



January 14, 2021

Elana Arthurs
Clerk
Township of Cavan Monaghan
988 County Road 10
Millbrook, Ontario
LOA 1G0

Re: R/30/11/20/02 – Proposed Changes to the Conservation Authorities Act & Planning Act (Schedule 6)

Thank you for providing a copy of Council's resolution dealing with Bill 229 – Proposed Changes to the *Conservation Authorities Act & Planning Act* (Schedule 6). I have been asked by Board Chairman Andy Mitchell to provide a response to Council's recommendations.

As we previously communicated, Otonabee Conservation, joined by Conservation Ontario and the majority of the other 35 conservation authorities across the province, requested that Schedule 6 be removed from Bill 229. Our collective position reflected a concern that our ability to protect people, property and the environment from natural hazards was being impaired by the provisions of schedule 6 and that there was insufficient consultation on the specific provisions of the proposed legislation.

The provincial government choose to proceed with the proposed legislative changes outlined in Schedule 6, with some clauses being further amended in clause-by-clause review at Committee. At this time, with the exception of the changes dealing with Minister's Zoning Orders the amendments have not been proclaimed and are not yet in force.

Council's resolution to the Standing Committee on Finance and Economic Affairs included 9 specific legislative and regulatory recommendations, primarily relating to the establishment of timelines and the enunciation of specific accountabilities. What follows is an overview of how some of the recommendations proposed by the Township of Cavan Monaghan are already being implemented by Otonabee Conservation.

For almost a decade now Otonabee Conservation has been applying the requirements of the province's 'Policy and Procedures for Conservation Authority Plan Review and Permitting Activities'. As required by this policy, we do identify the role(s) and legislative authority under which we provide comments to municipalities or planning approval authorities as part of a plan review service, and specifically whether these comments are advisory in nature. The comment letters we provide to granting authorities are structured around our differing roles.

In addition, we apply the decision timeline standards for issuing section 28 permits within the above-mentioned document. The Board recently authorized staff to begin publicly reporting the results of these timeline standards. Beginning this year, our plan is to provide a public report on a quarterly basis.

Council's resolution also references the Client Service and Streaming Initiative. This initiative was developed by the conservation authority community and coordinated by Conservation Ontario; it is not provincial policy. The initiative involved the creation of various guidance documents and templates and new timeline standards for issuing section 28 permits. The initiative was initially rolled out in conservation authorities subject to high growth pressures. Otonabee Conservation, as a medium growth conservation authority, has not been required to adhere to the identified timelines; our efforts are voluntary at this point. The Board did, however, endorse this initiative in the spring of 2019 and has authorized staff to begin implementation in 2021.

Council's resolution also makes recommendations about the plan review service that conservation authorities perform under an agreement with municipalities. As you know, the amended, but not yet proclaimed, legislation includes regulatory powers for establishing these agreements. However, the legislation no longer provides the powers for the Minister to issue content specific requirements. We believe that the items dealing with plan review services that Council wishes to address can be discussed when the current Plan Review & Technical Services Agreements are reviewed.

Thank you for sharing Council's resolution. We look forward to the release of provincial regulations and discussing with Township staff how best to implement these requirements.

Sincerely

A handwritten signature in blue ink, appearing to read "Dan Marinigh", is written over a horizontal line.

Dan Marinigh
CAO/Secretary-Treasurer
Otonabee Conservation

c.c. Board Members
Yvette Hurley, CAO, Township of Cavan Monaghan
CAOs, member municipalities
Mark Majchrowski, CAO, Kawartha Region Conservation Authority
Linda Laliberte, CAO, Ganaraska Region Conservation Authority