

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 15, 2020

Item 13, Report No. 61, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on December 15, 2020, as follows:

***By receiving the following communications:***

***C8 Deputy City Manager, Administrative Services and City Solicitor, dated December 13, 2020; and***

***C12 Councillor Iafrate, dated December 15, 2020; and***

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**13. BILL 229 – SCHEDULE 6, AMENDMENTS TO THE CONSERVATION AUTHORITIES ACT**

**The Committee of the Whole recommends:**

- 1) That consideration of this matter be deferred to the Council meeting of December 15, 2020;**
- 2) That staff provide an update on this matter and how it affects the City of Vaughan; and**
- 3) That staff be directed to work with the Ward 1 Councillor to draft an appropriate resolution for Council's consideration.**

**Member's Resolution**

Submitted by Councillor Iafrate

***Whereas***, on November 5, 2020, the Province of Ontario introduced Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), which proposes amendments to the Conservation Authorities Act and Planning Act through Schedule 6; and

***Whereas***, Bill 229 was carried on division at its 3rd reading on December 8, 2020: and

***Whereas***, the amendments identified in Schedule 6 to Bill 229 will diminish TRCA's ability to serve its municipal partners and other watershed stakeholders in the protection from natural hazards and conserving natural resources, primarily in the areas of planning, permitting and enforcement; and

***Whereas***, local residents groups, environmental groups, Associations of Municipalities of Ontario ("AMO"), Ontario Big City Mayors, David Suzuki Foundation, Environmental Defence, Ontario Nature, various Ontario municipalities and notably, Canadian Environmental Law Association, oppose the changes made by the Province in Schedule 6 of Bill 229; and

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#### Item 13, CW Report 61 – Page 2

**Whereas**, conservation authorities will no longer be deemed a “Public Body” under the Planning Act in some instances which impacts the ability of conservation authorities to participate in most appeals to the Local Planning Appeal Tribunal (“LPAT”) of development applications; and

**Whereas**, new appeal procedures have been created to allow for applicants to go directly to LPAT or the Minister to receive approval of a permit when it has been denied by a conservation authority; and

**Whereas**, demoting the role and authority of conservation authorities at this time is not in the public interest and does not provide the protection and assurance that the public relies upon.

***It is therefore recommended that:***

1. The City of Vaughan request that the Government of Ontario remove proposed amendments to the Conservation Authorities Act and Planning Act in Bill 229 relating to planning, permitting and enforcement and include strengthened provisions related to enforcement including powers to require the restoration of lands including taxation abilities involving our local municipalities if they have been subjected to illegal activities, including enforcement powers that are on par with other Provincial Officers in order to support a balanced approach to development, enable conservation authorities to mitigate natural hazards and protect natural heritage, and to prevent any downloading of enforcement costs to municipalities;
2. The City of Vaughan requests that the Government of Ontario allow for further discussions to take place regarding the amendments to the Conservations Authorities Act and the Planning Act set out in Schedule 6 to Bill 229 before proclaiming them to come into effect; and
3. That this resolution be distributed by the Clerk to the Premier of Ontario, the Minister of the Environment, Conservation and Parks, the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the Minister of Finance, MPPs in the City of Vaughan, the Region of York, and the Toronto and Region Conservation Authority.

**MEMBER'S RESOLUTION**

**Date: DECEMBER 8, 2020 – COMMITTEE OF THE WHOLE (2)**

**Title: BILL 229 - SCHEDULE 6, AMENDMENTS TO THE CONSERVATION AUTHORITIES ACT**

**Submitted by: COUNCILLOR MARILYN IAFRATE**

**Whereas**, on November 5, 2020, the Province of Ontario introduced Bill 229, *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, which proposes amendments to the *Conservation Authorities Act* and *Planning Act* through Schedule 6; and

**Whereas**, Bill 229 was carried on division at its 3<sup>rd</sup> reading on December 8, 2020; and

**Whereas**, the amendments identified in Schedule 6 to Bill 229 will diminish TRCA's ability to serve its municipal partners and other watershed stakeholders in the protection from natural hazards and conserving natural resources, primarily in the areas of planning, permitting and enforcement;

**Whereas**, local residents groups, environmental groups, Associations of Municipalities of Ontario ("AMO"), Ontario Big City Mayors, David Suzuki Foundation, Environmental Defence, Ontario Nature, various Ontario municipalities and notably, Canadian Environmental Law Association, oppose the changes made by the Province in Schedule 6 of Bill 229; and

**Whereas**, conservation authorities will no longer be deemed a "Public Body" under the *Planning Act* in some instances which impacts the ability of conservation authorities to participate in most appeals to the Local Planning Appeal Tribunal ("LPAT") of development applications; and

**Whereas**, new appeal procedures have been created to allow for applicants to go directly to LPAT or the Minister to receive approval of a permit when it has been denied by a conservation authority; and

**Whereas**, demoting the role and authority of conservation authorities at this time is not in the public interest and does not provide the protection and assurance that the public relies upon.

***It is therefore recommended that:***

1. *The City of Vaughan request that the Government of Ontario remove proposed amendments to the Conservation Authorities Act and Planning Act in Bill 229 relating to planning, permitting and enforcement and include strengthened provisions related to enforcement including powers to require the restoration of lands including taxation abilities involving our local municipalities if they have been subjected to illegal activities, including enforcement powers that are on par with other Provincial Officers in order to support a balanced approach to development, enable conservation authorities to mitigate natural hazards and protect natural heritage, and to prevent any downloading of enforcement costs to municipalities;*
2. *The City of Vaughan requests that the Government of Ontario allow for further discussions to take place regarding the amendments to the Conservations Authorities Act and the Planning Act set out in Schedule 6 to Bill 229 before proclaiming them to come into effect;*
3. *That this resolution be distributed by the Clerk to the Premier, Minister of Environment, Conservation and Parks, the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the Minister of Finance, MPPs in the City of Vaughan, the Region of York, and the Toronto*

Respectfully submitted,

Marilyn lafrate  
Councillor, Ward 1  
Maple & Kleinbur