



Town of Mono

347209 Mono Centre Road
Mono, Ontario L9W 6S3

May 21, 2019

The Honourable Steve Clark
Minister of Municipal Affairs & Housing
777 Bay Street - 14th Floor
Toronto Ontario M5G 2E5

Dear Minister

Re: Draft Bill 108 - Schedule 2 - More Homes More Choices Act
Modernizing Conservation Authority Operations - [ERO Number 013 - 5018](#)
Conservation Authority Development Permits - [ERO Number 013 - 4992](#)

Council for the Town of Mono received a verbal summary of Bill 108 from our Director of Planning on May 14th, 2019 and will endeavour to follow with a planning report for our upcoming May 28th Council session.

Your announcement respecting Bill 108, which has a primary objective of encouraging development of a greater supply of affordable housing, is understandable and desirable. With that good objective in mind, the question of how and when Bill 108 can provide the catalyst to fulfill this objective needs to be scrutinized.

There are perhaps some shorter term solutions that might lend themselves to encouraging the private sector to build more affordable housing and your Ministry has identified some creative ideas (e.g., dwelling units in accessory structures, exempting new rental units from rent controls, hiring more adjudicators to deal with disputes, harmonization of Provincial and Federal building codes, deferral of Development Charges on new rental units at time of first lease etc.).

However, there are other proposed initiatives in Bill 108 that are causing concern. One of these is Schedule 2, changes to the Conservation Authorities Act (CAA). Some of the changes have merit but other changes are unclear.

As noted in the Environmental Registry of Ontario (ERO) postings, extreme weather events increasingly threaten our settlements and communities. Ontario Conservation Authorities (CA's) provide an important leading role that has direct involvement with the Ontario land use planning policy framework, environmental protection, natural hazards management, source water protection and natural resource use and conservation. They do this important work from a regional and watershed-based perspective that is closely aligned with upper and lower tier municipalities. In Mono, our Planning Department engages regularly with our CA's, as well as Dufferin County, and does so in a responsive, coordinated manner to avoid duplication and give timely advice to landowners, stakeholders, house builders and developers.

From the Town's perspective, we commend the Province's desire to improve consistency among CA's, Board governance and funding transparency via municipal partner levies for mandatory and non-mandatory programs and services. I believe that all three CA's having jurisdiction in Mono (i.e. NVCA, CVC and TRCA) are already striving to realize this objective.

Town of Mono also supports proclamation of various un-proclaimed services, that were enabled through various amendments to the Conservation Authorities Act; but affected CA's need to be part of the equation in order to ensure policy effectiveness, implementation, support and most importantly environmental protection.

We note that there are several themes that underly the Province's attempt to modernize the governance and operational mandate of Ontario CA's. These include:

1. Define core mandatory programs and services.
2. Greater transparency respecting mandatory versus non mandatory funding levies.
3. CA Board member scope of duties.
4. Proclamation of un-proclaimed provision in the CAA.
5. Enforcement and offences.

I have below summarized our comments for each:

1. Define core mandatory programs and services:
 - a) Maintain flexible objectives for the purpose and goals of the CAA for long term application.
 - b) Facilitate and support watershed-based solutions in view of emerging trends.
 - c) Maintain the role the CA's play in an integrated land use planning system as a core mandatory service.
 - d) Ensure all core mandatory programs remain consistent with the purpose of the CAA.
 - e) Support management and acquisition of sensitive and watershed lands under CA public ownership.

2. Greater transparency respecting mandatory versus non mandatory funding levies:
 - a) Provide clear direction respecting municipal levies for CA programs and services.
 - b) Update the CAA with clear principles regarding levy funding, cost recovery for mandatory programs and services.
 - c) Require non-mandatory programs and services are funded to ensure they cover respective portion of CA implicit cost functions.
 - d) Consider how CA's and municipalities engage non-core programs and services via agreements for their delivery and ensure they are aligned to coincide with end of council term for execution or renewal.
3. CA Board Members - Duties & Role:
 - a) Amend the CAA to clarify duties and roles of CA board members with the goal being to act in the best interest of the CA.
 - b) Examine the size of all CA boards and amend the CAA as necessary to ensure broad, and accountable representation.
4. Proclamation of Un-Proclaimed CAA Provisions:
 - a) Include fees for programs and services.
 - b) Include recovery of capital costs and operating expenses where warranted via levies.
 - c) Include regulation of areas with CA jurisdiction, such as development permits.
 - d) Include enforcement and offence charges along with stern rectification measures.
 - e) Allow CA funding and fee charges to reflect ongoing demand for under-funded programs and services (ie flood mitigation).
 - f) Support and broaden fees and charges for development review in support of the primary principle that development pays for itself.
5. Enforcement and Offences:
 - a) Invoke stronger provisions in the CAA and CA regulations to provide more effective deterrents over non-compliant matters under Section 28 Regulations.
 - b) Provide enhanced provisions for enforcement and compliance in the CAA, including, stop work orders, orders to comply and clarity respecting "after the fact" permits.

I trust the above suggestions will merit thoughtful consideration by your Ministry, Minister Clark. In closing, I wish to stress that effective improvements to the many Provincial legislative Acts under consideration in Bill 108, collectively require a careful and thoughtful approach.

It is tempting to try and make quick fix changes in the hope of showing prompt solutions to complex problems. Change is of course inevitable and indeed necessary, but fast change rarely provides the intended result. I urge you, Minister Clark, to continue to collaborate with your municipal and stakeholder agency representatives so that sound change prevails, that will stand the test of time, legislatively, procedurally and even politically. Ontario citizens have always stood behind sound policy and legislation with timely input and consideration.

Collectively we can and will find meaningful and effective solutions to many of the issues facing Ontario. The Town of Mono will endeavour to provide further comments to Bill 108, after our next May 28th Council session, in time for your June 1st ERO postings deadline.

Sincerely,



Laura Ryan - Mayor
Town of Mono - Dufferin County

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Copies:

1. Sylvia Jones - Minister of Community Safety & Correctional Services
2. Pam Hillock - Dufferin County Clerk
3. Kerstin Vroom - Mulmur Township Clerk
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