



# The Corporation of the Town of Milton

Report To:	Council
From:	M. Paul Cripps, P.Eng., Commissioner, Engineering Services
Date:	January 21, 2019
Report No:	ENG-004-19
Subject:	Ontario Ministry of the Environment, Conservation and Parks Transfer of Review Agreement Amendment
Recommendation:	<b>THAT the Commissioner, Engineering Services be authorized to approve changes to the legal agreement between the Town of Milton and the Ontario Ministry of the Environment, Conservation and Parks (MECP) for the purpose of including additional works, as permitted by the MECP, to be reviewed under the Transfer of Review program.</b>

## EXECUTIVE SUMMARY

On February 26, 2018 Committee of the Whole approved the Town of Milton's participation in the Ministry of the Environment, Conservation and Parks (MECP) (then Ministry of the Environment and Climate Change MOECC) Transfer of Review Program.

The current agreement executed between the Town and the Ministry allows the Town to review all stormwater works except regional stormwater control facilities or regional facilities consisting of stormwater management ponds that are designed to provide quality control or contain floods greater than the 100 year flood event. The Town requested that the MECP amend the current agreement and allow the review of regional control ponds.

Engineering staff have had extensive dialogue with the MECP to inform them of the policies and procedures the Town undergoes as part of urban development in Milton. Staff made MECP aware of the numerous watershed and sub watershed studies undertaken, continuous Hydrological Simulation Program-Fortran (HSP-F) modelling, which is ongoing and historic holistic and local monitoring requirements. Through these discussions the MECP was persuaded that the Town has been diligent in our methods and are willing to amend the current Transfer of Review agreement to include regional stormwater control facilities.

## REPORT

### Background

The Town of Milton recently entered into an agreement with the Ministry of Environment, Conservation and Parks (MECP) to participate in the Transfer of Review program.



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Through this program the Town is responsible to perform, on behalf of the Ministry, the administrative and technical review of Environmental Compliance Approval (ECA) applications for a limited range of lower risk sewer works.

As per Schedule A, Section 1 and 2 of the Transfer of Review agreement, the Town is currently approved to review additional works defined as 'stormwater management facilities (wet ponds, wetlands, hybrid ponds, dry ponds)'. However Section 3 'Works Not Allowed to be Submitted' subsection c indicates; 'applications for Regional Stormwater Control Facilities or Regional Flood Control Facilities consisting of stormwater management ponds that are designed to provide quality control or contain floods greater than the 100 year flood event.' As such, works in this category would still have to be reviewed by the MECP.

Historically, the Town has permitted stormwater management (SWM) ponds to be designed as 100 year flood event and/or regional flood control facilities and will continue to allow regional design in future urban development areas. The Town considers regional flood control as a means of better risk management to our community.

## Discussion

The Town and the MECP have engaged in recent discussions regarding the significant watershed study work undertaken by the Town prior to urban development. This work includes an overall watershed study and subsequent sub watershed studies, Conceptual Fisheries and Compensation Plan (CFCP), Functional Stormwater and Environmental Management Strategy (FSEMS), Sub watershed Impact Study (SIS) as well as holistic and local monitoring programs. Through the hierarchy of reports listed above, SWM facility locations and design are studied and modelled extensively. In addition to this, the development lands are monitored through a holistic program and each individual SWM facility is later monitored through a local monitoring program, with the opportunity for adaptive management measures if required. In addition, the Town also maintains an up-to-date HSP-F model which is used for hydrological verification of the watershed.

Based on the established studies and procedures that are undertaken as part of the Town of Milton's urban development, the Town had requested that the MECP amend the current agreement to include the review of regional stormwater control facilities or regional flood control facilities consisting of stormwater ponds that are designed to provide quality control or contain floods greater than the 100 year flood event.

MECP staff have reviewed the watershed work the Town had completed to date and the overall watershed planning procedures the Town has adopted as part of the secondary planning process. MECP has agreed to amend the current legal agreement to include regional stormwater control facilities or regional flood control facilities that are designed to provide quality control or contain floods greater than the 100 year flood event.



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These changes to the approval process will expedite the review process, reducing the duplication of environmental approvals and resulting in a faster review of development applications.

## Financial Impact

There is no cost associated to amend the Transfer of Review program agreement.

Respectfully submitted,

M. Paul Cripps, P. Eng.  
Commissioner, Engineering Services

For questions, please  
contact:

Martin Bateson C.E.T 905-878-7252 x2514  
Director, Development  
Engineering.

## Attachments

None

CAO Approval  
William Mann, MCIP, RPP, OALA, CSLA, MCIF, RPF  
Chief Administrative Officer