# Ministry of the Environment, Conservation and Parks

Ministère de l'Environnement, de la Protection de la nature et des Parcs

Office of the Minister

Bureau du ministre

777 Bay Street, 5th Floor Toronto ON M7A 2J3 Tel.: 416-314-6790 777, rue Bay, 5<sup>e</sup> étage Toronto (Ontario) M7A 2J3 Tél.: 416.314.6790



March 26, 2020

**TO**: Conservation Authorities as listed in the attached **Schedule** "A"

SUBJECT: Minister's Direction for Conservation Authorities during the COVID-19

Outbreak

As the COVID-19 outbreak continues to evolve locally and globally, I am writing to provide direction on how conservation authorities can continue operations while maintaining a safe physical distance. To ensure conservation authorities can continue to conduct meetings and hearings as necessary, we are giving conservation authorities the ability to amend their administrative by-laws to allow for virtual meetings, including by teleconference.

As such, I am issuing this Minister's Direction ("**Direction**") pursuant to subsection 19.1 (7) of the *Conservation Authorities Act*. This Direction applies to all conservation authorities in Ontario, listed in **Schedule** "**A**" as attached. For greater certainty, this Direction also applies to conservation authorities when meeting as a source protection authority under the *Clean Water Act*, 2006.

The Conservation Authorities Act requires that, "[e]very meeting held by the authority shall be open to the public, subject to such exceptions as may be specified in the bylaws of the authority." Further, at any meeting that is held, "a quorum consists of one-half of the members appointed by the participating municipalities, except where there are fewer than six such members, in which case three such members constitute a quorum". It has been brought to my attention that the administrative by-laws that conservation authorities have adopted pursuant to subsection 19.1 (1) of the Act may create barriers in meeting these provisions of the Act during this time of emergency, where in-person attendance may not be feasible.

The primary purpose of this Direction is to enable conservation authorities to convene a meeting electronically in order to make the necessary amendments to their by-laws to deal with emergencies. This Direction identifies the minimum areas where the by-laws should be amended, in the manner deemed appropriate by the authority, to make provision for emergency situations. However, each conservation authority, depending on their individual by-laws, may identify the need to make other necessary amendments to respond to emergencies.

Accordingly, I am directing that the conservation authority review and amend their bylaws, as applicable, to ensure they comply with the following Direction and take the other necessary steps as set out in this Direction.

### **Electronic participation, emergencies**

- 1. During any period where an emergency has been declared to exist, in all or part of an area over which a conservation authority has jurisdiction, under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, that may prevent members of the authority from meeting in person, the by-laws provide:
  - a. That members of the authority be permitted to participate in meetings electronically, which shall include the ability of those members participating electronically to register votes.
  - b. That any member of the authority who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time during the meeting in accordance with the requirement in subsection 16 (2) of the *Conservation Authorities Act*.
  - c. That any member of the authority can participate electronically in a meeting that is closed to the public.
  - d. That any hearing or appeal that is dealt with in the by-laws can be conducted electronically with provisions for applicants and their agents to participate, if the conservation authority holds any such hearing or appeal during any period where an emergency has been declared to exist.

#### Meetings open to the public

 Conservation authorities must continue to implement best practices to make board meetings open to the public in accordance with subsection 15 (3) of the Conservation Authorities Act. Where possible, conservation authorities must provide for alternative means to allow the public to participate in any meetings electronically.

#### **General**, emergency measures

3. If there is anything that is required to be done under the by-laws during the emergency, including the holding of an annual general meeting, that the by-laws permit postponement to a later date.

#### **Publication of information**

4. The conservation authorities listed in Schedule "A" shall make this Direction publicly available on a website or other electronic means.

5. In accordance with subsection 19.1 (4) of the *Conservation Authorities Act*, an authority shall make any by-laws that are amended in accordance with this Direction available to the public in the manner it considers appropriate.

# Implementation procedure

- 6. A conservation authority may hold a special meeting to amend a by-law for the purposes of implementing this Direction.
- 7. Despite any provision in a by-law made under subsection 19.1 (1) of the *Conservation Authorities Act*, members of the authority can participate electronically in any special meeting that is required to implement this Direction.
- 8. A member of the authority that is participating electronically in such a special meeting may be counted in determining whether or not a quorum of members is present at any time during the meeting.

#### **Effective date**

9. This Direction is effective immediately. If it is in the public interest to do so, I will provide further direction or clarification, at a later date, related to the matters set out in this Direction.

If you have any questions related to this Direction, please contact:

Chloe Stuart
Assistant Deputy Minister, Land and Water Division, MECP
Robinson PI South Tower, 6<sup>th</sup> Floor
300 Water Street
Peterborough ON K9J 3C7
(705) 755-5341
chloe.stuart@ontario.ca

To learn more about how the province continues to protect Ontarians from COVID-19, please visit <a href="https://www.ontario.ca/coronavirus">www.ontario.ca/coronavirus</a>.

Sincerely,

Jeff Yurek

Minister of the Environment, Conservation and Parks

c: The Honourable Steve Clark, Minister of Municipal Affairs and Housing The Honourable John Yakabuski, Minister of Natural Resources and Forestry Ms. Kim Gavine, General Manager, Conservation Ontario

#### **SCHEDULE "A" CONSERVATION AUTHORITIES**

#### **Ausable Bayfield CA**

R.R. #3 71108 Morrison Line Exeter ON NOM 1S5 Brian Horner bhorner@abca.on.ca

### Cataraqui Region CA

Box 160 1641 Perth Road Glenburnie ON K0H 1S0 Katrina Furlanetto kfurlanetto@crca.ca

#### Catfish Creek CA

R.R. #5 8079 Springwater Road Aylmer ON N5H 2R4 Chris Wilkinson generalmanager@catfishcreek.ca

#### **Central Lake Ontario CA**

100 Whiting Avenue Oshawa ON L1H 3T3 Chris Darling cdarling@cloca.com

### **Credit Valley CA**

1255 Old Derry Rd Mississauga ON L5N 6R4 Deborah Martin-Downs deb.martindowns@cvc.ca

### **Crowe Valley CA**

Box 416 70 Hughes Lane Marmora ON K0K 2M0 Tim Pidduck tim.pidduck@crowevalley.com

### **Essex Region CA**

Suite 311 360 Fairview Ave West Essex ON N8M 1Y6 Richard Wyma rwyma@erca.org

### Ganaraska Region CA

Box 328 2216 County Road 28 Port Hope ON L1A 3V8 Linda Laliberte Ilaliberte@grca.on.ca

#### **Grand River CA**

Box 729 400 Clyde Road Cambridge ON N1R 5W6 Samantha Lawson slawson@grandriver.ca

### **Grey Sauble CA**

R.R. #4
237897 Inglis Falls Road
Owen Sound ON N4K 5N6
Tim Lanthier
t.lanthier@greysauble.on.ca

#### **Halton Region CA**

2596 Britannia Road West Burlington ON L7P 0G3 Hassaan Basit hbasit@hrca.on.ca

#### **Hamilton Region CA**

P.O. Box 81067 838 Mineral Springs Road Ancaster ON L9G 4X1 Lisa Burnside lisa.burnside@conservationhamilton.ca

#### **Kawartha Region CA**

277 Kenrei (Park) Road Lindsay ON K9V 4R1 Mark Majchrowski mmajchrowski@kawarthaconservation.com

#### **Kettle Creek CA**

R.R. #8
44015 Ferguson Line
St. Thomas ON N5P 3T3
Elizabeth VanHooren
elizabeth@kettlecreekconservation.on.ca

# Lake Simcoe Region CA

Box 282 120 Bayview Parkway Newmarket ON L3Y 3W3 Mike Walters m.walters@lsrca.on.ca

# Lakehead Region CA

Box 10427 130 Conservation Road Thunder Bay ON P7B 6T8 Tammy Cook tammy@lakeheadca.com

### **Long Point Region CA**

4 Elm Street
Tillsonburg ON N4G 0C4
Judy Maxwell
jmaxwell@lprca.on.ca

### **Lower Thames Valley CA**

100 Thames Street Chatham ON N7L 2Y8 Mark Peacock mark.peacock@ltvca.ca

### **Lower Trent Region CA**

R.R. #1
714 Murray Street
Trenton ON K8V 5P4
Rhonda Bateman
rhonda.bateman@ltc.on.ca

## **Maitland Valley CA**

Box 127 1093 Marietta Street Wroxeter ON N0G 2X0 Phil Beard pbeard@mvca.on.ca

### Mattagami Region CA

100 Lakeshore Road Timmins ON P4N 8R5 David Vallier david.vallier@timmins.ca

### Mississippi Valley CA

10970 Highway 7 Carleton Place ON K7C 3P1 Sally McIntyre smcintyre@mvc.on.ca

#### Niagara Peninsula CA

250 Thorold Road West, 3rd Floor Welland ON L3C 3W2 Chandra Sharma csharma@npca.ca

#### **Nickel District CA**

199 Larch St Suite 401 Sudbury ON P3E 5P9 Carl Jorgensen carl.jorgensen@conservationsudbury.ca

#### North Bay-Mattawa CA

15 Janey Avenue North Bay ON P1C 1N1 Brian Tayler brian.tayler@nbmca.ca

### **Nottawasaga Valley CA**

8195 Line 8 Utopia ON L0M 1T0 Doug Hevenor dhevenor@nvca.on.ca

### **Otonabee Region CA**

250 Milroy Drive Peterborough ON K9H 7M9 Dan Marinigh dmarinigh@otonabeeconservation.com

#### **Quinte CA**

R.R. #2
2061 Old Highway #2
Belleville ON K8N 4Z2
Brad McNevin
bmcnevin@quinteconservation.ca

### **Raisin Region CA**

PO Box 429 18045 County Road 2 Cornwall ON K6H 5T2 Richard Pilon richard.pilon@rrca.on.ca

### Rideau Valley CA

Box 599
3889 Rideau Valley Dr.
Manotick ON K4M 1A5
Sommer Casgrain-Robertson
sommer.casgrain-robertson@rvca.ca

#### Saugeen Valley CA

R.R. #1 1078 Bruce Road #12, Box #150 Formosa ON N0G 1W0 Dick Hibma d.hibma@svca.on.ca

### Sault Ste. Marie Region CA

1100 Fifth Line East Sault Ste. Marie ON P6A 6J8 Corrina Barrett cbarrett@ssmrca.ca

#### **South Nation River CA**

38 Victoria Street
P.O. Box 29
Finch ON K0C 1K0
Angela Coleman
acoleman@nation.on.ca

# St. Clair Region CA

205 Mill Pond Crescent Strathroy ON N7G 3P9 Brian McDougall bmcdougall@scrca.on.ca

#### **Toronto and Region CA**

101 Exchange Avenue Vaughan ON L4K 5R6 John MacKenzie john.mackenzie@trca.ca

### **Upper Thames River CA**

1424 Clarke Road London ON N5V 5B9 lan Wilcox wilcoxi@thamesriver.on.ca