

Community Development Department

The City of Cambridge
50 Dickson Street, 3rd Floor
P.O. Box 669
Cambridge ON N1R 5W8
Tel: (519) 623-1340 ext. 4571
E-mail: primel@cambridge.ca

December 8, 2022

The Hon. Graydon Smith
Minister of Natural Resources and Forestry
Whitney Block, 99 Wellesley St W
Toronto ON M7A 1W3
Sent by e-mail only: minister.mnrf@ontario.ca

Public Input Coordinator
Ministry of Natural Resources and Forestry
Resources Planning and Development Policy Branch
300 Water Street
Peterborough ON K9J 8M5
Sent by e-mail only: mnrwaterpolicy@ontario.ca

**Re: Proposed updates to the regulation of development for the protection of
people and property from natural hazards in Ontario
ERO Number 019-2927**

Dear Minister Smith,

The City of Cambridge is providing this submission in response to the proposed updates to the regulation of activities under the Conservation Authorities Act (CA Act) posted for comment on the Environmental Registry of Ontario by the Ministry of Natural Resources and Forestry (MNR).

The City of Cambridge is located entirely within the boundary of the Grand River Conservation Authority (GRCA). Overall, the City enjoys a strong collaborative working relationship with the GRCA based on mutual respect for each agency's mandate, expertise and professional competence. City staff value the GRCA's role in protecting

people and property through natural hazard management. City staff provide the following comments on the proposed regulation:

Section 28 of CA Act

The proposed update to Section 28 of the CA Act would provide the ability to exempt development authorized under the Planning Act from requiring a permit under the CA Act. The exemption would apply in the municipalities as set out in the regulation and could be subject to certain conditions set out in regulation. Conservation Authorities would continue to permit other activities not subject to municipal authorization under the Planning Act.

While the Ministry has not proposed a regulation implementing this exemption tool as part of this regulatory proposal, they are requesting initial feedback on how it may be used in the future to streamline development approvals while still ensuring the protection of people and property from natural hazards.

In the City of Cambridge, the GRCA plays an essential role in the development review process. City staff rely on the GRCA for its technical expertise and historical knowledge, particularly with respect to hazardous lands, wetland, and river and stream valleys that is not housed at the municipal level.

It is unclear if the intent of the exemption is to simply transfer the review normally undertaken by Conservation Authorities to municipalities. If the intent of the exemption is that municipalities would be tasked with the review normally undertaken by Conservation Authorities, this would either require additional municipal resources or require a third-party reviewer paid for by the applicant to provide the same level of expertise and oversight as the Conservation Authority. It is difficult to determine how an exemption could only apply in some municipalities and not others.

Alternatively, it is also unclear if the intent of the exemption is to remove any review altogether when an application normally requiring a CA Act permit is authorized under the Planning Act. This raises concern that the protection of people and property from natural hazards would not be adequately considered.

If an exemption is pursued, it is the opinion of City staff that only low-risk activities as proposed in the consultation guide be considered for exemption (e.g. non-habitable accessory structure 10 square metres or less that is not place within hazardous land or a watercourse or wetland). City staff suggest that exemptions do not apply within hazardous lands and within 30 metres of a wetland, watercourse, river or stream valley.

City staff respectfully ask that Conservation Authorities continue to play an important role for development authorized under the Planning Act.

Thank you for the opportunity to comment.

Yours truly,

A handwritten signature in black ink, appearing to read "Lisa Prime".

Lisa Prime
Chief Planner