



Meeting Date: February 3, 2021

Submitted by: Rob Cascaden P.Eng. – Director, Public Works and Engineering

Prepared by: Dan Anderson – Drainage Superintendent

Report No: PWE 04-2021

Subject: Information Regarding Drainage Act Regulatory Proposal

Recommendation:

THAT the information regarding the proposed regulatory updates to the Ontario Drainage Act be received for information.

Purpose:

To inform Council of the proposed updates to the Ontario Drainage Act.

Background:

The Ontario Drainage Act is a long-established piece of legislation that has not been significantly updated since 1975. The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has created three amendments to the Drainage Act which were included in Bill 197, COVID-19 Economic Recovery Act which was introduced on July 8, 2020 and passed on July 21, 2020.

The amendments are intended to reduce the administrative burden for Municipalities, streamline approvals and address stakeholder concerns while maintaining environmental standards.

The proposed changes are:

- A simplified process for minor improvements to Municipal Drains
- A simplified process for approving updates to Engineer's Reports for changes to the design made during construction; and,
- Adopt the *Drainage Act and Conservation Authorities Act Protocol* (DART Protocol) by reference.

A discussion paper is currently posted on the Environmental Registry and Regulatory Registry and is open to comments until February 7, 2021. The website can be found at <https://ero.ontario.ca/notice/019-2814>. More details on the changes are included in this discussion paper. The paper and accompanying appendices are attached to this report.

Analysis:

Additional details on proposed updates attached.

Strategic Plan:

This matter aligns with following strategic priorities:

- 3c. Quality of Life: Meeting the needs of both current and future citizens.
- 5f. Operational Excellence: Adapting to changing demands and expectations.

Attachments:

A1 – Drainage Act Regulatory Discussion Paper

A2 – Appendix A – Proposed Minor Improvement Process

A3 – Appendix B – Proposed Minor Improvement Process Flowchart

A4 – Appendix C – Proposed Engineer's Report Process

A5 – Appendix D – Proposed Engineer's Report Process Flowchart

A6 – Drainage Webinar Consultation Deck January 2021