



Long Point Region
Conservation Authority

MEDIA RELEASE

November 22, 2022

Long Point Region Conservation Authority Calls on Province to Reconsider Bill 23

Proposed changes may jeopardize the Province's stated goals by increasing risks to life and property.

Following the Ontario government's introduction of Bill 23, *More Homes Built Faster Act, 2022*, Long Point Region Conservation Authority is asking the province to reconsider some of the proposed legislative changes to the *Conservation Authorities Act* to ensure Conservation Authorities retain the ability to protect people and property from natural hazards, such as erosion and flooding. Last week, Long Point Region Conservation Authority submitted a letter outlining our concerns to the Standing Committee on Heritage, Infrastructure and Cultural Policy.

LPRCA's letter addresses the Authority's concerns specific to proposed legislative changes. The Authority will be submitting additional comments expressing concerns with various proposed regulatory changes through the [Environmental Registry of Ontario \(ERO\) website](#). An overview of LPRCA's concerns with Ontario's proposed regulation changes can be found in the [report](#) the General Manager delivered to the LPRCA Board of Directors on November 2.

The full text of the letter submitted to the Standing Committee is below.

Dear Chair Scott and Honourable Members of the Standing Committee,

Thank you for the opportunity to provide comments on Bill 23, *More Homes Built Faster Act, 2022*, specifically, Schedule 2, *Conservation Authorities Act*.

Long Point Region Conservation Authority (LPRCA) is a rural Conservation Authority in southwestern Ontario. Our watershed includes some of Canada's best agricultural land, and is dotted with towns and villages and bordered on the south by the beautiful shores of Lake Erie. For nearly 75 years, we have worked cooperatively with the municipalities within our watershed to balance human needs with the needs of the environment.

There's no question that Ontario has a housing supply and affordability issue that needs to be pragmatically addressed. We support the government's commitment to streamlining processes and reducing unnecessary barriers to development. We are proud of our proven track record of providing regulatory services that are streamlined and client-centred. We work hard to provide the best customer service to the municipalities, communities, residents and developers we serve.

We will 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 the outcomes stated in the *More Homes Built Faster Act* are important but we are concerned that the proposed legislative changes may have unintentional, negative consequences. Rather than creating conditions for efficient housing development, these proposed changes may jeopardize the Province's stated goals by increasing risks to life and property for Ontario residents.

1. Municipalities should retain the ability to enter into agreements with Conservation Authorities for review and comments on development applications.

Bill 23 as currently written precludes municipalities from entering into agreements with CAs to provide advice on matters beyond the narrow natural hazards scope set out the Provincial Policy Statement, Section 3.1. Previous legislative amendments require agreements prior to Conservation Authorities commenting beyond the specified core mandate, thus allowing the municipalities to select the plan review services they require.

Our member municipalities rely on LPRCA's water resources expertise to provide technical advice on natural hazards more broadly to avoid flooding, erosion and drought impacts, such as on matters of storm water management and wetlands. Bill 23 as currently written will prohibit CAs from providing this service, shifting the role to municipal staff who have neither the capacity nor expertise to address these natural hazard related issues. This will result in longer response times and increased costs, and impede the government's goals for public safety and more affordable housing development. Instead of making the permitting process more streamlined, these proposed legislative changes remove an existing efficiency.

LPRCA has provided comments to municipalities in a cost-effective and timely manner for decades. LPRCA consistently meets or exceeds comment due dates and is currently working with our partner municipalities to further adapt review processes to meet the new timelines prescribed on municipalities.

Suggested Legislative Amendments:

That Schedule 2 of Bill 23 subsections 3 and 4 be removed in their entirety from the schedule and that complementary subsection 14(3) also be removed.

2. Development subject to Planning Act authorizations should not be exempt from requiring Conservation Authority permits and Conservation Authority regulations should not be delegated to Municipalities.

It is unclear whether the proposed exemptions will be limited to certain types of low-risk development and hazards, which we applaud, or if the purpose is to transfer Conservation Authority (CA) responsibilities to municipalities on a broader scale. The municipal planning process on its own is insufficient to ensure natural hazard concerns are addressed through design and construction. CA permits deal with matters such as building location relative to hazards and floodproofing design elements that are not included in the Building Code. Without limitations or further scoping, the proposed changes signal future delegation of CA permitting roles to municipalities that have neither the capacity nor the expertise in water resource engineering to ensure that people and property are protected from natural hazards. This will result in longer response times and increased costs, and impede both of the government's goals for public safety and more affordable housing development.

We suggest that the Multi-stakeholder Conservation Authorities Working Group be reestablished to provide advice on development activities that may be suitable for exemption from permit requirements using existing clauses within Section 28(3) and (4) of the *Conservation Authorities Act*. This approach avoids unintended risk to public safety, properties, or natural hazards.

Suggested Legislative Amendments:

That Schedule 2 of Bill 23 subsections 7(2) be removed in its entirety from the schedule and that complementary subsections 13(2) and 14(1) also be removed.

Thank you again for the opportunity to provide comments. We appreciate your consideration of the proposed changes in this submission to identify solutions that will increase Ontario's housing supply without jeopardizing public safety.

Sincerely,

John Scholten, Chair
Michael J. Columbus, Vice-Chair

cc.
MPP Bobbi Ann Brady, Haldimand-Norfolk
MPP Will Bouma, Brantford-Brant
MPP Rob Flack, Elgin-Middlesex-London
MPP Ernie Hardeman, Oxford

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www.lprca.on.ca

Contact

Zachary Cox
Marketing Coordinator
519-842-4242 ext. 227, zcox@lprca.on.ca