

MEMBERS

K. (Karen) Ras (Chair)
T. (Tom) Adams (Vice Chair)
J. (John) Brennan
S. (Stephen) Dasko
J. (Johanna) Downey
A. (Ann) Lawlor
M. (Matt) Mahoney
M. (Martin) Medeiros
T. (Tom) Nevills
M. (Michael) Palleschi
G. (Grant) Peters
R. (Ron) Starr

Pages

6. NEW BUSINESS STAFF REPORTS

6.7 MULTI-STAKEHOLDER CONSULTATION ON THE CONSERVATION AUTHORITIES ACT AND REGULATIONS

3

A report on the above mentioned subject as submitted by Deborah Matin-Downs, CAO is included in the agenda package as Schedule 'G'.

Recommended Resolution:

WHEREAS the MECP is conducting multi-stakeholder consultation on the CA Act and associated regulations;

THEREFORE BE IT RESOLVED THAT the report entitled "Multi-stakeholder Consultation on the Conservation Authorities Act and Regulations" be received and appended to the minutes of this meeting as Schedule 'G'; and

THAT the letter to MECP be endorsed by the CVC Board of Directors for submission to the Ministry no later than March 13 2020; and further

THAT copies of this letter be circulated to the Premier, the Ministers of MMAH and MNRF and watershed MPPs.

7. CORRESPONDENCE/INFORMATION ITEMS DISTRIBUTED TO MEMBERS

7.2 BRIEFING NOTE: PROTECTING PEOPLE AND PROPERTY: ONTARIO'S FLOODING STRATEGY

13

Briefing note from Josh Cambell, Director, Planning & Development Services regarding Ontario's Flooding Strategy.

7.3 BRIEFING NOTE: UPDATED PROVINCIAL POLICY STATEMENT 2020

17

Briefing note from Josh Cambell, Director, Planning & Development Services regarding the updated Provincial Policy Statement (2020).

Recommended Resolution:

RESOLVED THAT information items presented at the 545th meeting of the Credit Valley Conservation Authority held March 13, 2020 be received.

TO: The Chair and Members
of the Board of Directors,
Credit Valley Conservation

SUBJECT: **MULTI-STAKEHOLDER CONSULTATION ON THE
CONSERVATION AUTHORITIES ACT AND
REGULATIONS**

PURPOSE: **To request endorsement by the Board of Directors of CVC for
comments to be submitted to the Minister of Environment
Conservation and Parks on the Multi-stakeholder
Consultation on the *Conservation Authorities Act* and
ensuing regulations**

BACKGROUND:

In June of 2019 the province passed Bill 108 which contained modifications to the *Conservation Authorities Act* (CA Act). No modifications were proposed to the purpose of the CA Act or to the powers of the authority in section 21 (1) –

Purpose:

“0.1 The purpose of this Act is to provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watersheds in Ontario;

21 (1) For the purposes of accomplishing its objects, an authority has power:

a) to study and investigate the watershed and to determine programs and services whereby the natural resources of the watershed may be conserved, restored, developed and managed,

This has the effect of maintaining our watershed jurisdiction, focus and scope of programs and services in executing of these powers.

The biggest change was to Section 21.1 which now outlines programs and services that are considered mandatory and non-mandatory.

As section 21.1 (1) now reads (excerpt below), three mandatory programs - natural hazards, conservation land management and source water protection will be supported by municipal levy.

21.1 (1) If a program or service that meets any of the following descriptions has been prescribed by the regulations, an authority shall provide the program or service within its area of jurisdiction:

1. *Programs and services related to the risk of natural hazards.*
2. *Programs and services related to the conservation and management of lands owned or controlled by the authority, including any interests in land registered on title.*
3. *Programs and services related to the authority's duties, functions and responsibilities as a source protection authority under the Clean Water Act, 2006.*
4. *Programs and services related to the authority's duties, functions and responsibilities under an Act prescribed by the regulations.*

For those programs and services that are not captured in the core mandatory programs, they will be subject to the requirement to develop a memorandum of understanding (MOU) with our member municipalities for the delivery of those programs and services. Should a municipality not be willing to enter into an MOU for those programs and services then there will be no expectation of a municipal contribution (special shared or special benefitting levy) toward those programs.

The details of programs and services considered under each of the mandatory categories are to be defined by regulation.

Conservation Ontario has been monitoring the development of the regulations since June as we expected them to follow rapidly after the act passed. In the fall of 2019 CVC along with all of the other CAs, was invited to present to Ministry of Environment, Conservation and Parks (MECP) on our programs and services in an effort to educate ministers staff on our operations. At that time the Minister promised consultations on the Act and regulations in January of 2020.

With very little notice, multi-stakeholder consultations were held in four locations in the province beginning January 31st, with a variety of participants, including representatives from the development community, municipalities, Ontario Landowners Association, Ducks Unlimited, Ontario Federation of Agriculture and Conservation Ontario. A number of questions were posed which formed the discussion at the tables. These questions were ultimately incorporated into an on-line survey that is accepting submissions until March 13th, 2020.

ANALYSIS:

CVC has responded to the online survey but have prepared a response letter (see Schedule 'G', Appendix 1) on behalf of the Board for their endorsement and submission.

The letter emphasizes the issues raised by our member municipalities and operationally with CVC as we all assess the impact that the changes to the Act are expected to make.

The letter highlights:

- The need for watershed focus and to include conservation of natural resources as an additional mandatory program;
- The ability to generate fees and revenue;

- The flexibility to allow us to respond the municipal needs and interests without dictating the form and content of MOUs for programs and services that are not considered mandatory;
- The unnecessary need to continue looking at legislative amendments;
- The need to have all the technical experts at the table during development of the regulations; and
- The need to have a minimum 18 month transition period to address the shift in budget requirements and negotiation of the MOUs and to align with the fiscal years of the authority and municipalities.

COMMUNICATIONS PLAN:

Copies of the letter will be distributed to the Premier, the Ministers of Municipal Affairs and Housing and Natural Resource and Forestry and our watershed MPPs.

FINANCIAL IMPLICATIONS:

There is no financial impact to CVC of this report.

RECOMMENDED RESOLUTION:

WHEREAS the MECP is conducting multi-stakeholder consultation on the CA Act and associated regulations;

THEREFORE BE IT RESOLVED THAT the report entitled “Multi-stakeholder Consultation on the Conservation Authorities Act and Regulations” be received and appended to the minutes of this meeting as Schedule ‘G’; and

THAT the letter to MECP be endorsed by the CVC Board of Directors for submission to the Ministry no later than March 13 2020; and further

THAT copies of this letter be circulated to the Premier, the Ministers of MMAH and MNRF and watershed MPPs.

Submitted by:



Deborah Martin-Downs
 Chief Administrative Officer



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

March 13, 2020

Dear Minister Yurek,

We are pleased that our conservation authority had the opportunity to participate in your Ministry's consultations on the *Conservation Authorities Act* (the Act). There were many stakeholders and partners in attendance providing a variety of local interests and perspectives.

To follow up on these consultations, the Board of the Credit Valley Conservation Authority has endorsed this letter (RES XXXX) to reiterate our support for the work of the conservation authorities (CAs) and to encourage the province to find a way forward that strengthens the role of CAs. General responses to the questions posed during the consultation and in the online survey follow in Table 1.

We want to assure you that the municipalities represented on the Board of CVC appreciate and rely on Credit Valley Conservation for their local watershed knowledge and technical expertise. CVC provides a much-valued bridge across municipal boundaries to understand and address environmental concerns, such as flooding. Because we operate at the watershed level, CVC is ideally positioned to encourage collaborative strategies and evidence-based decision-making regardless of municipal boundaries.

As such, we would note that first and foremost, the watershed approach must be preserved to effectively deliver the mandatory programs and services of the CAs.

This includes ensuring that the following fundamental watershed-based activities, required for effective delivery of mandatory programs, are incorporated into the regulations:

- watershed-scale data collection, information management and modelling;
- watershed-based technical studies, plans, assessments and strategies;
- watershed-wide activities including water and land-based outreach, stewardship and environmental restoration and rehabilitation

One of the key mandatory programs is missing from the list in the Act and that is conservation of natural resources. It remains as a key purpose of the Act and original driver of the Act, yet the province has not recognized this as mandatory in the work of the CAs. This would be consistent with the Made-in-Ontario Environment Plan, which states that "conserving natural resources" is part of a CA's "core mandate". CAs can assist the province and local

municipalities in addressing impacts of a changing climate and natural resource related issues at the watershed scale which is most cost efficient.

The watershed approach allows conservation authorities to identify and address problems early, before they become more expensive or even impossible to manage. CAs are able to link what activities are happening across the watershed that threaten or impact important natural resources such as water.

We encourage Ministry of Environment, Conservation and Parks (MECP) to bring the experts, including conservation authorities, staff of the Ministries of Natural Resources and Forestry (MNR), Environment Conservation and Parks as well as Municipal Affairs and Housing and municipalities to the table for meaningful contributions to the forthcoming regulations. There must be no unintended consequences of not getting the regulations thoroughly vetted.

Conservation Ontario has provided the ministry with a consolidated list of programs and services that should be considered in developing the regulations and our Board supports those.

We do not support the requirement to engage in formal, time limited MOUs for programs and services which will require significant resources of both CA and municipal staff – creating more 'red tape' in the accomplishment of our shared objectives. Flexibility is needed to allow us to respond the municipal needs and interests without dictating the form and content of MOUs for programs and services that are not considered mandatory through the regulations.

Further, responding to the new regulations and renegotiating budgets that have been in place for years will take time and must be aligned with the municipal budget schedule. Given that our budget is completed for 2021 by June, there needs to be at least an 18 month transition period included in the regulations and aligned with our fiscal year.

Efforts to reduce or constrain the mandate of conservation authorities is contradictory to the interests of the people of Ontario who are facing enormous risks and costs as a result of climate change, routine and unprecedented flooding and ongoing biodiversity loss. The roles and responsibilities of conservation authorities are critical in protecting the lands and waters which benefit businesses and communities across Ontario, and upon which our health and well-being ultimately depend.

None of us can afford to ignore the tragic history of poor watershed management and over-exploitation which led to the creation of conservation authorities in the last century. Now, more than ever, we need their expertise to respond effectively to the challenges ahead.

Yours truly,

Karen Ras
Chair

Tom Adams
Vice Chair

- c.c. John Yakabuski, Minister of Natural Resources and Forestry
Steve Clark, Minister of Municipal Affairs and Housing
Doug Ford, Premier of Ontario
MPP Kaleed Rasheed
MPP Nina Tangri
MPP Natalia Kusendova
MPP Sheref Sabawy
MPP Rudy Cuzzetto
MPP Deepak Anand
MPP Kevin Yarde
MPP Prabmeet Sakaria
MPP Amarjot Singh Sandhu
MPP Sara Singh
MPP Pram Gill
MPP Stephen Crawford
MPP Effie Triantafilopoulos

DRAFT

Table 1. Comments on the Multi-stakeholder consultation

A: Mandatory and Non-Mandatory Programs and Services	
<p>Question 1: Which conservation authority programs and services should be mandatory for each of the following categories and why?</p>	<ol style="list-style-type: none"> 1. <u>Natural Hazards (management)</u> – CAs need to be able to assess and address flooding and erosion risks in a changing climate using the five pillars of Emergency Planning and Management. This ensures an approach that combines <u>prevention, mitigation, preparedness, response and recovery</u>. <u>Plan review and permitting</u> is a critical component to reduce risk, saving lives and property. 2. <u>Conservation and Management of Conservation Authority Lands</u> – Through land ownership and management, CAs ensure the conservation and restoration of biodiversity and natural heritage, as well as areas of significant environmental and ecological importance. Conservation areas also provide opportunities for environmental education and recreational opportunities which connect people to nature. CAs need to be able to ensure the management of both natural and built assets within the conservation areas which would include for example, <u>maintenance, restoration, monitoring and enforcement programs</u> and activities. 3. <u>Drinking Water Source Protection</u> - CAs need to be able to ensure that watershed-based source water protection <u>science and planning</u> is carried out, to meet a key recommendation of Justice O’Conner’s Report on the Walkerton water contamination tragedy. CAs need to be able to monitor, assess and help prepare for <u>land use change (growth plan) and climate change impacts</u> on our drinking water sources. CAs support local, multi-stakeholder decision making, provide education and outreach, and track the progress of policy implementation. 4. Our CA does not have any of the Lake Simcoe Protection Plan 5. A fifth mandatory program which is yet to be determined are <u>Conservation Authorities Duties Functions and Responsibilities under an Act Prescribed by the Regulations</u>. Conservation authorities should continue to be a public body under the <i>Planning Act</i> and the <i>Environmental Assessment Act</i>, for natural hazards and for broader watershed management knowledge. <p><u>The Province should prescribe a mandatory ‘Conserving Natural Resources’ program</u> in order to reinforce the role of conservation authorities in watershed management. Including “conserving natural resources” as a mandatory program would recognize the important role</p>

	<p>that CAs play in protecting the functioning and resilience of natural resources at the watershed level. CAs are the only organization with a watershed focus allowing us to identify and address problems early, before they become more expensive or even impossible to manage. CAs are able to link what activities are happening across the watershed that threaten or impact important natural resources such as water.</p>
<p>Question 2: What programs and services provided by conservation authorities should be non-mandatory?</p>	<ul style="list-style-type: none"> • Non-mandatory programs and services are not specifically defined by the province, but it is assumed it is everything that is not prescribed in regulation as mandatory. • All of the programs our CA undertake have a direct relationship to the objects under the CA Act • CAs must be able to charge fees, and derive revenue from their facilities, non-mandatory programs and services as appropriate to reduce the burden to the tax levy. Many popular and revenue generating activities such as local festivals or recreational activities are not only self-sustaining, they provided revenues that support the management of lands and reduce the levy for municipal partners.
<p>B: The Existing Conservation Authority Model</p>	
<p>Question 1: What is working well with the existing conservation authority model?</p>	<ul style="list-style-type: none"> • Responsive to local issues • Local knowledge for evidence-based decision making • Community based • Boots on the ground (resources and expertise) • Planning and permitting role have saved lives, livelihoods and property and avoid the need for provincial or federal disaster relief funding. • CAs share expertise and knowledge across the network to improve consistency and outcomes
<p>Question 2: What could be improved in the existing conservation authority model?</p>	<ul style="list-style-type: none"> • Enhanced, consistent and predictable funding with inflationary increases to improve capacity, especially of the smaller CAs • Updated provincial technical guidance including incorporating climate change • Greater interest and engagement with the province as a partner in delivery of the hazard and source protection programs as well as other provincial partnerships
<p>Question 3: How can conservation authority operations be more consistent, transparent and efficient?</p>	<p>See question 2</p> <ul style="list-style-type: none"> • We continue to track our review and permitting timelines and will publicly report on them • All of our procedures and guidance is on our website • All staff have been trained in customer service and streamlining
<p>Question 4: How do you feel about the current roles and responsibilities to plan and issue permits?</p>	<ul style="list-style-type: none"> • The planning and issuing of permits is essential to keep people and property safe. • Our planning role integrates all aspects of the environment for improved outcomes. • prevention has been demonstrated to be more effective in reducing the impacts of natural hazards and was lauded by a recent report commissioned by the province: <i>Independent Review of the 2019 Flood Events in Ontario.</i>

<p>Question 5: How do you feel about the way conservation authorities currently issue permits?</p>	<ul style="list-style-type: none"> • Any approval authority can always improve on the processes and timelines. • We have provided client centric customer service training to our entire planning and regulations team • We have had many compliments about the service that clients have received
<p>Question 6: How can the oversight of conservation authorities be improved? Should there be oversight of CA operations (for example, by the province or municipalities?) Why or why not?</p>	<ul style="list-style-type: none"> • Municipalities already have a strong governance role with CAs through our Board of Directors whose representatives are appointed by member municipalities. In our case, all of our representatives are elected municipal officials. • Our Board is responsible for reviewing and approving CA budgets and audited financial statements as well as any broader strategic directions. • Our CA reports on their activities annually to member municipalities as a best practice. • Regulations require CAs to provide its member municipalities with information on the budget and levy and how these were determined in advance of any vote by a Board to approve them. • Directors hold a fiduciary duty to the CA which requires them to make decisions in the best interest of the conservation authority. Bill 108 amendment Section 14 "Duty of members" states that: Every member of an authority shall act honestly and in good faith with a view to furthering the objects of the authority. • CAs are created under provincial legislation and there are expectations that the Province has some control. Bill 108 amendment Section 23 specifically ensures provincial oversight for conservation authorities • Oversight of conservation authorities can be improved through enactment of Section 14 (Duty of Members) and 23.1 (4) (Appointment of Investigator). • As well, as a result of amendments to the <i>Conservation Authorities Act</i> in 2017, all CAs developed and passed CA Administrative By-laws in 2018 which are compliant with Section 19 and therefore consistent.
<p>Question 7: What are your thoughts on conservation authority board composition? Should municipalities be allowed to continue to appoint members of the public to conservation authority boards? What should be the length of conservation authority board appointments? (Currently it is 4 years.)</p>	<ul style="list-style-type: none"> • It is a municipal decision as to who to appoint to the local conservation authority board of directors and should remain so. • As municipalities control the budget of the CA they must make up the majority of the board members • Our CA board members serve a four year term which coincides with the municipal election cycle which should be maintained.

C: Partners and Collaborations	
Question 1: Please describe key collaborations between conservation authorities and partners that your organization is involved in	<ul style="list-style-type: none"> • We have many partnerships with our municipalities, NGOs, private land owners, businesses, service clubs, volunteers, the province and federal government • That it is the way CAs work best • Many of these partnerships support CAs through donations and volunteer time that support the mandate of the CAs while also reducing the need for tax support to the CAs.
Question 2: How long has this collaboration / partnership been in place?	<ul style="list-style-type: none"> • More than 65 years
Question 3: What about your partnerships is working well and what needs improvement?	<ul style="list-style-type: none"> • The approach is always collaborative and respectful.

DRAFT

BRIEFING NOTE

CREDIT VALLEY CONSERVATION
 1255 Old Derry Road, Mississauga, Ontario L5N 6R4
 Tel: (905) 670-1615 Fax: (905) 670-2210 1-800-668-5557

March 13th, 2020

To:	Karen Ras, Chair	Tom Adams, Vice Chair	John Brennan
	Stephen Dasko	Johanna Downey	Ann Lawlor
	Matt Mahoney	Tom Nevills	Michael Palleschi
	Grant Peters	Ron Starr	
From:	Josh Campbell, Director, Planning & Development Services		
Re:	'Protecting People and Property: Ontario's Flooding Strategy'		

BACKGROUND

In the fall of 2019 the provincial government completed an independent review of Ontario's current flood mitigation and natural hazard land use planning policies. To assist in the review the province retained a Special Advisor on Flooding. The tone of report was summarized by the Flood Advisor as follows:

'The development of the modern floodplain policy in Ontario, the watershed approach, the conservation authority model, and the flood standards have been extremely effective at reducing flood risks, especially in new greenfield development areas... While these policies and mitigative activities have made Ontario a leader across Canada, it is clear that Ontarians continue to be significantly impacted by flood events and the costs associated with these impacts continue to mount...'

The report content provided a brief history of flood hazard management in Ontario, a review of Ontario's approach to managing flood risk, and noted some challenges and opportunities to managing flood risk while providing 66 recommendations for improvements. As described in CVC staff's December 2019 briefing note on the Flood Advisor's report (see <https://cvc.ca/wp-content/uploads/2020/01/Report-Package-BOARD-OF-DIRECTORS-MEETING-Dec13-2019-Redacted.pdf> Information Item #7.4), there were no comments or recommendations that suggested significant changes to conservation authorities (CAs) mandate to managing the risk of flood hazards, or to reduce existing provincial funding to CAs. In fact, the Advisor was very supportive of the CA model in Ontario.

The recommendations could be grouped into the following general categories:

- Legislation, Regulation and Land Use Planning;
- Improvement or Investment in Support Tools and Technologies;
- Program and Partner Funding;
- Emergency Management - flood forecasting and warning, and disaster recovery and relief;
- Region Specific Improvements – provincial, municipal and agency coordination; and
- Knowledge Transfer and Information Flow Improvements.

Overall, the recommendations were supportive of the province's CA model and key recommendations focused on strengthening Ontario's natural hazard management policy framework, maintaining and providing funding for specific flood management programs, improve upon Ontario's flood forecasting and warning systems, update technical guidelines to support flood management activities, as well as invest in knowledge transfer, flood related projects and improving coordination in specific northern and eastern regions of the province.

PROTECTING PEOPLE AND PROPERTY: ONTARIO'S FLOODING STRATEGY 2020

On March 9, 2020 the province released Ontario's Flooding Strategy (<https://files.ontario.ca/mnrf-2020-flood-strategy-en-2020-03-07.pdf>). The strategy renews the province's commitment to protecting people and property by strengthening the province's preparedness for flooding. The strategy outlines steps to be taken by Ontario over the next several years to help achieve this goal and actions that are designed to address, and build upon, the recommendations identified by the Flood Advisor are informed by effective principles of flood management.

Key principles of the strategy include:

- Local governments hold the primary responsibility for identifying and managing flood risks;
- Provincial and federal governments must play a key role in supporting local decision-making.
- Local decisions on how to best manage flood risks need to be based on the latest data and science;
- The most cost-effective and sustainable way of reducing risks is to keep people and property out of high-risk areas;
- Where development exists, systems must be in place to support effective early warning and emergency response;
- Recovery efforts are most effective when they incorporate the principle of "build back better" – an approach to post-disaster recovery that reduces vulnerability to future disasters and builds community resilience; and
- We all have a role to play – risks should be managed in strong partnership with municipalities, conservation authorities, the federal government, private landowners, industry, and Indigenous communities.

The strategy also highlights the province's goals, priorities and objectives to achieving a strengthened flood management approach for Ontario as follows:

Goals

1. Increase public health and safety;
2. Reduce property and environmental damage;
3. Reduce economic losses;
4. Reduce social disruption;
5. Reduce public and private expenditures; and
6. Reduce critical infrastructure disruption.

Priorities

1. understand flood risks;
2. strengthen governance of flood risks;
3. enhance flood preparedness;
4. enhance flood response and recovery; and
5. invest in flood risk reduction.

Objectives

- keeping people and property out of high-risk areas and not creating new, or aggravating existing, flood risks;
- reducing the impacts of flooding on existing communities;
- ensuring Ontarians are aware of flood risks and are taking steps to prepare for them;

- ensuring efficient and effective services are in place to respond to flood-related emergencies when they occur; and
- ensuring Ontarians impacted by flooding can get back on their feet as soon as possible.

While reinforcing the province's current approach to managing flood risk (mitigation, preparedness, response and recovery), it also highlights the province's commitment to working with its partners (including CAs and the Indigenous community) and that successful implementation requires the support of everyone. The strategy notes that:

'Municipalities and conservation authorities are central to the success of local flood management, having distinct delegated roles from the province along with legislated and regulatory responsibilities to ensure new development is directed away from natural hazards...'

In support of the goals, priorities and objectives listed above, the following actions and activities are outlined in the strategy – the majority of which support various CA programs and services:

Enhance Flood Mapping – establish a multi-agency flood mapping technical team, develop a multi-year approach to updating flood mapping, maintain flood related foundational geospatial data, establish a provincial elevation mapping program, and update provincial standards for flood mapping.

Increase Public Awareness and Education – increase access to flood related information and increase transparency around water management decisions.

Clarify Roles and Responsibilities – Clarify roles and responsibilities in identifying natural hazards and clarify urban flooding roles and responsibilities.

Promote Sound Land Use Planning Decisions – update the provincial policy statement, update existing technical guidelines, review policy and ideological approaches of existing guidance, maintain wetlands and pervious surfaces, enhance the resiliency of provincial infrastructure and other built form, as well as update existing policy, legislative and regulatory requirements.

Enhance Flood Forecasting and Early Warning – maintain flood forecasting and warning, enhance flood forecasting and warning, enhance science and research, enhance use of satellite imagery, and maintain Ontario's road weather information system,

Enhance Emergency Response – enhance emergency response activities.

Review Disaster Recovery – review the results of the municipal disaster recovery assistance pilot climate resilience incentive, review the implementation of disaster recovery assistance for Ontarians for spring 2019, and support the development of federal flood insurance and relocation programs.

Secure Funding for Flood Risk Reduction – leverage existing funding programs (including Ontario Infrastructure Fund, Water and Erosion Control Infrastructure Program, Section 39 Provincial Transfer Payments, Disaster Mitigation and Adaptation Fund, Nation Disaster Mitigation Program etc.).

SUMMARY AND KEY ACTIVITIES

Overall, the strategy is consistent with the recommendations of the Flood Advisor's report. In addition, the strategy is supportive of CA programs and services related to managing the risk of flood hazards – however there is no indication of increased provincial funding to support existing partially funded CA programs, or other new proposed programs or activities.

Some key actions in the strategy that are supportive to CA programs and services include: developing a multi-agency flood mapping technical team; reviewing and updating (outdated) technical guides and support datasets for flood hazards; creating public education and outreach programs to improve transparency and knowledge transfer; producing CA regulations that outline mandatory programs and services – including strengthening Section 28 regulation and its relationship to land use planning; creating an urban flooding working group; encouraging wetland conservation; enhancing considerations for climate change in flood management policy; supporting and enhancing flood monitoring and warning systems; and continuing existing funding for flood management programs – including Water, Erosion and Control Infrastructure (WECI) Program and Section 39 transfer payments.

Key activities for CVC staff include continuing to work with provincial, municipal, Conservation Ontario and Greater Golden Horseshoe (GGH) CA staff, including all stakeholders, to promote CA activities and encourage the province to increase funding sources for the timely delivery of existing (and proposed new) flood management programs. In addition, it will be important to stay engaged in upcoming opportunities to provide input on the development of the strategy's provincially led flood risk management actions, to ensure watershed and local needs are adequately addressed.

BRIEFING NOTE

CREDIT VALLEY CONSERVATION
 1255 Old Derry Road, Mississauga, Ontario L5N 6R4
 Tel: (905) 670-1615 Fax: (905) 670-2210 1-800-668-5557

March 13th, 2020

To:	Karen Ras, Chair	Tom Adams, Vice Chair	John Brennan
	Stephen Dasko	Johanna Downey	Ann Lawlor
	Matt Mahoney	Tom Nevills	Michael Palleschi
	Grant Peters	Ron Starr	
From:	Josh Campbell, Director, Planning & Development Services		
Re:	Updated Provincial Policy Statement (2020)		

BACKGROUND

On July 22, 2019 the provincial government released an Environmental Registry of Ontario (ERO) posting titled 'Provincial Policy Statement (PPS) Review – Proposed Policies'. The PPS is the statement of Ontario's policies on land use planning and provides provincial policy direction for a range of areas with the goal of building strong and healthy communities, wisely using and managing resources, and protecting public health and safety,

The proposed changes were targeted to help increase housing supply, support jobs and reduce barriers and costs in the land use planning system. In general, the proposed policy changes were intended to:

- Encourage the development of an increased mix and supply of housing;
- Protect the environment and public safety;
- Reduce barriers and costs for development and provide greater predictability;
- Support rural, northern and Indigenous communities; and
- Support the economy and job creation.

Credit Valley Conservation (CVC) staff provided comment on the proposed changes to the PPS in the fall of 2019 (see CVC Board Resolution #77/19 and Board Report for details <https://cvc.ca/wp-content/uploads/2019/10/9-Sept-2019-Minutes.pdf>, Schedule E). In general, CVC staff's comments were supportive as there were only minor changes proposed to the existing policies in Sections 2.1 (Natural Heritage), 2.2 (Water), and 3.1 (Natural Hazards) – although the policies in Section 3.1 (Natural Hazards) were subject to further revision pending final review by the province's 'Special Advisor on Flooding.

PROVINCIAL POLICY STATEMENT 2020

On February 28, 2020 the province posted its decision to approve a revised PPS - taking effect May 1, 2020. Key changes to the PPS include:

- adding further references to support a changing climate and green infrastructure;
- adding policy direction responding to the recommendations of the province's Special Advisor on Flooding (see 'Protecting Public Health and Safety' subsection below for additional details);
- increasing the minimum requirement for housing land supply to 15 years;
- clarifying policies related to market-based housing by adding a reference to affordable housing;
- providing flexibility for municipalities to consider residential development on rural lands that is locally appropriate, including lot creation; and
- enhancing land use compatibility policies for sensitive land uses.

In response to feedback, a number of policy proposals were not included. These include:

- "fast-tracking" municipal approvals;
- requiring agricultural impact assessments for non-agricultural uses in prime agricultural areas and for settlement area boundary expansions;
- a voluntary wetland mitigation hierarchy approach for wetlands that are not provincially significant wetlands; and
- clarifying that rehabilitation plans for aggregate extraction can contribute to the demonstration of no negative impacts in some natural heritage features.

Protecting Public Health and Safety

In response to the Special Advisor on Flooding's recommendation dealing specifically with the PPS, the province incorporated the following natural hazard policy changes in the 2020 PPS to better show the linkages between land use planning and natural hazard management (underlined text indicates added):

- Added reference to the "impacts of a changing climate" in the Section 3.0 Preamble to highlight the unknown realities of our changing climate and the need to consider heightened awareness of these realities in natural hazard planning decisions;
- Acknowledged in the Section 3.0 Preamble, the role conservation authorities (CAs) play in preparing and protecting against the risk of natural hazards:

'Mitigating potential risk to public health or safety or of property damage from natural hazards, including the risks that may be associated with the impacts of a changing climate, will require the Province, planning authorities, and conservation authorities to work together.'

- Added a reference in the infrastructure policy section (1.6.4) to ensure the natural hazard policies are considered when locating infrastructure and public service facilities:

'Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.'

- Strengthened the linkage between the Provincial Policy Statement natural hazard policies and the provincial technical guides, which outline direction set by the province for implementing the natural hazard policies (revised policy 3.1.1):

'Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of...'

- Enhanced existing stormwater management policies to support commitments in the government's Made-in-Ontario Environment Plan to protect water and support climate resilience (see revised policy 1.6.6.7).

SUMMARY AND KEY ACTIVITIES

The updated PPS now acknowledges the role of CAs in protecting against the risk of natural hazards, further highlights the need to consider the impacts of a changing climate in making land use planning decisions (e.g. infrastructure planning, natural heritage protection, and natural hazard and water management), and strengthens the linkage between the PPS and provincial technical guides.

A key activity for CVC staff will be to continue to work with provincial, municipal, Conservation Ontario and GGH CA staff, including all stakeholders, to prepare for implementing these updates – including updates to technical guidelines and policy documents, as necessary.