



Administration Centre: 400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6  
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June 16, 2021

City of Hamilton Clerk's Office  
 City of Hamilton  
 71 Main Street West  
 Hamilton, ON L8P 4Y5

By email: clerk@hamilton.ca

RE: Conservation Authorities Act Changes – municipal appointments

Dear City of Hamilton:

Please be advised that the Conservation Authorities Act, R.S.O.1990 (the Act) has recently been updated to incorporate a number of changes. One of these changes pertains to municipal appointments of members to the Authority Board of Directors.

Section 14 has been updated to include the requirement that at least 70 percent of a municipality's appointees are selected from elected members of the municipal council (s.14 (1.1)), unless an exception is requested by the municipality and approved by the Minister (s.14 (1.2)). A template for an exception request to be submitted to the Minister is attached should your municipality wish to do so. These changes will take effect for any future appointments to the Board and current appointments are not affected.

Other requirements in Section 14 of the Act pertaining to member appointments remain unchanged, including:

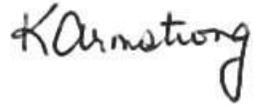
- *(4.1) A member shall be appointed for a term of up to four years, as may be determined by the council that appoints the member.*
- *(4.2) A member's term begins at the first meeting of the authority after his or her appointment and expires immediately before the first meeting of the authority after the appointment of his or her replacement.*
- *(4.3) Despite subsections (4.1) and (4.2), a member may be replaced by the council of the participating municipality that appointed the member or, in the case of a member appointed under subsection (4), by the Minister.*
- *(4.4) A member is eligible to be reappointed.*

As an additional reminder, your current representative appointment(s) and expiry dates on file are as follows:

Marcus Adili  
 when a new appointment is made

Should you have any questions or concerns regarding this correspondence, please contact me directly at [karmstrong@grandriver.ca](mailto:karmstrong@grandriver.ca) or 519-621-2763, extension 2205.

Kind regards,

A handwritten signature in black ink that reads "KArmstrong". The signature is written in a cursive style with a capital 'K' and a capital 'A'.

Karen Armstrong  
Deputy CAO/Secretary Treasurer

Enclosure:

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**Template: Subsection 14(1.2) of the *Conservation Authorities Act (CAA)*  
Application for Minister's Exception  
(less than 70% municipal council members appointed to an authority)**

Please complete the following table and submit to the Minister at [minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca), along with:

- a covering letter, and
- clear statement of the request from the council of the participating municipality through a council resolution.
- meeting minutes and details of a recorded vote on that resolution.

<b>Item</b>	<b>Details from Applicant</b>
Name of participating municipality submitting application	
<b>Composition of Authority:</b>	
Total number of the authority membership	
Number of participating municipalities in the authority	
<b>Proposal details:</b>	
The number of members the participating municipality is proposing to appoint who are not members of municipal council, and the total number of members the participating municipality appoints to the authority.	
Change in the number of non-elected members the participating municipality is proposing to appoint as compared to previous appointees by the municipality.	
Proposed length of term for each proposed appointment of a non-elected member.	
Detailed rationale, including local circumstances, for Minister to consider as to why an exception is needed.	

## **Appendix: Relevant wording in the *Conservation Authorities Act***

### Members of authority

14 (1) Subject to subsection (3), members of an authority shall be appointed by the respective councils of the participating municipalities in the numbers set out in subsection 2 (2) for the appointment of representatives. 2017, c. 23, Sched. 4, s. 12 (1); 2020, c. 36, Sched. 6, s. 2 (1).

### Members of council appointed

(1.1) When appointing members of an authority, the council of a participating municipality shall ensure that at least 70 per cent of its appointees are selected from among the members of the municipal council, subject to subsection (1.2). 2020, c. 36, Sched. 6, s. 2 (2).

### Exception

(1.2) Upon application by a participating municipality, the Minister may grant permission to the municipality to select less than 70 per cent of its appointees to an authority from among the members of the municipal council, subject to such conditions or restrictions as the Minister considers appropriate. 2020, c. 36, Sched. 6, s. 2 (2).