



November 26, 2020

Hon. Jeff Yurek  
Minister of Environment,  
Conservation and Parks  
5<sup>th</sup> Floor – College Park  
777 Bay St  
Toronto, ON  
M7A 2J3

Hon. John Yakabuski  
Minister of Natural  
Resources and Forestry  
Rm 6630 – Whitney Block  
99 Wellesley St W  
Toronto, ON  
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Hon. Rod Phillips  
Minister of Finance  
7<sup>th</sup> Floor – Frost Block  
7 Queen's Park Cres  
Toronto, ON  
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***Re: Proposed Changes to the Conservation Authorities Act in Bill 229***

Dear Ministers,

I am writing on behalf of the Ontario Professional Planners Institute (OPPI) to provide our comments on proposed amendments to the *Conservation Authorities Act* under Schedule 6 of *Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020*.

OPPI is the recognized voice of Ontario's planning profession. With over 4,000 members, it serves as both the Professional Institute and regulator of Registered Professional Planners (RPP) in the province. Our members work across the planning spectrum, for consulting firms, provincial and municipal approval bodies, private developers, community agencies and academic institutions. RPPs are the skilled, professional, and dependable navigators employed to help lead communities towards the Ontario of tomorrow. RPPs are the local experts who bring together differing points of view, consult and develop recommendations that provide informed choices for decision-makers and elected officials. RPPs act in the public interest as professionals who work to improve the quality and livability of communities in Ontario today and for their sustainability long-term.

In recent years, OPPI has actively participated in various consultations regarding changes to Conservation Authorities (CAs) in Ontario. We appreciate the fact that there are opportunities for improvement and have supported measures in the past which seek to modernize CA operations. This includes the need to clearly define the core mandatory programs and services provided by CAs and the need to reduce overlap between CAs and other regulatory bodies.

Some of our detailed feedback can be found in the following submissions:

- [Conservation Authorities Act Review, ERO: 012-4509 \(October 19, 2015\)](#)
- [Conservation Authorities Act Review, Conserving Our Future Proposed Priorities for Renewal, ERO: 012-7583 \(September 9, 2016\)](#)
- [Bill 139, Schedule 4 Amendments to the Conservation Authorities Act, ERO: 013-0561 \(July 31, 2017\)](#)
- [Modernizing Conservation Authorities Operations, ERO: 013-5018 \(April 19, 2019\)](#)

However, the latest round of proposed changes to CAs in Bill 229 came as a surprise to many of our members and others in the broader planning ecosystem. Some of our members have raised concerns with the direction of the measures, while others have focused on the need for more thorough consultation to address the unintended consequences of these changes.

The key challenges observed by OPPI's membership include:

- **Inadequate consultation.** The government proposed legislative changes to the *Conservation Authorities Act* in its Budget Bill. While this removes the normal obligation to consult under the Environmental Bill of Rights (EBR), the breadth of changes proposed warrants a full consultation to avoid unintended consequences and implementation challenges.
- **Public safety concerns.** Since 1946, CAs have been the regulatory body responsible for protecting the public from safety issues associated with building too close to a floodplain or shoreline. In a time of more frequent extreme weather events and rapid changes in the Great Lakes water levels, it is vital to ensure that the core mandate of CAs is not weakened.
- **Potential for delays.** The proposed transfer of appeals and oversight of CAs from the Tribunal and municipalities to the Minister and Queen's Park has the potential to introduce significant delays at a time when the government is attempting to streamline the planning process as part of its pandemic recovery efforts. Unlike CAs and municipalities, the province lacks the capacity and on-the-ground expertise necessary to ensure efficient review of local applications.

Given the substantial impact of the proposed measures on planning and environmental outcomes, OPPI is aligned with the stakeholder groups who are calling on the government to withdraw Schedule 6 in its entirety from Bill 229 during clause-by-clause review by the Standing Committee on Finance and Economic Affairs.

OPPI encourages the government to commence a comprehensive consultation exercise on these proposed measures and make a final decision subsequent to this exercise. We would welcome an opportunity to participate in such a process.

I would be happy to discuss any of my comments with you in further detail. Please feel free to contact me at (416) 483-1873 if you have any questions.

Best regards,



Justine Giancola  
President, OPPI

CC: Charles Lammam, Executive Director of Policy and Budget – Office of the Minister of Finance  
CC: Serge Imbrogno, Deputy Minister – Ministry of Environment, Conservation and Parks  
CC: Isaac Apter, Director of Policy – Office of the Minister of Environment, Conservation and Parks  
CC: Monique Rolfvondenbaumen-Clark, Deputy Minister – Ministry of Natural Resources and Forestry  
CC: Adam Bloskie, Director of Policy – Office of the Minister of Natural Resources and Forestry