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Pages

6. NEW BUSINESS STAFF REPORTS

6.6 MEETING PROVINCIAL PRIORITIES FOR REDUCING REGULATORY BURDEN

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A report on the above mentioned subject as submitted by Deborah Martin-Downs, CAO is included in the agenda as Schedule 'E'.

Recommended Resolution:

WHEREAS the provincial government intends to increase the supply of housing and streamline the land use planning and development approval process to achieve this goal; and

WHEREAS the Conservation Authorities play an important role in the planning and development review process with respect to watershed protection and hazard lands

THEREFORE BE IT RESOLVED THAT the report entitled "Meeting Provincial Priorities for Regulatory Burden" be received and appended to the minutes of this meeting as Schedule 'E'; and

THAT the Board of Directors endorse the three key solutions developed by the Conservation Ontario working group to improve client service and accountability; increase speed of approvals; reduce "red tape" and regulatory burden; and

THAT staff be directed to work with Conservation Ontario and stakeholders to

identify additional improvements; and further

THAT *staff be directed to implement these solutions as soon as possible.*

TO: The Chair and Members
of the Board of Directors,
Credit Valley Conservation

SUBJECT: MEETING PROVINCIAL PRIORITIES FOR REDUCING
REGULATORY BURDEN

PURPOSE: To seek endorsement of the Board of Directors of Credit Valley Conservation for staff to pursue streamlining and client service measures to contribute to provincial priorities for housing supply in high growth areas.

BACKGROUND:

In June of 2018 a new government was elected and moved quickly to implement the *Plan for the People* platform which included promises to:

- “Cut red tape and stifling regulations that are crippling job creation and growth, and
- ...single-window access for approvals with a hard one-year deadline”

Since that time the government has introduced a number of consultations, draft proposals and proposed amendments to legislation in support of their agenda.

Made in Ontario Environment Plan

The Ministry of Environment, Conservation and Parks released the *Preserving and Protecting our Environment for Future Generations: A Made-in-Ontario Environment Plan (2018)* that affirmed support for conservation and environmental planning and specifically mentioned that they would:

- “work in collaboration with municipalities and stakeholders to ensure that conservation authorities focus and deliver on their core mandate of protecting people and property from flooding and other natural hazards and conserving natural resources”.

Housing Supply Action Plan

The Ministry of Municipal Affairs and Housing has initiated consultations on a *Housing Supply Action Plan* with the purpose to increase supply and streamline the development approval process. The Ministry is also reviewing the *Planning Act* and the *Provincial Policy Statement* to ensure that the land use planning and development approvals process is aligned with their goal.

Concerns About CAs

Conservation authorities (CAs) in Ontario are part of the planning and development approvals process as we implement our mandate. Concerns have been expressed that conservation authorities “need to stick to their mandate” and that they present a “significant barrier” to timely development approvals. Many of these concerns arise in the Greater Toronto Area where land development is complex, and demands are high.

CA's have acknowledged that we can always improve our processes and relationships with the many stakeholders that we interact with. In 2007 CA's participated with the Ontario Home Builders Association (OHBA) and the Building Industry and Land Development Association (BILD) along with municipalities, the province and other stakeholders as members of the Conservation Authority Liaison Committee (CALC). In 2010, MNRF and MMAH approved the *Policies and Procedures for Conservation Authority Plan Review and Permitting Activities* that would form part of MNRF's Policies and Procedures Manual. Each CA then prepared a publicly available policies and procedures to ensure transparency and outline expectations to stakeholders including review and permitting timelines. All of CVC's policies, guidelines and mapping are available to our clients and staff work to adhere to the review and permitting timelines as determined through the CALC process.

It is imperative that conservation authorities engage in the conversation about our very important role in land use planning and development approvals as well as helping the new government understand our mandate and the relationships we have with our municipalities.

ANALYSIS:

Conservation Ontario (CO) retained Strategy Corp to provide insights and advise us on working with the new government. Through this process, a small working group of General managers (GMs) from across Ontario was formed to address a number of specific concerns and identify actions that conservation authorities can take to aid the government in achieving their mandate while maintaining the CA mandate and protecting the role that CAs play in hazard management and plan review. The committee is working with Conservation Ontario to communicate key positioning for the province.

Conservation Authority Mandate

The first positioning message surrounds clarifying and restating our mandate as supported by the recent update to the *Conservation Authorities Act (2017)* and as described in the province's *Made in Ontario Environment Plan*:

“The core mandate of conservation authorities is to undertake watershed-based programs to protect people and property from flooding and other natural hazards, and to conserve natural resources for economic, social and environmental benefits”.

This has always been the purpose of CA's and now, more than ever, it is necessary to have organizations like this on the ground and being able to work at the right scale to

protect and manage natural resources. Our monitoring, identification of issues and appropriate mitigation measures, helps our communities to be able to respond to climate change and increase their resiliency. Further, as the federal and provincial governments restrict their activities more to policy related activities there is a gap in capacity to address local environmental issues.

The follow excerpt from a briefing note to the province identifies that:

“Conservation authorities are a cost-effective mechanism for the Province and municipalities for the delivery of objectives under the Provincial Policy Statement (PPS)

- In addition to acting as a commenting agency on behalf of the Province with regard to natural hazards, conservation authorities also act as regulators. Additionally, conservation authorities act as technical advisors for municipalities in the review of planning applications, and, as source protection authorities under the Clean Water Act supporting policy implementation.
- Conservation authorities ensure that applicants and municipal planning authorities are aware of regulations and requirements as well as assist in the coordination of applications under the Planning Act and the Conservation Authorities Act. The focus is to eliminate unnecessary delay or duplication in the process as it relates to protecting public health and safety from natural hazards, now and into the future.
- Conservation authorities, through the provision of advice from watershed-based science, enable municipalities to cost effectively consider in their decision-making other PPS considerations such as ‘wise use and management of resources’ and stormwater.”

Streamlining Conservation Authority Activities

The CO working group has been evaluating ways that CA's can streamline approval activities and “reduce red tape” in order to help the province address the lack of housing supply. **It should be noted that we do not subscribe to the proposition that regulating hazard lands to ensure the health and safety of people and property is “red tape”.** This is the language that the province has been using. We need to identify the **outcomes** that the province and our municipalities need and review and **modify our processes** to ensure the **best solutions**.

CO and the working group developed the following three key solutions that we will work on with the development and construction community as well as municipalities or other stakeholders. Through these activities we will also identify any other specific concerns to be addressed.

1. Improve Client Service and Accountability

- Provide client service training and establish client service standards implementing activities such as one point of contact for applications, and template guidelines for policies, processes, and, CA/Municipal MOUs that have clear deadlines for the different plan review services.
- Our commitment to timely approvals will be reported on annually.

- Initially, focus efforts on conservation authorities with high growth areas (GGHG/GTA and other parts of the province) where housing supply is needed immediately.
2. Increase speed of approvals
 - Assess current application review/approval timelines, identifying problem areas where timelines are not being met and developing solutions to meet timelines.
 - Establish timelines that match the complexity of development applications (e.g. simple and complete applications can be processed more quickly).
 3. Reduce “red tape” and regulatory burden
 - Examine where conservation authorities can improve or change our processes to speed up or simplify permitting in hazard areas.
 - Explore additional legislative or regulatory amendments to achieve increased housing supply and decreased approval timeframes.

Work Underway Among CA's

Some of these activities have already been started with the Section 28 Regulations Committee meeting over the past six months to identify potential streamlining options that can be implemented immediately.

We too experience issues with other regulatory or planning processes that influence our ability to complete our work. We have identified several of these including the opportunity to revisit recent changes to the *Safe Drinking Water Act (O. Reg 205/18)* and streamlining of approvals under the *Endangered Species Act*.

CVC has developed a customer service charter to outline expectations of staff and for clients. There is always more we can do and CVC is committed to ensuring that we deliver our mandate while working with clients efficiently and effectively. CVC intends to embrace the key actions identified by the working group and develop additional actions based on internal discussions.

COMMUNICATIONS PLAN:

CVC will communicate with our stakeholders any changes to our processes regarding planning and permitting to ensure a smooth transition.

FINANCIAL IMPLICATIONS:

There is no financial impact to CVC for this project.

CONCLUSION:

The province is seeking to streamline planning and development approvals to facilitate the housing supply. CA's have a role to play in examining our processes for plan review and permitting and CVC is committed to continuous improvement. This report outlines three areas for immediate action that we are seeking board endorsement to implement.

RECOMMENDED RESOLUTION:

***WHEREAS** the provincial government intends to increase the supply of housing and streamline the land use planning and development approval process to achieve this goal; and*

***WHEREAS** the Conservation Authorities play an important role in the planning and development review process with respect to watershed protection and hazard lands*

***THEREFORE BE IT RESOLVED THAT** the report entitled "Meeting Provincial Priorities for Regulatory Burden" be received and appended to the minutes of this meeting as Schedule 'E'; and*

***THAT** the Board of Directors endorse the three key solutions developed by the Conservation Ontario working group to improve client service and accountability; increase speed of approvals; reduce "red tape" and regulatory burden; and*

***THAT** staff be directed to work with Conservation Ontario and stakeholders to identify additional improvements; and further*

***THAT** staff be directed to implement these solutions as soon as possible.*

Recommended by:



Deborah Martin-Downs
Chief Administrative Officer