

**Pilon, Janet**

**Subject:** Reminder: Help Stop Proposed Changes to the Conservation Authorities Act that Threaten Environmental Protections.

**From:** Waterfront Regeneration Trust <[mk@wrtrust.com](mailto:mk@wrtrust.com)>

**Sent:** November 30, 2020 3:03 PM

**To:** [clerk@hamilton.ca](mailto:clerk@hamilton.ca)

**Subject:** Reminder: Help Stop Proposed Changes to the Conservation Authorities Act that Threaten Environmental Protections.

November 2020



## Great Lakes Waterfront Trail

An initiative of the Waterfront Regeneration Trust, a registered charity, working in partnership with communities, First Nations, and conservation authorities to **protect, connect, celebrate** Canada's Great Lakes and the St. Lawrence River.

**Proposed legislation will severely limit the ability of the Conservation Authorities to carry out their historic roles and undermines decades of environmental stewardship in Ontario....we should be protecting and expanding the great value of the CAs and not undermining their effectiveness.**

Hon. David Crombie, Chair Greenbelt Council

**Immediate action is needed by you.**

The Government has tabled *Bill 229 to Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020 and it is expected to pass quickly.

Schedule 6 of Bill 229 contains changes to the Conservation Authorities Act, which will cripple Conservation Authorities, destroy watershed planning and politicize the planning process.

Twenty-eight years ago the Federal and Provincially mandated Royal Commission on the Future of the Toronto Waterfront, chaired by the Hon. David Crombie, released his final report, ***Regeneration: Toronto's Waterfront and the Sustainable City.***

Thousands of Ontarians participated at the Commission's public hearings. ***Regeneration*** expresses their **united vision for and commitment to the ecosystem approach to watershed management.** In simple terms, everything is connected to everything else.

The Waterfront Regeneration Trust is the steward of this legacy, and has spent almost three decades with its many partners including Conservation Authorities realizing the vision and its goals.

**Schedule 6 of Bill 229 would undo this legacy.**

Conservation Authorities are the leaders in applying the ecosystem science on a watershed basis. Over the past 75 years, they have served as impartial and independent ecological stewards, placing watershed science first to protect our drinking water, water supply, natural spaces and property.

The Waterfront Regeneration Trust is deeply concerned about the proposed changes and how they will negatively impact the effectiveness of our Conservation Authorities with regards to their impartiality, their application of watershed science, and the tools to enforce the protection and sustained health of the environment.

Many of you know us best for our work on the Great Lakes Waterfront Trail, which connects 83 Conservation Areas and many parts of the waterfront managed or owned by the Conservation Authorities.

You would recognize these areas as some of your favourite places, so we hope that you will make the time to consider this matter and take the **immediate step of calling and emailing your local MPP to express your concerns, and ask that Schedule 6 of Bill 229 be removed.**

**Please read the letters below from David Crombie, Chair of the Greenbelt Council, and Chris Darling, the CAO of Central Lake Ontario Conservation Authority describing specific concerns and the severity of the threat to our valuable watersheds and Conservation Authorities.**

It is urgent to act now to prevent this damage to our natural heritage and environment. **Please use the button below to contact your MPP and have your voice heard.**

Sincerely,



Keith Laushway, Chair of the Board of The Waterfront Regeneration Trust  
David Crombie, Founder and Director  
Pauline Browes, Director  
Ann Mulvale, Director  
Marlaine Koehler, Executive Director

[Click here to support Conservation Authorities](#)

Greenbelt Council

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Conseil de la ceinture de verdure

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November 19, 2020

The Honourable Steve Clark  
Minister of Municipal Affairs and Housing  
777 Bay Street, 17<sup>th</sup> Floor  
Toronto, ON M5G 2E5

Re: Removal of Schedule 6 from Ontario Bill 229

Dear Minister Clark,

I am writing today to advise you of the Greenbelt Council's considerable concern over two recent government actions that serve to undermine watershed planning and put at risk key natural heritage and hydrologic features in this province--proposed changes to the *Conservation Authorities Act* contained in Schedule 6 of Bill 229 and the increasingly extensive use of the Ministerial Zoning Orders (MZOs).

Fundamental to both the *Growth Plan for the Greater Golden Horseshoe* and the *Greenbelt Plan*, watershed planning is vital to the Conservation Authorities' (CAs) core mandate.

The Future of Conservation Authorities

As you are aware, Council has been tracking the government's reconsideration of the role and functioning of CAs for some time and has offered its views in previous discussions. However, recent public statements and proposed legislation, in particular Schedule 6 of Bill 229, have caused Council and its stakeholders considerable concern and alarm.

Any reasonable reading of the proposed legislation would see it as severely limiting the ability of CAs to carry out their historic roles and undermining decades of environmental stewardship in Ontario. It is their job to protect Ontario from floods, and prevent wetland destruction and loss of forests and other natural heritage features. CAs play a major role in protecting water quality and quantity, facilitating access to nature and supporting agricultural productivity, while also addressing climate change and enhancing human health and prosperity. Integrated Watershed Management is an essential tool used by CAs to achieve these outcomes.

Council believes we should be protecting and expanding the great value of the CAs and not undermining their effectiveness. The proposed changes in Schedule 6 are unlikely to be good for public safety, the environment or speedier approvals.

Reducing red tape is a commendable objective but not at the expense of the very values Ontarians hold dear: ensuring our communities are safe and green. Conservation Authorities were established in response to the unhealthy state of land and water due to poor planning practices. Today, they bring a watershed perspective to planning and development decisions to ensure communities are built safely and meet current environmental protection standards.

We recommend that Schedule 6 of Bill 229 be removed entirely.

Ministerial Zoning Orders

In our July 31, 2020 letter #12 to you, Council highlighted its concern with the extraordinary increase in the use of MZOs.

MZOs have been used in the past to suspend other-wise required consultation and appeal processes where matters of significant provincial interest exist relating to proposed development that may be compromised through delay. They were never intended to become simply tools of convenience for moving developments through the planning process. They should be used sparingly and only in exceptional circumstances.

Excessive use of MZOs implies that the current provincial planning policy framework is not adequate to address the planning issues of the day. If that is the case, then it is government's responsibility to address and refine the framework. In fact, over the last two years, substantial changes have been made to the Planning Act, Provincial Policy Statement, and provincial plans, yet MZOs continue to be used.

Council has recommended that MZOs need to be accompanied by a public process that is fair and transparent. Detailed information relating to the development and a clear rationale as to why the MZO is

being used should be publicly available. These measures are especially important when combined with the current intent to hobble the regulatory role of CAs.

Together these two government actions are contributing to a growing public concern that the end result will be a widening of the path of political influence on behalf of special interests.

We recommend that the government pause in the use of MZO's and engage in a public discussion on the principles, policies and procedures that would protect the public interest.

#### Expanding the Greenbelt

Watershed planning underpins the Greenbelt and thus is a core building block for expanding the Greenbelt.

Council of course supports the government's stated interest in expanding the Greenbelt and would look forward to participating in a public discussion on the policies, proceedings and practices that would animate any expansion.

Sincerely,



David Crombie  
Chair, Greenbelt Council

Copies to:

The Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks  
The Honourable John Yakabuski, Minister of Natural Resources and Forestry  
The Honourable Rod Phillips, Minister of Finance  
Kate Manson-Smith, Deputy Minister  
Greenbelt Council members  
Ed McDonnell, CEO, Greenbelt Foundation  
Greater Golden Horseshoe stakeholders



Dear friends,

I hope you and your family are staying safe. This year has been challenging for us all. The pandemic has strained nearly every aspect of our lives, from health, to family, to finances and more. At Central Lake Ontario Conservation Authority (CLOCA), it brought into focus just how important our protected natural spaces are for keeping everyone healthy, happy and safe.

As CLOCA's Chief Administrative Officer, I'm reaching out to ask for your help. On November 5, 2020, the provincial government tabled Bill 229 Protect, Support, and Recover from COVID-19 Act (Budget Measures), 2020. This bill is more than its name suggests. **The Bill includes Schedule 6 which proposes changes to the Conservation Authorities Act and Planning Act that will reduce our ability to protect sensitive natural areas, and keep people and property safe from natural hazards.**

Schedule 6 needs to be removed before Bill 229 is passed in the coming weeks, and voices like yours can make all the difference. We need our friends, allies and supporters to act today by emailing your MPP via this [easy-to-use form](#).

What are the major concerns with the Legislation?

1. Changes to the Conservation Authorities Act will allow the Minister of Natural Resources and Forestry to take over and decide a development permit application in place of a conservation authority, even before the conservation authority renders a decision. Conservation authorities are science-based, non-partisan agencies. Granting permitting authority to the Minister will take science out of the equation, effectively politicizing the permitting process and allowing for development that may be considered unsafe or damaging to the natural environment.

2. Proposed changes will stop conservation authorities from independently appealing land use planning decisions affecting hazards. This can put more people and infrastructure at risk.

3. The proposed legislation opens two new avenues of appeal to permit applications and sets out legislated timelines which will result in a more complicated, lengthy and costly process.

4. The proposed changes directs our board members to act only on behalf of the municipality they represent rather than acting on behalf of the watershed and its residents. This contradicts recent recommendations by Ontario's Auditor General. Members need to think beyond municipal boundaries to collectively manage and protect watershed resources. "

5. The proposed changes weaken our enforcement powers by removing our ability to effectively stop unsanctioned activities such as destruction of wetlands and illegal large fill sites.

What can you do?

It's time, now more than ever, to stand up for your local Conservation Authority. Click the button below to email your MPP and ask that they remove Schedule 6 from Bill 229 and instead hold meaningful public consultation on these significant changes. Alternatively, written submissions can also be made to the Committee Clerk until 7 p.m. on Wednesday, December 2, 2020:

Committee Clerk  
Julia Douglas  
[comm-financeaffairs@ola.org](mailto:comm-financeaffairs@ola.org)  
99 Wellesley Street West  
Room 1405, Whitney Block  
Queen's Park  
Toronto, ON. M7A 1A2  
Tel.: 416-325-3515  
Fax: 416-325-3505

Thank you for your on-going support.  
With warmest regards,

Chris Darling  
Chief Administrative Officer,  
Central Lake Ontario Conservation Authority

[Click here to support Conservation Authorities.](#)

**The Waterfront Regeneration Trust is a registered charity.**

**Help us protect, connect and celebrate the Great Lakes Waterfront Trail. Your donation funds regeneration work to make waterfront improvements, close trail gaps, expand and move the Trail closer to the water's edge as well as maintaining excellent trail user resources. Make a secure donation through Canada Helps by clicking the button below.**

**Click to Donate**

Visit our Website

Waterfront Regeneration Trust  
Charitable Registration Number: 86767 9821 RR0001  
| 416-943-8080 | [www.waterfronttrail.org](http://www.waterfronttrail.org)

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