

Alisa Mahrova
Clerk and Manager, Policy
Toronto and region Conservation Authority
PDF via alisa.mahrova@trca.ca



March 9, 2021

RE: TRCA Response to O. Reg 159/21 -- Hearing of March 12, 2021

The Ontario Headwaters Institute, a charity working to protect the province's watersheds, their natural heritage, and our receiving waters, extends our appreciation and support for the staff report on this issue.

We offer the following observations:

- The introductory elements of the agenda package and what we term the conditions report itself describe several aspects of the Regulation with a cumulative degree of consternation and constraint that are admirable, accurate, and shared by the OHI and many organizations and individuals across Ontario.
We thank staff and urge the Board to continue to articulate the Authority's concerns about the appropriation of your mandated responsibilities to a black box of what appear to be arbitrary Provincial decision-making, absent the involvement of the One Window approach to planning and any clear protocols.
That the level of disregard for this particular wetland may become institutionalized across Ontario via Schedule 3 of Bill 257 will not be lost on you. We hope you, other members of Conservation Ontario, the members of the Conservation Authorities Working Group, and other organizations will articulate strong reasons against the adoption of Schedule 3 as it is written, perhaps including items in our third bullet below.
- We support the stipulations in the conditions report and re-iterate our appreciation to staff for their extensive efforts in an almost impossible task in an unreasonable timeframe.
We have some concerns about what may be a shortfall in the area of proposed new wetland vs the area that is being destroyed, and that the new wetland seems to transition prime farmland to other uses without a comprehensive plan that might embrace a local ALUS (Alternate Land Use Services) framework, but we ultimately find the report comprehensive, reasonable, and far-sighted.
- We urge the TRCA and your partners in Conservation Ontario to craft a submission to the Ontario Government outlining the serious short-comings in their approach in both O. Reg 159/21 and Schedule 3 of Bill 257. These might include:
 - ❖ The long-term damage to the land use planning regime caused by MZO's and the suspension of key parts of the Provincial Policy Statement;
 - ❖ The potential negative consequences from not allowing the normal historic process of Conservation Authority involvement in land use planning;
 - ❖ The disruption of normal conservation authority operations caused by initiatives such as O. Reg 159/21;
 - ❖ Both the direct costs of the item above as well as lost opportunity cost for the long-term development of sustainable land use plans, including the use of ALUS and similar tools; and,
 - ❖ The need for an assessment of existing regionally and provincially significant wetlands, any deterioration in their condition, and protocols and funding sources to maintain or restore their significant status.

Please feel free to contact the undersigned at your convenience should you desire further discussion.

Andrew McCammon

Executive Director

Working to protect Ontario's watersheds, their natural heritage, and our receiving waters
andrew@ontarioheadwaters.ca • 416 231 9484