

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 20, 2015

Item 29, Report No. 35, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on October 20, 2015.

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**CITY OF VAUGHAN COUNCIL INPUT INTO
THE PROVINCIAL CONSERVATION AUTHORITIES ACT REVIEW**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the City Manager, dated October 7, 2015, be approved; and**
- 2) That staff be directed to review the VOP 2010 in relation to the roles and responsibilities at the TRCA with the view to create efficiencies, reduce duplication and provide far more accountability, and report back in the first quarter of 2016.**

Recommendation

The City Manager recommends:

1. That the City Manager and staff be instructed to complete their consultations with Council and based on input received, prepare and submit a letter of response to the Ministry of Natural Resources and Forestry on an expedited basis.

Contribution to Sustainability

N/A

Economic Impact

There are no economic impacts associated with the preparation and receipt of this report as recommended.

Communications Plan

N/A

Purpose

The purpose of this report is to identify the opportunity for Council Members to provide input on the Conservation Authorities Act review in response to the request by the Province for input prior to October 19, 2015.

Background - Analysis and Options

Synopsis

The Province is conducting a review of the Conservation Authorities Act and has released a discussion document containing questions identifying issues for consideration. The review has an October 19 2015 deadline for comment. City staff has received input from Councillors regarding their concerns with respect to the questions raised in the discussion document. A brief summary of comments and concerns is included in this report. Staff is seeking direction to complete consultations and to provide a letter to the Ministry which will set out the resulting comments. A response for Council's consideration by way of a communication will be provided at its next scheduled meeting on October 20, 2015.

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Background

In August of 2015 the Province announced a time limited consultation on the Conservation Authority Act with a deadline for submitting comments of October 19, 2015. The consultation request includes a Discussion Paper which is attached to this report and can be found at:

http://apps.mnr.gov.on.ca/public/files/er/Discussion_Paper_2015.pdf.

The objective of this review is to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of Conservation Authorities that may be required in the face of a constantly changing environment. The purpose of this discussion paper is to seek feedback on the following three areas:

1. *Governance* – the processes, structures, and accountability frameworks within the Act which direct conservation authority decision-making and operations;
2. *Funding Mechanisms* – the mechanisms put in place by the Act to fund conservation authorities; and
3. *Roles and Responsibilities* – the roles and associated responsibilities that the Act enables conservation authorities to undertake.

In Vaughan the Toronto and Region Conservation Authority (TRCA) plays a valuable role in working with City staff on studies and projects. The TRCA is actively involved in subwatershed planning with stakeholders in the planning for New Communities Areas including Blocks 41 and 27. The TRCA also plays a major role in reviewing development applications throughout the City. TRCA is involved as a party to several OMB proceedings including the Vaughan Official Plan 2010 appeals. In addition, the TRCA is involved in emergency management including staff training, exercises, and hazard management surrounding management of the Don and Humber watersheds. The TRCA is a major landowner and property manager for lands and facilities across the City of Vaughan most notably the Kortright Centre with thousands of acres of holdings within the Don and Humber Valley systems. Many City trails cross TRCA lands and comprise part of the open space system enjoyed by citizens in the City.

Initial Input Received to Date from Council Members

Councillors have expressed the need for more clarity around the role(s) of the TRCA through the CAA Review process. Presently, Section 20 and 21 of the Conservation Authorities Act allows for CA's to take on a broader role and many stakeholders have raised concerns about the TRCA's mandate and scope of reviews expanding beyond land management, permitting and development review matters described in other sections of the Act and the specific TRCA regulations applying to watersheds in Vaughan. There is an interest in ensuring that the TRCA maintains its focus on key roles related to flood protection and watershed management.

Councillors have expressed concerns with the availability of resources and staff necessary to ensure timely TRCA reviews of development applications. Some Councillors have suggested that additional resources be made available to support resolution of development issues within the TRCA's regulated areas.

Councillors see an opportunity for improved data sharing and working relationships between the City and TRCA to support their role as a commenting agency and to ensure the provision of the most accurate up to date information to inform projects and reviews.

Stakeholder Input

Stakeholders in projects in Vaughan have also expressed concerns over the role of the TRCA in the development review process. While Section 20 and 21 of the Conservation Authorities Act

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allows for CA's to take on a broader role many stakeholders have raised concerns about the TRCA mandate and scope of reviews expanding beyond land management, permitting and development review matters described in other sections of the Act and the specific TRCA regulations applying to watersheds in Vaughan. Stakeholders are also interested in ensuring that the TRCA maintains focus on key roles related to flood protection and watershed management.

Stakeholders have also expressed concerns with the timing of the TRCA's review of studies and other information submitted in support of development applications and have requested that additional resources be made available to facilitate resolution of such development issues within the TRCA's regulated areas.

Stakeholders have also identified concerns with the fee structure but some have indicated a willingness to pay additional fees if they are dedicated to accelerating the timing of reviews and enhancing service delivery.

Staff and stakeholders see an opportunity for continued improvement to data sharing to support the CA role as a commenting agency and to ensure the provision of the most accurate and up to date hydrological information to inform projects and reviews. The review should include consideration of how to ensure the most up to date information on natural heritage systems (wetlands, thermal regime, flow regimes of riparian systems, waterbodies, drainage features) is provided to staff to inform reviews.

Relationship to Vaughan Vision 2020/Strategic Plan

The TRCA has been involved in several environmental initiatives and has been working with the City to implement Green Directions Vaughan.

Regional Implications

The Region of York is responding to the review. A report proceeded to the Regional Committee of the Whole on October 1, 2015. The Region's position will be ratified at its October 15, 2015 Council meeting.

Conclusion

Members of Council are interested in ensuring an improved working relationship with the TRCA and are suggesting additional clarification of roles and responsibilities along with additional capacity and focus on the development review process as part of the CA Act Review. Staff is currently preparing a draft letter which will identify targeted responses to issues of significance to the City. The letter will reflect Council responses and any additional input received which responds to the questions posed in the Provincial Discussion Paper.

Attachments

1. Appendix 1 – Specific Questions Provided By The Province
2. Provincial Discussion Paper Conservations Authorities Act

Respectfully submitted,

Steve Kanellakos
City Manager

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)