

## BOARD OF DIRECTORS MEETING

Friday, November 13, 2020

Meeting to be Held Electronically

### MEMBERS

K. (Karen) Ras (Chair)  
T. (Tom) Adams (Vice Chair)  
J. (John) Brennan  
S. (Stephen) Dasko  
J. (Johanna) Downey  
A. (Ann) Lawlor  
M. (Matt) Mahoney  
M. (Martin) Medeiros  
M. (Michael) Palleschi  
G. (Grant) Peters  
R. (Ron) Starr  
J. (John) Stirk

Pages

1. APPROVAL OF AGENDA

Recommended Resolution:

RESOLVED THAT the agenda be approved as distributed.

2. DECLARATION OF CONFLICT OF INTEREST

3. MINUTES OF PREVIOUS MEETING

Recommended Resolution:

*RESOLVED THAT the minutes of the 551<sup>st</sup> meeting of Credit Valley Conservation Authority held October 16, 2020 be approved.*

4. PRESENTATION / DELEGATION

4.1. AN ECONOMIC IMPACT ASSESSMENT OF THE GREEN  
INFRASTRUCTURE SECTOR IN ONTARIO

Jennifer Court of Green Infrastructure Ontario will give a presentation to

members on the above-mentioned subject.

**Recommended Resolution:**

***RESOLVED THAT the presentation entitled "An Economic Impact Assessment of the Green Infrastructure Sector in Ontario" presented by Jennifer Court be received.***

**5. BUSINESS ARISING FROM MINUTES**

**6. NEW BUSINESS STAFF REPORTS**

**6.1. DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES & WATERCOURSE APPLICATIONS**

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Attached as Schedule 'A' are Development, Interference with Wetlands, and Alterations to Shorelines and Watercourse applications, pursuant to Ontario Regulation 160/06, as approved by staff and presented for members' information.

**Recommended Resolution:**

***RESOLVED THAT the Development, Interference with Wetlands and Alterations to Shorelines and Watercourse applications, pursuant to Ontario Regulation 160/06, as approved by staff, be received and appended to the minutes of this meeting as Schedule 'A'; and further***

***THAT the staff approvals for each be endorsed.***

**6.2. GTA WEST TRANSPORTATION CORRIDOR UPDATE**

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A report on the above-mentioned subject as submitted by Josh Campbell, Director, Planning and Development Services is included in the agenda as Schedule 'B'.

**Recommended Resolution:**

***WHEREAS the Ontario Ministry of Transportation initiated Stage 1 of the GTA West Transportation Corridor Environmental Assessment in 2008, and in 2018 announced it would no longer be proceeding with the project based on recommendations from the GTA West Transportation Corridor Advisory Panel; and***

***WHEREAS in June 2019 the province reversed its decision to halt the GTA West Transportation Corridor Environmental Assessment and to proceed with Stages 2 and 3; and***

***WHEREAS the province has recently proposed to amend regulations associated with the GTA West Transportation Corridor Environmental Assessment and the Environmental Assessment Act to streamline process, cut red tape and improve efficiencies for approvals; and***

***WHEREAS MTO released a bulletin in August 2020 identifying the preferred***

*route for the GTA West Transportation Corridor; and*

**WHEREAS** *over 400 municipalities across Canada have declared a climate change emergency, including the majority of those within CVC's jurisdiction; and*

**WHEREAS** *CVC has a long and successful history in partnering with agencies and stakeholders to study and protect water resources, natural systems and public health and safety as it relates to natural hazards – including considerations to respond to the impacts of a changing climate; and*

**WHEREAS** *the province states the proposed GTA West highway will benefit the region from a growth management and goods/people movement perspective, it still must be demonstrated that the negative impacts to human health and the environment do not outweigh those benefits; and*

**WHEREAS** *a basic strategy necessary to reduce greenhouse gas emission, a leading cause of the acceleration of the impacts of a changing climate, is to carefully consider shifting traditional transportation modes to more sustainable modes of transportation and undertake more comprehensive and integrated approaches to regional infrastructure planning; and*

**WHEREAS** *the proposed GTA West highway crosses the Credit River and portions of CVC's jurisdiction; and*

**WHEREAS** *CVC staff continue to review and comment on the technical aspects of the Environmental Assessment associated with the GTA West highway to ensure CVC's policy and program interests are addressed;*

**THEREFORE BE IT RESOLVED THAT** *the report entitled "GTA West Transportation Corridor Update" be received and appended to the minutes of this meeting as Schedule 'B'; and*

**THAT** *the MTO commit to providing the technical reports in support of the environmental assessment and preferred route selection for public/agency review for comment, prior to detail design stage and/or construction of any major infrastructure associated with this project (e.g. bridges, interchanges etc.) – including revising the environmental assessment to address any concerns expressed by the public/agencies as appropriate; and*

**THAT** *the Board of Directors requests the MTO to commit to the use of the mitigation hierarchy (avoid, minimize, mitigate and offset [compensate]) to address negative impacts of the proposed GTA West highway on natural heritage systems, water resources systems and public health through the environmental assessment process; and*

**THAT** *the Board of Directors encourages the MTO to provide for existing and proposed trails or recreation facilities (such as the Credit Valley Trail) in designing infrastructure (e.g. bridges etc.) through the Environmental Assessment for the proposed GTA West highway – in particular, at the location*

where the highway is proposed to cross the Credit River; and

**THAT** the Board of Directors requests the MTO to commit to address CVC's regulatory and policy interests, including representing the provincial interest on natural hazards, and implemented through detail design as approved through the environmental assessment; and

**THAT** in an effort to further reduce red tape and streamline process, as well as improve transparency and predictability, the Board of Directors requests the MTO to engage with CVC staff through a Service Level Agreement (or similar agreement) to follow a voluntary review and permitting process for the detail design and implementation phases of the GTA West Transportation Corridor project; and further

**THAT** a copy of this resolution be circulated to the Premier of Ontario, the Ministry of Transportation, the Ministry of Environment, Conservation and Parks, the Ministry of Natural Resources and Forestry, member municipalities, adjacent conservation authorities and MPPs along the GTA West Transportation Corridor.

### 6.3. PLANNING AND DEVELOPMENT SERVICES CUSTOMER SERVICE AND STREAMLINING ACTION PLAN STATUS REPORT

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A report on the above-mentioned subject as submitted by Josh Campbell, Director, Planning and Development Services is included in the agenda as Schedule 'C'.

#### Recommended Resolution:

**WHEREAS** the CVC Board of Directors endorsed the Planning and Development Services Customer Service and Streamlining Action Plan in November 2019; and

**WHEREAS** the Board of Directors directed Planning and Development Services staff to report back to the Board of Directors with a detailed evaluation and implementation status report on the specific actions contained in the action plan annually, beginning late 2020; and

**WHEREAS** all of the short-term deliverables have been completed and a number of medium and long-term deliverables have been completed or are in progress;

**THEREFORE BE IT RESOLVED THAT** the report entitled "Planning and Development Services Customer Service and Streamlining Action Plan Status Report" be received and appended to the minutes of this meeting as Schedule 'C'; and

**THAT** Planning and Development staff continue the implementation of the action plan and reporting annually to the Board of Directors with a detailed evaluation and implementation status report on the specific actions contained in the action plan: and further

*THAT a copy of this report be forwarded to member municipalities, Conservation Ontario, Greater Golden Horseshoe Conservation Authorities, and the Building Industry and Land Development Association for their information, including posting a copy on the CVC PDS website homepage.*

**6.4. PLANNING AND DEVELOPMENT SERVICES COST RECOVERY AND FEE SCHEDULE UPDATE**

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A report on the above-mentioned subject as submitted by Josh Campbell, Director, Planning and Development Services is included in the agenda as Schedule 'D'.

**Recommended Resolution:**

***WHEREAS*** CVC staff undertook a comprehensive review and update to plan review and permit fees in 2018 which was implemented in 2019; and

***WHEREAS*** the socio-economic impacts of the COVID-19 pandemic are widespread, resulting in economic uncertainties throughout the watershed and delays in Planning and Development staff's start-up of the 2020 comprehensive plan review and permit fee review; and

***WHEREAS*** the province has yet to release the updated regulations affecting how CVC administers the Section 28 regulations, Planning and Development Services' program funding source(s) eligibility, and fee collection standards; and

***WHEREAS*** CVC staff have secured a consultant to assist in completing the comprehensive fee review to be completed in the spring of 2021; and

***WHEREAS*** the Board of Directors will be updated on the status of deliverables from the 'Planning and Development Services Customer Service and Streamlining Action Plan (June 2019)' at the November 2020 Board of Directors meeting;

***THEREFORE BE IT RESOLVED THAT*** the report entitled "Planning and Development Services Cost Recovery and Fee Schedule Update" be received and appended to the minutes of this meeting as Schedule 'D'; and

***THAT*** the Board of Directors approve the proposed 2021 plan review and permit fee schedules attached as Schedule 'D', Appendix 2 and 3; and

***THAT*** CVC staff report on the findings and recommendations for implementation of the on-going comprehensive fee review and stakeholder consultation in the spring of 2021; and further

***THAT*** staff be authorized to continue to use the reserve account to defer revenue received late in a given year for a review that will be undertaken in a subsequent year.

**6.5. CONSERVATION AREAS RATES AND FEES 2021**

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A report on the above-mentioned subject as submitted by Bill Lidster, Manager, Conservation Parks; Terri LeRoux, Sr. Manager, PARCS; and Jeff Payne, Deputy CAO and Director, Corporate Services is included in the agenda as Schedule 'E'.

**Recommended Resolution:**

***WHEREAS*** conservation area rates and fees are collected at four active CVC owned and managed conservation areas, at one CVC managed property and as applicable on lands owned and managed by CVC; and

***WHEREAS*** all rates and fees be subject to Harmonized Sales Tax, where applicable;

***THEREFORE BE IT RESOLVED THAT*** the report entitled “Conservation Areas Rates and Fees 2021” be received and appended to the minutes of this meeting as Schedule ‘E’; and further

***THAT*** effective January 1, 2021 CVC staff be directed to implement the revised fee structure contained therein.

**6.6. EXPANDED FLOOD FORECASTING AND WARNING DIRECT COMMUNICATION TO RESIDENTS**

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A report on the above-mentioned subject as submitted by Jon MacMull, Sr. Manager, Marketing and Communications; and John Sinnige, Director, Watershed Management is included in the agenda as Schedule 'F'.

**Recommended Resolution:**

***WHEREAS*** CVC recognizes that new methods of direct communication with watershed residents can provide more timely flood forecasting and warning messages; and

***WHEREAS*** The Alertable mobile app platform is a proven, user-friendly and free method for watershed residents to receive CVC messages;

***THEREFORE BE IT RESOLVED THAT*** the report entitled “Expanded Flood Forecasting and Warning Direct Communication To Residents” be received and appended to the minutes of this meeting as Schedule ‘F’; and further

***THAT*** CVC staff are directed to implement the communication plan as set out in this Board report.

**6.7. CHANGES TO THE CONSERVATION AUTHORITIES ACT IN BILL 229**

101

A report on the above-mentioned subject as submitted by Josh Campbell, Director, Planning and Development Services and Deborah Martin-Downs, CAO in included in agenda package as Schedule 'G'.

**Recommended Resolution:**

***WHEREAS*** the province has introduced Bill 229, Protect, Support and Recover

*from COVID 19 Act - Schedule 6 – Conservation Authorities Act; and*

**WHEREAS** *the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, permit appeal process and engaging in review and appeal of planning applications; and*

**WHEREAS** *conservation authorities protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the Planning Act; and*

**WHEREAS** *the changes allow the Minister to make decisions without CVC watershed data and expertise and consistency with policies and guidelines; and*

**WHEREAS** *the Legislation suggests that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs; and*

**WHEREAS** *CVC and municipalities require a longer transition time to put in place new budgets as well as agreements for non-mandatory programs; and*

**WHEREAS** *the appointment of municipal representatives on CA Boards should be a municipal decision; and the Chair and Vice Chair of the CA Board should be duly elected; and*

**WHEREAS** *the changes to the 'Duty of Members' contradicts the fiduciary duty of a CA board member to represent the best interests of the conservation authority and its responsibility to the watershed; and*

**WHEREAS** *conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Service and Streamlining Initiative; and*

**WHEREAS** *changes to the legislation will create more red tape and costs for the conservation authorities, and their municipal partners, and potentially result in delays in the development approval process; and*

**WHEREAS** *the province has made changes to the legislation that will limit the ability of CVC to ensure compliance with the Act and our policies by not including stop work orders and modifying powers to enter property potentially resulting in more legal action; and*

**WHEREAS** *all watershed residents and municipalities value and rely on the natural habitats and water resources within our jurisdiction for their health and well-being as well as CVC's work to prevent and manage the impacts of flooding and other natural hazards and to ensure safe drinking water;*

**THEREFORE BE IT RESOLVED THAT** *the report entitled "Changes to the*

*Conservation Authorities Act in Bill 229” be received and appended to the minutes of this meeting as Schedule ‘G’; and*

***THAT** the Province of Ontario work with conservation authorities to address their concerns by repealing and/or amending changes to the Conservation Authorities Act and the Planning Act; and*

***THAT** the Province of Ontario provide a longer transition period up at least to December 2022 for non-mandatory programs to enable coordination of CA-municipal budget processes; and*

***THAT** the province respect the current conservation authority - municipal relationships; and*

***THAT** the province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role; and*

***THAT** the Board of Directors grant approval for CVC to submit comments arising from the review of the act and appended as Schedule ‘G’, Appendix 2 to the province; and further*

***THAT** the letter (Schedule ‘G’, Appendix 2) and this resolution and staff report be forwarded to the Premier, the Ministers of Environment, Conservation and Parks, Natural Resources and Forestry, Municipal Affairs and Housing and Finance, all local MPPs, watershed municipalities and Association of Municipalities of Ontario.*

7. CORRESPONDENCE/INFORMATION ITEMS DISTRIBUTED TO MEMBERS
8. NOTICE OF MOTION
9. QUESTION PERIOD
10. OTHER BUSINESS
11. MEETING ADJOURNED

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**DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES Schedule 'A'**  
**WATERCOURSES APPLICATIONS (STAFF APPROVED, FOR BOARD OF DIRECTORS' ENDORSEMENT) 2020-11-13**

Permit No.	Owner	Agent	Address	Proposed Works	Complete Application Date	Permit Issued Date	Ward No.
<b>Amaranth</b>							
20/220	Laurelpark Inc. & Dunwin Developments Ltd		County Road 16 Part of Lots 2 & 3, Concession 1	Development in the Regulated Area to facilitate the pre-grading for earthworks associated with Subdivisions T 02/002 & T 04/004	2020-08-20	2020-10-02	N/A
<b>Brampton</b>							
15/149	Kaneff Properties Limited	Schaeffers Consulting Engineers	Part of Lot 14, Concession 4 WHS	Development in the Regulated Area to construct a stormwater by-pass sewer and outlet.	2020-07-08	2020-07-27	6
20/115	Noble Development Corporation	Schaeffers & Associates Ltd.	Part of Lot 6, Concession 3 WHS	Development in the Regulated Area for earthworks to facilitate a residential development.	2020-06-02	2020-10-26	5
20/115 revised	Pearl Builders Group Ltd.	Schaeffers & Associates Ltd.	Part of Lot 6, Concession 3 WHS	Development in the Regulated Area for earthworks to facilitate a residential development.	2020-06-02	2020-10-29	5
20/282			76 Malaspina Close Part of Lot 1, Concession 5 WHS	Development in the Regulated Area to facilitate construction of proposed rear decks.	2020-10-19	2020-10-19	6
20/288		SHAFE Inc.	8027 Churchville Road Part of Lot 1, Concession 3 WHS	Development in the Regulated Area for grading to facilitate a below grade entrance from side yard and entrance porch.	2020-10-21	2020-10-22	4
20/296	Region of Peel	Region of Peel	Winston Churchill Blvd North of Hwy 7 Part of Lot 13, Concession 6 WHS	Development in a Regulated Area to facilitate rehabilitation of a culvert on a tributary of the Credit River.	2020-10-27	2020-10-27	6
<b>Caledon</b>							
20/157		OldNew Design	14653 Creditview Road Part of Lot 31, Concession 3	Development in the Regulated Area for the purpose of constructing a house, septic system and site grading.	2020-07-07	2020-10-22	2
20/214	2612141 Ontario Ltd.	Glen Schnarr & Associates Inc.	15596 McLaughlin Road Part of Lot 1, Concession 2 WHS	Development in the Regulated Area for the purpose of installing a sanitary sewer connection.	2020-10-06	2020-10-06	1

Schedule 'A' <sup>10</sup>

**DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES  
WATERCOURSES APPLICATIONS (STAFF APPROVED, FOR BOARD OF DIRECTORS' ENDORSEMENT) 2020-11-13**

Permit No.	Owner	Agent	Address	Proposed Works	Complete Application Date	Permit Issued Date	Ward No.
20/252			14 Cedar Drive Part of Lot 9, Concession 1 WHS	Development in the Regulated Area for the purpose of constructing a one-storey single family dwelling including driveway, septic and associated grading.	2020-09-22	2020-10-15	1
20/261	Enbridge Gas Inc.		15288 Chinguacousy Road Part of Lot 34, Concession 3 WHS Chinguacousy Township	Development in the Regulated Area to facilitate the installation of a new gas line	2020-09-10	2020-10-14	2
20/277			16051 Shaws Creek Road Part of Lot 4, Concession 5	Development in the Regulated Area for the purpose of the construction of a shed and site grading	2020-10-15	2020-10-15	1
20/285			16 Cedar Drive Part of Lot 9, Concession 1 WHS	Development in the Regulated Area for the purpose of installing a septic system.	2020-10-21	2020-10-21	1
20/289	Mayfield McLaughlin Developments Inc. / Caledon West 25 Inc.	David Schaeffer Engineering Ltd.	Part of Lot 18, Concession 2 WHS	Alteration to a watercourse to facilitate the construction of the Greenlands A Channel (tributary of Fletcher's Creek), installation of four culverts, and construction of a stormwater management pond outfall associated with subdivision 21T-16006C.	2020-10-28	2020-10-28	1
20/297	52332 Ontario Ltd.	Dakota Concepts Ltd.	2834 The Grange Sideroad Part of Lot 6, Concession 1 WHS	Development in the Regulated Area for the purpose of installing a septic system.	2020-11-04	2020-11-04	1
<b>Erin</b>							
20/003	Killam Properties Reit	Killam Apartment Reit	Stanley Park, Main Street Part of Lot 16, Concession 9	Development in the floodplain of the West Credit River and Regulated Area to facilitate the construction of a septic bed and sanitary mains.	2020-01-17	2020-10-01	N/A
20/187	Homes of Distinction (2002) Inc.		161 Perryman Court Part of Lot 1, Concession 8	Development in the Regulated Area for the purpose of constructing a single family dwelling, driveway and septic.	2020-07-23	2020-10-06	N/A

Schedule 'A' <sup>11</sup>

**DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES  
WATERCOURSES APPLICATIONS (STAFF APPROVED, FOR BOARD OF DIRECTORS' ENDORSEMENT) 2020-11-13**

Permit No.	Owner	Agent	Address	Proposed Works	Complete Application Date	Permit Issued Date	Ward No.
20/188	Homes of Distinction (2002) Inc.		133 Perryman Court Part of Lot 1, Concession 8	Development in the Regulated Area for the purpose of constructing a 307.44m <sup>2</sup> dwelling, septic and driveway.	2020-07-23	2020-10-06	N/A
20/266			19 Lions Park Avenue Part of Lot 13, Concession 10	Development in the Regulated Area for the purpose of constructing a 30' x 40' garage and shed.	2020-10-03	2020-10-08	N/A
20/276			9275 Wellington Road 50 Part Lot 5, Concession 6	Development in the Regulated Area for the purpose of constructing a 24'8" x 34'8" detached garage.	2020-10-08	2020-10-09	N/A
20/294		SMPL Design Studio	9509 10 Sideroad Part of Lot 10, Concession 9	Development in the Regulated Area for the purpose of constructing a single family dwelling, associated septic system, inground pool, patio and pool house.	2020-10-20	2020-10-28	N/A
20/298			5597 Trafalgar Road Part of Lot 18, Concession 8	Development in the Regulated Area for the purpose of constructing a workshop.	2020-11-04	2020-11-04	N/A
<b>Halton Hills</b>							
20/264		New Age Design	620 Main Street Part of Lot 22, Concession 10	Development in the floodplain associated with the Credit River for the purpose of constructing a dry-floodproofed two-storey single family dwelling and wet-floodproofed detached garage.	2020-09-14	2020-10-01	2
20/269			25 Stewarttown Road Part of Lot 16, Concession 7	Development in the Regulated Area for the purpose of constructing a 9' x 23'8" screened porch.	2020-10-05	2020-10-08	2
20/292		New Age Design	620 Main Street Part of Lot 22, Concession 10	Development in the floodplain associated with the Credit River for the purpose of modifying the existing septic system.	2020-10-21	2020-10-23	2

Schedule 'A' <sup>12</sup>

**DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES  
WATERCOURSES APPLICATIONS (STAFF APPROVED, FOR BOARD OF DIRECTORS' ENDORSEMENT) 2020-11-13**

Permit No.	Owner	Agent	Address	Proposed Works	Complete Application Date	Permit Issued Date	Ward No.
<b>Mississauga</b>							
20/073	City of Mississauga	Ecosystem Recovery	Cooksville Creek - CPR to Kirwin Part of Lot 14, Concession 1 NDS	Development in a Regulated Area and alteration to a watercourse of Cooksville Creek to facilitate erosion protection and restoration works.	2020-04-09	2020-09-30	4
20/118	City of Mississauga	The MBTW Group	Park 524/525 Part of Lot 1, Concession 1 WHS	Development in a Regulated Area and floodplan and interference to a wetland to facilitate construction of a new park and associated grading.	2020-04-29	2020-10-27	5
20/170		AHYDTECH Geomorphic Ltd.	506 Richey Crescent Part of Lot 12, Concession 3 SDS	Development in the Regulated Area for the purpose of reconstructing a sea wall.	2020-07-16	2020-10-13	1
20/171	Region of Peel, Wastewater Capital Projects	Riggs Engineering Ltd.	Lakefront between Carlis Place, Elmwood Ave S and Oakwood Ave S Part of Lots 2 & 3, Range 1 CIR	Development in the Regulated Area for the purpose of constructing a sea wall.	2020-07-16	2020-10-22	1
20/198	Trans Northern Pipeline Inc.	Stantec Consulting	North of Premium Way at Stavebank Creek Part of Lot 5, Range 2 CIR	Alteration of a watercourse for the purpose of removing two sections of decommissioned pipeline.	2020-08-07	2020-11-04	7
20/224		Shoreplan Engineering Limited	930 Crozier Court Part of Lot 14, Range 1 CIR	Development in the Regulated Area for the purpose of constructing a sea wall.	2020-09-24	2020-10-21	2
20/270	Credit Valley Conservation		Adjacent to 1300 Lakeshore Road East Part of Lots 5, 6, and 7, Concession 3 SDS	Development in a Regulated Area and floodplain to facilitate construction of a new conservation area within and adjacent to Lake Ontario, Serson Creek and Applewood Creek.	2020-10-07	2020-11-01	1
20/278		W.E. Consulting & Construction Ltd.	1849 Ivygate Court Part of Lot 3, Range 3 NDS	Development in the Regulated Area to facilitate the construction of a deck.	2020-10-30	2020-11-02	8

Schedule 'A' <sup>13</sup>

**DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES  
WATERCOURSES APPLICATIONS (STAFF APPROVED, FOR BOARD OF DIRECTORS' ENDORSEMENT) 2020-11-13**

Permit No.	Owner	Agent	Address	Proposed Works	Complete Application Date	Permit Issued Date	Ward No.
20/283	Islamic Kher Khwahi Group Inc.	Harper Dell & Associates Inc.	205 North Service Road Part of Lot 14, Concession 1 WHS	Development in the Regulated Area for the purpose of site grading and the removal of fill.	2020-10-21	2020-10-21	7
20/293	Lakeview Community Partners Limited	Urbantech Consulting	800 Hydro Road Part of Lot 8, Concession 3 SDS	Development in the Regulated Area to facilitate the construction of the channel realignment of Serson Creek.	2020-10-16	2020-10-26	1
<b>Mono</b>							
20/284		DK Excavating Ltd.	2 Rose Ridge Lane Part of Lot 3, Concession 3 EHS	Development in the Regulated Area for the purpose of replacing a septic system.	2020-10-15	2020-10-19	N/A
<b>Peel Region</b>							
19/248	Region of Peel		Various maintenance holes throughout Region of Peel Cities of Mississauga and Brampton	Development in a Regulated Area to facilitate maintenance works on maintenance holes within the Region of Peel.	2020-06-03	2020-06-05	Peel wide
20/204	Region of Peel		Various locations throughout the Region of Peel	Development in a Regulated Area to facilitate repairs to maintenance holes including required excavation and grading.	2020-08-10	2020-08-10	Peel wide

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

**SUBJECT:** **GTA WEST TRANSPORTATION CORRIDOR UPDATE**

**PURPOSE:** **To report back to the Board of Directors of CVC on the status of the GTA West Transportation Corridor with information related to potential environmental impacts, and local municipal and adjacent Conservation Authority related activities.**

**BACKGROUND:**

At the Board of Directors of CVC (the 'Board') meeting held on September 11, 2020 an information item in the form of a briefing note was provided from CVC staff titled 'GTA West Transportation Corridor Environmental Assessment', dated September 4, 2020. The briefing note provided background and the status of the GTA West Transportation Corridor Environmental Assessment (GTA West EA), a review of the proposed regulatory changes to the GTA West EA process, as well as an update on CVC staff's technical review, comments, and anticipated next steps.

As highlighted in the briefing note, the province posted a bulletin in August 2020 identifying the 'preferred route' for the GTA West highway (Highway 413) - illustrating the location, timeline and focused area analysis for the GTA West EA (see attached as Schedule 'B', Appendix 1). At that time, CVC staff had yet to receive the submission of technical studies and reports for review and comment – and currently continues to await receipt.

Through Board Resolution #79/20, the item (briefing note) was received and local municipalities were invited to present their perspectives on the GTA West EA at subsequent Board meetings, to inform the Board should they proceed with formalizing a position on the GTA West highway. To assist, in the analysis section of this report CVC staff have summarized municipal/adjacent CA positions on the matter– where one exists. Within CVC's jurisdiction, the municipalities most directly impacted by the corridor location include Halton Region, Halton Hills, Peel Region, Mississauga, Brampton and Caledon. Adjacent affected conservation authorities (CAs) include Conservation Halton (CH) and Toronto and Region Conservation (TRCA).

**ANALYSIS:**

Overall, there are varying opinions/positions from member municipalities and adjacent CAs regarding the proposed GTA West highway in CVC's jurisdiction.

**Municipalities**

In general, Halton Region and the Town of Halton Hills oppose more investment by the province in the GTA West EA - as both have declared climate change emergencies and a new highway would support a large investment in an unsustainable mode of transportation.

The Region of Peel, City of Brampton and Town of Caledon each do not oppose the GTA West EA - as they state it facilitates good growth planning and assists in meeting anticipated future needs for movement of people and goods, subject to ensuring environmentally sustainable design and assessment of impacts on public health.

While the City of Mississauga has not stated an overall position on the principle of building the new highway, concern has been expressed related to the proposed GTA West corridor location. In particular, the corridor's impacts on future employment lands development, parkland and a designated heritage property within city boundaries.

**Adjacent Conservation Authorities**

It is understood that Conservation Halton Board of Directors has not taken a position on the GTA West EA, as only a very small portion of the corridor is within their jurisdiction and is outside of any significant natural heritage features or areas, and lands containing natural hazards. Toronto and Region Conservation continues to coordinate with the province, as TRCA staff anticipated the preferred GTA West corridor route may have impacts to natural heritage systems and lands containing natural hazards within the Humber River and Etobicoke Creek watersheds – including to lands owned by TRCA.

**Key Potential Environmental Impacts for Consideration**

Many municipalities across Ontario have declared a climate change emergency in light of the accelerating impacts of the changing climate on natural systems and human health. Within CVC's jurisdiction, several municipalities have done this including Halton and Peel Regions (and all member municipalities), as well as the County of Wellington.

Some key potential environmental impacts of the proposed GTA West highway to consider as it relates to CVC's mandate/responsibilities include:

- Increased air and water pollution from gas emissions and contaminants (e.g. road salt, etc.) on the health and well-being of residents and the environment;
- Increased emissions of greenhouse gases from vehicles and the potential acceleration of impacts from a changing climate;
- Consumption of non-renewable resources such as gravel and other aggregates needed to facilitate the construction of a new highway facility;
- Impacts to, or loss of, natural heritage systems – including the fragmentation of natural features, areas, and their natural functions;
- Potential impacts to agricultural lands such as loss or fragmentation of fields; and

- Potential impacts to natural hazards such as flooding and erosion from unsustainable water management practices (e.g. untreated/managed runoff) and under-designed/under-mitigated watercourse/valley crossings.

### **Other Considerations**

While it is important to consider the potential environmental impacts of the proposed GTA West highway on the environment, it is important to recognize the potential socio-economic benefits as well. The province has recently stated the GTA West highway is a vital undertaking in support of providing the transportation infrastructure to meet future population and economic growth – consistent with the Growth Plan for the Greater Golden Horseshoe. Some of the stated key socio-economic benefits of constructing the proposed highway include:

- Alleviating traffic congestion and improve commuting times;
- Enhancing the movement of goods and people;
- Improving connectivity between urban growth centres;
- Supporting transit by including separate transit and transit station infrastructure; and
- Providing opportunities to integrate transportation and utility corridors to reduce infrastructure footprint and fragmentation of lands.

### **Review of CVC's Key Areas of Interest for Consideration**

CVC staff's stated key areas of interest with the preferred route generally remain the same as previously provided to the Board for information. It is anticipated the forthcoming submission of technical reports in support of MTO's preferred option will address many of these high-level concerns, including:

- The avoidance, minimization, mitigation, and/or offsetting (compensating) of/for negative impacts to the natural heritage system (NHS) - including consideration for the fragmentation of natural features such as valleylands, watercourses, wetlands, woodlands, headwater drainage features and wildlife habitat;
- A commitment to ensure an appropriate level of protection, restoration and/or enhancement of the natural heritage system – in particular, where impacts are unavoidable/non-mitigatable and offsetting (or compensation) is needed;
- Considerations for incorporating trails and/or recreation facilities into the design – in particular, the Credit Valley Trail at the proposed Credit River crossing;
- Assurances that CVC's regulatory and policy interests, as well as responsibilities to represent the provincial interest on natural hazards (flooding, erosion), are addressed in the EA and implemented through subsequent processes; and  
 A commitment from MTO to provide timely and comprehensive technical reports in support of the selected routes.

CVC staff continue to coordinate with municipal and TRCA staff to engage with MTO regarding the above issues – however, we continue to await receipt of MTO's submission of technical reports for review.

**Additional Key Message for Consideration**

In addition to the above, an additional key message for consideration includes requesting MTO to engage with the CA's through Service Level Agreements (or a similar agreement). Such an agreement would follow a voluntary review and permitting process, as Crown Agencies such as MTO are currently exempt from requiring permits from CAs. Following this voluntary process would assist to improving transparency and predictability (e.g. fees, performance measures, review timelines etc.) - resulting in a more efficient and expeditious process. It continues to be unclear if the Province's proposed regulatory changes to the GTA West EA process would support this type of approach.

**COMMUNICATIONS PLAN:**

There are no communications implications for this project.

**FINANCIAL IMPLICATIONS:**

There is no financial impact to CVC for this project.

**RECOMMENDED RESOLUTION:**

***WHEREAS** the Ontario Ministry of Transportation initiated Stage 1 of the GTA West Transportation Corridor Environmental Assessment in 2008, and in 2018 announced it would no longer be proceeding with the project based on recommendations from the GTA West Transportation Corridor Advisory Panel; and*

***WHEREAS** in June 2019 the province reversed its decision to halt the GTA West Transportation Corridor Environmental Assessment and to proceed with Stages 2 and 3; and*

***WHEREAS** the province has recently proposed to amend regulations associated with the GTA West Transportation Corridor Environmental Assessment and the Environmental Assessment Act to streamline process, cut red tape and improve efficiencies for approvals; and*

***WHEREAS** MTO released a bulletin in August 2020 identifying the preferred route for the GTA West Transportation Corridor; and*

***WHEREAS** over 400 municipalities across Canada have declared a climate change emergency, including the majority of those within CVC's jurisdiction; and*

***WHEREAS** CVC has a long and successful history in partnering with agencies and stakeholders to study and protect water resources, natural systems and public health and safety as it relates to natural hazards – including considerations to respond to the impacts of a changing climate; and*

**SCHEDULE 'B'**  
**PAGE -5-**  
**2020-11-13**

**WHEREAS** the province states the proposed GTA West highway will benefit the region from a growth management and goods/people movement perspective, it still must be demonstrated that the negative impacts to human health and the environment do not outweigh those benefits; and

**WHEREAS** a basic strategy necessary to reduce greenhouse gas emission, a leading cause of the acceleration of the impacts of a changing climate, is to carefully consider shifting traditional transportation modes to more sustainable modes of transportation and undertake more comprehensive and integrated approaches to regional infrastructure planning; and

**WHEREAS** the proposed GTA West highway crosses the Credit River and portions of CVC's jurisdiction; and

**WHEREAS** CVC staff continue to review and comment on the technical aspects of the Environmental Assessment associated with the GTA West highway to ensure CVC's policy and program interests are addressed;

**THEREFORE BE IT RESOLVED THAT** the report entitled "GTA West Transportation Corridor Update" be received and appended to the minutes of this meeting as Schedule 'B'; and

**THAT** the MTO commit to providing the technical reports in support of the environmental assessment and preferred route selection for public/agency review for comment, prior to detail design stage and/or construction of any major infrastructure associated with this project (e.g. bridges, interchanges etc.) – including revising the environmental assessment to address any concerns expressed by the public/agencies as appropriate; and

**THAT** the Board of Directors requests the MTO to commit to the use of the mitigation hierarchy (avoid, minimize, mitigate and offset [compensate]) to address negative impacts of the proposed GTA West highway on natural heritage systems, water resources systems and public health through the environmental assessment process; and

**THAT** the Board of Directors encourages the MTO to provide for existing and proposed trails or recreation facilities (such as the Credit Valley Trail) in designing infrastructure (e.g. bridges etc.) through the Environmental Assessment for the proposed GTA West highway – in particular, at the location where the highway is proposed to cross the Credit River; and

**THAT** the Board of Directors requests the MTO to commit to address CVC's regulatory and policy interests, including representing the provincial interest on natural hazards, and implemented through detail design as approved through the environmental assessment; and

**SCHEDULE 'B'**  
**PAGE -6-**  
**2020-11-13**

**THAT** in an effort to further reduce red tape and streamline process, as well as improve transparency and predictability, the Board of Directors requests the MTO to engage with CVC staff through a Service Level Agreement (or similar agreement) to follow a voluntary review and permitting process for the detail design and implementation phases of the GTA West Transportation Corridor project; and further

**THAT** a copy of this resolution be circulated to the Premier of Ontario, the Ministry of Transportation, the Ministry of Environment, Conservation and Parks, the Ministry of Natural Resources and Forestry, member municipalities, adjacent conservation authorities and MPPs along the GTA West Transportation Corridor.

**Submitted by:**



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Josh Campbell  
Director, Planning and Development Services

**Recommended by:**



Deborah Martin-Downs  
Chief Administrative Officer

**PREFERRED ROUTE ANNOUNCEMENT** **GTA WEST STUDY**



The Greater Toronto Area (GTA) West Transportation Corridor Route Planning and Environmental Assessment Study is focusing on the planning and preliminary design of a new multimodal transportation corridor that includes a 400-series highway, transitway, and potential goods movement priority features. Public Information Centre #2 (PIC #2), held in September/October 2019, presented the draft Technically Preferred Route and draft 2019 Focused Analysis Area for comment.

The draft Technically Preferred Route presented at PIC #2 has been superseded by the Preferred Route. **The Preferred Route** map illustrates the route and interchange locations for the GTA West multimodal transportation corridor that will be developed to a preliminary design level of detail over the next 2 years. The Preferred Route map provides information on where changes have been made to the route based on the consideration of feedback from PIC #2, land use and environmental information.

**TIMELINE**

**WINTER 2019 - SUMMER 2020**

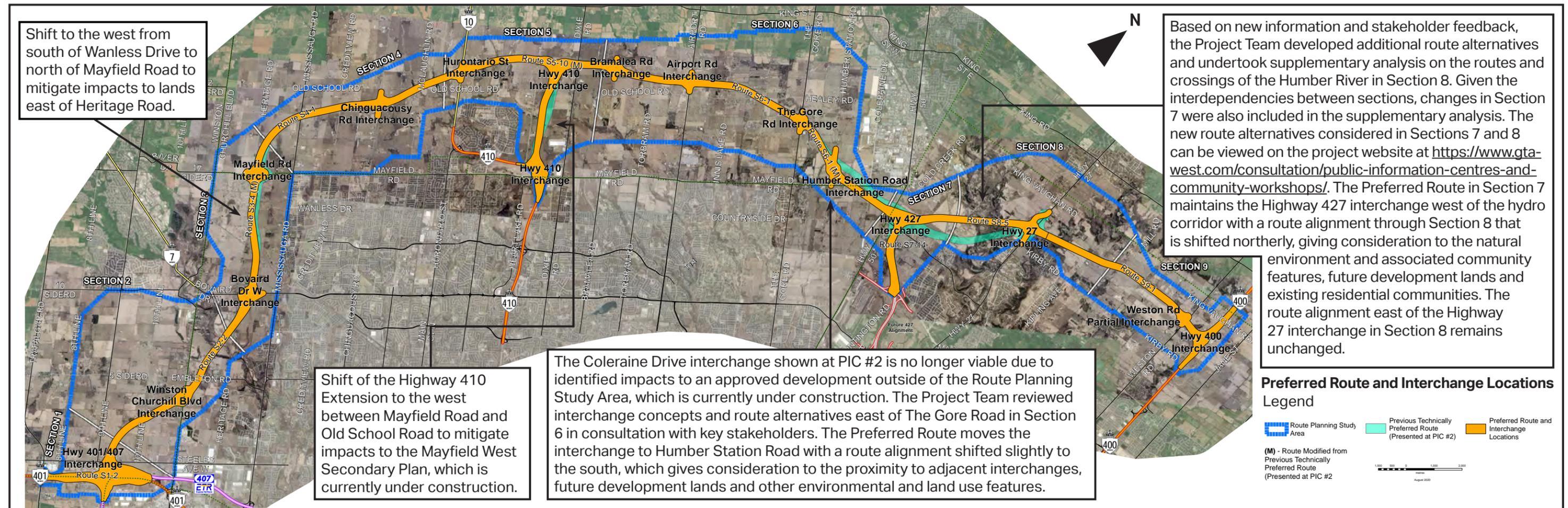
The Project Team reviewed feedback from PIC #2 and worked diligently with advisory groups, municipal staff, agencies and other stakeholders to confirm the Preferred Route and associated 2020 Focused Analysis Area for the GTA West multimodal transportation corridor.

**2020 - 2021**

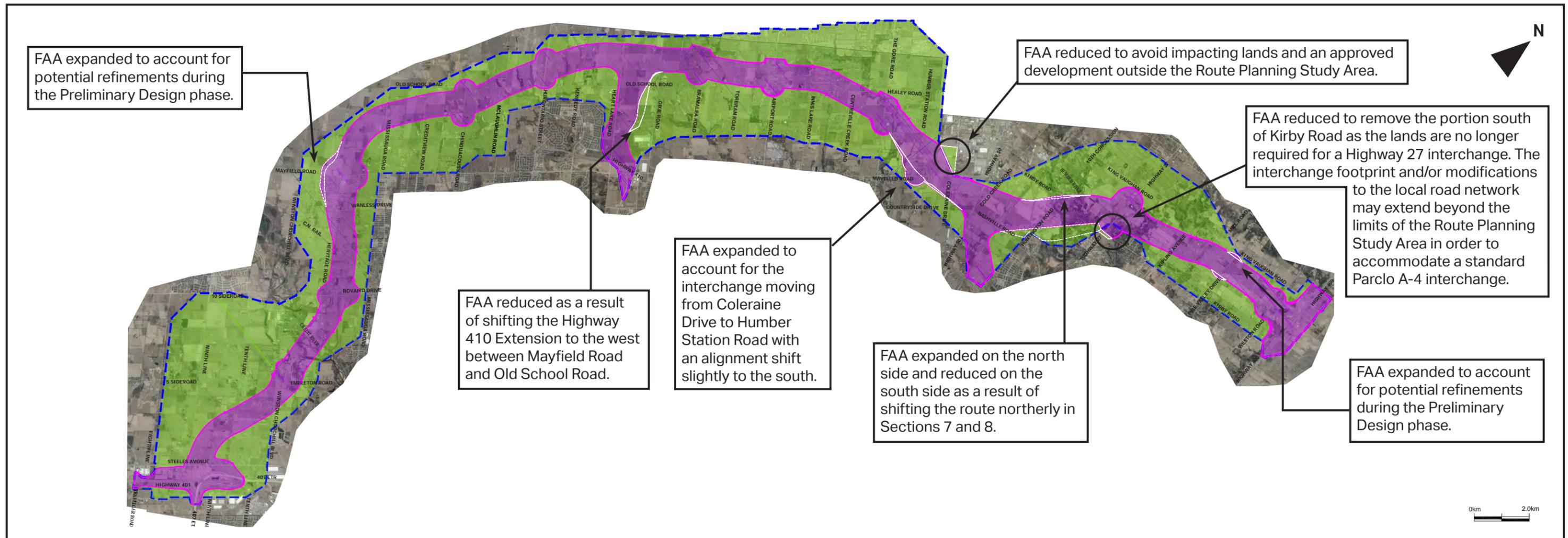
The Project Team will be undertaking fieldwork on properties potentially impacted by the Preferred Route to document existing environmental and engineering conditions.

**2020 - 2022**

The Project Team will develop the preliminary design of the GTA West multimodal transportation corridor. The Project Team will present the preliminary design, including property impacts and mitigation measures, at PIC #3 for public review and comment. PIC #3 is anticipated to be held in Fall/Winter 2021.



2020 FOCUSED ANALYSIS AREA (FAA)



**Purple Area**

The 2019 Focused Analysis Area (FAA) that was presented at PIC #2 was in draft format and has since been refined following a review of feedback and other relevant data. The refined 2020 FAA (**purple area**) is a zone that surrounds the Preferred Route and defines which properties continue to be within an area of interest as the study progresses. Properties located within the 2020 FAA could be directly impacted by the GTA West multimodal transportation corridor, ancillary uses, or if refinements are made to the route during the preliminary design stage.

**More Information**

You can download detailed mapping of the Preferred Route and 2020 FAA from the Public Information Centre #2 section of the project website at [www.gta-west.com/consultation/public-information-centres-and-community-workshops/](http://www.gta-west.com/consultation/public-information-centres-and-community-workshops/).  
Ce bulletin peut être téléchargé en français sur le site Internet du projet à l'adresse [www.gta-west.com/french/](http://www.gta-west.com/french/).  
Des renseignements sont disponibles en français en composant (289) 835-2484 (Yannick Garnier).

**Green Areas**

MTO has a reduced interest in properties located in the green areas on the map. Applications can proceed through municipal development processes and MTO will continue to review all development applications in the study area, but it is anticipated that applications in the green areas will not be impacted by the GTA West multimodal transportation corridor. The Project Team aims to further reduce the FAA when the preliminary design of the Preferred Route is presented at PIC #3.

**Route Planning Study Area - - - - -**

Geographical area within which alternatives for the GTA West multimodal transportation corridor were considered.

WEBSITE



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

**SUBJECT:** **PLANNING AND DEVELOPMENT SERVICES  
CUSTOMER SERVICE AND STREAMLINING ACTION  
PLAN STATUS REPORT**

**PURPOSE:** **To inform the Board of Directors of CVC of the status of  
implementation of the Planning and Development Services  
Customer Service and Streamlining Action Plan**

**BACKGROUND:**

At the CVC Board of Directors meeting in November 2019, the Board endorsed the CVC Planning and Development Services (PDS) Customer Service and Streamlining Action Plan (CVC Board Resolution #100/19). The purpose of the action plan is to outline the PDS department's planned program monitoring and service improvement actions, and to demonstrate a continued commitment to customer service excellence in keeping with CVC's Board approved corporate Customer Service Charter.

As part of the Board's endorsement, PDS staff was directed to:

*"... report back to the Board of Directors with a detailed evaluation and implementation status report on the specific actions contained in the action plan annually, beginning late 2020." (CVC Board resolution 100/19)*

***Action Plan Core Themes and Target Actions Areas***

The plan's core themes center around three key client centric solutions endorsed by the Board earlier in 2019 (CVC Board Resolution #31/19) - in support of work undertaken by a working group created by Conservation Ontario (CO) to pursue conservation authority (CA) plan review and regulation program streamlining and client service standards.

Table 1 below outlines each core theme and targeted action areas identified in the action plan. The full details, including key specific actions (or 'deliverables') for each target action area and associated timeframes for completion are contained in the full action plan attached as Schedule 'C', Appendix 1.

**Table 1 – PDS Action Plan Core Themes and Target Action Areas**

<b>CORE THEMES</b>	<b>TARGET ACTION AREAS</b>
Improve Client Service and Accountability	<ul style="list-style-type: none"> <li>➤ Online Regulation Mapping</li> <li>➤ Service Agreements</li> <li>➤ Checklists and Guidelines</li> <li>➤ Open Source/Publicly Available Data</li> </ul>
Increase Speed of Approvals	<ul style="list-style-type: none"> <li>➤ Workflow</li> <li>➤ Issue Management</li> <li>➤ Case Facilitation</li> <li>➤ Departmental Organization</li> <li>➤ Complete Application Process</li> </ul>
Reduce Red Tape and Regulatory Burden	<ul style="list-style-type: none"> <li>➤ Policy Alignment</li> <li>➤ Service Delivery (review timelines)</li> <li>➤ Cost Recovery and Fees (staff time and resources)</li> <li>➤ Customer Service Surveys</li> <li>➤ Monitor and Evaluate Performance</li> </ul>

***CVC PDS Staff Participation in Client Service and Streamlining Activities***

Since the implementation of the action plan, PDS staff have engaged with CO and partner CA staff and participated in many client service and streamlining activities, including:

1. CO client service delivery training for CA planning and regulatory staff (CVC hosted one of the Central Ontario CA sessions);
2. Development of templates and guidelines to assist in standardizing CA outputs;
3. CA work/process flow review for plans of subdivision and site plans (on-going) and recommended improvements/standards; and
4. Identifying legislative opportunities for reducing red tape and regulatory burden.

These initial client service and streamlining activities formed the foundation by which the key specific actions identified in the action plan would be implemented.

**ANALYSIS:**

The action plan and deliverables, particularly those completed to date, reflect PDS's long standing leadership role in customer service excellence and PDS staff's continued commitment to improvements in program and service delivery.

***Status of the Implementation of Specific Actions***

Table 2 below provides a detailed review of the action plan's deliverables completed to date, including several deliverables undertaken with substantial support from other CVC departments and in partnership with Greater Golden Horseshoe CAs for those deliverables related to improving client service and accountability (e.g. online resources, service agreements and technical guidelines).

**Table 2 – PDS Action Plan Core Themes and detailed Key Specific Actions Completed**

CORE THEMES	KEY SPECIFIC ACTIONS COMPLETED (or deliverables)
Improve Client Service and Accountability	<ul style="list-style-type: none"> <li>➤ Update online regulation mapping;</li> <li>➤ Undertake service agreement reviews and discussions with municipal partners;</li> <li>➤ Prepare/update technical guidelines*.</li> <li>➤ Update CVC PDS website – including a client experience survey**;</li> </ul>
Increase Speed of Approvals	<ul style="list-style-type: none"> <li>➤ Updated workflow, implemented application checklists, and finalized permit review timeline standards***</li> <li>➤ Optimized departmental structure and plan review teams – including on-going specific staff technical/general training plan (embedded in performance reviews)</li> <li>➤ Appointed Plan Review team leads (based on municipalities for consistency)</li> <li>➤ Appoint departmental case/file facilitator (Sr. Manager, Planning)</li> <li>➤ Developed a 'complete application process guide'</li> </ul>
Reduce Red Tape and Regulatory Burden	<ul style="list-style-type: none"> <li>➤ Prepared and implemented (internal) risk-based guidelines for permit review (flood hazards and wetlands)</li> <li>➤ Tracking system for permit application timelines</li> <li>➤ Tracking system for PDS staff time to support cost recovery analyses and resourcing</li> <li>➤ Undertaking a comprehensive Plan Review and Permit Fee review</li> <li>➤ Client experience survey developed in part to assist in performance evaluation and obtain feedback</li> </ul>

\* includes updates to, completion of or participation in: Fluvial Geomorphic Guidelines/Fact Sheets; Technical Guidance for Watercourse Crossings; Lake Ontario Shoreline Hazard Report; Ecosystem Offsetting Guidelines; and Erosion and Sediment Control Guide for Urban Construction.

\*\* see Schedule 'C', Appendix 3 illustrating resource links.

\*\*\*includes formalized pre-consultation and complete application checklist requirements

Schedule 'C', Appendix 2 provides an overview of the status of the action plan's short, medium and long term deliverables as it relates to their core themes. It should be noted that all the short-term deliverables have been completed, with several medium and long-term deliverables still in progress and on track for completion as anticipated. The exception to this being the completion of updates to CVC planning and regulation policies as well as regulation mapping which is contingent on the timing of the province enacting the *Conservation Authorities Act* updates and finalizing the implementing regulations.

**Service Standard Timelines for CVC Permits**

A critical component of the action plan is the ability of PDS staff to respond to client inquiries and applications in a timely manner. Currently, the service standard timelines established by the Ministry of Natural Resources and Forestry (MNRF) in their '*Policies and Procedures for CA Plan Review and Permitting Activities (2010)*' are adhered to. One of the deliverables in the action plan is a commitment to continue to improve client services and accountability – particularly the transparency and predictability related to permit review and issuance timelines.

As part of their Client Service Standards for CA Plan and Permit Review initiative, CO worked in partnership with CAs and stakeholders to establish CA permit processing timelines – which CVC have adopted (see Schedule 'C', Appendix 4). It should be noted that through multi-stakeholder consultations, the timelines established by CO for CA permit issuance are more aggressive (i.e. shorter timelines) than those established by MNRF.

Starting early 2020, on an interim basis CO has been requiring CAs to track and report on adherence to these timelines. Table 3 below provides the results for CVC from 2020 Q1 to Q3 (i.e. January to September 2020).

**Table 3 - 2020 Q1 to Q3 CVC Permits Issued Tracking Report\***

	Number of Permits Issued Within Policy and Procedure Timeline		Number of Permits Issued Outside of Policy and Procedure Timeline		Reason for Variance from Policy and Procedure (Optional)				
	Major	Minor	Major	Minor	Major	Minor			
	Credit Valley Conservation	8	171	0	0	N/A	N/A		
	Number of Permits Issued Within CO Guideline timeline			Number of Permits Issued Outside of CO Guideline timeline			Reasons for Variance from Guidelines (Optional)		
	Major	Minor	Routine	Major	Minor	Routine	Major	Minor	Routine
	8	170	0	0	1	0	N/A	admin	N/A

\*Does not represent the total number of permit applications received and currently in progress (i.e. not issued yet)

Additionally, Schedule 'C', Appendix 5 provides a graphic illustration of the number of permits issued for Q1 to Q3 by application type (minor or major) and number of permits issued within or in excess of the prescribed timelines. It should be noted that not only are the overwhelming majority of permits well within the prescribed timelines (i.e. exceeds requirements), there was only one permit issued that exceeded the prescribed timeline by only seven days.

**Service Standard Timelines for CVC Plan Review Activities**

Timelines for CVC review of planning related applications are determined by municipalities. These timelines range significantly in length, are often determined on an application by application basis and in many cases are unpredictable. Influencing factors include type of application (e.g. minor variance, subdivision etc.), complexity of the

submission (e.g. requires site visits/meetings, includes technical studies etc.), political factors (e.g. identified as high priority by municipality, put on hold by municipality ), and local municipal application processing procedures.

To improve transparency and predictability for clients, where the memorandum of understanding between CVC and municipality has not been updated to include plan review timelines (an 'in-progress' deliverable), and the municipality has not provided an application specific timeline, PDS staff strive to complete the review of planning applications within four weeks (two weeks for minor applications, respond to inquiries within two business days). PDS staff continues to work to develop a system to track plan review timelines. However, inconsistencies between municipal expectations, and the fluidity of municipal timeline expectations as the planning process proceeds make it difficult to collect and analyze data that results in meaningful conclusions.

As such, a best practice and deliverable of the action plan is to update municipal/CVC plan review and plan input Memorandum of Understanding (MOU) to include expectations for plan review timelines. Currently, CVC has one MOU that contains plan review/plan input timeline expectations (with Halton Region) – and preliminary analysis indicates approximately a 95% compliance rate. As MOUs are updated and a meaningful timeline tracking system developed, PDS staff will include this information in subsequent updates to the Board on PDS customer service initiatives.

### ***Client Experience Survey***

A key indicator of PDS's performance are the results of the client experience survey. Figure 1 below provides an overview of the results from the survey. To date, PDS staff have received nine completed surveys – and continue to implement strategies to increase respondent numbers (e.g. include survey request when issuing permit, follow-up with applicants after permit issued etc.) As illustrated, respondents rated their experience 'Excellent' or 'Good' in all categories – with eight out of nine respondents giving an overall experience rating of 'excellent' (one giving a 'good' rating).

Written comments received from clients on what PDS staff is doing well include:

- **Turnaround time** for me was fast”
- **“Timely - efficient - direct focused feedback** so changes could be made, and submissions were complete the 1<sup>st</sup> time”
- **“Very easy to get information and communicate with online** via email during this whole Covid-19 situation.”
- **“Staff was very quick to respond, cheerful, and helpful!”**
- **“Very quick** timing, **accurate** information, and very **pleasant** communication”
- **“Quick response and clearly explained** what we needed.”

Comments provided from clients on where PDS staff can improve included:

- biggest challenge for the public is **understanding the process and the requirements”**
- **“The process was a little confusing.** I was not sure when I was doing a pre-consultation vs. when I was submitting an application.

- It would have been helpful if staff were able to give me **more information upfront**, such as required setbacks.

**Figure 1 – Graph illustrating the 2020 Client Experience Survey results**



The themes of the written comments provided of what PDS staff are doing well include turn-around time (permit review and issuance timelines), communications, responsiveness, and ease of process. This supports the results of the survey and reflects positively on the successes and effectiveness of the action plan’s completed deliverables.

While continual improvements in all the action plan’s target action areas is a fundamental philosophy, the written comments provided of where PDS staff can improve indicate that an important focus area should be improving client service and delivery. Particularly, a focus on improving the transparency and communicating the permitting process. To address this, PDS staff anticipates undertaking additional improvements to the PDS website and on-line tools (e.g. improved on-line permit application/issuance process) and further updating CVC’s procedural manual, check lists and review process fact sheets to improve transparency and accountability.

**COMMUNICATIONS PLAN:**

Copies of this report will be forwarded to member municipalities, Conservation Ontario, Greater Golden Horseshoe Conservation Authorities, and the Building Industry and Land Development Association for their information. Additionally, a copy of this report will be placed on the CVC PDS website homepage.

**FINANCIAL IMPLICATIONS:**

There is no financial impact to CVC for this project.

**CONCLUSION:**

In November 2019, the Board endorsed the PDS Customer Service and Streamlining Action Plan which was developed based on client centric solutions established in partnership with Conservation Ontario. While continual improvements are anticipated based on performance evaluation results, all the short-term deliverables have been completed, with several medium and long-term deliverables still in progress and on track for completion as expected. It is noted that completion of updates to CVC planning and regulation policies and regulation mapping is contingent on the timing of the province enacting the *Conservation Authorities Act* updates and finalizing the implementing regulations.

Planning and Development Services staff developed permit issuance timelines in keeping with Conservation Ontario's Client Service Standards for Permits, and tracking results indicate all but one permit issued in Q1 to Q3 2020 are in compliance. Results of the client experience survey shows respondents rated their experience 'excellent' or 'good' in all categories – with eight out of nine respondents giving an overall experience rating of 'excellent' (one giving a 'good' rating). These results reinforce PDS staff's continued commitment to improvements in program and service delivery.

Written comments provided by clients of where PDS staff can improve indicate that an important focus area should be improving client service and delivery. Particularly, a focus on improving the transparency and communicating the permitting process. To address this, PDS staff anticipates undertaking additional improvements to the PDS website, on-line tools and further updating CVC's procedural manual, check lists and review process fact sheets.

**RECOMMENDED RESOLUTION:**

***WHEREAS*** the CVC Board of Directors endorsed the Planning and Development Services Customer Service and Streamlining Action Plan in November 2019; and

***WHEREAS*** the Board of Directors directed Planning and Development Services staff to report back to the Board of Directors with a detailed evaluation and implementation status report on the specific actions contained in the action plan annually, beginning late 2020; and

***WHEREAS*** all of the short-term deliverables have been completed and a number of medium and long-term deliverables have been completed or are in progress;

**THEREFORE BE IT RESOLVED THAT** the report entitled "Planning and Development Services Customer Service and Streamlining Action Plan Status Report" be received and appended to the minutes of this meeting as Schedule 'C'; and

**THAT** Planning and Development staff continue the implementation of the action plan and reporting annually to the Board of Directors with a detailed evaluation and implementation status report on the specific actions contained in the action plan: and further

**THAT** a copy of this report be forwarded to member municipalities, Conservation Ontario, Greater Golden Horseshoe Conservation Authorities, and the Building Industry and Land Development Association for their information, including posting a copy on the CVC PDS website homepage.

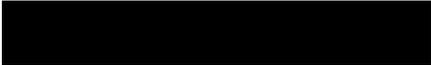
**Submitted by:**



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Josh Campbell  
Director, Planning and Development Services

**Recommended by:**



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Deborah Martin-Downs  
Chief Administrative Officer



**Credit Valley  
Conservation**  
inspired by nature

# **PLANNING AND DEVELOPMENT SERVICES CUSTOMER SERVICE AND STREAMLINING Action Plan**

**Prepared by: Credit Valley Conservation**

**June 2019**

## **PURPOSE**

The purpose of this document is to outline CVC Planning and Development Services (PDS) department's action plan to demonstrate CVC's continued commitment to customer service excellence in keeping with CVC's corporate Customer Service Charter and consistent with Conservation Ontario's Client Service Streamlining Initiative.

The following is an outline of CVC's PDS department's identified actions for the short term (2019), medium term (2020) and long term (2020 and beyond), in keeping with our commitment to customer service excellence around a client centric approach.

The plan identifies three core themes -- Improve Client Service and Accountability, Increase Speed of Approvals, and Reduce Red Tape and Regulatory Burden -- under which the actions will be carried out.

Note: Appendix 1 provides an illustration of each of the core themes and associated actions CVC's PDS department has committed to, as outlined in more detail below.

## **Link to CVC's Strategic Plan**

- a. Goal 2: Safeguard people, property and communities from Hazards
- b. Goal 7: Ensure that Credit Valley Conservation is a well-managed, sustainable and service driven organization
  - i. CVC's Board approved Customer Service Charter is currently available on CVC's website at <https://cvc.ca/wp-content/uploads/2018/09/customer-service-charter-2018.pdf>

## **CORE THEMES and ASSOCIATED ACTIONS**

### **1. Improve Client Service and Accountability**

#### ***Online Screening Maps, Service Agreements, Guidelines and Data Availability***

- a. Online Regulation Mapping: online regulation mapping is currently available on CVC's website at <https://cvc.ca/planning-permits/regulation-mapping/>

- i. Short Term – no action
  - ii. Medium Term – no action
  - iii. Long Term – update and maintain online mapping as approved
- b. Service Agreements (Memorandum of Understanding): all CVC service agreements/MOUs are available on CVC's website at <https://cvc.ca/planning-permits/planning-services/>. CVC currently has service agreements/MOUs with all partner municipalities except Brampton (currently under review at municipality)
  - i. Short Term – Review existing (or current undertakings) Service Agreement/MOU identify gaps (e.g. Caledon (1997), plan review timelines etc.)
  - ii. Medium Term – Contact municipalities to undertake review and update of Service Agreements/MOUs where necessary
  - iii. Long Term – update and maintain online agreements as approved
- c. Check Lists and Guidelines: all CVC checklists and Guidelines are available on CVC's website at <https://cvc.ca/planning-permits/policies-guidelines/>
  - i. Short Term:
    - 1. Review policy and guideline list and update where necessary
    - 2. Require checklists used as part of complete application process
  - ii. Medium Term:
    - 1. Checklists – develop more 'user-friendly' checklists and ensure used as part of application submission process
    - 2. Guidelines - review guidelines to ensure consistent with best practices and provincial/municipal standards, updating where necessary
  - iii. Long Term – Develop a working group with Province, municipal partners and stakeholders to identify gaps and opportunities where additional guidelines are needed, where existing ones may be improved and for consistency across the GGH
- d. Open Source Data and Publicly Available Data
  - i. Short Term:
    - 1. Explore opportunities to develop online open source data and/or publicly available data portal(s)
    - 2. Identify types of data possible to include in open source and publicly available data (risk management and legal)

3. Identify priority data to include in open source or publicly available data most useful for users (e.g. floodplain mapping data, flood models etc.?)
  4. Review and streamline current data request process (reduce timeframe and administrative burdens – e.g. data sharing agreements etc.)
- ii. Medium Term – develop an open source and publicly available data strategy
  - iii. Long Term – develop an open source and publicly available data project to implement strategy

## 2. Increase Speed of Approvals

### *Application Streams and Service Workflow*

- a. Work Flow Transparency: CVC currently has a Planning and Development Administrative Procedural Manual available on CVC's website at [https://cvc.ca/wp-content/uploads/2012/04/CVC-Procedural-Manual-final\\_Dec\\_2011.pdf](https://cvc.ca/wp-content/uploads/2012/04/CVC-Procedural-Manual-final_Dec_2011.pdf)

In addition, CVC currently has a permit and plan review processes work flow charts on the CVC website at <https://cvc.ca/planning-permits/permits-regulations/permit-review-process/> and <https://cvc.ca/wp-content/uploads/2011/07/Plan-Review-Flowchart.pdf>

- i. Short Term:
    1. Review and update online workflow review process charts – including updated processes and internal procedures (e.g. application checklists, complete application notification, review timelines etc.).
  - ii. Medium Term – review and update Procedural Manual, particularly related to PDS admin policies and procedures.
  - iii. Long Term - review, update and maintain Procedural Manual and associated materials online (workflow process chart etc.) seeking opportunities for further transparency (based on need and overall effectiveness).
- b. Departmental Organization Streamlining
    - i. Plan Review Teams: Currently, CVC PDS structures plan review staff into teams considering expertise (urban vs rural) and to increase consistency and familiarity in decision making (internally and externally):

1. By Municipality: Plan Review Teams are currently structured by municipality (i.e. a planner, planning ecologist and plan review engineer) – this should not be changed
  - a. Short Term:
    - i. Reformat mandatory team bi-weekly Planning Integration Committee (PIC) meetings to include committed senior PDS staff (leadership team) attendance (minimum Sr. Managers):
      1. Triage issues
      2. Coordinate/review file status, timelines and performance standards
      3. Expedite resubmission approvals for minor applications and/or re-submissions
    - ii. Require bi-weekly Triage meetings (opposite PICs) with team members and needed technical support staff to support PIC functions where senior staff not necessary
  - b. Medium Term – evaluate PIC effectiveness at addressing/providing direction on larger scale projects and issues (e.g. often enough? Effective forum for decision making? Reducing resubmissions for files discussed? etc.)
  - c. Long Term – develop an internal working group to monitor and evaluate effectiveness of ‘issues management’ process and provide recommendations to consider for improvements (e.g. joint project assessment meetings, coordinated field assessment meetings etc.)
2. Team Leads and Case/File Facilitator: Currently, planners lead plan review teams and are the lead contacts for file and issue management.
  - a. Short Term:
    - i. Confirm planners lead plan review teams and provide direction on files and identified issues. Clarify case/file facilitators are senior PDS staff and must involve appropriate senior staff (at a minimum – Senior Manager, Planning)
    - ii. Review PDS organizational structure and modify to optimize workflow, ensure

- internal/external consistency and support customer service and employee development opportunities are available
  - b. Medium Term – develop an internal training strategy for staff education on municipal and development industry processes
  - c. Long Term – monitor, review and modify team and organizational structure as needed
- c. Complete Application: CVC has a complete application checklist for permit and planning applications available on-line at <https://cvc.ca/wp-content/uploads/2019/08/CVC-Permit-Application-Checklist-2019.pdf>
  - i. Pre-Consultation: CVC staff offer pre-consultation for permit applications, including site visits (e.g. general development and potential development applications). In addition, CVC staff coordinate with municipal pre-consultation process(es) and attend to provide input
    - 1. Short Term:
      - a. Regulation: require mandatory pre-consultation for permit applications, coordinated with required checklist through the complete application process
      - b. Plan Review: require staff attend municipal pre-consultation meetings for all applicable applications (e.g. Development Application Review Committee [Mississauga], Development Review Committee [Halton Hills] etc.)
    - 2. Medium Term – coordinate with municipalities to have regular integration/coordination meetings regarding plan input/plan review (e.g. Peel-CA Discussion Forum, Halton Area Planning Partnership/Halton Area Development Managers etc.)
    - 3. Long Term – develop a working group to monitor and review pre-consultation process(es) and identify gaps and efficiency reviews
  - ii. Complete Application Process
    - 1. Short Term:
      - a. Formalize a 'complete application process' for permit applications of all types (minor and major) – requiring formal confirmation to applicants prior to acceptance of application for review (pre-consultation and application checklists required)

- b. Develop standardized (rigid) mandatory timelines to identify application completeness and review timelines (consistent with existing MNRF guidelines) – including for resubmissions
2. Medium Term – update application review timelines and coordinate with municipalities
3. Long Term - evaluate application and submission timelines, including application quality, and adjust process as necessary

### **3. Reduce Red Tape and Regulatory Burden**

#### ***Policy Alignment and Development***

- a. Planning and Regulation Policies: CVC has a Board approved policy document outlining CVC’s plan review, plan input and regulatory policies – the policy document is available on-line at [https://cvc.ca/wp-content/uploads/2011/01/004-CVC-WPR-Policies\\_APR-2010.pdf](https://cvc.ca/wp-content/uploads/2011/01/004-CVC-WPR-Policies_APR-2010.pdf)
  - i. Short Term – prepare (interim) internal risk-based guidelines for:
    1. Types of development (‘minor works’ exemptions)
    2. Wetlands (exemptions or wetland status based on size, function and hydrologic connection)
  - ii. Medium Term - begin planning and regulation policies update strategy based on anticipated CAA and Sec 28 regulation (including CRWNHS and offsetting guide)
  - iii. Long Term – update planning and regulation policies based on new CAA and Sec 28 regulation
- b. Service Delivery (review timelines)
  - i. Short Term – track permit application timelines (coordinated with submission requirements, complete application and existing guideline timelines)
  - ii. Medium Term – develop permit application timeline requirements (for non-planning permits, planning related permits and major/minor applications)
  - iii. Long Term:
    1. Develop an improved, consistent and more efficient database/tracking system (corporate - SharePoint)
    2. Undertake annual reporting (CVC Board, BILD, Province) – coordinating with ‘new’ anticipated Provincial requirements
- c. Cost Recovery and Fees (staff time and resources)

- i. Short Term – track PDS staff time based on plan review, plan input, permitting and EA activities
- ii. Medium Term – conduct analysis of staff time to support fee review and departmental budgeting (BILD 2020 – subdivision fee agreement expires)
- iii. Long Term – undertake annual reporting (CVC Board, BILD, Province), coordinating with 'new' anticipated Provincial requirements

d. Evaluation

- i. Customer Service Surveys
  - 1. Short Term - develop customer survey for front counter, permit applications and on-line
  - 2. Medium Term – develop customer survey for plan review customers and strategy for outreach
  - 3. Long Term – undertake annual reporting (CVC Board, BILD, Province)

## APPENDIX 1

Illustration of CVC's client centric customer service core themes and associated actions

## IMPROVE CLIENT SERVICE and ACCOUNTABILITY

### Online Regulation Mapping

- **Short Term:** maintain online regulation mapping.
- **Medium Term:** review regulation mapping for consistency with updated regulation.
- **Long Term:** update online mapping with revised floodplain and wetland data (including regulation changes).

### Service Agreements

- **Short Term:** review existing service agreements/MOUs and identify gaps based on best practices (currently online).
- **Medium Term:** contact municipalities to undertake coordinated review and update.
- **Long Term:** update and maintain online agreements as approved.

### Check Lists and Guidelines

- **Short Term:** review online policy and guideline list and identify gaps and update requirements (best practices).
- **Medium Term:** develop more 'user friendly' guidelines and checklists (ensure used as part of application processes).
- **Long Term:** Develop working group to identify gaps and opportunities (guideline needs, industry standards and best practices).

### Open Source/Publicly Available Data

- **Short Term:** explore opportunities to add to existing open source data (flood modeling) and on-line data (floodplain mapping) - based on external demand.
- **Medium Term:** review and streamline current data request process (data sharing agreement requirements, online request etc.).
- **Long Term:** Develop an open source and publicly available data strategy and implement.

## INCREASE SPEED of APPROVALS

Work Flow	Issue Management	Case Facilitation	Departmental Organization	Application Process
<ul style="list-style-type: none"> <li>•<b>Short Term:</b> review and update online workflow process charts - including internal procedures (application checklists, complete application notification, timelines).</li> <li>•<b>Medium Term:</b> review and update Procedural Manual - particularly related to PDS admin policies and procedures.</li> <li>•<b>Long Term:</b> update and maintain Procedural Manual and associated online information - including administrative policies (fees, timelines etc.).</li> </ul>	<ul style="list-style-type: none"> <li>•<b>Short Term:</b> review and establish mandatory bi-weekly planning team meetings with senior staff (alternate week triage).</li> <li>•<b>Medium Term:</b> evaluate team meeting effectiveness.</li> <li>•<b>Long Term:</b> Develop internal working group to monitor and evaluate effectiveness of 'issues management' process and provide recommendations as needed (particularly related to consistency and timelines).</li> </ul>	<ul style="list-style-type: none"> <li>•<b>Short Term:</b> Identify planners as 'team leaders' and Sr Manager Planning as 'case facilitator'.</li> <li>•<b>Medium Term:</b> develop internal training strategy for all staff to educate on municipal and development industry process(es).</li> <li>•<b>Long Term:</b> Monitor, review and modify teams and departmental structure (areas of responsibility, decision matrix) as needed.</li> </ul>	<ul style="list-style-type: none"> <li>•<b>Short Term:</b> review PDS organizational structure and modify to optimize work flow, ensure consistency, better support issue management/case facilitation processes and take advantage of growth opportunities.</li> <li>•<b>Medium Term:</b> No action.</li> <li>•<b>Long Term:</b> Monitor and review departmental structure and optimize as needed based on growth opportunities, meeting client needs, resourcing etc..</li> </ul>	<ul style="list-style-type: none"> <li>•<b>Short Term:</b> establish and implement formal application process requiring pre-consultation, complete application notification and (iterim) timelines (for plan review and regulations).</li> <li>•<b>Medium Term:</b> update mandatory review timelines coordinated with provincial (regulatory) and municipal (plan review) requirements.</li> <li>•<b>Long Term:</b> develop working group to monitor and review application process(es) and identify gaps, challenges and opportunities.</li> </ul>

## REDUCE RED TAPE and REGULATORY BURDEN

### Policy Alignment

- **Short Term:** develop (interim) internal risk based guidelines for types of development (minor works) and wetlands (size, hydrologic connection) - exceptions and exemptions.
- **Medium Term:** develop planning and regulation policy update strategy - 10 year review (updated Act, Regulation - CRWNHS and offsetting).
- **Long Term:** Update Planning and Regulation policies based on strategy.

### Service Delivery

- **Short Term:** track permit and planning application review timelines - coordinated with submission and review requirements.
- **Medium Term:** update permit application timeline requirements based on regulatory requirements.
- **Long Term:** develop an improved and more efficient database/tracking system (corporate/ SharePoint database coordination).

### Cost Recovery

- **Short Term:** track PDS staff time based on plan review, plan input, permitting and EA activities.
- **Medium Term:** conduct analysis of staff time to support/modify fee review and departmental budgeting.
- **Long Term:** develop an improved and coordinated time database/tracking system (with Service Delivery tracking).

### Performance Evaluation

- **Short Term:** develop customer survey for front counter, all permit applications and on-line survey.
- **Medium Term:** develop customer survey for plan review customers and strategy for outreach (municipalities, BILD, OFA etc.).
- **Long Term:** Undertake annual reporting to CVC Board, BILD and Province related to service delivery and cost recovery performance.

## STATUS OF DELIVERABLES (2020): Improve Client Service and Accountability

Online Regulation Mapping	Service Agreements	Check Lists and Guidelines	Open Source/Publicly Available Data
<ul style="list-style-type: none"> <li>• <b>Short Term:</b> maintain online regulation mapping.</li> <li>• <b>Medium Term:</b> review regulation mapping for consistency with updated regulation.*</li> <li>• <b>Long Term:</b> update online mapping with revised floodplain and wetland data (including regulation changes).*</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Short Term:</b> review existing service agreements/MOUs and identify gaps based on best practices (currently online).</li> <li>• <b>Medium Term:</b> contact municipalities to undertake coordinated review and update.*</li> <li>• <b>Long Term:</b> update and maintain online agreements as approved.*</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Short Term:</b> review online policy and guideline list and identify gaps and update requirements (best practices).</li> <li>• <b>Medium Term:</b> develop more 'user friendly' guidelines and checklists (ensure used as part of application processes).</li> <li>• <b>Long Term:</b> Develop working group to identify gaps and opportunities (guideline needs, industry standards and best practices).</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Short Term:</b> explore opportunities to add to existing open source data (flood modeling) and on-line data (floodplain mapping) - based on external demand.</li> <li>• <b>Medium Term:</b> review and streamline current data request process (data sharing agreement requirements, online request etc.).</li> <li>• <b>Long Term:</b> Develop an open source and publicly available data strategy and implement.</li> </ul>

\*requires updated regulations from province to complete

**GREEN FONT – Task Completed**

**BLUE FONT – Task in Progress**

**BLACK FONT – Task Not Yet Initiated**

# STATUS OF DELIVERABLES (2020): Increase Speed of Approvals

Work Flow	Issue Management	Case Facilitation	Departmental Organization	Application Process
<ul style="list-style-type: none"> <li>• <b>Short Term:</b> review and update online workflow process charts - including internal procedures (application checklists, complete application notification, timelines).</li> <li>• <b>Medium Term:</b> review and update Procedural Manual - particularly related to PDS admin policies and procedures.*</li> <li>• <b>Long Term:</b> update and maintain Procedural Manual and associated online information - including administrative policies (fees, timelines etc.).*</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Short Term:</b> review and establish mandatory bi-weekly planning team meetings with senior staff (alternate week triage).</li> <li>• <b>Medium Term:</b> evaluate team meeting effectiveness.</li> <li>• <b>Long Term:</b> Develop internal working group to monitor and evaluate effectiveness of 'issues management' process and provide recommendations as needed (particularly related to consistency and timelines).</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Short Term:</b> Identify planners as 'team leaders' and Sr Manager Planning as 'case facilitator'.</li> <li>• <b>Medium Term:</b> develop internal training strategy for all staff to educate on municipal and development industry process(es).</li> <li>• <b>Long Term:</b> Monitor, review and modify teams and departmental structure (areas of responsibility, decision matrix) as needed.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Short Term:</b> review PDS organizational structure and modify to optimize work flow, ensure consistency, better support issue management/case facilitation processes and take advantage of growth opportunities.</li> <li>• <b>Medium Term:</b> No action.</li> <li>• <b>Long Term:</b> Monitor and review departmental structure and optimize as needed based on growth opportunities, meeting client needs, resourcing etc..</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Short Term:</b> establish and implement formal application process requiring pre-consultation, complete application notification and (iterim) timelines (for plan review and regulations).</li> <li>• <b>Medium Term:</b> update mandatory review timelines coordinated with provincial (regulatory) and municipal (plan review) requirements.</li> <li>• <b>Long Term:</b> develop working group to monitor and review application process(es) and identify gaps, challenges and opportunities.</li> </ul>

\*requires updated regulations from province to complete

**GREEN FONT – Task Completed**

**BLUE FONT – Task in Progress**

**BLACK FONT – Task Not Yet Initiated**

## STATUS OF DELIVERABLES (2020): Reduce Red Tape and Regulatory Burden

Policy Alignment	Service Delivery	Cost Recovery	Performance Evaluation
<ul style="list-style-type: none"> <li>• <b>Short Term:</b> develop (interim) internal risk based guidelines for types of development (minor works) and wetlands (size, hydrologic connection) - exceptions and exemptions.</li> <li>• <b>Medium Term:</b> develop planning and regulation policy update strategy - 10 year review (updated Act, Regulation - CRWNHS and offsetting).*</li> <li>• <b>Long Term:</b> Update Planning and Regulation policies based on strategy.*</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Short Term:</b> track permit and planning application review timelines - coordinated with submission and review requirements.</li> <li>• <b>Medium Term:</b> update permit application timeline requirements based on regulatory requirements.</li> <li>• <b>Long Term:</b> develop an improved and more efficient database/tracking system (corporate/ SharePoint database coordination).</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Short Term:</b> track PDS staff time based on plan review, plan input, permitting and EA activities.</li> <li>• <b>Medium Term:</b> conduct analysis of staff time to support/modify fee review and departmental budgeting.</li> <li>• <b>Long Term:</b> develop an improved and coordinated time database/tracking system (with Service Delivery tracking).</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Short Term:</b> develop customer survey for front counter, all permit applications and on-line survey.</li> <li>• <b>Medium Term:</b> develop customer survey for plan review customers and strategy for outreach (municipalities, BILD, OFA, public etc.).</li> <li>• <b>Long Term:</b> Undertake annual reporting to CVC Board, public/stakeholders and Province related to service delivery and cost recovery performance.</li> </ul>

\*requires updated regulations from province to complete

**GREEN FONT – Task Completed**

**BLUE FONT – Task in Progress**

**BLACK FONT – Task Not Yet Initiated**

# CVC Planning and Development Services' Website Homepage

The screenshot shows the website for Credit Valley Conservation's Planning and Development Services. The header features the CVC logo and navigation menu. The main content area is titled 'Planning & Permits' and includes a breadcrumb trail 'Home / Planning & Permits'. The page is organized into a grid of service tiles and a news section.

**Credit Valley Conservation**  
inspired by nature

Navigation: About CVC, Watershed Science, **Planning & Permits**, Low Impact Development, Enjoy the Outdoors, Learn & Get Involved, Your Land & Water, CVC Foundation, Contact Us

## Planning & Permits

Home / Planning & Permits

### Client Experience Survey

Credit Valley Conservation (CVC) is a community-based environmental organization, dedicated to...

### COVID-19 FAQ

**Covid-19 Planning and Development Services FAQ**  
Updated Sept 8, 2020.

### Permits & Regulations

In light of COVID-19, Credit Valley Conservation is taking steps to ensure the health and safety...

#### LATEST NEWS

**Park Advisories**  
November 4, 2020

**Credit Valley Trail Takes Shape with First Sign Unveiling and Campaign Launch**  
November 4, 2020

**Natural Playground Opens at Island Lake Conservation Area**  
October 6, 2020

### Planning Services

In light of COVID-19, Credit Valley Conservation is taking steps to ensure the health and safety...

### Policies & Guidelines

CVC's Watershed Planning and Regulation Policies Credit Valley Conservation (CVC) is committed...

### Property Inquiries

In light of COVID-19, Credit Valley Conservation is taking steps to ensure the health and safety...

#### EVENTS

### Contact Planning

In light of COVID-19, Credit Valley Conservation is taking steps to ensure the health and safety...

### Regulation Mapping

### CVC'S Customer Service Charter

View and download Credit Valley Conservation's customer service charter here.

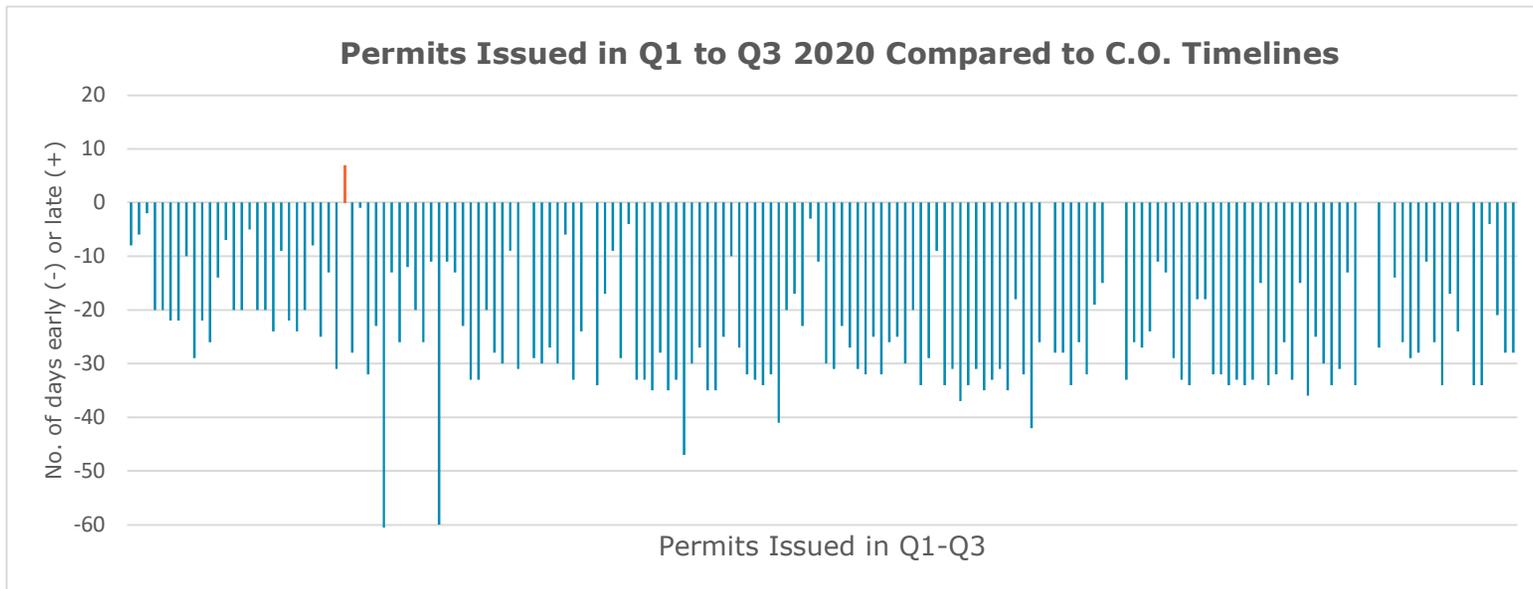
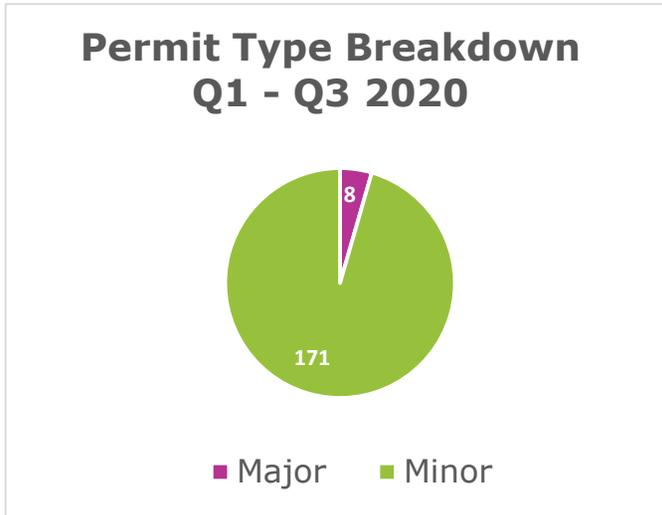
### PDS Corporate Service Action Plan

Source: <https://cvc.ca/planning-permits/>

## CVC Permit Application Processing Timelines

Application Process Step	Timeline
Notification of complete application requirements for the purpose of review of the permit application by the CA, start of “paper trail” documentation, and discussion of timelines and fees – <b>Pre-consultation</b>	<ul style="list-style-type: none"> <li>• <b>Major permit applications: Within 14 days</b> of the pre-consultation meeting.</li> <li>• <b>Minor permit applications: Within 7 days</b> of the pre-consultation meeting.</li> </ul> <p>This will include <b>confirmation of whether the application is considered major or minor</b>, if the applicant has provided adequate information (including the scope and scale of the work) for the CA to make that determination. Some CAs may choose to only notify applicants where the application is determined to be <b>major</b>. This eliminates unnecessary paperwork for minor applications while the process moves seamlessly to a decision.</p> <p>Substantial changes to a proposal or a site visit after pre-consultation may impact this timeline.</p>
Notification whether the permit application is considered <b>complete (i.e. it has met submission requirements) for the purpose of CA review</b>	<ul style="list-style-type: none"> <li>• <b>Major permit applications: Within 21 days</b> of the application being received.</li> <li>• <b>Minor permit applications: within 14 days of the application being received.</b> Some CAs may choose to only notify applicants where the application is determined to be <b>major</b>. This eliminates unnecessary paperwork for minor applications while the process moves seamlessly to a decision.</li> <li>• <b>Routine permit applications: within 10 days of the applications being received.</b> Some CAs may choose to only notify applicants where the application is determined to be <b>major</b>. This eliminates unnecessary paperwork for minor applications while the process moves seamlessly to a decision.</li> <li>• Note that a CA may choose to issue a permit prior to the end of the 21 day period. In that case, no notification of complete application would be received.</li> <li>• Note that if the application is incomplete, the decision timeline does not begin.</li> </ul>
Decision (recommendation to approve or refer to a hearing) – <b>Major application</b>	<ul style="list-style-type: none"> <li>• <b>Within 28 days</b> after a complete application is received.</li> <li>• Within 30 additional business days upon each <b>re-submission</b>.</li> </ul>
Decision (recommendation to approve or refer to a hearing) – <b>Minor application</b>	<ul style="list-style-type: none"> <li>• <b>Within 21 days</b> after a complete application is received.</li> <li>• 15 additional days upon each <b>re-submission</b>.</li> </ul>
Decision (recommendation to approve or refer to a hearing) – <b>Routine application</b>	<ul style="list-style-type: none"> <li>• <b>Within 14 days</b> after a complete application is received.</li> <li>• 7 additional days upon each <b>re-submission</b></li> </ul>

Adopted from Conservation Ontario's 'Client Service Standards for Conservation Authority Plan and Permit Review'



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

**SUBJECT:** **PLANNING AND DEVELOPMENT SERVICES COST  
RECOVERY AND FEE SCHEDULE UPDATE**

**PURPOSE:** **To inform the Board of Directors of CVC the status of cost recovery for the plan review and regulation programs and to seek approval of the 2021 fee schedules.**

**BACKGROUND:**

Credit Valley Conservation (CVC) plays an important role in providing approvals under Section 28 of the *Conservation Authorities Act* (CAA) and clearances for planning and other development related activities across the watershed – while ensuring an efficient, expeditious, fair and transparent process. In keeping with the Ministry of Natural Resources and Forestry’s guidelines for the collection of fees under Section 21 of the *Conservation Authorities Act*, CVC collects fees for regulatory permits and plan review services, including responses to legal, real estate and public inquiries.

The socio-economic impacts of the COVID-19 pandemic (the ‘pandemic’) are widespread and well documented – as are the pandemic’s impact on the development industry, local contractors, municipalities and watershed residents. Socio-economic certainties (e.g. project feasibility and resource needs) are critical for the economy to begin to recover, and while CVC’s Planning and Development Services (PDS) may play a small role, the success of socio-economic recovery within our watershed requires our focused attention while maintaining a fiscally responsible approach to cost recovery.

***CVC Plan Review and Permit Fee Structure***

In 2003, the CVC Board of Directors approved an updated cost recovery strategy to collect fees associated with the plan review and permit programs – recognizing the anticipated increase in growth and development throughout the jurisdiction and subsequent anticipated increased workload for CVC Planning and Development Services (PDS) staff. The approved fee strategy was to target ‘development paying for development’ while being reasonably consistent with other CA and municipal fees for similar services and in keeping with industry standards.

Over time, a 60/40 revenue to levy standard was established targeting a maximum 60% revenue from development (fee-for-service) and the remaining 40% from general/special levy to cover program costs. This was based on trends developed from CVC and several other CA’s experience with resourcing plan review and regulation staff. In general, the 60% revenue (fee-for-service) cost recoverable component of the budget recognizes the

substantial amount of resources used in supporting plan review and regulation programs, while the 40% levy component recognizes the high level of effort used to support CVC policy and guideline development, as well as municipally driven planning activities.

In 2016, at the direction of the Board, CVC PDS staff developed a temporary staff time tracking system to collect data necessary to undertake an analysis to confirm the relevancy of the 60/40 revenue to levy standard. At that time, it was found that staff time spent on plan review and permitting (revenue) versus plan input (levy) is consistent with the 60/40 standard which supports the necessary staff capacity and expertise for effective and efficient program delivery.

#### ***Past CVC Plan Review and Permit Fee Updates***

Since 2003, plan and review permit fees have been consistently adjusted to reflect inflation and service delivery costs, the range of types of applications, and the increased policy and regulatory scope (e.g. changes in provincial policy, CA regulations etc.) continually requiring a higher level of resources and expertise for review. While navigating these increasingly complex and resource intensive applications, it continues to be expected that CVC staff meet service delivery standards and that permit fees for individual property owners be kept to a minimum - as not to increase minor permit fees to a point they become a deterrent resulting in increased violations and non-compliance.

The last substantial update to plan review and permit fees was made in 2016, following a staff level comprehensive fee review and stakeholder consultation process (Board resolution 81/16). In 2018, plan review fees (except subdivision fees) were increased by 3.5% and permit fees by 10%, recognizing inflation, to support maintaining a high level of client services and staff retention, and to be consistent with other Greater Golden Horseshoe (GGH) CA and municipal fees. In addition, a reserve account was established for revenue received late in a given year, to be applied in subsequent year(s) where most resources for review would be used (Board resolution #87/18).

In 2019 the Board endorsed staff's recommendation to maintain 2019 plan review and permit fee schedules for 2020, recognizing a comprehensive fee review was to be undertaken in 2020 for 2021 fees (Board resolution #99/19).

#### **ANALYSIS:**

As highlighted above, the Board directed CVC Planning and Development Services (PDS) staff to undertake a comprehensive fee review and stakeholder consultation in 2020, to be implemented in 2021. In general, the objectives of the fee review were to determine the full cost of plan review and regulation programs related to application processes (direct, indirect and capital costs), and to determine fees to recover the full cost of services, while having regard for stakeholder interests, affordability and market considerations (e.g. fee comparisons, existing PDS fees, industry standards and best practices).

While PDS staff's most recent analysis of the 60/40 cost recovery to levy model (using staff time tracking and financial data) continues to support PDS program functions, the data collected and results from the comprehensive fee review will also be used to test its

relevance.

**Status of PDS Comprehensive Plan Review and Permit Fee Review**

Upon initial consultations with stakeholders in late March of this year (in particular the building industry, it quickly became apparent there was no appetite for discussion regarding PDS fee reviews/increases – recognizing the emerging pandemic and the immediate and anticipated impacts on regional and local social and economic factors. As a result, PDS staff's comprehensive plan review and permit fee review was delayed in an effort to focus resources on enhancing PDS workflow digital transformation as well as improvements to enhance client's digital services and experience with PDS staff (e.g. online regulatory mapping, online permit applications, hardware/software to support the submission and review of application materials digitally, and issuing digital permits).

In spring of this year, as part of their Client Services and Streamlining Initiative Conservation Ontario (CO) led discussions between CAs on obtaining a consultant (Watson and Associates Economists Ltd.) to undertake a CA wide comprehensive plan review and permit process and fee review. While many CAs were not in a position to resource such an initiative or had recently undertaken a comprehensive fee review (e.g. Conservation Halton and Hamilton Conservation recently completed a comprehensive review – undertaken by Watson and Associates Economists Ltd.), there was broad support including particular interest from CVC and several other GGH CAs.

In late summer of this year, CVC staff led the initiative to obtain a draft proposal from Watson and Associates for their services to undertake a GGH CA coordinated planning and permitting process and individual user fee review. Following this, and while all CAs continued to be supportive of the initiative, only CVC and Niagara Peninsula CA staff decided to coordinate with Watson and Associates to obtain a final proposal to begin the review in fall of 2020 to be completed by the end of March 2021 (see Schedule 'D', Appendix 1 attached – note the proposed budget contained in the final report remains under negotiation).

***Current Trends for Applications Received and Factors Influencing Cost Recovery***

One main concern that continues to be a major influence on achieving cost recovery targets is that plan review and permit fees collected are often dependent on factors beyond CVC's control. These factors include the state of the economy, political influences, market limitations and the pace, phasing, and timing of development – with the pandemic and associated socio-economic impacts being no exception.

The following tables provide a brief review of the planning and development applications received by CVC (Table 1) and associated revenue, program cost and cost recovery (Table 2) from 2015 to 2019. It should be noted that the number of applications in a particular category during a given year does not reflect the upward trending complexity and increasing amount of effort/expertise needed to review the applications. As previously noted, this is in part due to the increasing and ever-changing scope/complexity of policy and regulatory frameworks – as well as the increased demands and CVC's commitment to maintaining a high level of client centric customer services.

**Table 1 – Trends in Applications Received for 2015 to 2019**

Year	Plan Review Applications	Permit Applications	Property Inquiries	*Environmental Assessments
2015	161	367	146	15
2016	158	354	168	17
2017	171	373	144	14
2018	180	386	175	14
2019	189	300	203	14
<b>AVERAGE</b>	<b>172</b>	<b>356</b>	<b>167</b>	<b>15</b>

\*excludes Class EA Schedule A/A+ - municipal minor works and standard maintenance activities.

**Table 2 – Trends in Revenue, Program Cost and Cost Recovery for 2015 to 2019**

Year	Revenue (\$)	Program Cost (\$)	Cost Recovery (%)
2015	541,000	1,200,000	45
2016	716,000	1,300,000	55
2017	725,000	1,300,000	56
2018	809,000	1,300,000*	62
2019	898,000	1,350,000	67
<b>AVERAGE</b>	<b>738,000</b>	<b>1,290,000</b>	<b>57</b>

\*program cost remained constant from 2016 to 2018 due to cost savings in staffing (e.g. gapping, underfilling etc.).

In general, trends indicate a steady increase in the number of development applications, revenue generated and cost recovery from 2015 to 2019, with a consistent number of environmental assessments - the exception being permit applications in 2019. While cost recovery continued to increase over previous years, this reduction in permit applications may be attributed to customer service improvements and streamlining efforts including;

- Increasing pre-consultation and client centric services - often resulting in applicant not requiring a permit and/or moving the development outside the regulated area; and
- 'Bundling' permits – where more than one type of development activity is proposed on the same property (in particular, larger complex applications such as subdivisions and infill/redevelopment projects where permit fees are included in the plan review fees), rather than processing multiple applications for the different activities (such as earthworks, bridge construction, and watercourse realignment) the works are 'bundled' into one application (or if an existing application exists, revise it if eligible), cutting red tape and streamlining the process.

Although the challenges in predicting revenue from development continue (factors largely beyond CVC staff's control), time tracking and the five-year trends indicate a reasonable and effective forecasting and cost recovery model continues to be achieved (i.e. close to the 60/40 revenue to levy ratio) with increasing cost recovery from 'fee-for-service' revenue streams.

***Projected Applications Received and Cost Recovery for 2020***

Below, Table 3 provides the projected 2020 planning and development applications (including environmental assessments) received by CVC, and Table 4 the associated projected 2020 revenue, program cost and cost recovery. Additionally, both Tables 4 and 5 include the four-year averages for each category for comparison purposes.

**Table 3 – Projected Applications Received for 2020**

<b>Year</b>	<b>Plan Review Applications</b>	<b>Permit Applications</b>	<b>Property Inquiries</b>	<b>*Environmental Assessments</b>
**2020	213	370	130	15
<b>***AVERAGE</b>	<b>172</b>	<b>356</b>	<b>167</b>	<b>15</b>

\*excludes Class EA Schedule A/A+ - municipal minor works and standard maintenance activities.

\*\*calculated using actuals as of September 30, projected to December 31

\*\*\* 4-year average from 2015 to 2019

**Table 4 – Projected Revenue, Program Cost and Cost Recovery for 2020**

<b>Year</b>	<b>Revenue (\$)</b>	<b>*Program Cost (\$)</b>	<b>Cost Recovery (%)</b>
**2020	710,000	1,300,000	60
<b>***AVERAGE</b>	<b>738,000</b>	<b>1,290,000</b>	<b>57</b>

\*projected program cost for 2020 are below 2019 due to cost savings in staffing (e.g. gapping, underfilling etc.).

\*\* calculated using actuals as of September 30, projected to December 31

\*\*\*4-year average from 2015 to 2019

Although property inquiries are projected to be below the four-year (2015 to 2019) average, plan review and permit applications received are projected to be above average. Notably, there continues to be an increase in the complexity of planning applications and a substantial increase in 2020 minor (single family residential) permit applications from 2019. The projected decreasing trend in property inquiries for 2020 is in part due to the impacts of the pandemic (stalled real estate, lawyer and office related activities in Q1/Q2), as well as the increase in pre-consultation activities undertaken in 2019 (that is, permit applications coming in from pre-consultations undertaken in 2019).

The projected decrease in 2020 revenue is in part due to the types of plan review and permit application fees received between Q1 and Q3 (a substantially higher level of the minor categories of application types were processed), as the more major and complex planning applications continue to progress and review workload is phased over multiple years. However, it is cautioned not to draw conclusive inferences from Table 4, as it is difficult to accurately project revenue over a given period because the types and timing of when planning and permit applications are received is often highly unpredictable as previously noted. The above average projected cost recovery for 2020 (60%) is in large part a result of program costs being generally maintained to under 2019 levels, as well as the consistent revenue stream received from applications (despite the challenges faced from the pandemic). While there is a noticeable decline in projected cost recovery from 2018 and 2019 levels – it is an indication that the on-going comprehensive process and fee review is timely.

Finally, It should be noted the above analysis only reflects approximately 60% of PDS staff's overall time spent/cost – whereas the remaining 40% is focused on plan input and pre-development activities which require an increasingly higher level of resources to keep up to Provincial and municipal policy and pre-development initiatives, and are not cost recoverable items (i.e. are levy or special levy items).

***Proposed 2021 Fee Schedules***

Attached to this report as Schedule 'D', Appendix 2 and 3 are the proposed 2021 fees for plan review and permits, respectively. Recognizing the comprehensive fee review will not be completed until March 2021, that inflation estimates for 2020/21 are currently very low, and the on-going efforts of CVC to support the Provinces economic recovery (while continue to be fiscally responsible), no changes to the 2021 plan review or permit fees are proposed at this time. However, the following categories (and associated fee) and note are proposed to be added:

- A fee of \$15,000 for comprehensive EAs/master plans (or equivalent) – this fee is proposed to be added to the plan review fee schedule (fees collected by CVC) and is consistent with fees formerly/currently being collected from municipal partners not opting into our EA sustainable funding partnership services; and
- Adding the applicant driven multiple submission fee note found in the permit fee schedule notes, to the plan review fee schedule – this note was approved to be added to the permit fee schedule by the Board in 2016, and should also be included in the plan review fee schedule for consistency.

***On-Going Impacts of Province's Modernizing Conservation Authority Activities Review***

There remains a considerable amount of uncertainty of the range of impacts from the province's 'modernizing conservation authority activities' initiative on CVC's PDS programs and their administration. It remains unclear how the new regulations will change CVC's administration of the Section 28 regulation, as well as what programs (or parts thereof) will be addressed in regulation and subsequently eligible for general levy funding. It is anticipated the new regulations outlining CA mandatory activities, Section 28 requirements, and fee administration may be released in late 2020 or in 2021.

A report on PDS's customer service and streamlining activities in response to provincial modernizing CA activities will also be presented for the Board's consideration at the November 2020 CVC Board of Directors meeting.

**COMMUNICATIONS PLAN:**

All watershed municipalities will receive the 2021 fee schedules in advance of the start of the new year and the schedules will be posted on the CVC website for public viewing. BILD has been consulted and they support the recommendations of this report.

As indicated in the attached proposed Planning and Permitting User Fee Review proposal by Watson and Associates, there will be a consultation period in early spring of 2021

regarding the findings and initial recommendations of the study, prior to the Board considering the final results and PDS staff's recommendations for implementation.

**FINANCIAL IMPLICATIONS:**

The recommended 2021 fee schedules will continue to assist in meeting 2021 budgetary projections, as a steady and consistent level of planning and development related applications continue to be anticipated. The reserve account created in 2018 has not been used to date, and will only be used in the event substantial revenue is received from new applications, and the fee (or a portion thereof) should be deferred to the subsequent year if/when it is determined most of the resources to review the application will be used.

**CONCLUSION:**

The guidelines established by the Ministry of Natural Resources and Forestry (2010) for collection of fees under Section 21 of the *Conservation Authorities Act* allows conservation authorities (CAs) to charge fees for plan review services, CA permits and responses to public inquiries. CVC's last comprehensive fee review was implemented in 2018, with a modest inflationary increase for most application types, new fee categories and provisions for repeat (poor) submissions.

In 2019, the CVC Board of Directors directed PDS staff to undertake a comprehensive fee review in 2020. Recognizing CVC's past practice of comprehensively reviewing and updating plan review and permit fees on a consistent two to three timeframe, the fact there remains uncertainty on the range of impacts from the COVID-21 pandemic and the province's modernizing conservation authority activities initiative, and that CVC staff's comprehensive fee review was delayed until October 2020. It is recommended the 2021 plan review and permit fees be maintained at 2020 levels until the completion of the comprehensive fee review (March 2021).

It is expected that maintaining 2021 fees at 2020 levels will continue to provide sufficient support to plan review and permitting services, assist in staff retention, and allow CVC to meet client centric customer service delivery standards – also allowing additional time for CVC staff to evaluate the impacts of the COVID-19 pandemic and updated CA regulations (anticipated to be released in late 2020 or 2021).

**RECOMMENDED RESOLUTION:**

**WHEREAS** CVC staff undertook a comprehensive review and update to plan review and permit fees in 2018 which was implemented in 2019; and

**WHEREAS** the socio-economic impacts of the COVID-19 pandemic are widespread, resulting in economic uncertainties throughout the watershed and delays in Planning and Development staff's start-up of the 2020 comprehensive plan review and permit fee review; and

**WHEREAS** the province has yet to release the updated regulations affecting how CVC administers the Section 28 regulations, Planning and Development Services' program funding source(s) eligibility, and fee collection standards; and

**WHEREAS** CVC staff have secured a consultant to assist in completing the comprehensive fee review to be completed in the spring of 2021; and

**WHEREAS** the Board of Directors will be updated on the status of deliverables from the 'Planning and Development Services Customer Service and Streamlining Action Plan (June 2019)' at the November 2020 Board of Directors meeting;

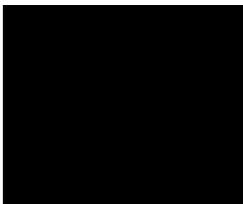
**THEREFORE BE IT RESOLVED THAT** the report entitled "Planning and Development Services Cost Recovery and Fee Schedule Update" be received and appended to the minutes of this meeting as Schedule 'D'; and

**THAT** the Board of Directors approve the proposed 2021 plan review and permit fee schedules attached as Schedule 'D', Appendix 2 and 3; and

**THAT** CVC staff report on the findings and recommendations for implementation of the on-going comprehensive fee review and stakeholder consultation in the spring of 2021; and further

**THAT** staff be authorized to continue to use the reserve account to defer revenue received late in a given year for a review that will be undertaken in a subsequent year.

**Submitted by:**




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Josh Campbell  
Director, Planning and Development Services

**Recommended by:**



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Deborah Martin-Downs  
Chief Administrative Officer

October 16, 2020

Mr. Joshua Campbell  
Director, Planning and Development Services  
Credit Valley Conservation Authority  
1255 Old Derry Road  
Mississauga, Ontario  
L5N 6R4

Dear Mr. Campbell

Re: Planning and Permitting User Fee Review Proposal

Watson & Associates Economist Ltd. (Watson) is pleased to provide this letter proposal which outlines our proposed approach and cost estimate to undertake a Planning and Permitting User Fee Review for Credit Valley Conservation Authority (CVC). Our study objective, workplan/approach, timeline, and detailed budget are summarized below.

## 1. Introduction

Conservation Authorities (CAs) have a role in municipal planning, plan review, and *Conservation Authorities Act* s. 28 permitting related to development activity, natural hazard prevention, and management and the protection of environmental interests.

CVC has requested that Watson provide a proposal to undertake a full cost user fee review pertaining to their role in plan review and *Conservation Authorities Act* s. 28 permitting. The key objectives to the user fee review are to determine the full cost of application/permit processing (i.e. direct, indirect, and capital costs) by application/permit type and to make fee recommendations to recover the full cost of service, having regard for stakeholder interest, affordability, and market considerations.

The Fee Review will be coordinated with the Niagara Peninsula Conservation Authority (NPCA) and the methodology and timeline within the proposal have been prepared to take advantage of those coordination opportunities

## 2. Experience and Qualifications

Watson is a Mississauga based firm of municipal economists, planners, and accountants which has been in operation since 1982. With a municipal client base of more than 250 Ontario municipalities, Conservation Authorities, and utility commissions, and 47 school boards, many of which are long-term repeat clients, the firm is recognized as a leader in the municipal finance/local government field. The firm has a



committed 29-person staff that has worked together for many years. The firm's principals have participated extensively as expert witnesses on municipal finance matters at the Ontario Municipal Board (O.M.B.).

A feature of many studies completed by the firm includes the development of a solid information basis, and then working closely with staff and politicians to develop consensus around controversial issues. Further, many of our studies involve public participation, presenting key information to the public in an understandable format, and seeking public input in developing recommendations and future directions as part of a study process.

Our work has involved many aspects of municipal finance and economics, including assisting municipalities and conservation authorities across the Province with full cost user fee studies. These studies have included planning application and permitting user fee reviews for CAs, development application fee reviews (planning applications, building permits, engineering fees) for our Municipal clients, as well as parks and recreation user fees. Our firm also specializes in development charges, water and wastewater rate studies, public sector accounting (P.S.A.B.), asset management and fiscal impact related services, financial feasibility assessments, capital and operating impacts of municipal servicing, demographic forecasts, and local economy impact assessments.

Detailed corporate profile information for Watson is attached to this proposal.

## 2.1 Project Team

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The consulting project team assembled for this assignment has demonstrated user fee review experience. Watson staff work in multiple internal departments to ensure transferable skill sets and task flexibility in order to get any job completed on time and on budget. Furthermore, Watson staff is well-versed in operational applications such as Microsoft Word, Excel and PowerPoint, as well as analytical skills including model creation and implementation, spatial and statistical analysis. Watson has implemented monthly corporate workshops designed to keep employees up to date on the methodologies and applications used in various departments as well as current clients and projects.

**Sean-Michael Stephen, MBA, Manager**, would represent the firm as Project Manager and be responsible for all facets of the study. Since joining the firm in 2014, he has led and assisted in the preparation of numerous user fee studies, development charge background studies, water and wastewater rate studies, and long-term financial plans for our municipal clients. Sean-Michael led the Planning and Permitting user fee review undertaken on behalf of Hamilton Conservation Authority and played a key role in the Planning Permitting and Parks user fee review undertaken for Conservation Halton. Sean-Michael has received a certificate in training from the International Association for



Public Participation (IAP2) and brings a combination of strategic experience and strong analytical and data modelling skills to the organization.

**Andrew Grunda, MBA, CPA, CMA, Principal**, will act as Advisor and through this role will provide quality assurance on deliverables and provide advisory to the Project Management and technical staff as required. Andrew has been Watson since 1996, before which he worked for the former Regional Municipality of Hamilton-Wentworth. He is presently a member of the firm's senior management group, which develops interpretations of legislative requirements, as well as methodologies for alternative policy strategies for all facets of the corporate assignments. Andrew has undertaken user fee studies for numerous municipalities throughout the Province. Furthermore, he has assisted in the advancement of the concept of A.B.C. within rate structures. Andrew has undertaken numerous lectures on Municipal Act, 2001, Part XII Fees and Charges, Bill 124 Building Code Statute Law Amendment Act and Bill 175 Sustainable Water and Sewage Systems Act on behalf of the AMCTO and MFOA.

**Connor Jakobschuk, MBE, Analyst**, will assist in the collection and compilation of data, policy review, modelling, and the compilation and preparation of reports and presentations. Since joining Watson, Connor has assisted in gathering and compiling background information for D.C. studies, water and wastewater rates, and user fee studies, including assisting in the development of the user fee model and survey preparation for the user fee review undertaken for Hamilton Conservation Authority. Connor holds a Master of Business Economics degree from Brock University.

### 3. Approach and Methodology

#### 3.1 Methodology

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Our proposed methodology for this assignment is to develop an activity-based costing (A.B.C.) model for CVC that quantifies the full costs of service. An A.B.C. methodology, as it pertains to conservation authorities, assigns an organization's resource costs through activities to the services provided to the public. An A.B.C. methodology attributes service effort and associated costs from all participating business units to the appropriate user fee service categories. Conventional accounting structures are typically not well suited to the costing challenges associated with planning and permitting activities as these accounting structures are business unit focused and thereby inadequate for fully costing services with involvement from multiple CA business units. An A.B.C. approach better identifies the costs associated with the activities for specific costing categories and thus is an ideal method for determining full cost user fees.

As illustrated in Figure 3-1, an A.B.C. methodology attributes processing effort and associated costs from all participating business units to the appropriate user fee service categories. The resource costs attributed to processing activities and application/permit



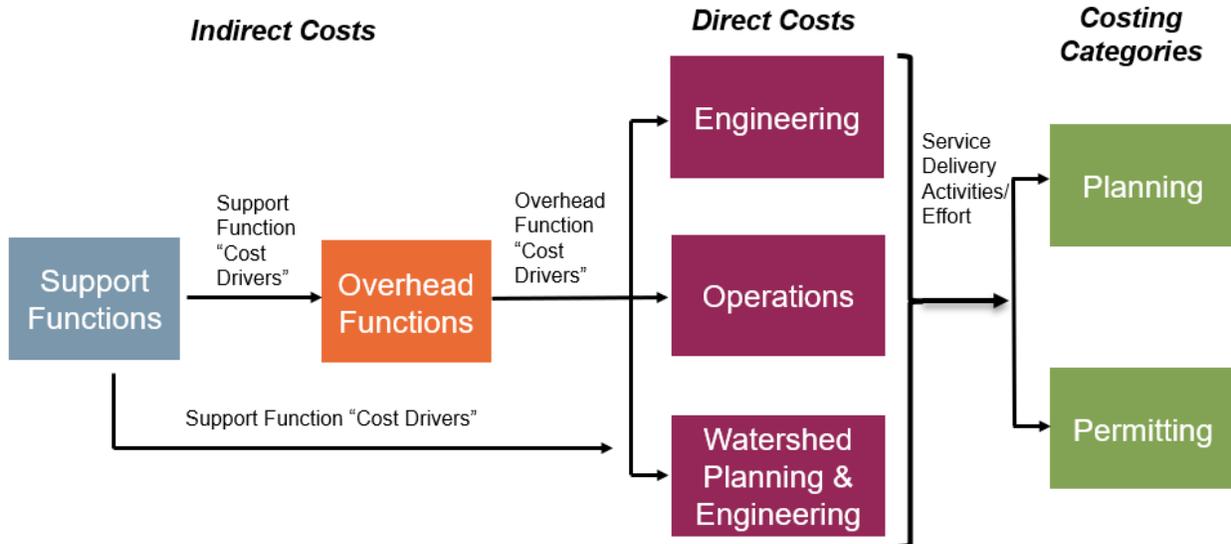
categories includes direct operating costs, indirect support and corporate overhead costs, and capital costs. Indirect support function and corporate overhead costs are allocated to direct business units according to operational cost drivers (e.g. information technology costs allocated based on the relative share of departmental personal computers supported).

At a planning application and permit level, once support costs have been allocated amongst direct business units, the accumulated costs (i.e. indirect, direct, and capital costs) are then distributed across the various planning application and permit categories based on the business unit's direct involvement in processing those applications/permits. The assessment of each business unit's direct involvement in planning and permitting activities is accomplished by tracking the relative shares of staff processing effort across each application/permitting fee category's sequence of mapped process steps. The results of employing this costing methodology provides a better recognition of the costs utilized in delivering planning and permitting activities, as it acknowledges not only the direct costs of resources deployed but also the operating and capital support required by those resources to provide services.

Having established the average processing costs by user fee service category, application and permit characteristics (e.g. application size, sub-processes, etc.) are considered to inform the fee structure design. These fee structure design charging characteristics are vital to implementation of a defensible and sustainable funding source.



Figure 3-1  
 A.B.C. Methodology Flow Diagram



### 3.1.1 Changes to the Conservation Authorities Act

Recent changes to the *Conservation Authorities Act* through the *Building Better Communities and Conserving Watershed Act, 2017* (Bill 139) and the *More Homes, More Choice Act, 2019* (Bill 108), have implications for the types of services CAs provide and how costs are recovered. While these pieces of legislation have received royal assent, the sections that pertain to the provision of and fees for programs and services will come into effect on a day to be named by proclamation of the Lieutenant Governor.

#### Programs and Services

Section 21.1 of the *Conservation Authorities Act* identifies the programs and services that a CA is required or permitted to provide within its area of jurisdiction. The proposed changes to the *Conservation Authorities Act* will redefine the programs and services to include:

- Mandatory programs and services (s. 21.1) related to:
  - Risk of natural hazards, conservation and management of lands owned or controlled by the authority, source protection authority under the *Clean Water Act, 2006*, and as prescribed by regulation
- Municipal programs and services (s. 21.1.1)



- Provided through a memorandum of understanding (MOU) or agreement with municipal partners
- Other programs and services (s. 21.1.2)

CAs may apportion operating costs of “mandatory” and “municipal” programs and services to participating municipalities. “Other” programs and services may be included in the apportionment if identified in an MOU or agreement. The apportionment of costs may also be appealed by the participating municipalities.

### Fees for Programs and Services

Currently, s. 21 of the *Conservation Authorities Act* provides the authority for CAs to charge fees for services. Furthermore, the Ministry of Natural Resources and Forestry sets additional principles and policies for charging fees, including:

- Setting fees to recover the full cost of administering and delivering the service; and
- For planning services, fees should be designed and administered in accordance with s. 69 of the *Planning Act*:
  - s. 69 of the *Planning Act* states that fees should be designed to recover the anticipated cost of processing each type of application.

The changes to the *Conservation Authorities Act* will require fees, including those for plan review, s. 28 permitting, and other programs and services, to be determined by the CA if not prescribed through regulation. CAs will be required to maintain a fee schedule that sets out the programs and services that it provides and for which it charges a fee, the amount of the fee, and the manner in which the fee has been determined.

CAs will be required to adopt a fee policy, including fee schedule, frequency and process for review (including notice and public availability), and circumstances for request of reconsideration. The fees and fee policy shall be made available to the public and reviewed at regular intervals. Notice of any changes to the list of fees, amount of any fee, or the manner in which the fees were determined shall be given to the public.

### Summary

The changes to the types of programs and services that CAs are permitted to provide as well as their ability to recover costs through municipal levies, through agreements and memorandums of understanding, or through fees and charges, suggest there will be a greater need for full cost accounting principles (i.e. direct, indirect and capital costs) and transparency in the determination of fees and charges for all programs and services provided.

- Full cost accounting assessment and user fee study will assist in substantiating:



- Funding required for mandatory services;
- Costs to be apportioned to municipal partners for services provided through MOU or agreements; and
- Costs of other services and programs (e.g. plan review, permitting, and recreational/educational programs) and rationalizing full cost fee recommendations.

## 3.2 Project Work Plan

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Based on our understanding of the requirements for this assignment and our experience with similar undertakings, the following work plan has been developed for this assignment. The workplan also identifies the areas where the work plan will be coordinated with the proposed user fee review being undertaken by the NPCA.

### 3.2.1 *Task #1 – Review of project methodology, fee review trends, and current legislation*

- Undertake an initial start-up meeting with CA staff to discuss assignment methodology/deliverables and review the implications of legislation on user fees. This start-up meeting will cover the following:
  - User fee design and cost recovery issues, in context of the *Planning Act* and *Conservation Authorities Act*, and the Province's Policies and Procedures for Conservation Authority Plan Review and Permitting Activities;
  - A.B.C. methodology incorporating these legislative and regulatory guidelines to ensure all related direct and indirect costs permitted under the legislation are considered;
  - Finalize a detailed project work plan and timeline;
  - Initiate discussions on fee design, fee categorization/characteristics and process delivery mapping; and
  - Identify information requirements for the assignment.
- **One (1) joint meeting with staff from CVC and NPCA staff is anticipated.**

### 3.2.2 *Task #2 – Receive and review background documents from CA staff*

- Review to include the following:
  - Historical application and user fee volumes/activities;
  - Organization structure;
  - Existing fees and fee by-laws; and
  - Approved budgets;
- Conduct preliminary analysis and identify activities and processes that may require fees;
- Review budgets to establish direct programming costs associated with each user fee costing category; and



- Review preliminary list of CA comparators and establish best practices.

### **3.2.3 Task #3 – Discussions with CA staff to document fee categories, differentiating fee design characteristics, participating CA staff positions, and process maps**

- Consider recommendations provided at the initiation meeting and as determined through the review of background documentation, in the context of fee categorization/characteristics, to provide the development characteristics to be tested through the costing component of the assignment. This will determine if fee structure adjustments are warranted based on material cost recovery impacts;
- Develop sample process maps (to be completed by Watson) with regard to fee categories/processes and staff compliment established through these discussions; and
- Review and update sample process map steps (to be completed by CA staff).
- **One (1) joint meeting with staff from CVC and NPCA staff is anticipated to finalize fee categorization decisions and review effort estimation process**

### **3.2.4 Task #4 – Secure CA staff application processing effort estimates and quality test these effort estimates through capacity utilization and benchmarking tools**

- Prepare communication materials for staff to provide staff effort estimations for the established fee category effort estimation;
- Support CA staff in working sessions to document processing effort estimates for all user fee categories;
- Prepare staff capacity utilization and benchmarking quality control analysis to verify accuracy/defensibility of processing effort estimates and resource allocations. Capacity utilization results are assessed against available staff capacity to test for defensibility; and
- Prepare survey of comparator planning application and permit fees for CVC and NPCA.
- **One (1) staff capacity/resource allocation working session is anticipated.**

### **3.2.5 Task #5 – Update A.B.C. model to determine the full costs of the planning and permitting processes. Prepare user fees structure options, revenue forecast, and principles of user fee policy for staff review**

- Develop A.B.C. model to ensure appropriate fee costing categories, direct and indirect cost drivers, data flows and full cost fee schedule generation. Model will project annual activity-based costs for planning applications and permit review based on application/permit volumes by type;



- Development of A.B.C. model will include indirect step-down costing model for the allocation of organizational indirect costs to direct service functions;
- Combine information obtained from the staff initiation and facilitation meetings with an analysis of CA budgets to establish the direct processing costs associated with each user fee costing category;
- Model costing results will be utilized to generate fee structure options. Full cost and other policy-driven fee structure options will be considered in consultation with CA staff. These policy-driven fee structure options will be developed with regard for industry best practices, comparative analysis, and applicant affordability; and
- Prepare principle of user fee policy (including frequency of future reviews, notice requirements, public availability, and circumstances for request of reconsideration) based on industry best practices.
- **One (1) meeting to present fee structure options to CA staff for consideration.**
- Draft fee recommendations will be shared between NPCA and CVC to understand changes to fee structures being considered

### **3.2.6 Task #6 – Prepare Draft Report**

- Prepare a draft report which will summarize the project methodology, findings, and full cost recovery and proposed fee structures; and
- Circulate draft report to CA staff for review and comment.

### **3.2.7 Task #7 – Prepare Final Report and Present at Board of Directors Meeting**

- Prepare a Final Report summarizing legislative context and resultant methodology, including a summary of the full cost recovery assessment, full cost recovery fee structure, implementation plan, user fee policy, and a comparative assessment of its relative competitiveness with peers
  - Final report and recommended fee structure will be provided for staff consideration.
- **One (1) presentation of Final report and proposed fees to the Board of Directors or Committee is anticipated.**

### **3.2.8 Provisional Task - Present report and recommended fee structure to Development Industry Stakeholders**

- Prepare presentation materials for findings meeting which will summarize the project methodology, findings and full cost recovery and proposed fee structures. Include property specific impact analysis and municipal and CA peer fees survey;
- Present the study findings and recommended fee structure to a group of development industry stakeholders as identified by CA staff;



- Document input received at the presentations for subsequent discussion with CA staff and potential inclusion in the Final Report;
- Provide assistance to CA staff in responding to questions and comments during and following the consultation; and
- Revise the report and recommendations as necessary.
- **One (1) meeting with development industry stakeholders would be anticipated for this provisional task.**

#### 4. Budget and Timing

Based on the work program identified above, our (net) upset budget estimate to complete user fee review is \$24,070 (exclusive of applicable taxes). Table 4-1 summarizes our proposed budget for the project based on the items outlined in our work program and the discussion points below. The proposed budget accounts for cost savings of \$3,600 as a result of the coordinated study process with NPCA.

This quotation provides for four (4) virtual staff meetings and one on-site meetings to present the final report to the Board of Directors:

- One (1) joint start-up meeting with CA staff;
- One (1) joint meeting to finalize costing categories and review the process for populating staff effort estimates.
- One (1) staff capacity working session;
- One (1) meeting to present fee structure options to CA staff for consideration; and
- One (1) presentation of Final report and proposed fees to the Board of Directors

A provisional budget item has been included in the Table 4-1 for the presentation of draft findings to development industry stakeholders at a cost of \$2,900.

Additional meetings and presentations may be arranged and would be billed above and beyond the upset budget limited based on the hourly rate set out in Table 4-1. Should this budget not reflect the level of effort envisioned by CVC, we would be pleased to review the scope of the work and budgetary requirement with you.



Table 4-1  
 Detailed Estimate for Each Major Study Component

Workplan Task	Estimated Project Hours			Estimated Fees
	Andrew Grunda, Principal	Sean-Michael Stephen, Manager	Connor Jakobschuk, Analyst	
<b>Hourly Billing Rate</b>	<b>\$ 300</b>	<b>\$ 220</b>	<b>\$ 135</b>	
Task #1 – Review of project methodology, fee review trends, and current legislation	-	4	6	\$ 1,690
Task #2 – Receive and review background documents from CA staff	-	4	6	\$ 1,690
Task #3 – Discussions with CA staff to document fee categories, differentiating fee design characteristics, participating CA staff positions, and process maps	-	6	8	\$ 2,400
Task #4 – Secure CA staff application processing effort estimates and quality test these effort estimates through capacity utilization and benchmarking tools	2	12	16	\$ 5,400
Task #5 – Update A.B.C. model to determine the full costs of the planning and permitting processes. Prepare user fees structure options, revenue forecast, and principles of user fee policy for staff review	2	12	16	\$ 5,400
Task #6 – Prepare Draft Report	2	10	12	\$ 4,420
Task #7 – Prepare Final Report and Present at Board of Directors Meeting	-	8	6	\$ 2,570
<b>Total Project Hours (excl. Provisional Deliverables)</b>	<b>6.0</b>	<b>56.0</b>	<b>70.0</b>	
<b>Total Fees</b>	<b>1,800</b>	<b>12,320</b>	<b>9,450</b>	<b>23,570</b>
Disbursements (travel, telephone, courier, reports)				\$ 500
<b>Total Budget (HST Extra)</b>				<b>\$ 24,070</b>
<b>Provisional Deliverables</b>				
Provisional Task - Present report and recommended fee structure to Development Industry Stakeholders	2	8	4	\$ 2,900
<b>Subtotal - Provisional Deliverables (HST Extra)</b>	<b>2</b>	<b>8</b>	<b>4</b>	<b>\$ 2,900</b>

Table 4-2 sets out the proposed timeline for the user fee review. Assuming project initiation with the first meeting in early-November 2020, the study process has been designed to have a four-month duration with completion by March 2020.



Table 4-2  
 Detailed Timeline for Each Major Study Component

Activity	November-20	December-20	January-21	February-21	March-21
Task #1 – Review of project methodology, fee review trends, and current legislation	JSM				
Task #2 – Receive and review background documents from CA staff					
Task #3 – Discussions with CA staff to document fee categories, differentiating fee design characteristics, participating CA staff positions, and process maps	JSM				
Task #4 – Secure CA staff application processing effort estimates and quality test these effort estimates through capacity utilization and benchmarking tools			SM		
Task #5 – Update A.B.C. model to determine the full costs of the planning and permitting processes. Prepare user fees structure options, revenue forecast, and principles of user fee policy for staff review				SM	
Task #6 – Prepare Draft Report				DR	
Task #7 – Prepare Final Report and Present at Board of Directors Meeting					FR BD
<b>Provisional Deliverables</b>					
Provisional Task - Present report and recommended fee structure to Development Industry Stakeholders				DM	

Meetings

- JSM - Joint Staff Meeting
- SM - Staff Meeting
- DM - Development Industry Stakeholder Meeting
- BD - Board of Directors

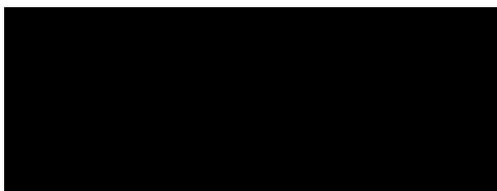
Milestones

- DR - Draft Report
- FR - Final Report

The timing we have proposed for this project would allow for the project to be complete within four months of initiation, based on an anticipated start date of mid-January 2020.

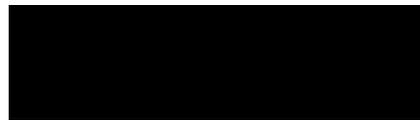
We trust this proposal addresses your request; however, please let us know if you require additional details.

Yours very truly,



Principal

OMISTS LTD.



Sean-Michael Stephen, MBA  
 Manager

## CORPORATE PROFILE

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Watson & Associates Economists Ltd. (Watson) is one of Canada's leading economic consulting firms. Established in 1982, we offer a comprehensive range of fiscal planning and policy services to clients in government and the private sector throughout Ontario and beyond.

Our unique and dynamic team of specialists has assisted clients from over 250 municipalities, utilities and school boards, as well as private industry, and senior levels of government, to frame their financial and economic strategies.

Watson is widely recognized as a leading authority on the fiscal aspects of the municipal government sector. The firm has earned its reputation for quality of analysis, as well as pragmatic and insightful interpretation of the issues we manage. We are well known for achieving results that translate into successful outcomes for our clients.

**“We are well known for achieving results that translate into successful outcomes for our clients.”**

## OUR PHILOSOPHY

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At Watson, we firmly believe that professional expertise, wide experience with local issues and the provincial legislative environment, and an understanding of client expectations are the basic fundamentals for analyzing issues and securing the desired results.

With every assignment, we strive to identify the strategies that are best suited to meeting the challenges facing our clients. Since 1982, our integrated team of financial and economic specialists has provided quality research and analytical expertise to clients. In that time, we have built long-term relationships with a broad range of municipal, provincial and school board clients, who value our judgment and advice.

Also, Watson has numerous working relationships with major law firms, planning and engineering companies, with whom we also work on multi-disciplinary assignments.

**“We strive to identify the strategies that are best suited to meeting the challenges facing our clients.”**



## OUR SERVICES

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We offer our clients a broad range of economic forecasting and financial planning services to help them plan for their future. Our main areas of specialization include:

### ***MUNICIPAL, SCHOOL BOARD AND UTILITY FINANCIAL POLICY STUDIES***

- Financial and economic impact assessment for major projects and new development areas
- Municipal capital and operating budget policy
- User rate studies (i.e. water, wastewater, stormwater, solid waste, development processing and building permits)
- Long range planning for school accommodation
- Asset management and PSAB
- Water and wastewater financial plans (O.Reg.453/07)

### ***DEVELOPMENT CHARGE POLICY***

- Municipal, utility and education development charges, including research and calculation of the charge, by-law adoption process, expert witness testimony, front-end financing, subdivision agreement links and implementation matters

### ***DEVELOPMENT MARKET AND DEMOGRAPHIC FORECASTING STUDIES***

- Forecasts, feasibility studies and land needs assessment for a variety of land uses
- Population, household, non-residential space and employment forecasts
- Growth management studies

### ***SERVICE MASTERPLANNING AND ECONOMIC ASSESSMENT***

- Assessment of long-term service needs
- Present value costing and financial affordability evaluation for major undertakings
- Property value impact and compensation policy
- Business, employment and other economic impacts

### ***LOCAL GOVERNMENT RESTRUCTURING AND GOVERNANCE***

- Assessment of options and strategies
- Service evaluation and financial impact analysis
- Benchmarking and performance measurement
- Asset and liability distribution
- Ward boundary reviews

Our goal is to do the very best for our clients. We are determined to produce outstanding results by taking advantage of the most appropriate computer modelling, analytical techniques and up-to-date databases and research available. At Watson, our vision is to continue to strive for excellence. We endeavour to go beyond our clients' expectations of service and establish ourselves as the leading provider of top-quality economic consulting services in our selected markets.



## Conservation Authority User Fees

### Background

Conservation Authorities (CAs) have a role in municipal planning, plan review, and Conservation Authorities Act s. 28 permitting related to development activity, natural hazard prevention, and management and the protection of environmental interests. CAs also provide recreational and education programs and services to further their objectives through CA-owned lands.

Recent changes to the Conservation Authorities Act through Bill 139 and Bill 108, once proclaimed, will have implications for the types of services CAs provide and how costs are recovered.

### Programs and Services

Programs and services provided by CAs will include:

- Mandatory programs and services (s. 21.1) related to:
  - Risk of natural hazards, conservation and management of lands owned or controlled by the authority, source protection authority under the Clean Water Act, 2006, and as prescribed by regulation
- Municipal programs and services (s. 21.1.1)
  - Provided through a memorandum of understanding (MOU) or agreement with municipal partners
- Other programs and services (s. 21.1.2)

CAs may apportion operating costs of “mandatory” and “municipal” programs and services to participating municipalities. “Other” programs and services may be included in the apportionment if identified in an MOU or agreement. The apportionment of costs may also be appealed by the participating municipalities.



## User Fees

Fees, including those for plan review, s. 28 permitting, and other programs and services, will be determined by the CA if not prescribed through regulation.

CAs will be required to adopt a fee policy, including fee schedule, frequency and process for review (including notice and public availability), and circumstances for request of reconsideration.

## Summary

These changes suggest there will be a greater need for full cost accounting principles (i.e. direct, indirect and capital costs) and transparency to be applied to all services and programs provided.

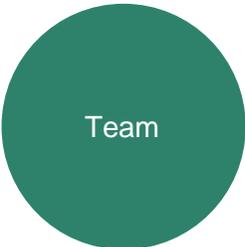
- Full cost accounting assessment will assist in substantiating:
  - Funding required for mandatory services;
  - Costs to be apportioned to municipal partners for services provided through MOU or agreements;
  - Costs of other services and programs (e.g. plan review, permitting, and recreational/educational programs) and rationalizing full cost fee recommendations



Expertise

Watson has knowledge and experience in developing activity-based cost justification policies for over 40 municipalities in Ontario related to the full spectrum of development application user fees (i.e. Planning, Building, Engineering) and other municipal user fees (e.g. Parks and Recreation) that comply with the associated legislation (i.e. Planning Act, Building Code Act, and Municipal Act) while minimizing the negative financial implications.

We have assisted CAs as well as municipalities, ranging from small communities to large urban cities. This breadth has provided us a broad perspective on the challenges facing all communities.



Team

Our user fees specialists include:

- Andrew Grunda,  
Managing Partner & Principal
- Gary Scandlan,  
Managing Partner & Director
- Sean-Michael Stephen,  
Manager
- Peter Simcisko,  
Manager

## Sean-Michael Stephen, MBA Manager



Sean-Michael started with Watson as an Analyst in 2014, moving quickly into his current role.

His previous career in professional rugby provided him with strong leadership capabilities, as well as a strategic and analytical mindset.

Sean-Michael currently works in the areas of municipal finance and development charges.

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### EDUCATION

*2017, International Association for Public Participation (IAP2)*  
Foundations in Public Participation Program

- Planning for Effective Public Participation
- Techniques for Effective Public Participation

*2014, Edinburgh Business School, Heriot-Watt University*  
Master of Business Administration (Awarded with distinction)

*2006, University of Western Ontario*  
Bachelor of Arts, Kinesiology

### EMPLOYMENT HISTORY

#### *Current*

Manager, Watson & Associates Economists Ltd.

- Prepares and participates in development charge studies, water and wastewater rate studies and development application approval process user fee studies.

#### *2010-2013*

Internship positions, United Kingdom

- Contributed to marketing and promotions, and business analysis, for two local companies in the UK.



## EXPERTISE

- Asset management/PSAB
- Developer/cost sharing
- Development application fees
- Development charges
- Economic impact of development
- Feasibility/business case studies
- Municipal financial planning and policy
- Municipal service master planning and EAs
- Water and sewer rate studies

**Andrew Grunda**, MBA, CPA, CMA  
Managing Partner, Principal and Director, Municipal Finance



Andrew is involved in studies related to local government finance, financial operations and policy, and long-term infrastructure planning.

He is also a member of the senior management group, which develops interpretations of legislative requirements, methodologies and alternative policy strategies for corporate assignments related to municipal finance.

He leads development application approval process user fee studies, striving to provide municipalities with full cost recovery user fees for Planning Act, Municipal Act and Building Code Act mandated services. Municipalities use these studies to address the increased cost justification for user fees as required under the Building Code Statute Law Amendment Act.

Andrew also authors studies on matters relating to the Development Charges Act, full cost recovery water and wastewater financial plans, as required under the Safe Drinking Water Act, and long-range financial planning.

Andrew often leads workshops on behalf of partner associations that address the implications of the proposed legislation associated with these Acts.

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## EDUCATION

2012, *Institute of Chartered Accountants of Ontario*  
Chartered Professional Accountant designation

2005  
Certified Management Accountant designation

2005, *Wilfrid Laurier University*  
Master of Business Administration

1996, *Brock University*  
Bachelor of Business Administration

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[www.watsonecon.ca](http://www.watsonecon.ca)



  
Watson  
& Associates  
ECONOMISTS LTD.



## EMPLOYMENT HISTORY

### *Current*

Principal, Watson & Associates Economists Ltd.

- Appointed in March 2012 and holds executive authority in the firm.

Managing Partner and Director, Watson & Associates Economists Ltd.

- Carries co-responsibility for the firm's municipal sector practice.
- Participates in development charge, development applications approvals process user fee, municipal restructuring, municipal finance, water and wastewater rate, and market studies.

### *1995-1996*

Budget Clerk, Regional Municipality of Hamilton-Wentworth, Finance Department

- Assisted with the peer review of the Constituent Assembly's Report on Municipal Reform.
- Monitored budgetary exception control systems, account analysis and reconciliations.

## PROFESSIONAL AFFILIATIONS

- Member, Chartered Professional Accountants of Ontario

## EXPERTISE

- Asset management/PSAB
- DC hearings/post DC by-law
- Developer/cost sharing
- Development application fees
- Development charges
- Economic impact of development
- Feasibility/business case studies
- Municipal financial planning and policy
- Municipal service master planning and EAs
- Water and sewer rate studies

## Connor Jakobschuk, BA, MBE Analyst



Connor joined Watson in 2019, as part of our Municipal Finance group. He participates in numerous development charge background studies, water and wastewater rate studies and user fees reviews projects with the development of quantitative models and research.

Connor has a strong background in economics and statistics. His academic and professional experience with Statistics Canada has allowed him to develop skills in writing and presenting formal methodologies, developing creative data modelling, statistical analysis, and managerial accounting.

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### EDUCATION

*2019, Brock University*  
Master of Business Economics

*2017, Brock University*  
Bachelor of Arts (Honours), Economics

### EMPLOYMENT HISTORY

#### *Current*

Analyst, Watson & Associates Economists Ltd.

- Supports the areas of municipal finance and development charges.

#### *2017-2019*

Teaching Assistant, Department of Economics, Brock University

- Conducted weekly seminars and graded assignments and exams in the areas of Macroeconomics and Econometrics.

#### *2018*

Junior Analyst (Co-op), Consumer Prices Division, Statistics Canada

- Assisted with the review, development and update of price collection and aggregation methodologies for use in the Consumer Price Index.



## EXPERTISE

- Asset management/PSAB
- Development charges
- Development application fees
- Economic impact of development
- Feasibility/business case studies
- Water and sewer rate studies



**Credit Valley  
Conservation**  
inspired by nature

### 2021 CVC Plan Review Fee Schedule

Application-Collected by Municipality	Fees*
Minor Variance	\$310
Consents (Severances)	Minor \$725 Major \$3,100
Site Plan (Residential)	\$625
Site Plan (Commercial, Industrial, Institutional)	Minor \$1550 Intermediate \$4,150 Major \$7,250
Site Plan Multi-unit Building and Condominiums	Minor \$6,200 Intermediate \$12,425 Major \$31,050
Clearances	\$2,075
Site Plan Water Balance Review Only (WHPA Q2 Area)	\$1,550
Official Plan Amendment	Minor \$1,225 Intermediate \$3,100 Major \$6,200
Zoning By-law Amendment	Minor \$1,035 Intermediate \$2,575 Major \$6,200
Review of Repeat Submissions	Small scale: 25% of current fee Others: 50% of current fee

Application-Collected by CVC	Fees*
Subdivisions	\$4,000 per net ha 50% at EIR or EMP submission** 25% at draft plan submission 25% at draft plan approval
Clearances	Minor \$5,000 Major \$12,000
Golf Courses	\$15,750
Aggregate Operations	Minor \$6,200 Intermediate \$20,700 Major \$62,000
Class EA review-Schedule A	N/A Permit Fee Only
Class EA review-Schedule B	\$2,500 plus permit fee
Class EA review-Schedule C	\$5,000 plus permit fee (Additional fees may apply for Master Plans)
Individual EA/Master Plan	\$15,000

\*Fees include HST

\*\* EIR refers to Environmental Implementation Report/EMP Environmental Master Plan



### NOTES

1. The application fee must be paid at the time of filing an application and/or within 30 days of CVC notification in writing. For outstanding payments, CVC may place the application on hold upon review until satisfactory arrangements are established.
2. When processing and reviewing consolidated applications (ZBA/OPA applications), the highest rate of fees will apply.
3. Separate fees will apply for the processing of CVC permit approvals, with the exception of Subdivision applications.
4. CVC reserves the right to adjust fees should the review require a substantially greater or lower level of review including applicant-driven revisions to an approved plan/application.
5. Fees related to review of repeat submissions (more than 3 submissions) will be determined by CVC depending on the number, completeness and quality of the repeat submissions.
6. CVC reserves the right to reassess fee requirements after two years of receipt of the application, based on timing and receipt of required technical information.

### DEFINITIONS

1. Minor: an application is determined to be "**Minor**" where no technical studies are required.  
Minor for the purposes of administering **clearance** fees is a subdivision clearance of draft plan conditions that is administrative in nature with no technical studies (e.g. preparation of a letter after confirming that CVC is satisfied with the registration of the subdivision and review is limited to grading and sediment and erosion control plans, etc.).
2. Intermediate: an application is determined to be "**Intermediate**" where, as an example, a scoped Environmental Impact Study (EIS) is required.
3. Major: an application is determined to be "**Major**" where technical studies (e.g. EIS, stormwater management, geotechnical) are required.  
Major for the purposes of administering **clearance** fees is a subdivision clearance of draft plan conditions prior to registration which requires significant work to review and clear conditions and requires the review of technical information (stormwater management ponds, natural heritage system design, etc.).



### 2021 CVC Permit Fee Schedule

Ontario Regulation 160/06 Permit Applications	Permit Fees
Development Small Scale	\$450
Development Medium Scale	\$1,350
Development Large Scale	\$3,250
Development Major Scale	\$5,500
Interference with Wetlands and Alterations to Watercourses and Shorelines-Small Scale	\$800
Interference with Wetlands and Alterations to Watercourses and Shorelines-Medium Scale	\$2,250
Interference with Wetlands and Alterations to Watercourses and Shorelines-Large Scale	\$6,500
Interference with Wetlands and Alterations to Watercourses and Shorelines-Major Scale	\$11,000
Permit for Minor Works	\$150
Permit Revisions/Review of Repeat Submissions	Small scale: 25% of current fee Others: 50% of current fee
Expedited Review (Director approved- subject to resources available)	Additional 100% of current Fee
In Stream Timing Window Extension	Minor \$500 Major \$5,000
Fill Placement (less than 500m <sup>3</sup> )* Large Fill Placement (greater than 500m <sup>3</sup> )	\$400 \$10,000 plus \$1.00 per m <sup>3</sup>
Additional Site Visit	\$200
Property Information	
Solicitor/Realtor/Property Inquiry	\$325**
GIS Information Request/Service	\$50-\$75/hr +HST

\* 500m<sup>3</sup> is equivalent to approximately 50 truckloads.

\*\* HST applicable to Solicitor/Realtor/Property Inquiry. The \$325 fee includes the HST.



## **NOTES**

1. The application fee must be paid at the time of filing an application. A permit will not be issued unless the application fee has been submitted.
2. CVC reserves the right to modify or adjust fees should the review require a substantially greater or lower level of review and/or assessment.
3. Fees related to review of repeat submissions (more than 3 submissions) will be determined by CVC depending on the number, completeness and quality of the repeat submissions.
4. All permits are issued for two years. Permit extensions and/or renewals will not be granted. However, applicants may re-apply for re-issuance of a new permit for the original approved works in accordance with the most recent technical requirements.
5. For Permits associated with "Unauthorized Works" or a "Violation", the fee will be double the applicable application fee.
6. For large fill placements, the CVC Procedural Guideline for receiving and processing applications to place fill in excess of 500 cubic metres should be referenced.

## **DEFINITIONS**

1. Small Scale: an application is determined to be "Small Scale" where no technical studies are required.
2. Medium Scale: an application is determined to be "Medium Scale" where limited or scoped technical studies are required.
3. Large Scale: an application is determined to be "Large Scale" where technical studies are required.
4. Major Scale: an application is determined to be "Major Scale" where a number of technical studies are required (hydraulic analysis, storm water management, geotechnical, etc.).
5. Minor in the In Stream Timing Window Extension is applicable where the request to extend the timing window is made well in advance of the final date, is considered low risk and requires minimal review.
6. Major in the In Stream Timing Window Extension is applicable where the request to extend the timing window is made within less than a week of the final date and/or requires considerable review and effort by CVC staff.

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

**SUBJECT:** CONSERVATION AREAS RATES AND FEES 2021

**PURPOSE:** To seek approval from the Board of Directors of CVC for the  
Conservation Areas Rates and Fees for 2021

**BACKGROUND:**

Credit Valley Conservation Authority (CVC) owns and/or manages 62 properties comprised of almost 2,800 hectares (7,100 acres) of land. Of the 62 properties, CVC concentrates most of its efforts on eleven (11) key conservation areas: Island Lake, Ken Whillans, Upper Credit, Elora Cataract Trailway, Belfountain, Cheltenham Badlands, Terra Cotta, Silver Creek, Limehouse, Meadowvale and Rattray Marsh.

Five of the eleven properties are actively managed and operated (Island Lake, Belfountain, Cheltenham Badlands, Terra Cotta, Ken Whillans) in terms of having specific facilities such as washrooms, fees, parking, pavilions, nature centres, programs and special events requiring dedicated staff.

As landowners and managers of conservation areas, CVC is obligated to ensure a standard of care for the land as it relates to the *Occupier's Liability Act*. Providing a clean and safe environment for all visitors is an integral part of why we need to collect fees.

Conservation Area (CA) rates and fees reduce the burden on levies to municipalities and derive revenue from those who wish to use CA lands for special purposes. Revenues from conservation area fees are reinvested for such purposes as maintenance, repairs or replacement of aging visitor facilities as well as to enhance visitor experiences. Prices are set to ensure a good value to visitors as well as a fair economic return for taxpayers based on market value and rates.

CA rates and fees provide the following benefits for watershed municipalities, partners and CA visitors:

- Supports financial resilience through stable and diverse funding sources;
- Promotes access to public lands through the provision of programs and services sought by visitors;
- Enables environmental education on our lands for visitors;
- Provides opportunities to encourage healthy communities through innovative partnerships and use of facilities;
- Supplies regional greenspaces that allow people to experience nature and escape the urban environment;

- Increasing local property values and resident's quality of life;
- Providing tourism and recreation destination opportunities and business partnerships that support local economic development;
- Enhancing environmental literacy among watershed students and cultivating future conservationists;
- Facilitates an opportunity to partner with Indigenous Communities to achieve the recommendations of Truth and Reconciliation;
- Facilitates partnerships with community organizations working together with CVC to achieve shared goals;
- Cultivates a culture of giving to environmental initiatives through the Credit Valley Conservation Foundation.

### **Overview of Conservation Area Rates and Fees**

CA rates and fees address a range of facilities and services including, but not limited to:

#### **1. Entry Fees:**

CA rates and fees are currently collected at CVC's four active conservation areas and one CVC managed property:

1. Island Lake Conservation Area
2. Belfountain Conservation Area
3. Ken Whillans Resource Management Area
4. Terra Cotta Conservation Area
5. Cheltenham Badlands (owned by the Province of Ontario, managed by CVC)

There are presently three existing entry fee structures:

#### **Day-Use / Gatehouse**

The staffed gatehouse fee collection method is used at Island Lake Conservation Area, Terra Cotta Conservation Area and Ken Whillans Resource Management Area during regular operating seasons and hours.

#### **Day-Use / Self-serve**

Island Lake Conservation Area, Terra Cotta Conservation Area and Ken Whillans Resource Management Area use a self-serve system during shoulder seasons (mid-March to mid-April and mid-November to December 31). Self-serve fees are collected online in advance, via mobile pay options upon visitor arrival or via on-site collection boxes.

#### **Reservation for Timed Entry**

In 2020, a new timed entry reservation model was implemented at Belfountain Conservation Area and the Cheltenham Badlands. The timed reservation approach addressed COVID-19 public health requirements for the safety of staff and visitors; was beneficial as a mechanism to mitigate and manage the large volume of visitors to these sites; and helped to reduce traffic congestion on artillery roads.

**2. Annual Membership:**

CVC has partnered with Toronto and Region Conservation Authority (TRCA) to offer a joint membership program. Through this joint membership program, member access includes CVC's Terra Cotta, Belfountain, Cheltenham Badlands, Island Lake and Ken Whillans, along with TRCA's Albion Hills, Boyd, Bruce's Mill, Heart Lake, Petticoat Creek, Glen Haffy CAs, Black Creek Pioneer Village and Kortright Centre. The annual membership allows for unlimited access and for discounts for programs and services. The goal of membership program is to encourage and reward customer loyalty while at the same time creating a stable revenue base.

**3. Rentals and Reservations:**

CVC offers numerous seasonal rentals to enhance the visitor experience including ice huts, fishing rods, ice drilling, snowshoes, skis, kayaks, canoes, paddleboards, boats, electric motorboats, and fat tire bikes. Reservations are available for picnic areas, pavilions, amphitheaters, and canoe/kayak storage.

**4. Special Permits and Fees:**

CVC collects permit fees for weddings, professional photography, filming, wagon rides and use of the Terra Cotta Watershed Learning Centre.

**5. Events:**

Special events such as Fall Festival and Maple Syrup are opportunities to increase visitations and revenues during the shoulder season across the system contributing to financial stability and reduce burden on the levy. These events also help to connect all people with important Canadian traditions and with the natural environment.

**6. Conservation Lands Planning Easements:**

In addition to active CA permits and applicable fees for programs, there are a series of conservation lands permits and charges that apply to the broader CA system that deal with access to and use of CVC conservation lands. These permits deal with requests to access / use of CVC lands for activities such as the construction of public or private infrastructure over and/or through CVC-owned lands. Permits are designed to regulate access, conserve the environment, protect CVC against liability and ensure that land use requests are evaluated on an equal basis. Given the relatively low volume of such permits the fees associated with conservation lands permits are structured to help recover some staff resource time associated with administering access requests; encourage requests that are compatible with CVC goals and objectives; and that help improve the conservation area system.

**Annual Conservation Area Rates and Fees Review**

CVC's CA rates and fees are reviewed and approved by the Board of Directors annually.

CVC's CA rates and fees are based on a set of criteria which reflect and help achieve Conservation Areas Master Strategy (CAMS) outcomes. In 2018 CVC's Board of Directors approved an updated CAMS that identifies the outcomes, directions and deliverables needed over the next 10 years to sustain those natural spaces and create high-quality recreational, cultural and educational experiences that meet visitors' needs today and into the future. If one or more of the criteria are met, it is deemed to constitute sufficient justification for a proposed change.

**SCHEDULE 'E'**  
**PAGE -4-**  
**2020-11-13**

The annual review and setting of CA rates and fees helps to ensure that CVC continues to offer excellent social, environmental and economic benefits for watershed residents, municipalities, partners and visitors. Development and review of the CA rates and fees is linked to several benefits, drivers and criteria including:

- Fulfilling the vision and goals of CAMS while contributing to and supporting the broader goals and objectives of CVC, and our municipal, regional and provincial partners;
- Maintaining high quality areas and visitor experiences to ensure our CA's are destinations of choice for outdoor experiences;
- Ensuring service comparability with other CA's in Ontario;
- Supporting specialized activities and events;
- Supporting new and refurbished facilities;
- Ensuring high quality customer services;
- Delivering safe and enjoyable experiences for our visitors;
- Supporting innovative and collaborative partnerships;
- Maintaining accountability to our CA visitors, partners, donors, taxpayers and above all, to the environment.
- Supporting healthy and resilient communities through innovative partnerships and programs that maximize the impact of resources, expand reach and create efficiencies. Such as:

Local Service Clubs

CVC continues to enjoy the benefits of support from a variety of local service clubs. For example, the Rotary Club of Orangeville and Orangeville Lions Club, donated \$50,000 each for construction of the natural playground at Island Lake Conservation Area.

'Friends of' Groups

CVC has benefitted greatly from the time, effort and generosity of those involved in 'Friends of' groups. Since their inception in 2005, the Friends of Island Lake (FOIL) have raised more than \$3 million dollars for Island Lake Conservation Area.

Third Party Partnerships

CVC continues to build and grow its relationships with various third parties (largely private sector) in the provision of various services and events. An example is bringing in food vendors (e.g. food trucks) to special events such as Maple Syrup Festivals at Terra Cotta and Island Lake Conservation Area. This leverages the special skills such as food preparation and handling held by these vendors. CVC staff are left with concentrating on providing the best venue possible for these events.

Municipal and Provincial Partnerships

CVC has many models of partnership with municipalities in the CVC watershed that ensure facilities and lands meet the needs of our local communities such as Caledon Trail way parking at Ken Whillans and Vicki Baron Lakeside trail at Island Lake. We also partner with the province for management of the Badlands.

**SCHEDULE 'E'**  
**PAGE -5-**  
**2020-11-13**

Annually CVC compares our rates and fees to neighbouring conservation authorities to ensure we are comparable. As shown in Schedule E, Appendix 1, CVC's basic fees range from slightly lower to equal to the fees of neighbouring conservation authorities and have taken into consideration the differences in facilities, services and visitor demand.

In addition to the annual CA rate and fee review, there may be instances where staff need the flexibility to adjust rates and fees to special circumstances. Examples of these circumstances are identified in Table 1, below.

**Table 1**  
**Examples Where Fees May be Changed to Reflect Specific Circumstances**

Fee Type	Fee Description
General Admission	Allows for basic access to CVC conservation areas. General admission entrance rates may be altered to allow entrance to special events or to reflect sponsorship and partnership contributions that reduce the fees to the visitor.
Use Fees	The provision of incidental services, minimum group size requirements and program operating schedules are among considerations which may affect use rates and fees charged. This rate and fee schedule is provided as a general summary of fees applied by the CVC at its various operating venues. It does not provide, nor is it intended to provide, complete information as to the various regulations and operating procedures in effect at these venues which may relate to individual fee schedule items. Daily, seasonal and program operating schedules, and minimum group size requirements, are among these procedures which may affect rates and fees charged.
Discounts and Premiums	Any fee may be subject to a discount or premium at the discretion of the appropriate Manager and/or Superintendent.
Supplementary Fees	Not all fees are considered part of CVC's rate and fee schedule as approved by the authority. Some are set independently of that schedule. The sale of retail merchandise or the provision of incidental services represents common examples of such fees. Supplementary fees are set at the discretion of the appropriate Manager and/or Superintendent.

**ANALYSIS:**

On an ongoing basis CVC looks for opportunities to implement efficiencies, improve customer service and achieve cost recovery for programs and services. In the year ahead CVC will be investigating various tools and programming opportunities to improve the overall visitor experience, major initiatives we are currently reviewing include:

#### Parking Fees at Non-Active Conservation Areas

CVC continues to explore the opportunities of instituting cloud-based parking management systems and/or automated pay and display gate systems at some of CVC's non-active conservation areas. These funds would help to offset the costs associated with the development and maintenance of these areas - such as parking lots, trails, washrooms and garbage pickup.

#### Event Programming

CVC continues to seek out different ways of attracting new and diverse visitors and tourists to our conservation areas. This is largely done by providing opportunities for events such as:

- Maple Syrup festivals;
- Fishing derbies;
- Green weddings;
- Theatrical productions;
- Outdoor concerts;
- Wellness programs;
- Corporate events (e.g. large corporate picnics, charity runs)
- Partnership events with the CVC Foundation

#### Customer Service Technologies

As the visitation and revenues generated by the conservation areas continues to increase it is becoming critical to address some of the technological challenges these sites face. There are two initiatives which are currently underway in this regard:

##### *Point of Sale (POS) System*

Ensuring our Point of Sale system technology for use at CVC conservation areas remains current and supports mobile contactless payment. Adapting to visitation trends, providing an excellent visitor experience and ensuring CVC relevancy in the natural spaces marketplace is critical to financial efficiencies and secure payment processes for our customers.

##### *Reservation System*

CVC introduced an online timed entry reservation system for Belfountain and the Chettenham Badlands in 2020. The implementation of the new system has demonstrated that a reservation system is the best way to manage the volume of visitors these sites see and has benefited the surrounding communities significantly.

#### **Proposed Changes in Conservation Areas Rates and Fees**

In general, CVC staff are recommending minimal changes to the 2021 CA rates and fees schedule. The reasons for this include:

- It continues to make entry into the CA's affordable for families;
- It encourages visitors to take advantage of the membership options available;
- It continues to help defray costs associated with maintaining and operating the CA's

**SCHEDULE 'E'**  
**PAGE -7-**  
**2020-11-13**

CVC staff are recommending a few minor changes to the CA rates and fees for 2021. These recommendations are based on a thorough review of the fee-for-service model and other considerations such as:

1. Consumer Price Index (see below);
2. Revenues generated from CA admissions, parking, programs, facilities and events;
3. Willingness to pay;
4. Comparison of rates and fees at other CA's;
5. Improvements and/or changes to conservation area infrastructure.

Application of Consumer Price Index

CVC staff recommends that the annual Consumer Price Index (CPI) as of January each year be accumulated until it results in an increase of 25 cents or greater and that applicable conservation area fees be increased as of January 1<sup>st</sup> the year the threshold is expected. The average Core CPI to date in 2020 is approximately 1.3 to 1.9%. No increases are warranted in 2021 based on this criterion alone and we are also mindful of and sensitive to the broader economic impacts of the pandemic.

**Proposed Changes to the 2021 Rates and Fees Schedule**

The following outlines proposed changes to the 2021 fee structure. All other fees and rates remain unchanged from the 2020 schedule:

<b>Rate / Fee</b>	<b>Current 2020 Fee</b>	<b>Proposed 2021 Fee</b>	<b>Rational</b>
<b>Conservation Area Day Use</b>			
Senior	\$4.43 (age 60+)	\$4.43 (age 65+)	In line with our partner TRCA and consistent with Conservation Parks Senior Individual Membership age.
<b>Annual Memberships</b>			
Conservation Parks Senior Individual Membership (65+)	N/A	\$60.00	New initiative, in collaboration with our partner TRCA.
Conservation Parks Corporate Family and Friends Membership	N/A	\$108.00	New initiative, in collaboration with our partner TRCA.
<b>Reservation</b>			
Timed Entry Reservation Fee (online bookings – in addition to other applicable rates and fees)	N/A	\$10.00	Will help offset administration and client support costs for booking support, cancellations and booking changes at Belfountain CA and Cheltenham Badlands.

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<b>Pavilion Rental</b>			
Pavilion (Medium open pavilion, no water or hydro) (ILCA)	N/A	\$150.00	New infrastructure completed in 2020, fees consistent with other CVC pavilion rental options.
Pavilion (Large open pavilion, access to hydro or water) (ILCA)	150.00	\$200.00	New infrastructure completed in 2020, fees consistent with other CVC pavilion rental options.

The above fees are additionally subject to Ontario's Harmonized Sales Tax (HST).

Attached as Schedule 'E', Appendix 2 is CVC's recommended 2021 Conservation Areas Rates and Fees Schedule. CVC staff recommend the 2021 rates and fees schedule come into effect on January 1, 2021.

**COMMUNICATIONS PLAN:**

The new rates and fees will be posted on the CVC website, on joint CVC and TRCA conservation parks webpages and websites and in the 2021 Conservation Parks Visitors Guide. In addition, some of the key 2021 conservation rates and fees will be posted at entrances to:

- Island Lake Conservation Area
- Ken Whillans Resource Management Area
- Belfountain Conservation Area
- Terra Cotta Conservation Area
- Cheltenham Badlands

**FINANCIAL IMPLICATIONS:**

Annually, a conservation area revenue target is set and designed to offset conservation area related expenditures. CA rates and fees are critical to achieving this revenue target and supporting the operation of high-quality conservation areas. CA revenue supports the operations, repair, maintenance, and enhancement of facilities related directly to visitor enjoyment, visitor access, and health and safety.

**CONCLUSION:**

Staff recommend the Board of Directors of CVC approve the proposed conservation areas rates and fees 2021 to take effect on January 1, 2021.

**RECOMMENDED RESOLUTION:**

**WHEREAS** conservation area rates and fees are collected at four active CVC owned and managed conservation areas, at one CVC managed property and as applicable on lands owned and managed by CVC; and

**WHEREAS** all rates and fees be subject to Harmonized Sales Tax, where applicable;

**THEREFORE BE IT RESOLVED THAT** the report entitled "Conservation Areas Rates and Fees 2021" be received and appended to the minutes of this meeting as Schedule 'E'; and further

**THAT** effective January 1, 2021 CVC staff be directed to implement the revised fee structure contained therein.

**Submitted by:**



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Bill Lidster  
Manager, Conservation Parks



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Terri LeRoux  
Sr. Manager, PARCS



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Jeff Payne, Deputy CAO and  
Director, Corporate Services

**Recommended by:**



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Deborah Martin-Downs  
Chief Administrative Officer

**Appendix 1  
Fee Comparison between CVC and Other  
Conservation Authorities with Similar Services - 2020**

Fees (After Tax*)	Credit Valley	Conservation Halton	Grand River	Toronto and Region
<b>Conservation Area Day Use Fees</b>				
Adult	\$6.50	\$6.50	\$7-\$10	\$6.50-\$7.50
Senior	\$5.00 & 20% discount on any equipment rental	\$5.00	\$5.50 - \$7.50 (& people with disabilities)	\$5.50-\$6.50
Child/Youth	\$3.00 5 & under FREE	\$5.00 4 & under FREE	\$3-\$5 5 & under FREE	\$4.50 4 & under FREE
Parking	\$10 on weekends	N/A	N/A	\$8.05 (Black Creek)
<b>Equipment Rentals</b>				
Canoe/Kayak/ Paddleboard Rentals	Hourly \$22.60  Daily \$56.50	Hourly \$22-27  Daily N/A	Hourly \$10-\$25/hr  Daily over 4 hrs-8hrs \$45-\$75	Canoe, pedal, row 1 hr. - \$20 4 hrs. - \$50
Boats with electric motors	Half day \$67.80  Full day \$101.70	N/A	Gas motors (Belwood Lake) 4 hrs. - \$90 8 hrs. - \$125 12 hrs. - \$140	N/A
Fat Tire Bikes	Per hour - \$11.30 Per day - \$45.20	N/A	N/A	2 hrs. - \$35 Per day - \$50
Kick Sleds	Per hour - \$11.30 Per day - \$28.25	N/A	N/A	N/A
Ski Set (skis, boots, poles)	Adult - \$30.50 Child - \$19.20	Adult- \$21-\$29 Child- \$14-\$19	Adult - \$20 Child - \$15	Adult - \$19.50 Youth - \$13.56
Snowshoe rental	\$16.95	\$18.00	\$11	N/A

Pavilion hydro/water	\$169.50- \$282.50	\$225	\$70 - \$200	\$155- \$500
Pavilion no hydro/water	\$141.25- \$282.50	\$115	\$50 - \$85	\$155- \$500
<b>Annual Memberships</b>				
Individual	\$84.75 (CVC & TRCA)	\$62	N/A	\$50 - \$150
Senior	N/A	\$50.50	N/A	NA
Family & Friends (up to 6 people)	\$152.55 (CVC & TRCA)	\$135.50	\$140	\$152.55 (TRCA & CVC)
Senior Family	N/A	\$113	\$120 (& people with disabilities)	NA
Single Park Membership (up to 6 people)	N/A	N/A	N/A	\$85-180
Corporate Membership (up to 6 people)	N/A	N/A		N/A

\*The above fees include Ontario's Harmonized Sales Tax (HST)

<b>Appendix 2 2021 Conservation Area Rates and Fees Schedule</b>		
<b>Conservation Area Rates and Fees (*excluding HST)</b>	<b>Current</b>	<b>Proposed 2021</b>
<b>Conservation Area Day Use</b>		
Adult	\$5.75	\$5.75
Child (6-14)	\$2.65	\$2.65
<b>Senior</b>	<b>\$4.43 (age 60+)</b>	<b>\$4.43 (age 65+)</b>
Bus Group (7 or more adults)	\$3.50	\$3.50
Municipal Bus Service	\$2.50	\$2.50
Parking Fee	\$10.00	\$10.00
Maximum Daily Rate:		
Vehicle (up to 6 people)	\$23.90	\$23.90
Bus Fee	\$110.00	\$110.00
Active Transportation Users	No Charge	No Charge
Boat Launch (Island Lake CA Only)	\$8.00	\$8.00
Self-Serve Day Use (per day):		
Vehicle	\$4.43	\$4.43
Bus	\$44.25	\$44.25
<b>Winter Rentals</b>		
Ice Fishing Program:		
Full-day Hut Rental (per person)	\$36.00	\$36.00
Half-day Hut Rentals (per person)	\$26.00	\$26.00
Fail to Show for Hut Reservations	As reserved	As reserved
Ice Fishing Rod Rental	\$10.00+	\$10.00
Ice Fishing Rod Security Deposit	\$20.00	\$20.00
Portable Huts:		
2 person	\$30.00/day	\$30.00/day
3 person	\$40.00/day	\$40.00/day
4 person	\$50.00/day	\$50.00/day
Drilling of Ice Fishing Hole – 1	\$1.77	\$1.77
Drilling of Ice Fishing Holes – 3	\$4.43	\$4.43
Snowshoes:		
Snowshoes (per pair/ per day)	\$15.00	\$15.00
Cross Country Ski Rentals:		

Adult	\$27.00	\$27.00
Children/ Seniors (14 and under/ 60 and over)	\$17.00	\$17.00
Kick Sled	\$10.00/hr. or \$25.00/day	\$10.00/hr. or \$25.00/day
<b>Summer Rentals</b>		
Water-based Program:		
Hourly Canoe, Kayak	\$20.00	\$20.00
Hourly Paddleboard	\$10.00	\$10.00
Daily Canoe, Kayak	\$50.00	\$50.00
Daily Paddleboard	\$40.00	\$40.00
Half Day Boat with Electric Motor	\$60.00	\$60.00
Fat Tire Bike	\$10.00/hr. or \$40.00/day	\$10.00/hr. or \$40.00/day
Full Day Boat with Electric Motor	\$90.00	\$90.00
Watercraft Security Deposit	\$200.00	\$200.00
Fail to Show for Watercraft Reservation	As Reserved	As Reserved
Fishing Rod Rental	\$15.00	\$15.00
Fishing Rod Security Deposit	\$20.00	\$20.00
<b>Annual Memberships</b>		
Conservation Parks Family and Friends Membership, valid at TRCA and CVC Parks (up to 6 people)	\$135.00	\$135.00
Conservation Parks Individual Membership, valid at TRCA and CVC Parks	\$75.00	\$75.00
Conservation Parks Senior Individual (65+)	N/A	\$60.00
Conservation Parks Corporate Family and Friends	N/A	\$108.00
<b>Annual User</b>		
Canoe and Kayak Storage (per unit stored)	\$110.00	\$110.00
<b>Pavilion Rental</b>		
Enclosed Pavilion with hydro and water (ILCA)	\$150.00	\$150.00
Large Open Pavilion with hydro and sound system (TCCA)	\$250.00	\$250.00
Medium Open Pavilion no hydro/water, includes 2 wagon shuttles (TCCA)	\$165.00	\$165.00
Small Open Pavilion no hydro/water, includes 1 wagon shuttle (TCCA)	\$125.00	\$125.00
Pavilion (Large Open pavilion, no hydro or water) (KW)	\$125.00	\$125.00
Pavilion (Large Open pavilion, no hydro or water) (ILCA)	\$150.00	\$200.00
Pavilion (Medium Open pavilion, no hydro or water) (ILCA)	N/A	\$150.00
<b>Picnic Site Rental</b>		
General Area	\$50.00	\$50.00
Premium Site	\$75.00	\$75.00

	Green Fee Deposit	\$150.00	\$150.00
<b>Reservation</b>			
	Site Reservation Deposit (included in site rental, non-refundable)	\$25.00	\$25.00
	Special Event (included in fee and non-refundable)	\$300.00	\$300.00
	All equipment Reservation Fee (additional fee, online bookings available)	\$4.43	\$4.43
	Amphitheatre Reservation Deposit (TCCA)	\$50.00	\$50.00
	Timed Entry Reservation Fee (online bookings)	N/A	\$10.00
<b>Special Events</b>			
	Special Event Fee	\$300.00	\$300.00
<b>Weddings</b>			
	Wedding Services start at	\$800.00	\$800.00
	Note: additional fees applicable for services rendered		
<b>Professional Photography</b>			
	Professional Photography (9 ppl, 1 hour)	\$75.00	\$75.00
	Professional Wedding Photos (25 ppl, 2 hours)	\$250.00	\$250.00
	Portfolio Photography	\$50.00/hour	\$50.00/hour
<b>Special Permits</b>			
	Commercial Filming ( <i>operating hours</i> )	\$250.00/ hour	\$250.00/ hour
	Before/ after operational hours	\$300.00/ hour	\$300.00/ hour
	Vendors, added value to an event	\$25.00/ day	\$25.00/ day
	Vendors, event will have at least 250 people attend	\$100.00/day	\$100.00/day
	Vendors, event will have at least 500 people attend	\$200.00/day	\$200.00/day
	Vendors, event will have at least 750 people attend	\$500.00/day	\$500.00/day
	Commercial Photography ( <i>operating hours</i> )	\$125.00/ hour	\$125.00/ hour
	Before/ after operational hours	\$225.00/ hour	\$225.00/ hour
	Staff assistance	\$30.00/ hour	\$30.00/ hour
	Wagon Ride - max 25 people (+/-) each ride	\$25.00	\$25.00
	Watershed Learning Center Mon – Fri (up to 4 hours)	\$150.00	\$150.00
	Watershed Learning Center Mon – Fri (up to 8 hours)	\$300.00	\$300.00
	Watershed Learning Center Sat & Sun (up to 4 hours)	\$250.00	\$250.00
	Watershed Learning Center Sat & Sun (up to 8 hours)	\$400.00	\$400.00
	Watershed Learning Center Cancellation Fee	\$100.00	\$100.00
	Amphitheatre	\$100.00	\$100.00

	(no equipment, includes res. fee) (TCCA)		
	Amphitheatre (no equipment, includes res. fee) ILCA Weekdays	\$75.00	\$75.00
	Amphitheatre (no equipment, includes res. fee) ILCA Weekends	\$200.00	\$200.00
	Laptop	\$50.00	\$50.00
<b>Land Planning Easement Fees Schedule</b>			
	<b>Low</b> These easements will be simple agreements with no other extenuating environmental or legal concerns or have involvement from any other group or agency.	\$3,000.00	\$3,000.00
	<b>Medium</b> These easements will require circulation to one or more outside agencies and may have limited environmental and/or legal concerns.	\$6,000.00	\$6,000.00
	<b>High</b> These easements will require substantial amounts of discussion and negotiation with one or more of CVC's partners and/or be very complex because of environmental or legal considerations.	\$10,000.00	\$10,000.00

\*The above fees are additionally subject to Ontario's Harmonized Sales Tax, where applicable.

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

**SUBJECT:** **EXPANDED FLOOD FORECASTING AND WARNING  
DIRECT COMMUNICATION TO RESIDENTS**

**PURPOSE:** **To provide information to the Board of Directors of CVC regarding a new direct-to-residents mobile app communication platform to supplement existing flood forecasting and warning communications.**

**BACKGROUND:**

CVC's role is to protect people and property from flooding. One of CVC's primary tools toward this end is maintaining a flood forecasting and warning system. When flooding is possible or about to occur, CVC issues flood warning messages to municipal emergency management officials and the media.

In addition, CVC issues flood warning messages directly to watershed residents about the potential threat to people and property through the CVC website, Facebook account and Twitter account. Website visitation and social media engagement rates demonstrate that these direct communication methods are very helpful to residents.

In July 2020 CVC expanded its suite of direct communication tools to include use of a mobile app platform with 'push notifications' for users. Alertable is a Canadian public emergency alert application, available free to users on the web and as a mobile app through the Apple App Store and the Google Play Store. Governments and other public agencies that use the service can post emergency alerts for specific geographical areas, which are pushed to app users that subscribe to that specific area.

CVC learned about Alertable from Niagara Peninsula Conservation Authority (NPCA), who has been successfully using the system for over a year. CVC staff consulted with NPCA staff before onboarding Alertable to better understand the system and its best practices.

**ANALYSIS:**

CVC onboarded Alertable in July and set up the Credit River watershed and Mississauga's portions of the Lake Ontario shoreline as areas users can subscribe to for alerts. Since then, CVC successfully issued three alerts using the system to push flood forecasting and warning messages directly to a pilot user group via push notifications on their mobile devices. The ability to subscribe to CVC alerts through Alertable is currently available and

as of mid-October, the total number of residents subscribing to CVC alerts through the Alertable system is 2,677 (98.4% Mobile App, 1.6% Smart Speaker).

July to the end of November 2020 is being treated a soft launch period in order to identify and address any technical or workflow issues related to the system. A broad communication plan will be implemented in winter and sustained through spring and summer of 2021 in order to promote the service and encourage new users to download the app and subscribe.

Alertable presents additional benefits for CVC and subscribers. In extreme emergencies, such as potential dam breaks, the system can be used to supplement existing communication tools to provide warning to the public. It can also be used to communicate parks closures due to high winds or other potential emergencies. CVC is considering this opportunity to expand public safety notifications but the initial focus is on flood watches and warnings only.

In addition, Alertable can also provide members of the public with all Environment Canada weather related alerts based on geographic subscription. The alerts are audible on multiple types of devices which supports real time awareness of conditions helping to support increased public awareness. Instead of more traditional mailing lists, users can subscribe using the app without having to provide any personal information to CVC or the app developer, enhancing privacy protection and removing potential barriers to receiving CVC alerts.

### **COMMUNICATIONS PLAN:**

Beginning in December 2020, CVC will begin promoting Alertable through targeted media relations, CVC's website, Facebook account and Twitter account to increase the number of users in advance of potential ice jams throughout winter. Promotions will be sustained through winter, spring and summer.

All existing flood forecasting and warning statements will be updated to reference the Alertable app, how it can be downloaded and used.

In early March 2021, CVC will intensify promotion in advance of the spring freshet with a direct mail campaign and digital marketing campaign to residents in flood-prone areas (flood damage centres). The campaign promotes use of the app and also clarify the roles and responsibilities of all the agencies involved in flood response, with relevant contact information.

### **FINANCIAL IMPLICATIONS:**

For the public there is no cost for the app or user subscription fee for the service.

There is a \$3,389 annual service fee for CVC to use the Alertable platform which will be built into the annual flood forecasting and warning budgets.

Up to a maximum of \$25,000 has been allocated for the March mailout and for digital promotions through google and social media channels from the flood forecasting and warning budgets as well as the marketing and communications budget.

**CONCLUSION:**

The Alertable app can expand the number of watershed residents receiving CVC's flood forecasting and warning messages and allows for extremely responsive push notifications– vital in potential emergency situations. The system supplements one of CVC's essential functions and brings information directly to watershed residents and member municipalities.

**RECOMMENDED RESOLUTION:**

***WHEREAS** CVC recognizes that new methods of direct communication with watershed residents can provide more timely flood forecasting and warning messages; and*

***WHEREAS** The Alertable mobile app platform is a proven, user-friendly and free method for watershed residents to receive CVC messages;*

***THEREFORE BE IT RESOLVED THAT** the report entitled "Expanded Flood Forecasting and Warning Direct Communication To Residents" be received and appended to the minutes of this meeting as Schedule 'F'; and further*

***THAT** CVC staff are directed to implement the communication plan as set out in this Board report.*

**Submitted by:**



Jonathan MacMull  
Senior Manager,  
Marketing and Communications



John Sinnige  
Director, Watershed Management

**Recommended by:**



Deborah Martin-Downs  
Chief Administrative Officer

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

**SUBJECT:** **CHANGES TO THE CONSERVATION AUTHORITIES  
ACT IN BILL 229**

**PURPOSE:** **To request approval by the Board of Directors of CVC to  
submit comments on the proposed changes to the  
*Conservation Authorities Act* Schedule 6 of Bill 229 *Protect,  
Support and Recover from COVID-19 Act* (Budget Measures),  
2020**

**BACKGROUND:**

On April 5<sup>th</sup> 2019 the Ministry of Environment, Conservation and Parks (MECP) posted proposals to amend the *Conservation Authorities Act* (CA Act) with the intent to help conservation authorities (CA) focus and deliver on their core mandate and to improve governance. The detail about many of those changes was left to subsequent regulations. CVC prepared submissions on the changes to the Act but it was passed June 2019 under Bill 108 with little consultation or consideration for suggested modifications.

Since then, individual briefings with CAs, were held with Minister's staff, ministry staff and local MPPs (October-November 2019), and general consultations on CAs with stakeholders were held in the winter of 2020. The results of those consultations have not been made public. CVC also provided comments on the questions being posed by the ministry at these consultation sessions.

The details of many of the changes in Bill 108 were left to forthcoming regulations. Despite efforts by Conservation Ontario and individual CAs, MECP has not been willing to engage on content of the regulations.

On November 5<sup>th</sup>, 2020, the province released their budget Bill 229 *Protect, Support and Recover from COVID-19 Act* (Budget Measures), 2020. Bill 229 includes amendments to 44 Acts, including Schedule 6 the *Conservation Authorities Act*. These new amendments are described in the Environmental Registry (ERO) posting "*to improve transparency and consistency in conservation authority operations, strengthen municipal and provincial oversight and streamline conservation authority roles in permitting and land use planning*".

While previously proposed changes to the act have been posted to the ERO for a period of public comment, these new changes are posted on the ERO for "information only using Section 33 of the Environmental Bill of Rights, 1993 (EBR) which exempts proposals from the public consultation requirements under the EBR if the proposal forms part of or gives

effect to a budget or economic statement presented to the Legislative Assembly”. Nevertheless, the province is conducting some direct consultations with stakeholders between now and November 23<sup>rd</sup>. The legislature is due to rise on December 10<sup>th</sup> and therefore Bill 229 is expected to be passed in the next few weeks.

**ANALYSIS:**

The proposed changes to the CA Act with comments on the effect of the change were provided by Conservation Ontario and are appended as Schedule G, Appendix 1. The changes can be categorized as:

1. Governance
2. Powers and Duties
3. Regulatory
4. Enforcement
5. Other

Key changes to the act under each of these categories is discussed below.

**1. Governance**

- a. 14(1.1) Mandate that the municipal councillors appointed by a particular municipality as members of a conservation authority be selected from that municipality’s own councillors only
- b. Replace the current discretion to set other “such additional requirements regarding the composition of the authority and the qualification of members” in a regulation (CA Act, s14(4)) with the discretion of the Minister to appoint a member “as a representative of the agricultural sector” (new CA Act provision 14(4))
- c. Replace the currently unproclaimed duty of members to “act honestly and in good faith with a view to furthering the objects of the authority” (CA Act, s14.1) to require that members “act honestly and in good faith” and that, particularly, members of appointed by participating municipalities, “generally act on behalf of their respective municipalities” (new CA Act provision 14.1)
- d. Limit the term of a Chair or Vice-Chair to one year and to no more than two consecutive terms (new CA Act provision 17(1.1))

Comments: As noted in CVC’s original response to the proposed amendments, we remain supportive of all changes made to enhance the transparency and accountability of conservation authorities, which represent current practice and level of service that CVC already provides. There are a number of amendments that require posting of documents, board agendas and minutes, financial audits and standard accounting practices that are already undertaken at CVC. We agree with those requirements.

CVC’s board is only comprised of municipal representatives so the proposed clause, at this time, would not precipitate a change. However, many other CA’s

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have citizen appointees to ensure quorum for municipalities who would otherwise have a significant number of representatives appointed to the authority.

The Minister is also given discretion to appoint a member from the agricultural community, but the Ministry staff could not confirm if they would be a voting member of the authority. Of course, that opens the door to other sectors also seeking a board seat.

Of particular concern to CVC is the direction in clause 14.1 that members generally act on behalf of their respective municipalities. Good governance dictates that the Board acts on behalf of the organization and in the public interest. The standards of care for directors are set out under the *Business Corporations Act*:

*'Every director and officer of a corporation in exercising his or her powers and discharging his or her duties to the corporation shall, (a) act honestly and in good faith with a view to the best interests of the corporation....; and (b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances'*

Further, the Auditor General of Ontario recommended in their report on the Niagara Peninsula Conservation Authority that *"to ensure effective oversight of conservation authorities' activities through boards of directors, we recommend that the Ministry of the Environment, Conservation and Parks clarify board members' accountability to the conservation authority"* to which the ministry response was in agreement.

Recommendations: Repeal the amendment to Section 14.1 "Duty of Members"

## 2. Powers and Duties

- a. Narrows the objects of a conservation authority from providing "programs and services designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals" (CA Act, s20(1)) to only one of three categories: (i) mandatory programs and services, (ii) municipal programs and services, and (iii) other programs and services (new CA Act provision 20(1))
- b. There are a number of proposed clauses that enable the Minister to make regulations that would prescribe standards and requirements for Municipal Programs and Services (i.e. service agreement between Municipality and CA) and Other Programs and Services (i.e. those determined by the Board and which if use municipal levy would require all municipalities' agreement)
- c. The schedule also proposes an amendment to the *Planning Act* to add conservation authorities to subsection 1 (2) of the *Planning Act* which removes us as a public body and names us under the one window approach of MMAH for purposes of appeals only.

Comments: For CVC the modifications to the objects should not materially change the way we can operate but the regulations have not been provided yet which allow us to examine the potential change in scope under the mandatory programs and services.

The proposed clause that allows the minister to dictate the standards and requirements for municipal or other programs and services agreed upon through service level agreements (non-mandatory programs) should be removed. Terms will be negotiated with the partner municipality and there will be no provincial funding or support in these categories. Therefore, an additional level of bureaucracy and oversight is unnecessary and duplicates effort – this proposed provision should be removed.

Consequential changes to the *Planning Act* are still being clarified with the Ministry but expect that it would bar conservation authorities from appealing a municipal planning decision to the Local Planning Appeal Tribunal (LPAT), unless requested through an agreement with the municipality or the Minister of Municipal Affairs and Housing. This tool is a necessary but seldom used tool in our toolbox. The Ministry staff clarified that this change only affects the role in appeals and that participation in plan review would still be occurring.

When necessary CVC attends LPAT hearings to ensure that policies and development conditions are imposed to reduce flood risks and to ensure mitigation and setbacks are in place to address other natural hazards such as erosion hazards or along the Lake Ontario shoreline. Extreme weather events and changing climate increase the importance of our role in the planning process.

The 2019 Provincial Flood Advisor's report notes the important role that conservation authorities play in the land use planning process. The main legislative tools used to manage flood risk, the report states, include the *Planning Act* together with the Provincial Policy Statement (PPS) and the *Conservation Authorities Act*. As a result of the Flood Advisor's recommendations, the 2020 PPS was revised to state that mitigating natural hazard risks, including those associated with climate change, will require the province, planning authorities, and conservation authorities to work together. Similarly, the Made in Ontario Environment Plan asserts that within the context of environmental planning, conservation authorities' core mandate is protection from natural hazards and conserving natural resources.

This change may also remove our right to appeal planning decisions as a landowner. This is of significant concern as CVC owns and manages over 7,000 acres of land for habitat protection, community recreation and flood hazard management

Recommendations:

- i. Repeal/amend all clauses and amendments relating to the ability for the Minister to prescribe standards and requirements.
- ii. Clarify intent of planning act changes in respect to CVC as a landowner. Object to the use of the 'consequential amendment' as it does not directly tie back to the changes in the CA Act.
- iii. Repeal, or limit a CA's ability to appeal planning decisions to those related only to natural hazards.

**3. Regulatory**

- a. Allow an applicant, within 120 days of a conservation authority receiving a permit application, to appeal to the LPAT if no decisions by the conservation authority has been made.
- b. Authorized the Minister of Natural Resources and Forestry to issue an order to take over and decide an application for a permit under section 28 of the Conservation Authorities Act in place of the conservation authority (i.e. before the conservation authority has made a decision on the application).
- c. Allows an applicant, within 30 days of a conservation authority issuing a permit, with or without conditions, or denying a permit, to request the minister to review the conservation authority's decision.
- d. Where the minister has taken over a permit application or is reviewing a permit decision by a conservation authority, allow an applicant to appeal directly to LPAT where the minister fails to make a decision within 90 days.
- e. In addition to the provision to seek a minister's review, provide the applicant with the ability to appeal a permit decision to LPAT within 90 days after the conservation authority has made a decision.

Comments: The proposed amendments to the Section 28 regulation will negatively impact a CA's ability to protect life and property, through limiting a CA's ability to independently apply their watershed science, allowing individuals to circumvent the technical CA permitting process and by tying up CA staff in unnecessary appeal processes. This proposal does not improve transparency, consistency in decision-making and nor does it streamline the process. In fact, this proposal will likely result in a significantly longer approval process which might jeopardize the health or safety of persons or result in the damage or destruction of property.

Individuals have been able to access the Mining and Lands Tribunal to adjudicate decisions of the conservation authority at no cost to them, unless they chose to provide support for their application with technical experts. The LPAT has a filing fee which may exceed the cost of the permit for individuals. While the development community may be familiar with LPAT, the Mining and Lands Tribunal has the history and experience in adjudicating *Conservation Authorities Act* cases. One can expect delays at LPAT and potentially decisions that are inconsistently determined.

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The proposed 120 day timeline for a CA to make a decision does not recognize the significant amount of effort and collaboration between the province, CAs, AMO, landowners groups and the building industry to develop the recently CA wide adopted 'Client Service Standards for Conservation Authority Plan and Permit Review'. In general, this document sets forth industry standards and procedures to ensure CA plan and permit review process are transparent, predictable and fair. Including legislated timelines for CAs to issue permits without consultation to ensure they are achievable, fair and appropriate may create unrealistic expectations and a more burdensome, litigious and adversarial process.

There is a broad spectrum and complexity of applications (planning act has different timelines for different types of applications – recognizing complexity in higher order applications types) in the files that CAs deal with. The current proposal for decision timelines oversimplifies the permitting process. CAs could be required to develop standards and procedures for plan and permit review, including permit issuance timelines to be approved by their board instead of creating a one size fits all that may not solve the problem.

The Minister should not be able to issue a permit before a CA has made a decision on the file. This effectively politicizes the decision removing the consistency with CVC policies and procedures and potentially resulting in precedent setting decisions which may result in future challenges.

Recommendations:

- i. Amend to clarify that the Ministry would be responsible to ensure compliance with any permit that they issued and for any liability associated with the decision.
- ii. Amend to specify in the legislation that the appeal for a non-decision after 120 days can only be made when the conservation authority has deemed the application to be complete (similar to provisions contained within the *Planning Act*).
- iii. Alternatively, amend to replace appeal timelines with a requirement for CAs to develop standards and procedures for permit and plan review, including permit issuance timelines, to be approved by their Board.
- iv. Amend to choose one appeal avenue or retain Mining and Lands Tribunal as the appeal body.

**4. Enforcement**

- a. Eliminated the (not yet proclaimed) powers for officers appointed by conservation authorities to issue stop orders (CA Act provision 30.4)
- b. Clarified conditions for officers appointed by conservation authorities to enter lands without a warrant for the purposes of:
  - determining whether to issue a permit (amendment to unproclaimed CA Act provision 30.2(1))

- ensuring compliance with the prohibitions, regulations, or permit conditions, only when the officer has “reasonable grounds to believe that a contravention” (new CA Act provision 30.2(1.1))

Comments: Removing an officer’s ability to enter lands (s. 30.2) within the authority’s jurisdiction is inconsistent with similar municipal and provincial legislation, and coupled with the removal of a Stop Order provision (s. 30.4) does not afford officers an ability to “prevent or reduce the effects or risks” associated with illegal and egregious activities, and puts the onus on an authority to engage in a time consuming and costly injunction process.

Recommendations:

- i. Maintain the ability for stop work orders and enter lands for purposes of permitting and compliance.

## 5. Other

The Act outlines a transition plan for making the changes to the mandatory programs and services and developing agreements or MOUs with partners, including provincial ministries. In our briefing with the Ministry, they noted that they were expecting the transition to be one year such that the changes would take effect January 2022 budget year.

It has been our experience with existing MOUs that they can take up to two years to finalize given that there may be multiple CAs and departments involved.

Given that the CVC budget is typically completed by June of the previous year to meet Region of Peel timelines this leaves a six month window to:

- change our budget model;
- assess all programs and services against the regulations
- enter into discussions with all our municipalities (up to 11);
- draft budgets for the selected programs and services
- reiterate assuming some modification
- substantially complete negotiations.

It is our position that this is an unreasonable expectation and one that the municipalities would no doubt be unable to meet given continued COVID restrictions and workloads as well as not being their implementation priority. Depending on the municipality and the type of agreements they may also require Council approval.

Recommendation:

- i. That the transition be effective no earlier than for fiscal year 2023 (January).

Schedule ‘G’, Appendix 2 provides a letter of comments to the Premier as well as Ministers of Environment Conservation and Parks, Natural Resources and Forestry, Municipal Affairs and Housing and Finance. Upon approval by the board it is our intent to submit it

to the names parties for their consideration. It will also be provided to watershed MPPs and municipalities.

**COMMUNICATIONS PLAN:**

CVC has prepared a press release on some of the more troubling aspects of the proposed changes to the Act. We will be communicating the implications of these changes to municipal members, the public and other partners.

We will be distributing key messages on various social media platforms.

**FINANCIAL IMPLICATIONS:**

The changes outlined in the act have the potential to fundamentally change the CA budget as well as limit revenue recovery from planning and permitting activities. Without the regulations we are unable to assess the full impact.

**RECOMMENDED RESOLUTION:**

***WHEREAS*** the province has introduced Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act; and

***WHEREAS*** the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, permit appeal process and engaging in review and appeal of planning applications; and

***WHEREAS*** conservation authorities protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the Planning Act; and

***WHEREAS*** the changes allow the Minister to make decisions without CVC watershed data and expertise and consistency with policies and guidelines; and

***WHEREAS*** the Legislation suggests that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs; and

***WHEREAS*** CVC and municipalities require a longer transition time to put in place new budgets as well as agreements for non-mandatory programs; and

***WHEREAS*** the appointment of municipal representatives on CA Boards should be a municipal decision; and the Chair and Vice Chair of the CA Board should be duly elected; and

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**WHEREAS** the changes to the 'Duty of Members' contradicts the fiduciary duty of a CA board member to represent the best interests of the conservation authority and its responsibility to the watershed; and

**WHEREAS** conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Service and Streamlining Initiative; and

**WHEREAS** changes to the legislation will create more red tape and costs for the conservation authorities, and their municipal partners, and potentially result in delays in the development approval process; and

**WHEREAS** the province has made changes to the legislation that will limit the ability of CVC to ensure compliance with the Act and our policies by not including stop work orders and modifying powers to enter property potentially resulting in more legal action; and

**WHEREAS** all watershed residents and municipalities value and rely on the natural habitats and water resources within our jurisdiction for their health and well-being as well as CVC's work to prevent and manage the impacts of flooding and other natural hazards and to ensure safe drinking water;

**THEREFORE BE IT RESOLVED THAT** the report entitled "Changes to the Conservation Authorities Act in Bill 229" be received and appended to the minutes of this meeting as Schedule 'G'; and

**THAT** the Province of Ontario work with conservation authorities to address their concerns by repealing and/or amending changes to the Conservation Authorities Act and the Planning Act; and

**THAT** the Province of Ontario provide a longer transition period up at least to December 2022 for non-mandatory programs to enable coordination of CA-municipal budget processes; and

**THAT** the province respect the current conservation authority - municipal relationships; and

**THAT** the province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role; and

**THAT** the Board of Directors grant approval for CVC to submit comments arising from the review of the act and appended as Schedule 'G', Appendix 2 to the province; and further

**THAT** the letter (Schedule 'G', Appendix 2) and this resolution and staff report be forwarded to the Premier, the Ministers of Environment, Conservation and Parks, Natural

*Resources and Forestry, Municipal Affairs and Housing and Finance, all local MPPs, watershed municipalities and Association of Municipalities of Ontario.*

**Submitted by:**



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Josh Campbell  
Director, Planning & Development Services



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Deborah Martin-Downs  
Chief Administrative Officer

Conservation Ontario Detailed Reference Document (November 11, 2020)

<p><b>Generalized Description of Legislative Amendments to Conservation Authorities Act (CAA) per ERO Bulletin 019-2646</b></p>	<p><b>Proposed General Positioning &amp; Proposed Questions/Comments for Clarification on Legislative Amendment &amp; Proposed Comments for Development of Proposed Regulations/Policies</b></p>
<p><b>1. Planning Act amendment</b></p> <p>“We have also heard concerns from some stakeholders about the role of conservation authorities ... as a public body with the power to comment on and challenge decisions under the Planning Act. Stakeholders have questioned whether conservation authorities’ current roles are consistent and supportive of timely decisions that are necessary in the land use planning and approval process, and some stakeholders consider these roles need to be streamlined as they impose unnecessary costs and/or delays for businesses and property owners.</p> <p>...</p> <p>The Schedule also proposes an amendment to the Planning Act to add conservation authorities to subsection 1 (2) of the Planning Act. This amendment, if passed, would make conservation authorities part of the Province’s one window planning approach. This would mean that a conservation authority could not, as a public body under that Act, appeal a decision to LPAT or become a party to an appeal before LPAT. Municipalities and the Province can continue to work with</p>	<p><b>Proposed General Positioning:</b> It is understood that the effect of this amendment would be that conservation authorities would no longer be able to appeal or become party to an appeal of a <i>Planning Act</i> decision as a public body. While most <i>Planning Act</i> applications will continue to be directly circulated to conservation authorities by municipalities or planning authorities, it appears as though conservation authorities will only be representing the “provincial interest” with respect to natural hazards when providing comments as part of the Province’s one window planning approach (e.g. Official Plans and Official Plan Amendments). The inability to represent the provincial interest and/or appeal on more common <i>Planning Act</i> applications (e.g. Plan of Subdivision, Site Plan) represents <b>a significant threat to public safety</b>. While the full implications of this amendment are not understood, it is anticipated however not confirmed that CAs will continue to be able to appeal <i>Planning Act</i> decisions as landowners. Conservation Ontario has requested a meeting with MMAH, the Ministry responsible for the Province’s ‘one window’ to discuss the possible “unintended consequences” of this amendment.</p> <p><b>Amend.</b> Recommend that an amendment be made to limit appeals as a public body to conformity with section 3.1 (natural hazards) of the Provincial Policy Statement. Retain the ability of CAs as landowners to participate in appeals affecting their land. Briefing is required with MMAH and MNRF staff to understand the implications of this amendment.</p> <p><b>Questions:</b>                      Will it affect CA circulation/notification of planning applications and the ability of a CA to comment on planning applications?                      How will CAs be able to appeal as a landowner?                      How will CAs be able to represent the watershed interest without the ability to appeal <i>Planning Act</i> decisions as a public body?                      How does this relate to the natural hazards program and service regulation?</p>

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<p>conservation authorities and rely on their advice and support where they want it during an LPAT appeal.” (ERO posting 019-2646)</p>	<p><b>Policy/Agreement/Regulation work:</b> Presumably this amendment will require revisions to our MMAH/MNRF/CO MOU and to our template MOU for plan review services. The overlay of this with mandatory programs and services regulation, including the natural hazards program and service regulation and scoping of non-mandatory regulations is to be determined.</p>
<p><b>2. Section 28 amendments</b></p> <p>“We have also heard concerns from some stakeholders about the role of conservation authorities in issuing permits under the <i>Conservation Authorities Act</i> and as a public body with the power to comment on and challenge decisions under the Planning Act. Stakeholders have questioned whether conservation authorities’ current roles are consistent and supportive of timely decisions that are necessary in the land use planning and approval process, and some stakeholders consider these roles need to be streamlined as they impose unnecessary costs and/or delays for businesses and property owners.</p> <p>We are therefore proposing changes to the <i>Conservation Authorities Act</i> to streamline the role of conservation authorities in permitting and land use planning as well to ensure timely decisions are made in relation to permits required under section 28 of the Act.</p>	<p><b>Proposed General Positioning:</b> The proposed amendments to the Section 28 regulation will <b>negatively impact a CA’s ability to protect life and property</b>, through limiting a CA’s ability to independently apply their watershed science, allowing individuals to circumvent the CA permitting process and by tying up CA staff in unnecessary appeal processes. This proposal does not improve transparency, consistency in decision-making and nor does it streamline the process. In fact, this proposal will result in a significantly longer approval process which might jeopardize the health or safety of persons or result in the damage or destruction of property.</p> <p><b>Repeal/Amend.</b></p> <ul style="list-style-type: none"> <li><b>i.</b> Amend. Clarify that the Ministry would be responsible to ensure compliance with any permit that they issued and for any liability associated with the decision.</li> <li><b>ii.</b> Amend. Note that this description is inconsistent with the legislation (30 days as compared to 15). Choose one point of appeal (the Minister or the LPAT).</li> <li><b>iii.</b> Amend. Choose one point of appeal (the Minister or the LPAT).</li> <li><b>iv.</b> Amend. Choose one point of appeal (the Minister or the LPAT).</li> <li><b>v.</b> Amend. Allow appeal of permit cancellation to the Members of the Authority only.</li> <li><b>vi.</b> Amend. Specify in the legislation that the appeal for a non-decision after 120 days can only be made when the conservation authority has deemed the application to be complete.</li> <li><b>vii.</b> Amend. Enact one of the three possible alternatives in its place: a) Develop provincial guidance that defines how to establish fees in consultation with municipal partners and other stakeholders. If the CA is not in compliance with the</li> </ul>

<p><b>Generalized Description of Legislative Amendments to Conservation Authorities Act (CAA) per ERO Bulletin 019-2646</b></p>	<p><b>Proposed General Positioning &amp; Proposed Questions/Comments for Clarification on Legislative Amendment &amp; Proposed Comments for Development of Proposed Regulations/Policies</b></p>
<p>If passed, the proposed amendments would:</p> <ul style="list-style-type: none"> <li>i. Authorize the Minister of Natural Resources and Forestry to issue an order to take over and decide an application for a permit under section 28 of the <i>Conservation Authorities Act</i> in place of the conservation authority (i.e. before the conservation authority has made a decision on the application).</li> <li>ii. Allow an applicant, within 30 days of a conservation authority issuing a permit, with or without conditions, or denying a permit, to request the minister to review the conservation authority's decision.</li> <li>iii. Where the minister has taken over a permit application or is reviewing a permit decision by a conservation authority, allow an applicant to appeal directly to LPAT where the minister fails to make a decision within 90 days.</li> <li>iv. In addition to the provision to seek a minister's review, provide the applicant with the ability to appeal a permit decision to LPAT within 90 days after the conservation authority has made a decision.</li> </ul>	<p>guidance, the Minister could make an order under S. 23 to amend the CA fees policy. B) Enable the fee policy to go through public consultation via the ERO or C) require the approval of the Minister of the CA fee policy to avoid multiple appeals regarding the same fee schedule. Remove the right of appeal to the LPAT.</p> <ul style="list-style-type: none"> <li>viii. Repeal. The MNRF undertook an evidenced-based update to the powers of entry in 2017. This amendment would remove the update. Note: the 2017 update was not made at CO's request.</li> <li>ix. Repeal. Conservation authorities' inability to stop work has a significant negative impact on public health and safety. Laying charges and obtaining court injunctions is unnecessarily costly for the taxpayers and the accused.</li> </ul> <p><b>Questions:</b>                  How do these amendments reflect the recommendations of the Auditor General's report on the NPCA, the Flood Advisor's recommendations and the previous consultation on the Section 28 regulations?                  How are appeals to permit applications going to be addressed at the LPAT when there is a related land use planning decision that was refused and not appealed?                  How does the ability to appeal individual permit fees relate to the Board's ability to set an overall fee policy and expectations around cost recovery?</p> <p><b>Policy/Agreement/Regulation work:</b>                  Mandatory program and services regulation is to be posted in the near future.</p> <p>The timing of the Section 28 regulation is to be determined, but it is anticipated that it will be released at the same time as the mandatory program and services regulations.</p> <p>Once a new Section 28 regulation is in place, significant policy development will be required related to implementation of the new regulation.</p>

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<p>v. Where a permit is cancelled, allow the permit holder to appeal the cancellation to LPAT within 90 days.</p> <p>vi. Allow applicants to appeal directly to LPAT where a conservation authority fails to make a decision on section 28 permit applications within 120 days.</p> <p>vii. Provide permit applicants with the ability to appeal permit fees charged by a conservation authority to LPAT.</p> <p>viii. Amend the un-proclaimed warrantless entry provisions to change the circumstances when an entry to land may be exercised by a conservation authority officer so that such circumstances are similar to entry powers now in effect in section 28 of the Act.</p> <p>ix. Remove the un-proclaimed provisions for conservation authorities to be able to issue stop work orders and retain the current enforcement tools, such as laying charges and potential court injunctions.</p> <p>....</p> <p>Later this fall, we intend to further consult on regulatory proposals (mandatory programs and services, section 28 natural hazards, section 29 conservation authority lands, agreements and transition) under the Conservation Authorities</p>	

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Act which will be posted on the Environmental Registry for public consultation.” (ERO posting 019-2646)	
<p><b>3. Regulation making powers for prescribing standards and requirements for Non-Mandatory (i.e. Local) programs and services</b></p> <p>“Through these consultations we heard concerns that some conservation authorities have expanded their programs and services beyond their core mandate.</p> <p>We recognize that conservation authorities play an important role in local resource management, including protecting and preserving significant conservation land. With the scope of conservation authorities’ activities expanding over time, some participating municipalities of a conservation authority have expressed concern about the increases to their municipal levies that they are required to pay under the <i>Conservation Authorities Act</i> to finance their respective conservation authorities and the lack of direct control that participating municipalities may have over conservation authority budgets. Participating municipalities on average contribute over half</p>	<p><b>Proposed General Positioning:</b> Proposed clauses enable the Minister to make regulations that would prescribe standards and requirements for Municipal Programs and Services (i.e. service agreement between Municipality and CA) and Other Programs and Services (i.e. those determined by the Board and which if use municipal levy would require all municipalities’ agreement). Although the Province has communicated that the local service agreement MOU’s between Conservation Authorities and Municipal Governments are a local matter and the province is not intending to reduce this local control of MOUs through future regulation, Conservation Ontario is pursuing opportunities to have these amendments repealed through the Standing committee clause by clause process so that they do not remain in the legislation for use by a future Minister or Government.</p> <p><b>Action: Repeal/amend</b> all clauses and amendments relating to the ability to prescribe standards and requirements (including repeal of Section 21.1.1(5), Section 21.1.2 Prescribed Standards, Section 21.1.2 (3) b) Terms and Conditions, and Section 21.1.2(4) Conflict; and Including amendment of i.e. deletion of references to regulations in Section 21.1.1(1), and, 21.1.2 (1).</p> <p><b>Questions:</b> n/a for repealing and amending these clauses.</p> <p>However, need further clarification/briefing on this bullet from MECP webinar: - the government will move forward with consultations on regulatory and policy proposals in two phases, including mandatory programs and services (phase one), and municipal levy (phase two).</p> <p><b>Policy/Agreement/Regulation work:</b> n/a for repealing and amending these clauses.</p>

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<p>of the conservation authority revenue through municipal levies. Most of the remainder comes from conservation authorities’ self-generated revenue, with provincial funding averaging less than ten per cent.</p> <p>Based on the feedback we received, the province is moving forward with a proposal to further define the core mandate of conservation authorities. These changes would improve the governance, oversight and accountability of conservation authorities, while respecting taxpayer dollars by giving municipalities more say over the conservation authority services they pay for.</p> <p>....</p> <p>We know that many conservation authorities provide valuable recreational and educational programs and services that are important to the local community, such as camping and outdoor education. These programs would continue, so long as they are funded through self-generated revenue or have support from the local municipality that funds them.</p> <p>...</p> <p>Require, after a specified date, that municipal financing of a non-mandatory program and service can only continue, where the conservation authority has entered into a</p>	<p>Mandatory programs and services regulation is to be posted in the next few weeks which will set the framework for what is then non-mandatory and requiring agreements and transition periods.</p> <p>**Need to start advocating about the time period suggested in the CA briefing; if municipalities are being briefed on Nov 16 and 23<sup>rd</sup> then we need them speaking up on the issue of an insufficient transition period. MECP briefing indicated “changes would be implemented in the CA 2022 budgets” which as interpreted to mean that the Transition period would end December 2021; GMs are requesting December 2022.</p>

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<p>financing agreement with its participating municipalities.</p> <p>Establish a transition period and process for conservation authorities and municipalities to identify, through an inventory, which of their programs and services are mandatory and then to enter into agreements for the non-mandatory programs or services that are financed in whole or in part at the municipal level.</p> <p>....</p> <p>Enable the minister to, by regulation, establish standards and requirements for the delivery of non-mandatory programs and services.</p> <p>...</p> <p>Later this fall, we intend to further consult on regulatory proposals (mandatory programs and services, section 28 natural hazards, section 29 conservation authority lands, agreements and transition) under the <i>Conservation Authorities Act</i> which will be posted on the Environmental Registry for public consultation.          ” (ERO posting 019-2646)</p> <p>MECP Slide Deck:</p> <ul style="list-style-type: none"> <li>• In addition to the proposed legislative amendments, the government will move forward with consultations on regulatory and policy proposals in two phases,</li> </ul>	

<p><b>Generalized Description of Legislative Amendments to Conservation Authorities Act (CAA) per ERO Bulletin 019-2646</b></p>	<p><b>Proposed General Positioning &amp; Proposed Questions/Comments for Clarification on Legislative Amendment &amp; Proposed Comments for Development of Proposed Regulations/Policies</b></p>
<p>including mandatory programs and services (phase one), and municipal levy (phase two).</p>	
<p><b>4A. Governance – Duty of Members</b></p> <p>“...that municipally appointed members generally act on behalf of their municipalities. This proposal would repeal the un-proclaimed provision made in Bill 108 that members were to act with a view to furthering the objects of the conservation authority, and instead provide clarity for conservation authority member governance and enhanced municipal oversight over taxpayer dollars.” (ERO posting 019-2646)</p>	<p><b>Proposed General Positioning:</b> The change to the ‘Duty of Members’ from furthering the objects of the authority to representing the interest of their municipality needs to be repealed. It contradicts the fiduciary duty of a Board Member to represent the best interests of the corporation they are overseeing. It puts an individual municipal interest above the broader watershed interests further to the purpose of the Act.</p> <p>It basically undermines the ability of the CA Board to address the broader environmental/resource management issues facing our watersheds today. Discourse on these issues and consideration of programs and services that address watershed-wide issues that span municipal boundaries is paramount in a time of increasing climate change, etc.</p> <p>Conservation Ontario will be asking the Association of Municipalities of Ontario (AMO) to champion this governance issue as well and to request a repeal. CAs should obtain resolutions of support from their Boards and Municipal Councils.</p> <p><b>Action: Repeal the amendment to Section 14.1 “Duty of Members”</b></p> <p><b>Questions:</b> n/a</p> <p><b>Policy/Agreement/Regulation work:</b> n/a</p>

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<p><b>4B. Governance - Additional</b></p> <p>“Require participating municipalities to appoint municipal councillors as conservation authority members”</p> <p>“Enable the minister to appoint a member to the conservation authority from the agricultural sector.”</p> <p>“Require that conservation authority chairs and vice-chairs rotate every two years between different participating municipalities.”</p> <p>“Require conservation authorities to make key documents publicly available online (e.g. ..., municipal member agreements,...)</p> <p>Require conservation authorities to submit to the minister a copy of any agreement its participating municipalities have entered into on the number of members each participating municipality is entitled to appoint to a conservation authority.”</p>	<p><b>Proposed General Positioning:</b> A number of amendments have been made regarding CA Board appointments. Of concern are new clauses that require municipalities to only appoint municipal councillors and that the Chair/Vice Chair rotate every two years between different municipalities. Conservation Ontario’s positioning has been that Board appointments should remain the decision of the municipality but there will be practical limitations for these new requirements to be met (e.g. some CAs have only one or a few municipalities in their jurisdiction; some have more than 50% citizen appointees). Conservation Ontario will be asking the Association of Municipalities of Ontario (AMO) to champion these governance issues. CAs should obtain resolutions of support from their Boards and Municipal Councils.</p> <p>There is no opportunity to manage these legislative amendments through the regulations process as Bill 229 has <u>removed the ability to prescribe by regulation</u>, the composition, appointment, or qualifications of members of CAs. Given the already identified regulatory consultations planned and the pressures from COVID exacerbating municipal councillors’ time, respectfully request that proclamation of these governance changes be delayed for at least a few years. This would allow time for AMO and CO to collaboratively work on the necessary policies to support effective Board governance.</p> <p><b>Action: Request delay in proclamation until after regulations consultations are completed over the next number of years.</b> Inform and solicit the support of AMO and member municipalities to champion amendments.</p> <p><b>Questions:</b></p> <p>Can municipalities supply the required number of municipal councillors?</p> <p>Will CA Boards be able to achieve quorum given additional committee pressure on municipal councilors?</p> <p>Can Mayors (head of council) be members too?</p>

Generalized Description of Legislative Amendments to Conservation Authorities Act (CAA) per ERO Bulletin 019-2646	Proposed General Positioning & Proposed Questions/Comments for Clarification on Legislative Amendment & Proposed Comments for Development of Proposed Regulations/Policies
	<p>How will rotating the Chair/Vice Chair every two years between different municipalities be achieved if it's not supported by the outcomes of CA's election process?</p> <p>Will the agriculture representative be a voting member? What is the duty of this member (i.e. not included in Section 14.1)?</p> <p>What is the purpose of the Minister receiving copies of agreements on the number of members each municipality is entitled to appoint to a CA?</p> <p><b>Policy/Agreement/Regulation work:</b> Bill 229 has removed the ability to prescribe any of this by regulation. AMO and CO could work on policies/procedures that would support "Conservation Authority Best Management Practices (BMP) and Administrative By-Law Model" (amended September 28, 2020) and updates to individual CA by-laws.</p>
<p><b>5. Transparency/accountability</b></p> <p>"Require conservation authorities to make key documents publicly available online (e.g., meeting agendas, meeting minutes, ... annual audits)." (ERO posting 019-2646)</p>	<p><b>Proposed General Positioning:</b> There are a number of changes which appear administrative in nature which we acknowledge will address concerns around transparency and accountability. CA Administrative By-Laws were completed by the December 2018 legislated deadline and should already address these concerns including making key documents publicly available; including meeting agendas, meeting minutes, and annual audits.</p> <p>Conservation Ontario can assist CAs in updating their Administrative By-Laws by clarifying which BMPs are now legislated. Each update to individual CA Administrative By-Laws incurs legal costs such that it's anticipated that these updates will be addressed at a future date when more substantive amendments are required. In the meantime, these can be implemented without awaiting by-law amendments.</p> <p><b>Action: Implement</b> – make materials publicly available</p> <p><b>Questions:</b> n/a</p>

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	<b>Policy/Agreement/Regulation work:</b> Updates to “Conservation Authority Best Management Practices (BMP) and Administrative By-Law Model” (amended September 28, 2020) and updates to individual CA By-Laws



November 13, 2020

*Sent Via Email*

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The Honourable John Yakabuski  
Minister of Natural Resources and Forestry  
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The Honourable Rod Phillips  
Minister of Finance  
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**Re: Bill 229 Schedule 6 Proposed Changes to the *Conservation Authorities Act***

Dear Premier Ford and Ministers Yurek, Clark, Yakabuski and Phillips

Credit Valley Conservation was formed in 1954 with a mandate to provide 'programs and services designed to further the conservation, restoration, development and management of natural resources' in the Credit River Watershed. After the devastating floods of Hurricane Hazel, which also had large impacts in the Credit River Watershed, the powers to regulate the floodplain were added with the intent that no Ontarian ever lost their life to flooding again.

This has been the legacy of conservation authorities (CA) in Ontario. Forests have been replanted, streams rehabilitated, fisheries protected and restored, and flood plains, wetlands, shorelines and other natural hazards identified and protected to ensure public safety and good water and land management. In recent years we have been entrusted to enact the *Clean Water Act* in recognition of the significant watershed-based role we play in land and water management, critical to a healthy and safe environment.

Over the years, the province has largely removed itself from any significant role with Conservation Authorities, including providing less than 1% of the funding to Credit Valley Conservation. Our watershed municipalities have supported us, and in turn, our programs and services have been designed to meet their needs as well as those of the watershed. CVC is fortunate to have such great partners in protecting the Credit River watershed.

Changes have been proposed to the *Conservation Authorities Act* (CA Act) under Bill 229 further modifying those under Bill 108 passed last year. The Province has described these changes as modernizing the CA Act 'to improve transparency and consistency in conservation authority operations, strengthen municipal and provincial oversight and streamline conservation authority roles in permitting and land use planning'. Provisions for accountability and transparency the CVC Board heartily agrees with and we are proud that CVC already has those measures in place. However, there are other proposed changes that have the potential to alter CVC's relationships with our municipalities as well as our ability to apply science-based decision making to the planning and permitting roles.

We have attached our Board Report and accompanying resolution #XXXX passed by the Board of Directors of Credit Valley Conservation on November 13, 2020. This report lays out our comments on some of the revisions to the Act as outlined in Schedule 6 of Bill 229. It is not our intention to repeat the contents of the staff report in this letter but to highlight those that we recommend should be revised to ensure that there are no unintended consequences of their inclusion.

First and foremost, the direction that board members act on behalf of their municipalities rather than the conservation authorities flies in the face of good governance practices and recommendations made by the Auditor General of Ontario about Niagara Peninsula Conservation. Moreover, for members to act only on behalf of their municipality is counter to the intent of the CA Act which was to transcend political boundaries for municipalities sharing a watershed to collectively manage and protect its resources. This clause must be repealed.

The proposed clause that allows the minister to dictate the standards and requirements for municipal or other programs and services agreed upon through service level agreements (non-mandatory programs) should be removed. Terms will be negotiated with the partner municipality and there will be no provincial funding or support in these categories. Therefore, an additional level of bureaucracy and oversight is unnecessary and duplicates effort – this proposed provision should be removed.

We find the provisions to allow the Minister of Natural Resources and Forestry (MNRF) to issue a Section 28 permit before a CA has finished its review to be unwise by allowing individuals to circumvent the technical CA permitting process and by tying up CA staff in unnecessary appeal processes. This proposal does not improve transparency, consistency in decision-making and nor does it streamline the process. This effectively politicizes the decision removing the consistency with CVC policies and procedures and potentially resulting in precedent setting decisions which may result in future challenges. Further, we need the province to clarify that the Ministry would be responsible to ensure compliance with any permit that they issued and for any liability associated with the decision. No permit should be given by the Minister without the CA first completing its review and rendering its decision.

The province proposed a number of timelines for permit appeals. There is a broad spectrum and complexity of applications in the files that CAs deal with. CVC currently meets all permit issuance guidance from the province and revised permit timelines as recently defined through the 'Client Service Standards for Conservation Authority Plan and Permit Review'. It is our submission that the province should amend or

replace appeal timelines with a requirement for CAs to develop standards and procedures for permit and plan review, including permit issuance timelines, to be approved by their Board.

Consequential changes to the *Planning Act* are still being clarified with the Ministry of Environment Conservation and Parks (MECP) staff but CVC expects that it would bar conservation authorities from appealing a municipal planning decision to the Local Planning Appeal Tribunal (LPAT), unless requested through an agreement with the municipality or the Minister of Municipal Affairs and Housing. This tool is a necessary but seldom used tool in our toolbox. CAs must be able to have the right of appeal approvals in hazard areas and for planning file implications to our rather substantial land holdings.

The Ministry staff clarified that this change to the *Planning Act* only affects the CA role in appeals and that participation in CA plan review would still be occurring. We seek confirmation from the province that CAs will still be able to support municipalities in this most important role.

Proposed changes would remove the un-proclaimed provision for conservation authorities to issue stop work orders, a new tool in our enforcement toolbox that we had long requested from the province, along with the more substantial fines. This tool will provide the ability to stop significant threats to life, property and environmentally sensitive areas before having to resort to costly fines and prosecution, as well as expensive restitution where ordered by the courts. Repeal this modification.

Finally, the Act outlines that there will be a transition period for making the changes to the mandatory programs and services and developing agreements or MOUs with partners. In our briefing with MECP, they noted that they were expecting the transition to be one year such that the changes would take effect for the 2022 budget year. This is simply not enough time to allow staff of both the CA and municipalities to undertake the complex process that the province has laid out and given that the regulations have not yet been released.

CVC's budget is typically completed by June of the previous year to meet Region of Peel timelines. This leaves a six month window to:

- change our budget model;
- assess all programs and services against the regulations
- enter into discussions with all our municipalities (up to 11);
- draft budgets for the selected programs and services
- reiterate assuming some modification
- substantially complete negotiations in order to inform the budget process.

It is our position that this is an unreasonable expectation and one that the municipalities would no doubt be unable to meet given continued COVID restrictions and workloads as well as not being their implementation priority. Depending on the municipality and the type of agreements they may also require Council approval. Therefore, a longer transition period will be required and no earlier than end of December 2022.

We urge the province to ensure that we get this legislation right for the future of our communities. CVC has shown that we are a service-oriented organization that works with our clients to get good outcomes for the landowner and the environment. We see the implications of past decisions for development in floodplains in our watershed and the increasing frequency of events on those communities. We know that saying no is unpopular but in the rare instance that we do, we can sleep better at night knowing we kept our watershed residents safe.

We are available to discuss any of these comments with you.

Sincerely,



Karen Ras, Chair  
Credit Valley Conservation



Tom Adams, Vice Chair  
Credit Valley Conservation

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