>
Sent: November 2, 2020 8:02 PM
Subject: Update from the Minister of Seniors, Deb Schulte - Federal Government

Hello All,

The Federal Minister of Seniors, Deb Schulte would like us to "Spread the word" by taking a minute to ensure that her message reaches as many seniors (and the people who support them) as possible.

Please share it with your networks through social media, email, or your newsletter.

Christy S. Tosh
Age-Friendly Community Project Lead

Tel: 705 726-9300 ext. 1405

Cell: 705 229-7880

Toll Free: 1-866-893-9300

E-mail: agefriendly@simcoe.ca

Website: www.Simcoe.ca/Age-Friendly

From: nc-stakeholder_relations_intervenants-gd@hrsdc-rhdcc.gc.ca <nc-stakeholder_relations_intervenants-gd@hrsdc-rhdcc.gc.ca>

Sent: October 30, 2020 10:23 AM

Subject: Update from the Minister of Seniors, Deb Schulte

With winter just around the corner, seniors thinking of heading to warmer locations may want to reconsider. While COVID-19 can make anyone sick, older adults are at much higher risk of developing a severe disease or other health-related complications. By staying in Canada, seniors can better protect themselves and their families.

Canada continues to advise against all non-essential travel outside Canada, including all cruise ship travel. If you must travel, please consult the Government of Canada's advice for older travellers and be sure to read COVID-19: Travel, quarantine and borders.

Things to consider before you go

- Local public health measures may be less stringent than those in Canada, potentially putting you at **greater risk of infection**.
- You may suddenly face strict restrictions at your destination, such as **curfews, lockdowns and quarantines**.
- You may have a hard time obtaining **essential products and services, including medications**, while abroad.
- Your travel insurance may not cover medical expenses or cover you for an **unexpected extended stay**.
- The Government of Canada may have limited capacity to offer you **consular services**.
- **Flight options** could be reduced, making it difficult for you to return to Canada. No further repatriation flights are planned.

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- You **must wear a mask or face covering at all times** while travelling.
- You **must quarantine** for 14 days upon your return to Canada.

Free travel webinars

Global Affairs Canada is offering free webinars on the **potential risks of travelling abroad**, along with information about digital tools and consular assistance available to Canadians. If you would like Global Affairs Canada to present a webinar to your organization, please contact outreach.sensibilisation@international.gc.ca.

National Seniors Council – Governor in Council appointment process

The Government of Canada is seeking applications from qualified Canadians to fill current and future vacancies on the National Seniors Council. Interested individuals are strongly encouraged to apply as soon as possible on the [Governor in Council appointments website](#).

Reminder to Guaranteed Income Supplement recipients who have not filed their 2019 income tax

To avoid any interruptions in benefits in January 2021, Guaranteed Income Supplement recipients who have not already filed their 2019 income tax information should file their taxes electronically with the [Canada Revenue Agency](#) or contact Service Canada by calling 1-800-277-9914 and providing their income information over the phone.

Sincerely,

Minister Deb Schulte

Spread the word:

I hope you will take a minute to ensure that this message reaches as many seniors (and the people who support them) as possible. Please share it with your networks through social media, email or your newsletter.

For regular updates, please follow:

Twitter: [@ESDC_GC](#)

Facebook: [Seniors in Canada](#)

Consent

AR

Colleen Healey

From: Tolulope Olutade <tolu.olutade@cengn.ca>
Sent: November 6, 2020 5:06 PM
To: Colleen Healey
Cc: Kirby Koster
Subject: Re: Township of Essa Community EOI - Full Package

Good evening,

This to inform you that the evaluation of applications submitted in response to the CENGN Rural Ontario Residential Broadband Project #3 – Call for Community Expression of Interests (EOI) has been completed.

It was a very competitive process. The External Review Panel evaluated all proposals in accordance with the evaluation criteria set forth in the CENGN “Call for Community Expression of Interest - Rural Ontario Residential Broadband Project #3” document and the CENGN “EOI and RFS Process Document – Project #3”. As a result of the evaluation, we regret to inform you that your community was not selected as the host community for this project. *

We want to thank you for the work you put into preparing your response to the EOI and your interest in our Rural Ontario Residential Broadband program. We will be sure to let you know should there be any future CENGN rural broadband projects in your area.

Best regards

Tolu Olutade
Broadband Innovation Specialist
<<https://www.cengn.ca/>>
555 Legget Drive | Tower A | Suite 600 | Ottawa ON | K2K 2X3 Cell (613) 323-3997 www.cengn.ca
<<http://www.cengn.ca>> Follow us @CENGNCANADA

On 2020-10-07, 4:36 PM, "Colleen Healey" <chealey@essatownship.on.ca> wrote:

Thanks again for your patience. Stay safe.

Colleen Healey-Dowdall

Chief Administrative Officer
Township of Essa
chealey@essatownship.on.ca
705-424-9917 x109

****Did you know? The Township of Essa is undertaking a comprehensive review of its Official Plan. Click [HERE](#) to participate!****

**NOTICE OF STATUTORY PUBLIC MEETING (VIRTUAL)
CONCERNING PROPOSED COUNTY OFFICIAL PLAN AMENDMENT**

for

Waste Management Policies and Schedules within the County of Simcoe Official Plan

TAKE NOTICE that County Council for the County of Simcoe will hold a Virtual Public Meeting to consider a proposed amendment to the County of Simcoe Official Plan, pursuant to Section 17 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

Tuesday, November 24, 2020 at 1:00 p.m. via ZOOM

County File No. SC-OPA-1901

The proposed Official Plan Amendment applies to the whole of the County of Simcoe and as such, no key map has been provided in this notice.

THE PURPOSE of the County initiated amendment is to clarify the County's policies regarding its Solid Waste Management system (Section 4.9) and update how solid waste management sites are identified on Schedules 5.6.1 and 5.6.2 of the Simcoe County Official Plan.

It has been determined that the existing waste management policies are specific to landfilling operations only and do not accurately recognize or plan for the range of waste management activities and services within the County's solid waste management system including: waste transfer sites, materials recycling, organics diversion and processing, household hazardous waste disposal, and other specialized programs. The proposed amendment will include the other waste management operations and services provided as part of the County's overall waste management system. Please note that the amendment is not proposing any new waste management sites.

THE EFFECT of the amendment will introduce a systems approach to waste management in the County, differentiate landfilling and non-landfilling activities, clarify language associated with D-4 Assessment Areas and D-4 studies, and update associated mapping schedules.

ANY PERSON OR PUBLIC BODY may make written and/or verbal representation either in support of, or in opposition to the proposed Official Plan Amendment. You are encouraged to provide your comments or questions in writing using email or regular letter mail to the County Clerk in advance of the Public Meeting, referencing County File No. SC-OPA-1901. Should you wish to speak at the virtual public meeting you are required to pre-register no later than November 23, 2020 at noon. Those who have registered will be required to speak via ZOOM. In order to participate in a ZOOM meeting you will require a camera enabled device (computer/tablet) and a reliable high speed internet connection.

A10

The approval authority for County of Simcoe Official Plan amendments is the Ministry of Municipal Affairs and Housing.

If a person or public body would otherwise have an ability to appeal the decision of the Ministry of Municipal Affairs and Housing to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions of the public meeting or make written submissions to the County of Simcoe before the proposed official plan amendment is adopted the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the County of Simcoe before the proposed official plan amendment is adopted the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless in the opinion of the Tribunal there are reasonable grounds to add the person or public body as a party.

NOTICE OF ADOPTION OR REFUSAL if you wish to be notified of the adoption of the proposed Official Plan Amendment, or of the refusal of a request to amend the official plan, you must make a written request to the Clerk's Department, County of Simcoe, Administration Centre, 1110 Highway 26, Midhurst, Ontario, L9N 1X6 or email same to clerks@simcoe.ca.

ADDITIONAL INFORMATION relating to the proposed Official Plan Amendment is available for viewing on the County of Simcoe website at <https://www.simcoe.ca/Planning/Pages/PublicMeetingsCOPA.aspx>

DATED at Midhurst this 29th day of October, 2020.

John Daly, County Clerk
County of Simcoe Administration Centre
1110 Highway 26, Midhurst, ON L9N 1X6
Phone (705) 726-9300 Ext. 1246
clerks@simcoe.ca

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ONTARIO ENERGY BOARD NOTICE TO CUSTOMERS OF ENBRIDGE GAS INC.

**Enbridge Gas Inc. has applied to raise its natural gas rates effective
January 1, 2021**

Learn more. Have your say.

Enbridge Gas Inc. has applied to the Ontario Energy Board for approval to recover the costs related to three capital projects. If the request is approved, a typical residential customer in the EGD Rate Zone and in the Union Rate Zones (former customers of Enbridge Gas Distribution Inc. and Union Gas Limited, respectively) would see the following changes:

Rate Zones	Residential Annual Bill Increase
Enbridge Gas Distribution	\$ 0.11
Union South	\$ 2.71
Union North (East & West)	\$ 0.00

Other customers may also be affected. It is important to review the application carefully to determine whether you will be affected by the changes.

This application is the second phase of an earlier application (EB-2020-0095) in which Enbridge Gas requested approval for rate increases effective January 1, 2021, based on a rate-setting framework that is tied to inflation and other factors.

THE ONTARIO ENERGY BOARD IS HOLDING A PUBLIC HEARING

The Ontario Energy Board (OEB) will hold a public hearing to consider the application filed by Enbridge Gas Inc. We will question Enbridge Gas Inc. on the case. We will also hear questions and arguments from individual customers and from groups that represent the customers of Enbridge Gas Inc. At the end of this hearing, the OEB will decide whether the rate increase requested in the application will be approved.

The OEB is an independent and impartial public agency. We make decisions that serve the public interest. Our goal is to promote a financially viable and efficient energy sector that provides you with reliable energy services at a reasonable cost.

BE INFORMED AND HAVE YOUR SAY

You have the right to information regarding this application and to be involved in the process.

- You can review the application filed by Enbridge Gas Inc. on the OEB's website now.
- You can file a letter with your comments, which will be considered during the hearing.
- You can become an active participant (called an intervenor). Apply by **November 20, 2020** or the hearing will go ahead without you and you will not receive any further notice of the proceeding.
- At the end of the process, you can review the OEB's decision and its reasons on our website.

LEARN MORE

Our file number for this case is **EB-2020-0181**. To learn more about this hearing, find instructions on how to file letters or become an intervenor, or to access any document related to this case, please enter the file number **EB-2020-0181** on the OEB website: www.oeb.ca/participate. You can also phone our Consumer Relations Centre at 1-877-632-2727 with any questions.

ORAL VS. WRITTEN HEARINGS

There are two types of OEB hearings – oral and written. The OEB will determine at a later date whether to proceed by way of a written or oral hearing. If you think an oral hearing is needed, you can write to the OEB to explain why by **November 20, 2020**.

PRIVACY

If you write a letter of comment, your name and the content of your letter will be put on the public record and the OEB website. However, your personal telephone number, home address and e-mail address will be removed. If you are a business, all your information will remain public. If you apply to become an intervenor, all information will be public.

This hearing will be held under section 36 of the Ontario Energy Board Act, S.O. 1998 c. 15 (Schedule B).



Lisa Lehr

From: National Disaster Mitigation Program (MMAH)
<National.Disaster.Mitigation.Program@ontario.ca>
Sent: November 10, 2020 12:25 PM
To: National Disaster Mitigation Program (MMAH)
Subject: National Disaster Mitigation Program - Intake 6 launch
Attachments: NDMP to Municipal Officials and AMO - Intake 6 PDF EN FINAL.pdf; NDMP to Municipal Officials and AMO - Intake 6 PDF FR FINAL.pdf; PS-SP-#3683123-v1-NDMP_-_RAIT_Guidelines_PDF_EN.PDF; PS-SP-#3683138-v1-NDMP_Guide_de_RAIS_PDF_-_FR.PDF; PS-SP-#3682896-v1-NDMP_Project_Proposal_Form_(2021-2022)_EN.PDF; PS-SP-#3682898-v2-PNAC_Formulaire_de_proposition_de_projet_(2021-2022)_FR.PDF; PS-SP-#3682930-v1-NDMP_-_RAIT_(Risk_Assessment_Information_Template)_EN.PDF; PS-SP-#3682939-v1-NDMP_-_RAIT_(Modèle_d_information_sur_l'évaluation_du_risque)_FR.PDF

National Disaster Mitigation Program - Intake 6

The Ministry of Municipal Affairs and Housing is pleased to advise that the federal government is opening a new intake of the **National Disaster Mitigation Program (NDMP)**.

Under this intake, the NDMP may provide up to 50 per cent federal funding, to a maximum of \$1.5 million per project, for the following projects:

- 1) Flood risk assessments
- 2) Flood mapping
- 3) Flood mitigation plans
- 4) Non-structural flood mitigation projects (structural projects are not eligible)

Municipalities, conservation authorities and other eligible organizations in Ontario are invited to submit proposals for projects to be undertaken between April 1, 2021 and March 31, 2022.

For Ontario applicants, proposal forms and risk assessment information templates must be submitted to National.Disaster.Mitigation.Program@ontario.ca by December 1, 2020.

The ministry will review all proposals received. All those that meet program requirements will be submitted to the federal government for funding consideration. Funding decisions are made by the federal government and are subject to federal program approvals and availability of funds.

A high proportion of the projects submitted by Ontario under previous intakes of this program have been approved, so we encourage you to apply to help reduce flood risk in your community. Projects can address any kind of flooding, whether riverine, shoreline or urban.

For more information about the program and how to apply, we invite you to join a webinar hosted by the Ministry of Municipal Affairs and Housing on Friday, November 13, 2020 at

11:00 a.m. OR Monday, November 16, 2020 at 3:00 p.m. Please register at <https://ndmp-intake6.eventbrite.ca>.

Programme national d'atténuation des catastrophes - 6e période d'acceptation des demandes

Le ministère des Affaires municipales et du Logement a le plaisir de vous informer que le gouvernement fédéral lance une nouvelle période d'acceptation des demandes pour le **Programme national d'atténuation des catastrophes (PNAC)**.

Dans le cadre de cette nouvelle période d'acceptation des demandes, le PNAC peut fournir du financement fédéral pouvant aller jusqu'à 50 p. 100 du montant du projet, jusqu'à un montant maximal de 1,5 million de dollars par projet, dans les catégories suivantes :

1. évaluation des risques des inondations
2. cartographie des inondations
3. planification de l'atténuation des inondations
4. investissements dans les projets d'atténuation non structuraux (les projets structuraux ne sont pas admissibles)

Les municipalités, les offices de protection de la nature et les autres organismes admissibles en Ontario sont invités à soumettre des propositions de projets qui seraient réalisés entre le 1^{er} avril 2021 et le 31 mars 2022.

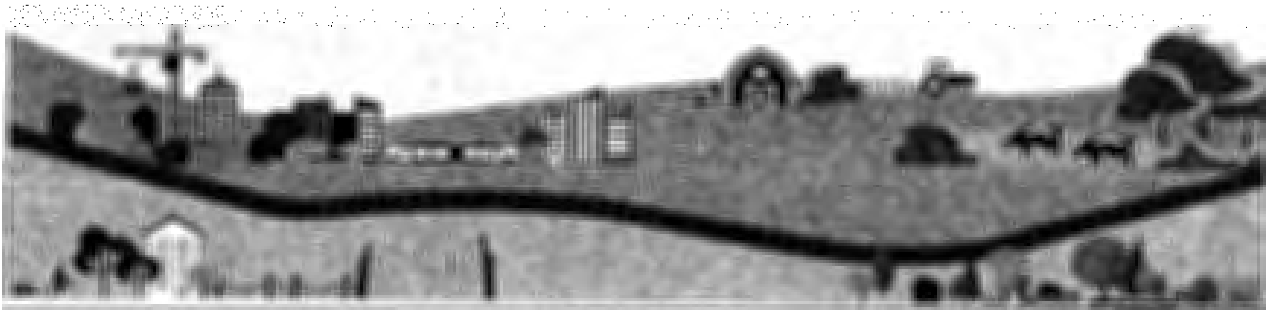
Les demandeurs de l'Ontario doivent soumettre leur formulaire de proposition de projet et modèle d'information sur l'évaluation du risque au plus tard le 1^{er} décembre 2020 à l'adresse National.Disaster.Mitigation.Program@Ontario.ca

Le ministère examinera toutes les propositions reçues. Toutes celles qui répondent aux exigences du programme seront soumises au gouvernement fédéral en vue d'obtenir un financement. Les décisions concernant le financement sont prises par le gouvernement fédéral, sous réserve des approbations du programme fédéral et de la disponibilité des fonds.

Une grande majorité des projets soumis par l'Ontario lors des précédentes périodes de soumission du programme ont été approuvés. Nous vous encourageons donc à soumettre vos demandes afin d'aider à réduire le risque d'inondation dans votre collectivité. Les projets peuvent porter sur tout type de risque d'inondation, que ce soit une inondation urbaine et riveraine.

Pour en savoir plus sur le programme et la façon de soumettre une demande, assistez au webinaire présenté par le ministère des Affaires municipales et du Logement le vendredi 13 novembre à 11 h ou le lundi 16 novembre à 15 h. Inscrivez-vous à <https://ndmp-intake6.eventbrite.ca> .

[EXTERNAL]



National Disaster Mitigation Program - Intake 6

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For more information about the program and how to apply, we invite you to join a webinar hosted by the Ministry of Municipal Affairs and Housing.

Dates and times	Registration
Friday, November 13 at 11:00 am	<u>Register</u>
Monday, November 16 at 3:00 pm	

Annex A

National Disaster Mitigation Program (NDMP) Risk Assessment Information Template (RAIT) Users' Guide

1. Overview

Following severe flooding in Saskatchewan, Manitoba and Quebec in 2011, Economic Action Plan 2012 proposed the Government discuss with provinces and territories (P/Ts) the development of a National Disaster Mitigation Program (NDMP), recognizing that mitigation can lessen the impact of natural disasters on vulnerable communities and reduce the costs associated with these events.

Of the four components of emergency management, mitigation is the most effective means to reduce or eliminate the impacts of disasters. While preparedness, response and recovery help ensure that, once a disaster strikes, the impacts are managed efficiently, mitigation measures can prevent the impacts from occurring at all, or reduce the negative consequences if they do occur.

Investment in disaster mitigation leads to significant relative savings in future response and recovery costs (compared to costs if no mitigation measures were taken). While future disaster costs cannot be predicted with certainty, the relative savings generated by mitigation investments have been demonstrated by governments, international organizations, and private industry world-wide.

A key element of any sound mitigation program is an understanding of both the potential risk of an event occurring, as well as the potential impacts should the risk be realized. Utilizing a risk assessment process, emergency management planners can begin to make proactive, risk-based decisions regarding the potential events that might impact their communities, and determine what priority measures can be taken, if possible, to improve the safety and resilience of their communities.

Risk assessments can be used by federal, provincial/territorial and municipal governments, as well as other stakeholders, to inform emergency management (EM) decision making across all four components of EM. The assessment process allows stakeholders to identify and prioritize those risks that are likely to create the most disruption to them. The assessment also helps decision-makers to identify and describe hazards and assess impacts and consequences based upon the vulnerability or exposure of the local area, or its functions to that hazard.

The risk assessment approach aims to understand the likely impacts of a range of emergency scenarios upon community assets, values and functions. As such, risk assessments provide an opportunity for multiple impacts and consequences to be considered enabling collaborative risk treatment plans and emergency management measures to be described.

The outputs of the assessment process can be used to better inform emergency management planning and priority setting, introduce risk action plans, and ensure that communities are aware of and better informed about hazards and the associated risks that may affect them.

2. NDMP Data and Information Collection for Identified Hazards

The NDMP risk assessment information template (RAIT) is a basic tool that has been developed by Public Safety Canada (PS) in consultation with other government departments, experts in risk assessment best practices, and international leaders in this area, for the input of risk information by funding applicants, based on a completed risk assessment process. The template was designed to allow comparability of information and data outputs from a variety of risk assessment methodologies that may be used.

The risk information will be used to support the application for which mitigation funding is being sought. All applicants must complete a risk assessment information template (RAIT) for funding consideration under streams two, three and four of the NDMP. In addition to the risk assessment information template (RAIT), PS encourages all applicants to submit their detailed risk assessments as supporting documentation, thereby providing PS with a broader understanding of risk across Canada.

The completed risk assessment information template (RAIT) should outline and describe local risk, including an estimate of the likelihood of occurrence, potential magnitude and type of consequences or impacts. This should present factual supporting information.

Risk event descriptions should include, where possible, historical context, which allows for research into trends and longer term analysis. Information based on current risk, as well as future risk such as that brought upon by climate change, should be included.

Applicants should also ensure that prevention, mitigation and preparedness activities for the proposed area take into account existing infrastructure, technologies and community/regional capabilities. Local experts and experts from agencies at other government levels, may be invaluable resources to help gain important information regarding specific risk criteria.

3. Consequence/Impact Assessment

The following section provides a description of the different impact criteria that should be completed within the risk assessment information template (RAIT). In addition, descriptions of the risk ranking and definitions associated with the five-point scale used to define the impacts are presented. The impact risk rating definitions are based on qualitative and quantitative elements referenced from a diverse array of risk and resilience methodologies and external risk management models.

a. People and Societal Impacts

It is a priority at the municipal, provincial and federal levels to protect the health and safety of Canadians. Impacts on people are considered pertinent in the assessment process given that natural hazards can result in significant societal disruptions such as

evacuations and relocations as well as injuries, immediate deaths, and deaths resulting from unattended injuries or displacement. As such, the following impact criteria will be assessed on a 1 to 5 scale:

- number of fatalities;
- ability for local healthcare resources to address injuries; and
- number of individuals displaced and duration of displacement.

b. Environmental Impacts

A priority for municipal, provincial and federal governments is to protect Canada's natural environment for current and future generations. As such, environmental impacts were included in the assessment to measure the risk event in relation to the degree of damage and predicted scope of clean-up and restoration needed following an event. The definitions consider the direct and indirect environmental impacts within the defined geographic area on a 1 to 5 scale, and include an assessment of air quality, water quality and availability (exclusive to on land and in-ground water), and various other nature indicators.

c. Local Economic Impacts

There may be impacts on the local economy that are the result of a risk event occurring. Local economic impacts attempt to capture the value of damages or losses to local economically productive assets, as well as disruptions to the normal functioning of the community/region's local economic system. The definitions consider the local economic impacts within the defined geographic area on a 1 to 5 scale, and should consider direct and indirect economic losses (i.e. productivity losses, capital losses, operating costs, financial institutions and other financial losses).

d. Local Infrastructure Impacts

There are several local infrastructure components, as per a variety of risk assessment and management sources and guidelines that are fundamental to the viability and sustainability of a community/region. Those components that appear most pertinent to assess impacts resulting from natural hazards, such as floods, include: energy and utilities; information and communication technology; transportation; health, food and water; and safety and security. At a minimum, an assessment of the aforementioned components must be completed, defined on a 1 to 5 scale, and should consider both direct and indirect impacts.

It is important to note that Critical Infrastructure, in Canada, includes the following ten sectors: energy and utilities, information and communications technology, finance, healthcare, food, water, transportation, safety, government and manufacturing. Currently, the National Disaster Mitigation Program attempts to leverage those elements thought to be most relevant to identify and assess local flood risk to communities while complementing other Government initiatives, such as the *National Strategy and Action Plan for Critical Infrastructure*.

e. Public Sensitivity Impacts

Public sensitivity was included as an impact criterion given that credibility of governments is founded on the public's trust that all levels of government will respond

effectively to a disaster event. The definitions consider the impacts on public visibility on a 1 to 5 scale, and include an assessment of public perception of government institutions, and trust and confidence in public institutions.

4. Confidence Levels

The risk assessment process requires confidence levels to be defined, particularly since confidence levels can vary considerably depending on the availability of quality data, availability of relevant expertise to feed the risk assessment process, and the existing Canadian body of knowledge associated with specific natural hazards and natural disaster events.

Confidence levels have been defined using letters ranging from A to E, where 'A' is the highest confidence level and 'E' is the lowest. This approach was taken to ensure all applicants can determine the confidence in their risk assessment in a simplified, straightforward manner, which also ensures that a more consistent representation of confidence levels is being determined across all submissions.

Applicants are required to indicate in the risk assessment information template (RAIT), their level of confidence in the likelihood estimate and impact risk ratings associated with the natural hazard risk event. Applicants can also provide a justification for the confidence level in the risk assessment information template (RAIT), including references and sources to support the assigned confidence level.



Backgrounder

Concerns About Changes to the *Conservation Authorities Act* and *Planning Act* Which Affect Conservation Authorities

November 13, 2020

The Province has introduced a number of changes to the *Conservation Authorities Act* and the *Planning Act* that significantly 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. The changes risk watering down or limiting the conservation authorities' ability to ensure a watershed-based approach to development and to overall protection of Ontario's environment.

Highlights of Key Changes:

- remove and/or significantly hinder the conservation authorities' role in regulating development, and engaging in review and appeal of municipal planning applications
- allow the Minister make decisions on permit appeals and issue permits without watershed data and expertise from the conservation authorities
- redirect the fiduciary role (Duty of Members) for municipally appointed CA Board members. They are being told to make decisions in the best interest of the municipalities and not the conservation authority.

Conservation Authority Transparency and Accountability

There are a number of changes which appear administrative in nature which we acknowledge will address concerns around conservation authorities' transparency and accountability. CA Administrative By-Laws were completed by the December 2018 legislated deadline and should already address these concerns including making key documents publicly available; including meeting agendas, meeting minutes, and annual audits.

Conservation Ontario Concerns

Ontario's environment will be at risk.

Provincial changes to both the *Conservation Authorities Act* and the *Planning Act* risk watering down or losing the conservation authorities' science-based watershed approach which currently protects Ontario's environment.

- Conservation authorities are important agencies who 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 risks to people.
- CAs bring the watershed science and information to the various tables where development and growth are being reviewed and discussed.
- Provincial changes limit the conservation authorities' ability to provide input to municipal planning applications and to permit decisions and appeals.

- The conservation authority watershed model has served Ontario well and is relied upon by many levels of government, businesses and residents to protect the environment from upstream to downstream.
- Conservation authorities undertake watershed-scale monitoring, data collection management and modelling; watershed-scale studies, plans, assessments and strategies; and watershed-wide actions including stewardship, communication, outreach and education activities that protect our environment on a watershed basis.

Provincial changes will actually create more costs, delays and red tape around permit and planning applications and appeals.

- There are new appeal processes which will significantly slow down the permitting process creating delays and more red tape.
- If applicants are not satisfied with decisions made by the Hearing Boards (CA Board of Directors or Executive), then applicants can now appeal directly to the Minister who can make his or her own decision without a hearing and even issue a permit.
- Alternatively, or in addition, the applicant can appeal a decision of the conservation authority to the Local Planning Appeal Tribunal (LPAT).
- These changes could add as many as almost 200 days to the application process.

Changes made by the Province to the conservation authorities' role in not being allowed to independently appeal decisions made around municipal planning applications will put more people and infrastructure at risk of flooding and other natural hazards and add additional stressors to Ontario's biodiversity.

- Changes have been made to the conservation authorities' role in the land use planning process. They are no longer allowed to appeal these decisions independently.
- Being able to participate in appeals processes ensures that the watershed lens is being applied to planning and land use decisions and that people and their property are protected from natural hazards such as flooding.
- Without our ability to look at development applications on a watershed basis, we run the risk of the plan review process being piecemealed and ultimately the potential to exacerbate risks associated with natural hazards and for cumulative negative environmental impacts.

The Province has removed the responsibility for municipally appointed CA Board members to represent the interests of the Conservation Authority.

- The Province has changed the 'Duty to Members' section of the CAA to have municipal representatives on CA Boards actually act in the interests of their own municipality rather than the conservation authority's interests.
- It contradicts the fiduciary duty of board members of any organization to represent the best interests of the corporation they are overseeing. It puts an individual municipal interest above the conservation authority and watershed interests.

- This change undermines the ability of the CA Board to address the broader environmental/resource management issues facing our watersheds today. It limits discourse on these issues and consideration of programs and services that address watershed-wide issues that span municipal boundaries is paramount in a time of increasing climate change.

For more information:

Kim Gavine, General Manager, Conservation Ontario
Cell: 905-251-3268 | kgavine@conservationontario.ca
Conservationontario.ca

**Summary of Proposed Amendments to the *Conservation Authorities Act*
& *Planning Act* through Bill 229 and Implications**

Description of Proposed Amendments	Implications to Conservation Authorities
<p>Existing aboriginal or treaty rights</p> <p>Section 1 is amended to include a non-abrogation clause with respect to aboriginal and treaty rights.</p>	<p>No concern.</p>
<p>Members of authority</p> <p>Section 14 is amended to ensure that the members of a conservation authority that are appointed by participating municipalities are municipal councillors. The Minister is given the authority to appoint an additional member to a conservation authority to represent the agricultural sector. The powers to define in regulation the composition, appointment or minimum qualifications for a member of the Board have been repealed. The duties of a member are amended, every member is to act honestly and in good faith and shall generally act on behalf of their respective municipalities.</p>	<p>There may be a municipal concern. Municipalities will no longer be able to appoint a member of the public to the Board and the specification of ‘municipal councillor’ rather than “municipally elected official” may exclude Mayors.</p> <p>There may be a municipal concern. Should the Minister choose to appoint a member to represent the agricultural sector it is assumed that candidates would apply through the Public Appointments Secretariat. It is also 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.</p> <p>There may be a municipal concern. There is no opportunity to manage these legislative amendments through the regulations process as Bill 229 has removed the ability to prescribe by regulation, the composition, appointment, or qualifications of members of CAs.</p> <p>Significant concern. The amendment that would require members to act on behalf of their respective municipalities contradicts the 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.</p>

Description of Proposed Amendments	Implications to Conservation Authorities
<p>Meetings of authorities</p> <p>Section 15 is amended to require that meeting agendas be available to the public before a meeting takes place and that minutes of meetings be available to the public within 30 days after a meeting. They are to be made available to the public online.</p>	<p>No concern. CA Administrative By-Laws were completed by the December 2018 legislated deadline and, as a best practice, should already address making key documents publicly available; including meeting agendas and meeting minutes.</p>
<p>Chair/vice-chair</p> <p>Section 17 is amended to clarify that the term of appointment for a chair or vice-chair is one year and they cannot serve for more than two consecutive terms.</p>	<p>There may be a municipal concern. Municipal Councillor interest and availability regarding this requirement is to be determined.</p>
<p>Objects</p> <p>Section 20 objects of a conservation authority are to provide the mandatory, municipal or other programs and services required or permitted under the Act and regulations.</p>	<p>No concern. Previously the objects of an authority were to undertake programs and services designed to further the conservation, restoration, development and management of natural resources. This is still reflected in the Purpose of the Act. The objects now reference the mandatory and non-mandatory programs and services to be delivered. The “other programs and services” clause indicates that “an authority may provide within its area of jurisdiction such other programs and services as the authority determines are advisable to further the purposes of this Act”.</p>
<p>Powers of authorities</p> <p>Section 21 amendments to the powers of an Authority including altering the power to enter onto land without the permission of the owner and removing the power to expropriate land.</p>	<p>No concern</p>
<p>Programs and Services</p> <p>Section 21.1 requires an authority to provide mandatory programs and services that are prescribed by regulation and meet the requirements set out in that section. Section 21.1.1 allows authorities to enter into agreements with participating municipalities to provide programs and</p>	<p>Significant concern. The basic framework of mandatory, municipal and other program and services has not changed from the previously adopted but not yet proclaimed amendments to the legislation. What has now changed is that municipal programs and services and other programs and services are subject to such standards and requirements</p>

Description of Proposed Amendments	Implications to Conservation Authorities
<p>services on behalf of the municipalities, subject to the regulations. Section 21.1.2 would allow authorities to provide such other programs and services as it determines are advisable to further the purposes of the Act, subject to the regulations.</p>	<p>as may be prescribed by regulation. Potentially the regulations could restrict what the Authority is able to do for its member municipalities or to further the purpose of the Act.</p>
<p>Agreements for ‘other programs and services’</p> <p>An authority is required to enter into agreements with the participating municipalities in its jurisdiction if any municipal funding is needed to recover costs for the programs or services provided under section 21.1.2 (i.e. other program and services). A transition plan shall be developed by an authority to prepare for entering into agreements relating to the recovery of costs. *All programs and services must be provided in accordance with any prescribed standards and requirements.* <i>NOTE- this new addition is addressed as a significant concern under Programs and Services above.</i></p>	<p>Potential concern. This appears to be a continuation of an amendment previously adopted but not yet proclaimed. MECP staff indicate that the current expectation is that the plan in the roll-out of consultations on regulations is that the Mandatory programs and services regulation is to be posted in the next few weeks. It is noted that this will set the framework for what is then non-mandatory and requiring agreements and transition periods. MECP staff further indicated “changes would be implemented in the CA 2022 budgets” which is interpreted to mean that the Transition period is proposed to end December 2021. Subject to the availability of the prescribed regulations this date is anticipated to be challenging for coordination with CA and municipal budget processes.</p>
<p>Fees for programs and services</p> <p>Section 21.2 of the Act allows a person who is charged a fee for a program or service provided by an authority to apply to the authority to reconsider the fee. Section 21.2 is amended to require the authority to make a decision upon reconsideration of a fee within 30 days. Further, the amendments allow a person to appeal the decision to the Local Planning Appeal Tribunal or to bring the matter directly to the Tribunal if the authority fails to render a decision within 30 days.</p>	<p>Some concern. Multiple appeals of fees have the potential to undermine CA Board direction with regard to cost recovery and to divert both financial and staff resources away from the primary work of the conservation authority.</p>
<p>Provincial oversight</p> <p>New sections 23.2 and 23.3 of the Act would allow the Minister to take certain actions after reviewing a report on an investigation into an authority’s operations. The Minister may order the authority to do anything to prevent or remedy non-compliance with the Act. The</p>	<p>No concern. This appears to be an expansion of powers previously provided to the Minister.</p>

Description of Proposed Amendments	Implications to Conservation Authorities
<p>Minister may also recommend that the Lieutenant Governor in Council appoint an administrator to take over the control and operations of the authority.</p>	
<p>Ministerial Review of Permit Decisions</p> <p>Subsection 28.1 (8) of the Act currently allows a person who applied to a conservation authority for a permit under subsection 28.1 (1) to appeal that decision to the Minister if the authority has refused the permit or issued it subject to conditions. Subsection 28.1 (8) is repealed and replaced with provisions that allow the applicant to choose to seek a review of the authority’s decision by the Minister or, if the Minister does not conduct such a review, to appeal the decision to the Local Planning Appeal Tribunal within 90 days after the decision is made. Furthermore, if the authority fails to make a decision with respect to an application within 120 days after the application is submitted, the applicant may appeal the application directly to the Tribunal.</p>	<p>Significant concern. These amendments provide two pathways for an applicant to appeal a decision of an Authority to deny a permit or the conditions on a permit. One is to ask the Minister to review the decision; the other is to appeal directly to the Local Planning Appeal Tribunal. Appeals brought through these processes will create additional workload for the Authority and increase the amount of time that a permit appeal process takes.</p> <p>New guidelines will need to be created to support the Minister and the LPAT in their decision-making processes. There is no reference to a complete application being submitted prior to the 120 day “clock” being started.</p>
<p>Minister’s Order Re. S. 28 Permit</p> <p>New section 28.1.1 of the Act allows the Minister to order a conservation authority not to issue a permit to engage in an activity that, without the permit, would be prohibited under section 28 of the Act. After making such an order the Minister may issue the permit instead of the conservation authority.</p>	<p>Significant concern. These powers appear to be similar to a Minister Zoning Order provided for under the <i>Planning Act</i>. Should the Minister decide to use these powers it is appears that the CA may be required to ensure compliance with the Minister’s permit.</p>
<p>Cancellation of Permits</p> <p>Section 28.3 of the Act is amended to allow a decision of a conservation authority to cancel a permit or to make another decision under subsection 28.3 (5) to be appealed by the permit holder to the Local Planning Appeal Tribunal.</p>	<p>Some concern. Some conservation authorities use the cancellation of a permit as part of their compliance approach; the ability to appeal to the LPAT will add 90 days to the process prior to a LPAT hearing taking place. Renders the tool ineffective if the permit holder decides to appeal.</p>

Description of Proposed Amendments	Implications to Conservation Authorities
<p>Entry Without Warrant, Permit Application</p> <p>Subsection 30.2 (permit application) of the Act sets out circumstances in which an officer may enter land within the area of jurisdictions of an authority. Those circumstances are revised.</p>	<p>Some concern. The changes are to amendments previously adopted but not proclaimed. For considering a permit application, the officer is now required to give reasonable notice to the owner and to the occupier of the property, which may result in increased administrative burden for the CA. It also appears to remove the ability to bring experts onto the site.</p>
<p>Entry Without Warrant, Compliance</p> <p>Subsection 30.2 (compliance) of the Act sets out circumstances in which an officer may enter land within the area of jurisdictions of an authority. Those circumstances are revised.</p>	<p>Significant/Some concern. The revisions essentially undo any enhanced powers of entry found within the yet to be proclaimed enforcement and offences section of the Act. The result is that CAs essentially maintain their existing powers of entry, which are quite limited. Conservation authorities will likely have to rely on search warrants to gain entry to a property where compliance is a concern. Reasonable grounds for obtaining a search warrant cannot be obtained where the activity cannot be viewed without entry onto the property (i.e. from the road).</p>
<p>Stop (work) Order</p> <p>Section 30.4 of the Act is repealed. That section, which has not yet been proclaimed and which would have given officers the power to issue stop orders to persons carrying on activities that could contravene or are contravening the Act, is repealed.</p>	<p>Significant concern. This is an important enforcement tool that conservation authorities have been requesting for years. Without this tool, conservation authorities must obtain an injunction to stop unauthorized activities which represents a significant cost to the taxpayers.</p>
<p>Regulations Made By Minister and LGIC</p> <p>The regulation making authority in section 40 is re-enacted to reflect amendments in the Schedule.</p>	<p>No concern.</p>
<p>Throughout the legislation all references to the Mining and Lands Commissioner has been replaced with the Local Planning Appeal Tribunal</p>	<p>Some concern. The LPAT lacks the specialized knowledge that the MLT has with regard to S. 28 applications. There is also a significant backlog of cases at the LPAT.</p>

Description of Proposed Amendments	Implications to Conservation Authorities
<p>Planning Act – Exclusion of CAs as Public Body</p> <p>Subsection 1(2) of the <i>Planning Act</i> is amended to remove Conservation Authorities as a public body under the legislation. Conservation authorities will not be able to independently appeal or become a party to an appeal as a public body at the LPAT.</p>	<p>Significant concern. There is lack of clarity on the implications of this amendment.</p> <p>The intent of the amendment is to remove from conservation authorities the ability to appeal to LPAT any <i>Planning Act</i> decisions as a public body or to become a party to an appeal. Conservation authorities will instead be required to operate through the provincial one window approach, with comments and appeals coordinated through MMAH. Note that the one window planning system is typically enacted for the review of Official Plans and Official Plan Amendments. It is expected that conservation authorities will retain the ability to appeal a decision that adversely affects land that it owns however that has not been confirmed.</p>



MEDIA RELEASE

FOR IMMEDIATE RELEASE

Proposed changes to Conservation Authorities Act and Planning Act puts people, property and our environment at risk

UTOPIA, Ontario (November 13, 2020) – On November 5, 2020, the Ontario government released changes to the *Conservation Authorities Act* and *Planning Act* in the provincial budget. The Nottawasaga Valley Conservation Authority (NVCA) has reviewed these proposed changes and is encouraged that the *Conservation Authorities Act* continues to provide conservation, restoration, source water and natural resource management at the watershed level. NVCA also supports enhanced transparency and accountability, which represent best practices and the high level of service provided to our partners, stakeholders and watershed residents.

However, the proposed changes would reduce the effectiveness of conservation authorities to protect the natural environment as well as public health and safety.

“The Township of Essa has specific examples of development, which by today’s standards should not have occurred on lands at risk,” said Keith White, NVCA Chair, Councillor at the Township of Essa. “In 1954, Hurricane Hazel destroyed roads, bridges, railway trestles and tracks throughout the municipality, as well as flooding residential and commercial lands. A commercial plaza on King Street in Angus was built in 1965, and has been completely flooded numerous times since then. At times, it was only accessible by canoe.”

NVCA’s concerns regarding the proposed changes are:

1. Proposed changes to the *Conservation Authorities Act* would authorize the Minister of Natural Resources and Forestry to issue an order to take over and decide a development permit application in place of a conservation authority. Additionally, a permit applicant can request that the Minister review a conservation authority’s decision about a permit application (approved with conditions or denied), at which point the Minister can make any decision, including issuing a permit.

Originating from the Niagara Escarpment, Oak Ridges Moraine and the Oro Moraine, the Nottawasaga River connects NVCA’s 18 municipalities while passing through the internationally significant Minesing Wetlands complex before draining into Georgian Bay and Lake Huron. Amongst all this is a mosaic of woodlands, wetlands, valleys

and river systems situated in agricultural, rural and urban land uses. In this picturesque landscape is an array of natural hazards that cross municipal and property boundaries. Questionable development decisions can have significant and lasting negative impacts to the property, adjacent properties, upstream and downstream communities.

NVCA and all Ontario conservation authorities are science-based, non-partisan, public sector organizations that review permit applications consistently across the province through the requirements set forth under Section 28 of *the Conservation Authorities Act*. To provide permitting authority to the Minister of Natural Resources and Forestry would take science out of the process, effectively politicizing the permits and potentially allowing development that is shown to be unsafe or damaging to the natural environment. As such, putting people and property at risk.

2. Proposed changes would remove the potential ability to issue stop work orders, a new tool in our enforcement toolbox that conservation authorities had long requested from the province. It will provide the ability to stop significant threats to life, property and environmentally sensitive areas before having to resort to costly fines and prosecution.
3. The NVCA Board acts on behalf of the entire watershed and its residents to ensure good corporate operations and management, not by municipal boundaries. Proposed changes would direct board members to act only on behalf of the municipality they represent rather than on behalf of the watershed. This is contrary to proper board governance and contradicts recent recommendations by Ontario's Auditor General.

The Nottawasaga Valley watershed is comprised of 18 municipalities. With each municipality only acting on behalf itself, watershed management will be pulled in 18 different directions. This would severely limit NVCA's ability to effectively manage lands containing natural hazards and wetlands. It would be difficult to build flood resilience in the face of climate change and preserve critical natural features.

4. Consequential changes to the *Planning Act* would bar conservation authorities from appealing a municipal planning decision to the Local Planning Appeal Tribunal (LPAT), unless requested through an agreement with the municipality or the Minister of Municipal Affairs and Housing. This is a necessary, but seldom used tool in our toolbox.

This change would also remove our right to appeal planning decisions as a landowner. This is of significant concern as NVCA owns and manages over 13,001 acres of land for habitat protection, community recreation and flood hazard management.

For example, in the Township of Essa, the Nottawasaga River Erosion Assessment in 2013 outlined that significant works (eventually in excess of \$2,000,000 of taxation) were necessary to protect new residential development and a stormwater management pond. Concerns were appealed to the Ontario Municipal Board (now through LPAT) by the municipality and the NVCA during the development process, however the developments noted were permitted by the Ontario Municipal Board following the hearing.

Since 1956, Ontario's conservation authorities have defined and defended the floodplains to ensure public safety and property protection, often on behalf of our municipal partners, using a variety of tools present in the *Conservation Authorities Act* and *Planning Act*. Removing some of these tools from our toolbox may allow individuals to circumvent checks and balances that exist to ensure the safe development of communities and the protection of sensitive environmental features.

"I am confident that there are many other case studies across our watershed, as well as across the other 35 watersheds in Ontario, which can be noted where risks to people and property could have been avoided," continued White. "The financial burden on the taxpayers of Ontario, at the local municipality, county and regional levels for remediation has been significant. The return on investment of funding conservation authorities and upholding their authority under the provincial acts has been, and hopefully will continue to be of great value to all."

NVCA encourages our municipal partners, watershed residents and our network of supporters to reach out to the Premier, the Minister of Environment, Conservation and Parks, the Minister of Municipal Affairs and Housing, the Minister of Natural Resources and Forestry, as well as local MPPs over the next week to ask that they address the concerns outlined above before the bill is enacted.

-30-

About NVCA: The Nottawasaga Valley Conservation Authority is a public agency dedicated to the preservation of a healthy environment through specialized programs to protect, conserve and enhance our water, wetlands, forests and lands.

Media contact: Maria Leung, Communications Coordinator 705-424-1479 ext.254, mleung@nvca.on.ca



November 13, 2020

Via Email

Honourable Doug Ford
Premier of Ontario

premier@ontario.ca

Honourable Rod Phillips
Minister of Finance

minister.fin@ontario.ca

Honourable Jeff Yurek
Minister of Environment, Conservation and Parks

minister.mecp@ontario.ca

Honourable John Yakabuski
Minister of Natural Resources and Forestry

minister.mnrf@ontario.ca

Honourable Steve Clark
Minister of Municipal Affairs and Housing

minister.mah@ontario.ca

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

Further to recent letters via email requesting meetings with Minister Yurek (November 8th), Minister Yakabuski (November 11th) and Minister Clark (November 11th), I am sending this letter to outline the major concerns which we'd like to discuss. These concerns are significant to achieving the third pillar of Ontario's Action Plan, to Recover and create conditions for growth.

Schedule 6 of Bill 229, proposes amendments to both the *Conservation Authorities Act* and the *Planning Act*. There are a number of proposed changes which we believe have the potential to add significant delays in the planning and permitting process, add costs and ultimately have the potential for significant impacts on Ontario's ability to provide flooding and natural hazards management/protection and drinking water protection to Ontarians. We note, as well, that these changes appear contrary to the Special Advisor's Report on Flooding and Ontario's Flooding Strategy.

Provincial changes will actually create more costs, delays and red tape around permit and planning applications and appeals.

There are new appeal processes which will significantly slow down the permitting process creating delays and more red tape. If applicants are not satisfied with decisions made by the Hearing Boards (CA Board of Directors or Executive), then applicants can now appeal directly to the Minister who can make

his or her own decision without a hearing and even issue a permit. Alternatively, or in addition, the applicant can appeal a decision of the conservation authority to the Local Planning Appeal Tribunal (LPAT). These changes could add almost 200 days to the application process (see attached diagram) which means more costs for developers, conservation authorities (CAs) and the Province to manage this excessive appeal system. In 2018, CAs received 11,781 requests for permits in regulated areas. Of these 10,810 permits were issued. There were 28 appeals to the Mining and Lands Tribunal (MLT) of which 23 were decided in the CAs' favour. It is noted that relatively few permits are appealed to the MLT because the current and affordable system is based on the technical/natural hazard merits of the applicant's request. The LPAT is already overloaded with land use planning application appeals without overloading it further with appeals for CA permits. It is unclear how the Province will pay for the technical expertise to advise on Section 28 permit decisions by the Minister or by LPAT to ensure that these decisions are not increasing the liability costs for the Province or conservation authorities (and thereby municipalities) and putting lives and property at increased risk.

Additionally, despite recent reports by both the Auditor General and the Special Advisor on Flooding, recognizing that the conservation authorities lack basic tools to ensure compliance with the Act and regulation, Bill 229 proposes to repeal sections that provide these necessary tools (e.g. stop orders).

During the Pandemic, many CAs have experienced an increase in illegal activities on CA-owned lands and in CA regulated areas. In the case of some Section 28 infractions, extensive remediation costs and damages to neighbouring properties could have been avoided if tools such as enhanced powers of inspection and stop (work) orders were available to CA officers. Instead, conservation authorities must rely on their municipal partners to assist with stop orders under municipal by-laws or the Building Code, when appropriate. This puts undue stress on municipalities to provide services to the CAs and results in duplication of effort. For egregious offences, a CA's only recourse is to proceed through the court system, resulting in significant legal costs to the CA and to the accused. These unnecessary costs to conservation authority and municipal budgets, as well as to the taxpayers/property owners for damages that could have been avoided will continue under the *Budget Measures Act*.

Changes have been proposed to the *Planning Act* that create a significant gap in the land use planning system.

Conservation authority participation in the planning appeals process ensures that watershed science and data is being applied to planning and land use decisions. Without an ability to look at planning applications on a watershed basis and consider one municipality's impacts to another municipality downstream, we run the risk of the plan review process being piecemealed and ultimately the potential to exacerbate risks associated with flooding and natural hazards and for cumulative negative environmental impacts (including for water quality/drinking water). One painful example of this is the Walkerton drinking water tragedy that occurred 20 years ago where people died and thousands more became sick. The Inquiry ultimately led to the establishment of the Drinking Water Source Protection Program which has links to many components of municipal and conservation authority business including critical *Planning Act* and building permit file reviews based on the highest standards of science available.

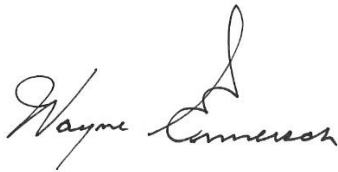
The involvement of the conservation authorities in the plan review process has resulted in the streamlining of municipal planning and approval processes while safeguarding Ontarians from natural hazards and protecting their drinking water. Efforts to limit CA involvement in identifying constraints up front will only result in misdirected development investments and delays in approval processes for

future construction. The likely outcome is that more permits will be appealed, further exacerbating the backlog at the LPAT.

In summary, there are a number of proposed changes which will add significant delays in the planning and permitting process, and ultimately result in significant impacts on Ontario's ability to cost effectively provide adequate flooding and natural hazards management/protection and drinking water protection to Ontarians.

The long-standing partnership between the conservation authorities and the Province is central to ensuring that we protect people from flooding and natural hazards, protect drinking water sources, and deliver watershed-based programs that will conserve Ontario's natural resources. We can support Ontario's Action Plan to recover and create conditions for growth without creating greater expense to developers, municipalities and the province and therefore greater expense to Ontarian taxpayers.

Sincerely,



Wayne Emmerson
Chair, Conservation Ontario

Attach. Section 28 Process Chart with Changes from Bill 229

cc.

Honourable Caroline Mulroney
Minister of Transportation of Ontario

minister.mto@ontario.ca

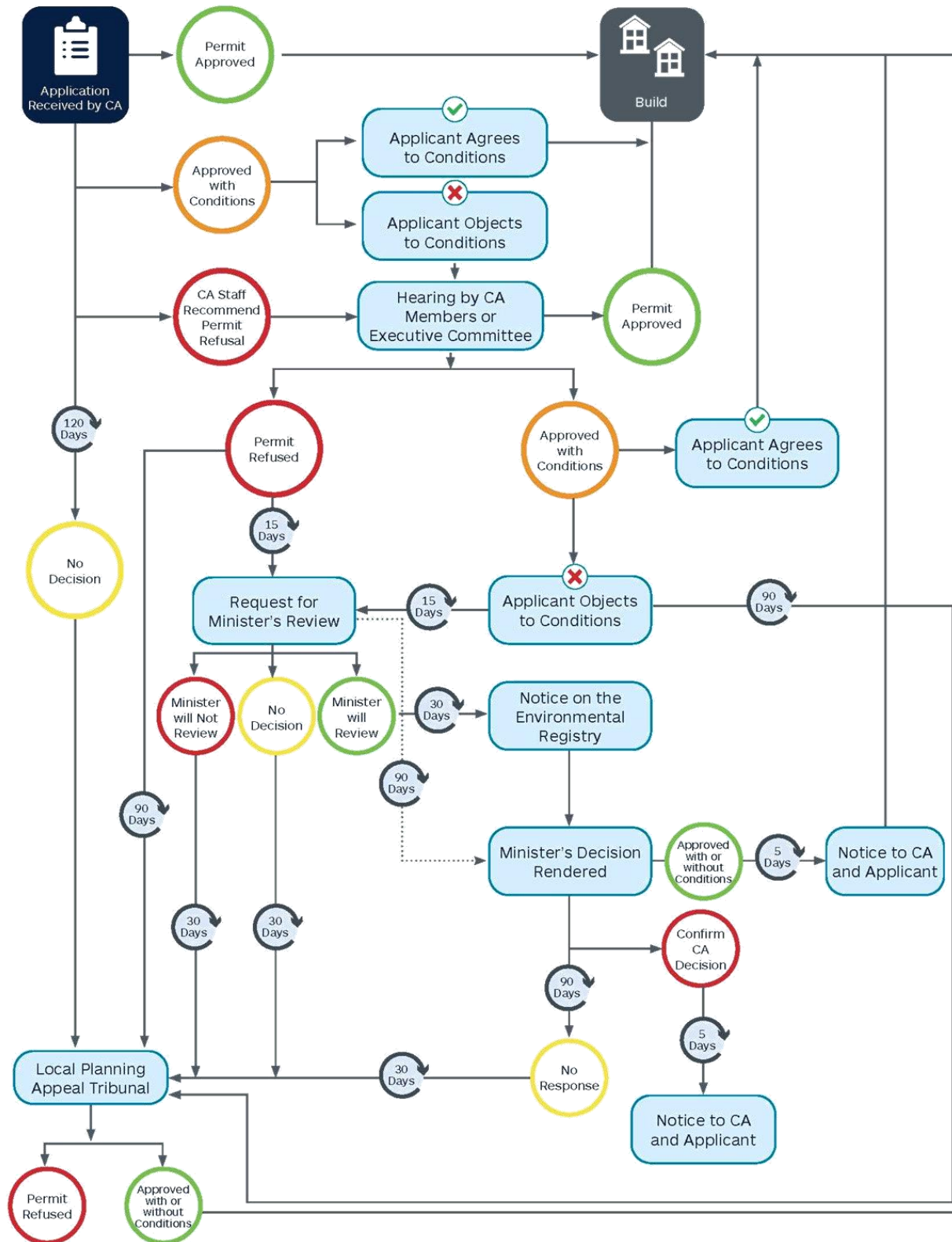
Honourable Christine Elliott
Deputy Premier/Minister of Health

Christine.elliott@ontario.ca

Kim Gavine, General Manager, Conservation Ontario

Conservation Ontario
120 Bayview Parkway, Newmarket ON L3Y 3W3
Tel: 905.895.0716 Email: info@conservationontario.ca
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Section 28 Process Chart with Changes from Bill 229





Nottawasaga Valley
Conservation Authority

November 16, 2020
Nottawasaga Valley Watershed CAOs
(via email distribution list)

Dear Nottawasaga Valley Watershed CAOs:

Re: Provincial Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020

We are writing on behalf of Nottawasaga Valley Conservation Authority to seek your municipality's support to address several changes introduced by the Province to the Conservation Authorities Act and the Planning Act in [Bill 229, Protect, Support and Recover from COVID-19 Act \(Budget Measures\), 2020](#).

These changes significantly limit the ability of conservation authorities to protect Ontario's environment, ensure people and property are safe from natural hazards and to apply watershed-based decisions on development. Ultimately, these changes in many ways, remove much of conservation authorities' ability to influence the overall health and protection of Ontario's citizens and the environment.

In 2018, the Province began to review Conservation Authority operations with three key goals in mind:

- Improve consistency and transparency of the programs and services that conservation authorities deliver,
- Provide additional oversight for municipalities and the province, and
- Streamline conservation authority permitting and land use planning reviews to increase accountability, consistency, and transparency.

Since the launch of the review, conservation authorities have been working to meet Provincial expectations regarding consistency and transparency of programs and services and to streamline planning and permitting processes. Since that time, authorities have worked collectively to:

- Adopt consistent By-Laws by December of 2018,
- Implement best management practices regarding governance and administration,
- Voluntarily reduce timelines for issuance of permits, and
- Initiate client centric service training and monitoring protocols to document improvements in service delivery.

Conservation authorities have demonstrated their willingness to work with the Province and change to meet provincial expectations. Unfortunately, the current changes introduced by the Province show no regard for these efforts and many of the proposed changes have consequences which are counterproductive and will increase red tape, cost taxpayers more, and place Ontario's residents and environment at risk.

The following is a summary of our concerns and a resolution that we would respectfully ask you to bring forward to your mayor and council to support.

Summary of Concerns

Provincial Bill 229 changes to both the Conservation Authorities Act and the Planning Act eliminates the conservation authorities' science-based watershed approach which currently protects Ontario's environment.

- Conservation authorities are important agencies who 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 risks to people.
- CAs bring watershed science and information to the various tables where development and growth are being reviewed and discussed.
- Provincial changes limit conservation authorities' ability to provide input to municipal planning applications and to permit decisions and appeals.
- The conservation authority watershed model has served Ontario well and is relied upon by many levels of government, businesses, and residents to protect the environment from upstream to downstream.
- Conservation authorities undertake watershed-scale monitoring, data collection, management and modelling; watershed-scale studies, plans, assessments and strategies; and watershed-wide actions including stewardship, communication, outreach and education activities that protect our environment on a watershed basis.

Bill 229 changes will create more costs, delays and red tape around permit and planning applications and appeals.

- There are new appeal processes proposed which will significantly slow down the permitting process, creating delays and more red tape. This will also result in additional costs which would need to be recovered by increasing permit fees or through increases to municipal levies.
- If applicants are not satisfied with decisions made by the Hearing Boards (CA Board of Directors and/or Executive), the new changes will allow applicants to appeal directly to the Minister, who could make his or her own decision and issue a permit.
- Alternatively, or in addition, the applicant can appeal a decision of the conservation authority to the Local Planning Appeal Tribunal (LPAT).

- These changes could add as many as 200 days to the application process.

Bill 229 changes will remove conservation authorities' ability to independently appeal decisions made around permits and municipal planning applications. This will put more people and infrastructure at risk of flooding and other natural hazards as well as add additional stressors to Ontario's biodiversity.

- Conservation authorities' regulatory role is not always a popular one, but it is very important. Being able to participate in appeal processes ensures that the watershed lens is being applied to planning and land use decisions and that people and their property are protected from natural hazards such as flooding.
- Without the ability to look at development applications on a watershed basis, we run the risk of the plan review process being piecemeal and exacerbate risks associated with natural hazards and for cumulative negative environmental impacts.

Bill 229 changes will remove the responsibility for municipally appointed CA Board members to represent the interests of the Conservation Authority.

- The Province has changed the 'Duty to Members' section of the Conservation Authorities Act to have municipal representatives on CA Boards act in the interests of their own municipality rather than the conservation authority's interests.
- This contradicts the fiduciary duty of board members to represent the best interests of the corporation they are overseeing. It puts an individual municipal interest above the conservation authority interests.
- It is contrary to a recent recommendation by the Auditor General that states Conservation Authority Board Members should act in the interest of the Conservation Authority and not their municipality.
- This change undermines the ability of Conservation Authority Boards to address the broader environmental and resource management issues facing our watersheds today. It limits discourse on these issues and other programs and services that address watershed-wide issues spanning municipal boundaries in a time of increasing climate change.

Bill 229 will reduce the ability for enforcement of the Section 28 Regulation, putting residents and the environment at risk by not providing Conservation Authorities the necessary tools to control illegal activities.

- The current revisions significantly limit a Conservation Authority's ability to enforce the regulation. Conservation authorities will have to continue to rely on search warrants to gain entry to a property where infractions/compliance is a concern taking time and costing money. Reasonable grounds for obtaining a search warrant now cannot be obtained unless the activity can be viewed without entry onto the property (i.e. from the road). This will protect would be violators of the regulation.

- The ability to issue Stop (work) Orders has been repealed. This is an important enforcement tool that conservation authorities have been requesting for years. Without this tool, conservation authorities must obtain an injunction to stop unauthorized activities. Obtaining injunctions takes further staff time and Authorities will incur significant costs for legal and court fees. Given the lack of Provincial funding this cost will be borne by our 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, or alteration of a floodplain which then puts people at risk.
- This unintended consequence is contrary to the Province's Made in Ontario Plan which references getting tough with polluters. Illegal filling, dumping of contaminated materials, destruction of wetlands and significant habitat as identified in the Lake Simcoe Protection Plan are happening. Without the necessary tools, the public and environment are at risk.

Draft Resolution of Support

The following is a draft resolution of support for your consideration:

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

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;

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 conservation authority 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 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 conservation authority boards should be a municipal decision; and the Chair and Vice Chair of the conservation authority boards should be duly elected;

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;

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, 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 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

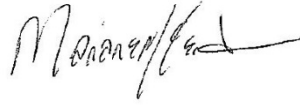
- **THAT** the Province of Ontario work with conservation authorities to address their concerns by repealing and/or amending changes to the Conservation Authorities Act and the Planning Act set out in Bill 229;
- **THAT** the Province of Ontario delay enactment of clauses affecting municipal concerns;
- **THAT** the Province of Ontario provide a longer transition period up to December 2022 for non-mandatory programs to enable coordination of conservation authority 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.

Thank you for your consideration and we look forward to continuing to work with your municipality into the future.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized 'K' followed by a horizontal line.

Keith White
Board Chair

A handwritten signature in black ink, appearing to read 'Mariane McLeod'.

Mariane McLeod
Board Vice-Chair

A handwritten signature in black ink, consisting of a stylized 'D' followed by a horizontal line.

Doug Hevenor
Chief Administrative Officer

cc: Watershed Clerks
NVCA Board Members

Further Reference Materials in Support of Conservation Authorities and Historic Benefits to the Province of Ontario.

November 15, 2020 (Keith White)

<https://www.amo.on.ca/AMO-Content/Policy-Updates/2020/Ontario%E2%80%99sFloodingStrategyReleased>

https://www.auditor.on.ca/en/content/specialreports/specialreports/NPCA_en.pdf

<https://news.ontario.ca/en/release/54769/ontario-releases-report-from-special-advisor-on-flooding>

<https://www.ontario.ca/document/independent-review-2019-flood-events-ontario>