

November 10, 2022

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, ON, M7A 1A1  
[premier@ontario.ca](mailto:premier@ontario.ca)

The Honourable Steve Clark  
Minister of Municipal Affairs and Housing  
College Park 17th Floor, 777 Bay St,  
Toronto, ON M7A 2J3  
[steve.clark@pc.ola.org](mailto:steve.clark@pc.ola.org)

The Honourable Graydon Smith  
Minister of Natural Resources and Forestry  
Whitney Block, 99 Wellesley St W,  
Toronto, ON M7A 1W3  
[minister.mnrf@ontario.ca](mailto:minister.mnrf@ontario.ca)

The Honourable David Piccini  
Minister of the Environment, Conservation and  
Parks  
College Park 5th Floor, 777 Bay St,  
Toronto, ON M7A 2J3  
[david.piccinico@pc.ola.org](mailto:david.piccinico@pc.ola.org)

Dear Premier Ford, Minister Clark, Minister Smith and Minister Piccini,

**Re: Bill 23 and ERO Posting 019-6141**

We are writing to you in response to Bill 23, the More Homes Built Faster Act, which was announced on Tuesday, October 25th, 2022, specifically regarding Schedule 2.

We agree that there is a housing supply and affordability issue in Ontario that needs to be pragmatically addressed. We support the government's commitment to reducing unnecessary barriers to development and streamlining processes. We share this commitment and strive to provide the best customer service to the municipalities, communities, residents and developers we serve. Our staff are committed to our core mandate of the protection of life and property as we contribute to communities where development and the environment can work in balance.

Although not identified as one of the 29 areas with high-growth cities and towns, we will continue to do our part to help the Province meet its goal of building 1.5 million homes in Ontario over the next ten years. We think your stated outcomes are important but are concerned that your proposed legislative changes may have unintentional, negative consequences, especially in more rural areas of Ontario. Rather than creating the conditions for efficient housing development, these changes may jeopardize the Province's stated goals by increasing risks to life and property for Ontario residents, increasing costs and potentially delaying approval timelines. We are confident that the following recommendations can help the Province achieve its housing goals:

---

**Member Municipalities**

Municipality of Arran-Elderslie, Town of the Blue Mountains, Township of Chatsworth, Township of Georgian Bluffs, Municipality of Grey Highlands, Municipality of Meaford, City of Owen Sound, Town of South Bruce Peninsula

## 1. Proposal to exempt certain projects, with Planning Act approval, from the requirements for a conservation authority development permit

The Province recently confirmed the mandate of conservation authorities, which includes regulating development to address the risk of natural hazards. Bill 23, Schedule 2, Subsection 7(2) proposes to exempt certain types and locations of development from the regulation process, with the potential to create a two-tier approach to the protection of people and property. This exemption is contrary to the core mandate of conservation authorities and may put people and their homes at risk, as well as increase the liability exposure of municipalities and developers.

While the government wants to focus conservation authorities on their core mandate, this proposed sweeping exemption is move in the opposite direction. As proposed in the legislation, the conservation authorities permit exclusions will nullify the core functions of conservation authorities and open up significant holes in the delivery of our natural hazard roles, rendering them ineffective. This will negatively impact the ability of conservation authorities to protect people and property from natural hazards.

Based on the highly variable and complex nature of individual developments, it is highly improbable that a blanket legislated exemption could adequately address the details that need to be considered in such a way that protection of life and property would be guaranteed.

### **Recommendations:**

*That the Province maintain the role of conservation authorities in the protection of people and property from natural hazards by leaving these responsibilities with conservation authorities and rescinding this proposed change.*

## 2. Conservation authority ability to enter into agreements with municipal partners for plan review

Grey Sauble Conservation Authority (GSCA) plays an integral role in the municipal planning process within the Bruce-Grey area. GSCA provides comments and support to our municipal partners on matters related to natural hazards. Through agreements with member municipalities, GSCA has also been providing comments and support to our municipal partners on matters related to natural heritage. Conservation authorities are uniquely situated to provide these services in an efficient and cost-effective manner to our municipal partners by utilizing the watershed approach and economy of scale. Conservation authority staff have the added benefit of being able to leverage an internal network of staff for knowledge and expertise, and to further leverage working relationships across the province within other CAs. There is no evidence to suggest that municipalities could provide these services more effectively or efficiently. In fact, municipalities will either need to bring this expertise in-house or contract this work out to consultants, both of which is expected to be more expensive. This is especially true in rural areas of Ontario where the municipal staff base and tax base are more limited and strained.

By eliminating the potential for these agreements, the Province will be directly impacting the ability of municipalities and conservation authorities to make local level decisions that provide for the best

possible outcomes, which may result in increased financial and administrative burden to municipalities, may cause timeline delays, and will likely increase development costs.

**Recommendations:**

- *Municipalities should retain the option to enter into MOUs with CAs under Section 21.1.1 (1) of the CA Act to ensure that local needs are being met.*

### 3. Proposal to freeze conservation authority fees

GSCA has recently undertaken extensive activity-based costing analysis and consultation for our Planning and Regulation rates and fees to ensure that the fees being collected are adequate to cover, but not exceed, the cost of service. This is consistent with the *Planning Act*, the 1997 *Policies and Procedures for the Charging of Conservation Authority Fees*, and the *Minister's list of classes of programs and services in respect of which conservation authorities may charge a fee*. Collection of these fees allows conservation authorities to maintain a sustainable business model while reducing the pressure on the local tax base.

In order to get more homes built faster, it is imperative that commenting agencies, including conservation authorities, have adequate resources to provide review and comment in a timely manner. Freezing fees may result in reduced service capacity, leading to delays and potential service interruptions, as well as potential long-term impacts to conservation authority businesses.

**Recommendations:**

- *Continue to allow conservation authorities to collect fees that are consistent with 1997 Policies and Procedures for the Charging of Conservation Authority Fees, and the Minister's list of classes of programs and services in respect of which conservation authorities may charge a fee.*

### 4. Proposal to assess capacity of conservation authority owned land for residential development

Conservation authority-owned lands were acquired for a number of reasons. The primary reasons for these acquisitions include for flood and erosion protection, as well as for the long-term securement of greenspace. Most of these lands, particularly in the Grey Sauble watershed, are not suitable or appropriate for development. A 2018 literature review conducted by GSCA determined that GSCA's land holdings provide \$72 million in ecosystem services annually. Removal of these lands from long-term preservation will reduce important habitat and ecosystem services, reduce greenspace for residents and visitors to utilize and erode public confidence in the commitment of government to protect these important spaces within Ontario.

We understand that some conservation authorities may have lands that they wish to divest of and the proposed changes will help facilitate that. However, it is very important that specific parameters be applied to ensure that the majority of conservation authorities owned lands remain protected in perpetuity.

**Recommendations:**

- *Provide very detailed parameters that will limit the divesting of conservation authority owned lands to only those that, in the sole discretion of the conservation authority, are surplus to the needs of the authority, the protection of greenspace, and the provision of flood and erosion control.*

**5. Provincial Conservation Authority Working Group (CAWG)**

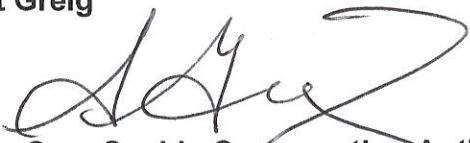
Under Minister Yurek and then Minister Piccini, the Province had great success with the multi-stakeholder conservation authority working group. This group consisted of representatives from conservation authorities, AMO, the Province, the agricultural community and the development community and was able to effectively review and move forward on several initiatives related to the Conservation Authorities Act.

**Recommendation:**

*We strongly encourage the Province to continue with this engagement to ensure that the decisions being made are the best decisions for Ontario.*

Sincerely,

**Scott Greig**



**Chair, Grey Sauble Conservation Authority Board of Directors  
Deputy Mayor Elect, City of Owen Sound**

**Andrea Matrosovs**



**Vice Chair, Grey Sauble Conservation Authority Board of Directors  
Mayor Elect, Town of the Blue Mountains**

**Cc:**

MPP Rick Byers, Bruce--Grey--Owen Sound  
MPP Brian Saunderson, Simcoe Grey  
All GSCA Participating Municipalities and Upper Tier Municipalities