

FURTHER TO WATERSHED MANAGEMENT ADVISORY BOARD #6/05
To be held Friday, February 10, 2006

Pages

7. SECTION I - ITEMS FOR AUTHORITY ACTION

LISTED ON AGENDA AS REPORT TO FOLLOW

7.13 **GENERIC REGULATION: "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses"**

Toronto and Region Conservation Authority Conformity Exercise as Required
Under the Conservation Authorities Act

60-75

TO: Chair and Members of the Watershed Management Advisory Board Meeting #6/05, February 10, 2006

FROM: Carolyn Woodland, Director, Planning and Development

RE: **GENERIC REGULATION: "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses"**
Toronto and Region Conservation Authority Conformity Exercise as Required Under the Conservation Authorities Act

KEY ISSUE

The Toronto and Region Conservation Authority is required to update its current Fill, Construction and Alteration to Waterways Regulation, Ontario Regulation 158, to conform to the provincially approved Generic Regulation under the Conservation Authorities Act by May 1, 2006.

RECOMMENDATION

WHEREAS a local regulation to manage development, interference with wetlands and alterations to shorelines and watercourses has been prepared in conformity with the provisions outlined in Section 28 of the Conservation Authorities Act;

THEREFORE LET IT BE RESOLVED THAT THE BOARD RECOMMENDS TO THE AUTHORITY THAT the Toronto and Region Conservation Authority (TRCA) adopt the Generic Regulation: "Development, Interference with Wetlands and Alterations to Shorelines and Watercourses";

THAT the said regulation and related documentation be submitted to the Conservation Ontario Peer Review Committee and subsequently to the Ministry of Natural Resources (MNR) for approval by the Minister;

THAT staff continue to work cooperatively with all TRCA's municipal partners and stakeholders regarding the transition and implementation of the Generic Regulation to ensure that resources are managed in a sustainable way to protect public health and safety;

TRCA continue to consult with concerned landowners in the Region of Peel to review the application of the Generic Regulation criteria in the current mapping, identify any possible inaccuracies and discuss site specific implications of the Generic Regulation mapping for those properties identified by concerned landowners;

AND FURTHER THAT this report be considered at Authority Meeting #2/06, scheduled to be held on March 24, 2006, rather than at Annual Authority Meeting #1/06.

BACKGROUND

At Authority Meeting #5/05, held on June 24, 2005, Resolution #A138/05 was approved as follows:

THAT staff proceed with the Generic Regulation conformity exercise in consultation with member municipalities and the public as per the Comprehensive Generic Regulation Work Plan;

AND FURTHER THAT following the municipal and public consultation process, staff report back to the Authority for final endorsement of the Toronto and Region Conservation Authority (TRCA) Generic Regulation.

On May 1, 2004, the province approved Ontario Regulation 97/04 entitled “The Content of Conservation Authority Regulations under Subsection 28(1) of the Act: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses”, which is referred to as the “Generic Regulation”. Each of Ontario’s 36 conservation authorities (CA) is required to bring their existing individual “Fill, Construction and Alteration to Waterways Regulation” into conformity with the Generic Regulation by May 1, 2006. The development of the Generic Regulation and the development of local regulations to implement the Generic Regulation are direct requirements of the amendments to Section 28(1) of the Conservation Authorities Act in 1997. The purpose of the Generic Regulation is to provide consistency in key terminology and policy intent between the Provincial Policy Statement governing natural hazards, development and site alteration under the Planning Act and Section 28 (1) of the CA Act; it ensures consistency between policy direction and legislative implementation tools. The Generic Regulation is consistent with the policy direction of the 2005 Provincial Policy Statement to manage resources in a sustainable way and protect public health and safety. This is an update to the conservation authority Regulation that has been in effect for more than 40 years.

Further to the previous staff report and presentation to the Water Management Advisory Board on June 10, 2005, the following is an update on the mapping exercise and a summary of the municipal and public consultation process associated with TRCA’s conformity exercise.

Mapping Exercise

A Terms of Reference was prepared and reviewed by the MNR/Conservation Ontario Technical Committee to ensure that the methodology used by TRCA to map and delineate the various Generic Regulation criteria was in conformity with standards established in the “Guidelines for Developing Schedules of Regulated Areas”. The map limit of the following criteria was generated in-house by TRCA staff and technical resources: meander belt, riverine erosion hazards, wetlands and associated area of interference and Lake Ontario shoreline flooding and erosion hazards.

A key change in the Generic Regulation was the inclusion of wetlands as regulated areas. Within the TRCA jurisdiction, wetlands with an area of 0.5 ha or greater are included as part of the regulation mapping. Ministry of Natural Resources wetland mapping and TRCA's Ecological Land Classification (ELC) Vegetation Type mapping were used as information sources for mapping this criteria. Although not specifically referenced in the Generic Regulation, Section 28 (5(e)) of the CA Act allows the Minister to permit the regulation of 'other areas'. The 'other areas' criteria has been applied as an allowance to the land adjacent to wetlands where development may have a hydrological impact on the function of the wetland. This allowance is known as an 'area of interference'. The TRCA is proposing to use a 120 metre allowance around all Provincially Significant Wetlands and all wetlands on the Oak Ridges Moraine to delineate the regulated area. This approach is consistent with current planning legislation and the direction provided by the Ministry of Natural Resources and Conservation Ontario. A 30 metre allowance is being applied to all other wetlands.

TRCA initiated a jurisdiction-wide flood plain mapping update program in 2000 and this new information has been used for the engineered flood hazard limit. This program included an update to the base topographic mapping, the hydrologic models used to predict the 100 year return period and Hurricane Hazel flow rates, the hydraulic models used to convert the flow rates to flood levels and the plotting of the resulting updated flood levels. This updated mapping covers the majority of the larger watercourses within TRCA's jurisdiction.

For those currently unmapped headwater valley and stream corridors, TRCA retained Dillon Consulting Limited to provide Digital Flood Plain Estimation Mapping. The mapping was applied to significant watercourses up to a minimum drainage area of 50 ha which resulted in approximately 1,000 km of stream length being mapped. The updated engineered and estimated flood plain mapping represents a significant volume of technical data that will assist member municipalities and TRCA staff in evaluating development applications.

As a result of the mapping exercise, TRCA's existing registered fill and flood plain schedules on the major valley systems and the unregistered fill line extension mapping in the 905 headwater areas will be replaced. The new mapping for the Generic Regulation will be displayed on 2002 ortho photo base mapping and will be available in digital format for use both internally and externally. It is important to note that regulation mapping can be updated to reflect current technical information and data, on an ongoing basis.

Regulation Limit

The delineation of the 'Regulation Limit', (area of interest), involved the compilation of a variety of technical data sources. The mapping represents a screening tool that guides TRCA staff, landowners and municipal staff on areas of interest where permit approval may be required.

The Regulation Limit does not represent a development limit or a land use restriction.

Through the review of site specific development applications, the delineation of the requisite hazard (e.g. flood plain, erosion hazard, etc.) is evaluated and if necessary, refined by additional technical assessment. It is a permissive limit, unlike a municipal zoning schedule that restricts land use, in that regulated activities (construction, site alteration, etc.) can proceed provided the control of flooding, dynamic beaches or pollution or the conservation of land is not affected by development.

Text Regulation and Mapping

As part of the conformity exercise, a Text Regulation has been prepared describing the regulated areas and activities, the permit approval process and it refers to the mapping. **It is important to note that the text prevails in the case of a conflict between the regulated area described in the Text Regulation and the mapping.** For example, if a conservation authority has not physically mapped the feature or the mapping is wrong, the text prevails and the mapping can be changed. This is a significant change from the current Regulation where the fill line schedules are registered together with the Text Regulation and any changes to the mapping would require an amendment to the Regulation. Staff see this as a positive change in that it allows the mapping to be updated with current technical standards and information, which is a reflection of the dynamic nature of the natural hazards that are being regulated. A copy of the Draft TRCA Generic Regulation is attached to this report and will be subject to review by the Peer Review Committee, prior to advancing to the Minister of Natural Resources. The format and content of the Text Regulation has been established by the MNR to ensure consistency across the province.

Municipal and Public Consultation

Consultation with our municipal partners and the public is, and will continue to be, an integral part of the conformity exercise and ultimately the implementation of TRCA's Generic Regulation. The minimum standards for consultation were established by MNR and Conservation Ontario and outlined in The Approval Process Document.

Municipal Consultation

A letter was sent out to all member municipalities in August 2005, noting Authority Resolution #A138/05 regarding TRCA's conformity exercise together with an information brochure about the Generic Regulation. The municipalities were also advised of a pending workshop to be held in October.

On October 6th and 7th, 2005, TRCA held Municipal Information Sessions, (half day workshops), at Black Creek Pioneer Village. The sessions consisted of presentations by TRCA staff about the history, content and approval process of the Generic Regulation and TRCA's associated conformity exercise. TRCA engineering staff provided a detailed overview of the jurisdiction-wide engineered flood plain mapping update program as well as the digital flood plain estimation study undertaken for the 905 headwater area. The TRCA's solicitor gave a presentation about the legal implications of implementing TRCA's current Regulation and the Generic Regulation, as well as an update on the 2005 changes to the Building Code Act. Over 90 staff from planning, building, engineering, by-law, public works departments of our member regional and local municipalities attended these information sessions.

As a follow-up to the Municipal Information Sessions, TRCA staff conducted further individual meetings with the majority of our regional and local municipal staff to have a more detailed discussion about the draft mapping and the implementation of the Generic Regulation. It is recognized that there will ongoing dialogue with our municipal partners and staff will continue to meet with municipal staff to assist with the transition and implementation of the Generic Regulation.

The draft mapping, including the digital layers of the Regulation Limit and all the layers of the various criteria, has been provided to TRCA's municipal partners for their review and comment. Staff are in the process of receiving comments on the draft mapping and meeting with municipal staff in this regard. As a result, minor modifications and adjustments to the mapping are anticipated to reflect where possible current site conditions, particularly in our urbanizing 905 area where development has occurred since the 2002 base aerial photography.

TRCA staff have also made presentations to Councils and will continue to do so upon request from our municipal partners. Municipal staff has, or will be preparing reports to inform their Councils about the Generic Regulation. In general, TRCA staff has received positive feedback from municipal staff about the Generic Regulation and they are anxious to use the updated technical data.

Public Consultation

As part of preparing the local regulation, authorities were required to conduct a "public information program" to advise its constituency that local regulations are being updated as a result of the legislated amendments approved by the provincial government. The public consultation process generally followed the format of the Planning Act consultation requirements. Seven public information sessions were held throughout our jurisdiction. Notices about the information sessions were mailed to a variety of stakeholders including: the development community, Urban Development Institute, consultants, solicitors, agricultural groups, landowner groups, environmental associations, hydro and gas utilities, members of federal and provincial parliament and federal and provincial ministries. The information sessions were advertised in local newspapers and noted on the TRCA's website. Our website has been continually updated throughout the entire conformity exercise as another means to inform the public.

The public information sessions were structured as a public open house/drop-in format. There were display panels and a PowerPoint presentation available to outline all the aspects of the Generic Regulation update and approval process. For each municipality, the TRCA displayed a map illustrating the existing Fill Regulated and Fill Extension areas compared to the proposed regulated areas for the Generic Regulation. Draft 'Regulation Limit' mapping at a 1:10,000 scale plotted on 2002 aerial photo base was available for the public to review. If a landowner wanted a more detailed review of the mapping and an understanding of the criteria that generated the Regulation Limit, staff were able to use a laptop at the public meeting to digitally display this information. Approximately 250 people attended the public information sessions, with a good representation from all the various stakeholders.

As part of the consultation process, members of public were encouraged to submit comment cards if they had any additional questions, wanted a copy of the draft mapping or wanted further discussions or a site meeting to review the mapping as it relates to their property. The comments received and the responses provided by TRCA staff are being documented. We also continue to receive and respond to telephone inquiries and walk-in inquiries at the office. The majority of the comments received to date have been requests for copies of the draft mapping.

General Municipal and Public Response:

Based upon the consultation noted above, the response received from municipal staff was generally positive. There was an acknowledgement of technical efforts of TRCA to provide up-to-date information which forms the basic elements of natural hazards planning. This information provides a valuable resource management tool to assist municipal planning, building and engineering staff in evaluating development applications.

Through the public information process, staff generally received similar feedback from the consulting and development industry in terms of having more up-to-date mapping and information. The input received from most members of the public resulted in requests for copies of the draft mapping and some requests for site visits to review and discuss the implications of the mapping on their property. However, there was one area of TRCA's jurisdiction where specific concerns were raised, which the following summarizes.

Town of Caledon - Region of Peel

The municipal and public consultation in the Town of Caledon followed the process outlined above and was coordinated together with Credit Valley Conservation (CVC). In addition, TRCA and CVC staff introduced the Generic Regulation to Caledon Council with a presentation at a council workshop in October 2004. CVC and TRCA met with Caledon staff in a special meeting in November 2005 to discuss the details of the Generic Regulation conformity exercise, prior to the Public Information Session in December. Following the public meeting in December, landowners in the Town of Caledon expressed their concerns to Caledon Council that there has been insufficient opportunity to review the mapping associated with CVC and TRCA's Generic Regulations to ensure the accuracy of the Regulation Limit as it relates to their properties. To support the concerned landowners, Town of Caledon Council passed a resolution on January 24, 2006 requesting the Minister of Natural Resources to extend the deadline for CVC and TRCA to submit their Generic Regulations in order that concerns expressed in the town staff report could be addressed and that the CAs be requested to hold a public meeting to allow public to review the mapping of their individual properties.

In addition, Regional Council received a Notice of Motion on January 26, 2006 requesting that the Minister of Natural Resources extend the deadline for CVC and TRCA to submit the mapping associated with their generic regulations in order to provide further opportunity for public review of the mapping and that the Ministry provide appropriate financial support to carry out the necessary mapping exercise. This Notice of Motion will be considered by Regional Council at their meeting on February 16, 2006.

TRCA and CVC staff met with approximately 100 rural landowners at a Peel Federation of Agriculture meeting on February 1, 2006 to explain the history and requirements of the Generic Regulation, the methodology used for creating their mapping associated with their regulations, answered the questions of concerned landowners and met one-on-one with individual landowners to review the draft mapping. TRCA and CVC also held a supplementary Public Information Session on February 7, 2006 for the Town of Caledon, which was well attended with approximately 60 residents being within the TRCA watershed.

TRCA staff respect the concerns that have been expressed by the residents of Caledon and are committed to working with the residents and town staff to address these concerns. Town of Caledon's member on the Authority has participated in all of the municipal and public meetings related to this exercise and has assisted staff in facilitating and communicating the intent, purpose and importance of this update to our Regulation. TRCA and CVC have, and will continue to, meet with town staff and provide residents with the opportunity to review the associated Generic Regulation mapping. It is important to emphasize that in the case of a conflict between the mapping and the written description of the regulated areas in the Text of the Regulation, it is the Text that prevails. The opportunity to review and update the regulation mapping can continue after the Text Regulation is approved by the Minister of Natural Resources.

Based upon discussions between staff of the Region of Peel, CVC, TRCA and Town of Caledon, regional planning staff have prepared a report for consideration by Regional Council on February 16, 2006 in response to the Notice of Motion introduced on January 26, 2006. As an extension to the May 1, 2006 deadline would require an amendment to the Conservation Authorities Act and the mapping can be refined after the Text Regulation is approved, regional staff are not supporting the motion to request the Minister to extend the deadline for TRCA and CVC. Regional staff are recommending the motion be amended such that the Region of Peel Council request CVC and TRCA to continue to consult with concerned landowners to allow time to review the accuracy of the current mapping associated with the Generic Regulation of the CAs for those properties identified by concerned landowners. CVC and TRCA staff will be in attendance as a delegation at the February 16, 2006 Regional Council meeting to respond to the Notice of Motion.

Next Steps

As outlined in the June 10, 2005 report and presentation, following the municipal and public consultation process, the next step in this exercise is to seek approval from the Authority in order to submit the Regulation to the Conservation Ontario Peer Review Committee for review and approval. The role of the Peer Review Committee is to confirm that the updated TRCA Regulation is consistent with the Generic Regulation and that the approval process has been followed prior to advancing to the Minister of Natural Resources for approval. TRCA is scheduled to appear before the final Peer Review Committee meeting on February 28, 2006.

This report is brought forward for consideration by the Water Management Advisory Board and will proceed to the Authority for endorsement at their meeting on to be held on March 24, 2006 as the next meeting of the Authority is to be held on February 24, 2006 which is the annual meeting. In recognition of meeting schedules and timelines, the Peer Review Committee has made provisions for authorities to proceed to the Peer Review Committee and their review and approval would be subject to endorsement by resolution of the Authority. Given this schedule, TRCA would be submitting our Regulation to the Minister following the March 24, 2006 Authority meeting. This timeline will allow us to continue to receive comments of the regulation mapping and make any necessary modifications such that the mapping referred to in the Text Regulation is as up-to-date as possible. If there are any significant concerns resulting from this process or the Peer Review process, staff will provide an update at the March Authority meeting. TRCA staff will notify each member municipality and provide public notification in area newspapers of the effective date and implementation of the updated Regulation. TRCA will continue to work closely with our municipal partners regarding the transition and implementation of the updated Regulation.

DETAILS OF WORK TO BE DONE

In general, we do not anticipate significant changes to our current review process. However, we will be undertaking a review of our existing TRCA policy framework and conducting an update to address any deficiencies with respect to the areas and activities subject to the Generic Regulation. We will also be developing implementation policies to deal with the transition from our current Regulation to the Generic Regulation. The legislation offers opportunities to exempt certain activities, (e.g. minor works) from the Regulation through our implementation policies. TRCA will explore these opportunities with our member municipalities through future discussions. Any policy revisions will be brought forward to the Authority for consideration and endorsement.

Summary

Staff advise that a local regulation to manage development, interference with wetlands, alterations to shorelines and watercourses has been prepared in conformity with the provisions outlined in Section 28 of the Conservation Authorities Act and that the provincial standards for mapping and public consultation. Staff recommend that the Authority adopt the subject regulation and the regulation and related documentation be submitted to the Conservation Ontario Peer Review Committee and subsequently to MNR for approval by the Minister. Furthermore, staff will continue to work with all member municipalities and all stakeholders regarding the transition and implementation of the Generic Regulation to ensure that resources are managed in a sustainable way to protect public health and safety.

Report prepared by: Laurie Nelson, extension 5281

For Information contact: Laurie Nelson, extension 5281

Date: February 8, 2006

Attachments: 1

ONTARIO REGULATION

made under the

CONSERVATION AUTHORITIES ACT

**TORONTO AND REGION CONSERVATION AUTHORITY: REGULATION OF
DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO
SHORELINES AND WATERCOURSES**

Definition

1. In this Regulation,

“Authority” means the Toronto and Region Conservation Authority.

Development prohibited

2. (1) Subject to section 3, no person shall undertake development, or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

- (a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, including the area from the furthest offshore extent of the Authority’s boundary to the furthest landward extent of the aggregate of the following distances:
 - (i) the 100 Year flood level, plus an allowance for wave uprush and other water related hazards;
 - (ii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period;
 - (iii) where a dynamic beach is associated with the waterfront lands, a 30 metre allowance inland to accommodate dynamic beach movement; and
 - (iv) an allowance of 15 metres inland.

- (b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:
- (i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,
 - (ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,
 - (iii) where the river or stream valley is not apparent, the valley extends the greater of,
 - (A.) the distance from a point outside the edge of the maximum extent of the engineered flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (B.) the distance from a point outside the edge of the maximum extent of the estimated flood plain under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side, and
 - (C.) the distance from the predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood event standard, plus 15 metres, to a similar point on the opposite side;
- (c) hazardous lands;
- (d) wetlands; or
- (e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands on the Oak Ridges Moraine greater than 0.5 hectares, and within 30 metres of all other wetlands greater than 0.5 hectares in size, but not including those areas where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process.

(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the development.
2. The proposed use of the buildings and structures following completion of the development.
3. The start and completion dates of the development.
4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.
5. Drainage details before and after development.
6. A complete description of the type of fill proposed to be placed or dumped.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland.

(2) The permission of the Authority shall be given in writing, with or without conditions.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration.

Cancellation of permission

8. (1) The Authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met.

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.

(3) Following the giving of the notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.

(2) A permission shall not be extended.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation.

Flood event standards

11. (1) The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the Lake Ontario 100 Year flood level plus wave uprush, described in the Schedule.

Areas included in the Regulation Limit

12. Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 132 dated XXXXXX 2006 and filed at the head office of the Authority at 5 Shoreham Drive, Downsview, Ontario under the map title “Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses”.

SCHEDULE

1. The Hurricane Hazel Flood Event Standard means a storm that produces over a 48-hour period,

- (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
- (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

73 millimetres of rain in the first 36 hours
6 millimetres of rain in the 37th hour
4 millimetres of rain in the 38th hour
6 millimetres of rain in the 39th hour
13 millimetres of rain in the 40th hour
17 millimetres of rain in the 41st hour
13 millimetres of rain in the 42nd hour
23 millimetres of rain in the 43rd hour
13 millimetres of rain in the 44th hour
13 millimetres of rain in the 45th hour
53 millimetres of rain in the 46th hour
38 millimetres of rain in the 47th hour
13 millimetres of rain in the 48th hour

TABLE 2

Column 1	Column 2
Drainage Area (square kilometres)	Percentage
26 to 45 both inclusive	99.2
46 to 65 both inclusive	98.2
66 to 90 both inclusive	97.1
91 to 115 both inclusive	96.3
116 to 140 both inclusive	95.4
141 to 165 both inclusive	94.8
166 to 195 both inclusive	94.2

196 to 220 both inclusive	93.5
221 to 245 both inclusive	92.7
246 to 270 both inclusive	92.0
271 to 450 both inclusive	89.4
451 to 575 both inclusive	86.7
576 to 700 both inclusive	84.0
701 to 850 both inclusive	82.4
851 to 1000 both inclusive	80.8
1001 to 1200 both inclusive	79.3
1201 to 1500 both inclusive	76.6
1501 to 1700 both inclusive	74.4
1701 to 2000 both inclusive	73.3
2001 to 2200 both inclusive	71.7
2201 to 2500 both inclusive	70.2
2501 to 2700 both inclusive	69.0
2701 to 4500 both inclusive	64.4
4501 to 6000 both inclusive	61.4
6001 to 7000 both inclusive	58.9
7001 to 8000 both inclusive	57.4

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse, a peak flow that has a probability of occurrence of one per cent during any given year.

3. The Lake Ontario 100 Year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards that has a probability of occurrence of one per cent during any given year.

Made by:

TORONTO AND REGION CONSERVATION AUTHORITY:

.....

Signature

.....

Please Print Name and Title

.....

Signature

.....

Please Print Name and Title

Date made:

I certify that I have approved this Regulation.

.....

Minister of Natural Resources

Date approved: