



OFFICE OF THE LORD MAYOR

Town of Niagara-on-the-Lake

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November 25, 2020

Attention: Julia Douglas, Committee Clerk
Standing Committee on Finance and Economic Affairs
99 Wellesley Street West
Room 1405, Whitney Block
Queen's Park
Toronto, ON M7A 1A2

Ladies and Gentlemen:

Re: *Bill 229: Protect, Support and Recover from COVID 19 Act (Budget Measures Act)*
– Schedule 6 – *Conservation Authorities Act* Bill

The Niagara Peninsula Conservation Authority (NPCA) is a strong contributor to Ontario's local economy and has been committed to keeping the environment, people and property of our watershed safe from natural hazards for the past 61 years. On an annual basis, the NPCA serves 520,000 residents in Niagara, Hamilton and Haldimand boosting local economic activity through flood protection, hazard management, clean water, and green jobs. Over 60,000 Ontarians are served at various conservation areas to their recreational, health and wellness needs. NPCA supports approximately 1000 planning and permit files on an annual basis to advance sustainable growth and engages over thousands of residents and volunteers to restore Ontario's watersheds and educate our next generations for stewardship of our watersheds.

The NPCA appreciates the need for transparency and accountability. Over the past few years, it has invested heavily in implementing measures for the highest standards of customer service for our residents. For the NPCA, this work was initiated as the result of the 2018 Special Audit of the NPCA by the Office of the Auditor General of Ontario.

We anticipate that changes proposed in Bill 229 will lead to the opposite of your government's stated desire to help conservation authorities (CA) modernize and operate with greater focus, transparency and efficiency. We would like to stress that proposed amendments are also contrary to Auditor General's 2018 recommendations for the NPCA and will be practically difficult to implement given that make-up of conservation authorities (watershed interests vs. municipal boundaries).

These changes also have the potential to cause 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.

These changes will undo the hard work the NPCA has done over the last few years to ensure it is a transparent, trustworthy, accountable and solutions-oriented organization.

This is why on Wednesday, November 25, 2020, the Council of the Town of Niagara-on-the-Lake will approve the following motion:

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

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

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

AND WHEREAS the changes allow the Minister to make decisions without CA watershed data and expertise;

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

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

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

AND WHEREAS the changes to the 'Duty of Members' contradicts the fiduciary duty of a CA board member to represent the best interests of the conservation authority and its responsibility to the watershed;

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

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

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

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;

AND FURTHER that the Province of Ontario delay enactment of clauses affecting municipal concerns;

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

AND FURTHER that the Province respect the current conservation authority/municipal relationships;

AND FURTHER 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 kind consideration and understanding the urgency of this matter. Please feel free to contact me directly for any questions, or clarity on these matters.

Sincerely,



Betty Disero
Lord Mayor