

Saugeen Valley Conservation Authority

Authority Meeting

Thursday, February 15, 2024, 1:00 p.m.

Agenda

1. Land Acknowledgement

We begin our meeting today by respectfully acknowledging the Anishinaabeg Nation, the Haudensaunee, the Neutral, and the Petun peoples as the traditional keepers of this land. We are committed to moving forward in the spirit of reconciliation with First Nation, Métis, and Inuit peoples.

2. Adoption of agenda

THAT the agenda for the Saugeen Valley Conservation Authority meeting, February 15, 2024, be adopted as circulated.

3. Declaration of pecuniary interest

4. Adoption of minutes

4.1 Authority meeting – January 19, 2024

THAT the minutes of the Saugeen Valley Conservation Authority meeting, January 19, 2024 be adopted as presented.

5. Presentation: Director recognition

6. Reports for information

6.1 WR-2024-01: Publicly Accessible Water Quality and Flood Warning Data – Elise MacLeod

6.2 GM-2024-03: General Manager’s report – Erik Downing

6.3 COR-2024-05: Finance report

6.4 GM-2024-04: Program report

6.5 Correspondence

6.6 Approved Committee minutes

6.6.1 Executive Committee – November 6, 2023

6.7 News report

7. Matters arising from the minutes

7.1 Committee meeting schedule review

8. New business

8.1 Policy approval – WHMIS

That the Saugeen Valley Conservation Authority approve the proposed WHMIS Policy.

8.2 EPR-2024-02: Permits issued for endorsement – Matt Armstrong

THAT the Development, Interference with Wetlands and Alterations to Shorelines and Watercourse applications (#24-001 to 24-009 and #24-011 to 24-015), pursuant to Ontario Regulation 169/06, as approved by staff, be endorsed.

8.3 EPR-2024-03: Draft Administrative Review Guidelines – Matt Armstrong

*THAT the draft “SVCA Administrative Review Guidelines” be approved by the SVCA; and
That staff are directed to include these guidelines in the upcoming Environmental Planning and Regulations Policies Manual review; and
That the SVCA be guided by these documents in subsequent Administrative Reviews; and
That the draft “Generic Complete Application Checklist” be made public, and further
That staff utilize this generic checklist to create specific checklists for specific file types.*

8.4 EPR-2024-04: Zoning Comments in Regulation Letters – Matt Armstrong

That SVCA staff be permitted to inform applicants of possible zoning issues when reviewing development proposals.

9. Adjournment

THAT the meeting be adjourned.

Please note that a short Source Protection Authority (SPA) meeting will follow. All Members of the SVCA Board are also members of the SPA and should plan to remain for the second meeting.



Saugeen Valley Conservation Authority

Minutes – Board of Directors Meeting

Date: Thursday January 19, 2024, 1:00 p.m.

Location: Administration Office, Formosa, ON

Chair: Barbara Dobreen

Members present: Paul Allen, Larry Allison, Kevin Eccles, Tom Hutchinson, Steve McCabe, Greg McLean, Dave Myette, Mike Niesen, Sue Paterson, Moiken Penner, Jennifer Prenger, Bill Stewart, Peter Whitten

Members absent: Bud Halpin

Staff present: Erik Downing, Janice Hagan, Donna Lacey, Elise MacLeod, Madeline McFadden, Laura Molson, Michael Oberle

Others present: Special guests and members of the public.

1. Land Acknowledgement

The Land Acknowledgement was read by Moiken Penner

We begin our meeting today by respectfully acknowledging the Anishinaabeg Nation, the Haudensaunee, the Neutral, and the Petun peoples as the traditional keepers of this land. We are committed to moving forward in the spirit of reconciliation with First Nations, Métis, and Inuit peoples.

2. Adoption of Agenda

Motion #G24-01

Moved by Sue Paterson

Seconded by Steve McCabe

THAT the agenda for the Saugeen Valley Conservation Authority meeting, January 19, 2024, be adopted as circulated.

Carried

3. Declaration of Pecuniary Interest

There were no declarations of pecuniary interest relative to any item on the agenda.

4. Adoption of Minutes

4.1 Authority meeting – November 30, 2023

Motion #G24-02

Moved by Tom Hutchinson

Seconded by Paul Allen

THAT the minutes of the Saugeen Valley Conservation Authority meeting, November 30, 2023, be adopted as presented.

Carried

5. Introduction of guests

Greetings were brought to SVCA from the following dignitaries and special guests:

Lisa Thompson, MPP, Huron Bruce Riding
Pat O'Connor, on behalf of Ben Lobb, MP, Huron-Bruce Riding
Alex Ruff, MP, Bruce-Grey-Owen Sound (in absentia, via correspondence)
Glen McNeil, Warden, Huron County
Paul McQueen, Mayor, Grey Highlands (via Zoom)
Mark Goetz, Mayor, Municipality of South Bruce
Ed McGugan, Vice Chair, Maitland Valley CA, Township of Huron-Kinloss
Angela Coleman, Conservation Ontario
Tim Lanthier, CAO, Grey Sauble Conservation Authority
Phil Beard, GM/S-T, Maitland Valley Conservation Authority
Moiken Penner, Councillor, on behalf of Municipality of Arran-Elderslie
Katie Langdon, NWMO
Andrew Beumer, Bruce County Transportation
Coreena Smith, Bruce County Planning

6. Presentation: Staff Recognition

Barbara Dobreen and Erik Downing presented service awards to the following staff:

- 5-Year Service Award: Cheryl Skingley, Campground Superintendent (*in absentia*)
- 10-Year Service Award: Rick Rowbotham, Field Operations Coordinator (*in absentia*)
- 20-Year Service Award: Laura Molson, Manager, Corporate Services
- 25-Year Service Award: Donna Lacey, Manager, Forestry and Lands

7. Chair's Address

The following address was given by Chair Dobreen:

As we convene today for Saugeen Conservation's Annual Meeting, I reflect on a year marked by both challenge and significant progress. Like so many conservation authorities, our journey through this period has been one of adaptation and resilience.

In the realm of Corporate Services, strides have been taken to enhance our operational accessibility. Our forward-looking vision is captured in the completion of a 10-year strategic plan that will guide our path to a sustainable future. We have reinforced the fabric of our organization through policies, job performance evaluations, and training programs.

Innovation in our meeting structure has been realized with the implementation of OWL and hybrid meetings, reflecting our ability to adapt in changing times. We've seen the Agricultural Advisory Committee take root once again, and our staff have broadened their expertise through micro-credentials in accessibility, fundraising, and grant writing.

Environmental Planning and Regulations managed an impressive number of new inquiries, and for the fifth consecutive year, issued over 300 permits, underlining the department's excellence amidst transition. Our presence on the international stage was noted at the Coastal Zone Canada Conference in Victoria, BC, with our influential presentation on conservation authorities in the coastal zone. We've also upheld our regulatory mandate and commitment to environmental stewardship by establishing a violation strategy designed to work with landowners where possible, and successful litigation where necessary.

Our Forestry and Lands department has not only maintained but has enhanced the green spaces under our care, with significant efforts in conservation and recreation, hosting events that connect the community to our mission.

Water Resources has been a beacon of success, with a substantial grant and external funding obtained to bolster our initiatives. Our flood warning program has been retooled for efficiency, and we've embraced transparency with the final stages of public data accessibility for flood and water quality data. Through diligent negotiations, we have established agreements with member municipalities that align with the changes in the CA Act. Unanimous municipal support was received for the Water Quality Program, and Category 2 Agreements are underway. Funding for three municipal floodplain mapping projects was secured and work initiated in 2023 that will ensure the momentum continues in 2024.

This year has indeed been one of the most challenging years for the SVCA. Our success and achievements in 2023 are a testament to Saugeen Conservation's collective ability to adjust and thrive. The Conservation Authorities Act changes included the province removing SVCA's ability to attempt cost recovery through fees and charges rather than municipal levies. Thus, removing our autonomy; overriding Board directives; and compromising our ability to govern ourselves as a representative agency for our member municipalities. Concurrently, new deadlines and deliverables arose alongside staffing challenges. Each department rose to the occasion, showing remarkable time management and fulsome collaboration to build and strengthen relationships with municipal partners, all while still executing unwavering dedication to our shared goals.

Member municipalities in 2023 showed significant support for the SVCA and renewed their belief in SVCA as a vital local organization associated with mandated and non-mandated programs alike.

As we look to the future, we will carry forward the spirit of ingenuity and commitment that has characterized the past year.

Thank you.

8. Presentation: 2023- A look back

The Management team reflected on the various departmental projects, accomplishments, and changes that transpired at SVCA in 2023.

9. Election of Officers

9.1 Appointment of Chair Pro Tem

Motion #G24-03

Moved by Larry Allison

Seconded by Greg McLean

THAT Ed McGugan be appointed as Chair Pro Tem for the purposes of conducting the election of officers for 2024.

Carried

Chair Pro Tem McGugan declared all offices vacant and called for a motion to appoint two scrutineers, in the event of an election count.

9.2 Appointment of Scrutineers

Motion #G24-04

Moved by Barbara Dobreen

Seconded by Steve McCabe

THAT Tim Lanthier and Phil Beard be appointed as scrutineers for the purposes of conducting the election of officers for 2024.

Carried

9.3 Election of Chair

Chair McGugan called for nominations for the position of Chair for 2024. Tom Hutchinson nominated Barbara Dobreen. No further nominations were received.

Motion #G24-05

Moved by Sue Paterson

Seconded by Greg McLean

THAT the nominations for the position of Chair of the Saugeen Valley Conservation Authority for 2024 be closed.

Carried

Barbara Dobreen accepted her nomination and was acclaimed Chair for 2024.

9.4 Election of Vice Chair

Chair McGugan called for nominations for the position of Vice Chair for 2024. Steve McCabe nominated Tom Hutchinson. No further nominations were received.

Motion #G24-06

Moved by Dave Myette

Seconded by Tom Hutchinson

THAT the nominations for the position of Chair of the Saugeen Valley Conservation Authority for 2024 be closed.

Carried

Tom Hutchinson accepted his nomination and was acclaimed as Vice Chair for 2024.

9.5 Election of 2nd Vice Chair

Chair McGugan called for nominations for the position of 2nd Vice Chair for 2024. Tom Hutchinson nominated Paul Allen. Kevin Eccles nominated Dave Myette. There were no further nominations.

Motion #G24-07

Moved by Bill Stewart

Seconded by Kevin Eccles

THAT the nominations for the position of 2nd Vice Chair of the Saugeen Valley Conservation Authority for 2024 be closed.

Carried

Dave Myette declined his nomination. Paul Allen accepted his nomination and was acclaimed as 2nd Vice Chair for 2024.

9.6 Election of Member-at-Large

Chair McGugan called for nominations for the position of Member-at-Large for 2024. Steve McCabe nominated Greg McLean. There were no other nominations.

Motion #G24-08

Moved by Tom Hutchinson

Seconded by Larry Allison

THAT the nominations for the position of Member-at-Large of the Saugeen Valley Conservation Authority for 2024 be closed.

Carried

Greg McLean accepted the nomination and was acclaimed Member-at-large for 2024.

10. Committee Appointments

10.1 Appointments to the Forestry Committee

Motion #G24-09

Moved by Bill Stewart

Seconded by Paul Allen

THAT the following Directors be appointed as members to the Forestry Committee for 2024: Tom Hutchinson, Moiken Penner, Bud Halpin, and Dave Myette.

Carried

10.2 Appointments to the Property and Parks Committee

Motion #G24-10

Moved by Tom Hutchinson

Seconded by Greg McLean

THAT the following Directors be appointed as members to the Property and Parks Committee for 2024: Paul Allen, Larry Allison, Moiken Penner, Jennifer Prenger, and Bill Stewart.

Carried

10.3 Appointments to the Water Resources Committee

Motion #G24-11

Moved by Steve McCabe

Seconded by Jennifer Prenger

THAT the following Directors be appointed as members to the Water Resources Committee for 2024: Tom Hutchinson, Greg McLean, Dave Myette, and Bill Stewart.

Carried

10.4 Appointments to the Agricultural Advisory Committee

Motion #G24-12

Moved by Tom Hutchinson

Seconded by Bill Stewart

THAT the following Directors be appointed as members to the Agricultural Advisory Committee for 2024: Steve McCabe, Dave Myette, Kevin Eccles, and Mike Myette; and further

THAT Chris Cossitt, Les Nichols, Paul Wettlaufer, Karen Gorman, Allan Willits, and Meg Roberts be appointed to the Saugeen Valley Conservation Authority Agricultural Advisory Committee for the 2024 calendar year.

Carried

11. Delegation request

Chair Dobreen reminded the Board of Directors that as per the SVCA Bylaws, there is to be no debate during the delegate's presentation and that only questions for clarification can be asked. She also informed the Board that since the file to be discussed is on-going, staff are unable to comment publicly, and no decision or action is to be taken at this meeting.

Robert Scriven requested that a violation be commenced, and the restoration of an environmentally protected land and watercourse be undertaken under the supervision of SVCA. He informed the Board that unauthorized drainage works had been executed at a property adjacent to Skunk Creek, and in his opinion were completed without environmental studies or engineering plans, and work had not been performed by properly qualified contractors. Since this is an open file with SVCA, the Board did not discuss the presentation.

12. Reports for information

12.1 GM-2024-01: General Manager's report

The GM/S-T highlighted the fee freeze notice from the Ministry of Natural Resources and Forestry.

12.2 GM-2024-02: Program report

There was no discussion.

12.3 Correspondence

Correspondence was received from the Ministry of Natural Resources and Forestry, December 13, 2023, with notice of extension of the Minister's Direction regarding the freezing of EPR fees. The Board discussed this notice and the effect it has on the 2024 budget.

12.4 News report

There was no discussion.

13. New business

13.1 COR-2024-03: 2024 Budget update

Due to the fee freeze enacted by the province and direction to review the 2024 budget, Staff have proposed changes which will not affect the General Levy and recommend that the shortfall be funded through reserves. The Directors discussed the changes and agreed to adopt the amended budget.

Motion #G24-13

Moved by Tom Hutchinson

Seconded by Steve McCabe

Whereas the Authority adopted the 2024 Budget in the amount of \$5,993,275 at the November 30th meeting (G23-111); and

Whereas the Province has extended their December 28, 2022, direction to not change fees related to reviewing and commenting on planning and development related proposals, applications, or land use planning policies or for Conservation Authority permitting, through December 2024;

THAT the Authority rescind motion G23-111; and further

THAT the amended budget in the amount of \$5,784,425 be adopted; and further

THAT the General Manager/Secretary-Treasurer is hereby authorized to notify the member municipalities of the cost apportioning amounts owing; and further

THAT cost apportioning payments shall be due from member municipalities in two equal instalments on March 31 and June 30, 2024, and that late payments shall be subject to the Authority's standard late payment charge of 1.50% per month thereafter.

Motion #G24-14

Moved by Kevin Eccles

Seconded by Bill Stewart

THAT the recommended motion be separated into two parts to rescind motion G23-111 before discussion of the amended budget.

Carried

Motion #G24-15

Moved by Tom Hutchinson

Seconded by Steve McCabe

Whereas the Authority adopted the 2024 Budget in the amount of \$5,993,275 at the November 30th meeting (G23-111); and

Whereas the Province has extended their December 28, 2022, direction to not change fees related to reviewing and commenting on planning and development related proposals, applications, or land use planning policies or for Conservation Authority permitting, through December 2024;

THAT the Authority rescind motion G23-111.

Carried

Motion #G24-16

Moved by Tom Hutchinson
Seconded by Steve McCabe

THAT the amended budget in the amount of \$5,784,425 be adopted; and further
THAT the General Manager/Secretary-Treasurer is hereby authorized to notify the member municipalities of the cost apportioning amounts owing; and further
THAT cost apportioning payments shall be due from member municipalities in two equal instalments on March 31 and June 30, 2024, and that late payments shall be subject to the Authority's standard late payment charge of 1.50% per month thereafter.

Carried

13.2 EPR-2024-01: Request for endorsement: Permits issued

Motion # G24-17

Moved by Paul Allen
Seconded by Larry Allison

THAT the Development, Interference with Wetlands and Alterations to Shorelines and Watercourse applications (#23-287 to 23-310), pursuant to Ontario Regulation 169/06, as approved by staff, be endorsed.

Carried

13.3 Appointment of Auditor

Motion #G24-18

Moved by Dave Myette
Seconded by Tom Hutchinson

THAT Baker Tilly SGB LLP be confirmed as the auditor to the Authority for the year 2024.

Carried

13.4 Appointment of Solicitor

Motion #G24-19

Moved by Dave Myette
Seconded by Tom Hutchinson

THAT Beard Winter LLP, and Mathews, Dinsdale & Clark LLP be appointed solicitors to the Authority for the year 2024 for general operations, with the option to engage the services of other local solicitors, as necessary.

Carried

13.5 COR-2024-04: Statutory Administrative Approvals

Motion #G24-20

Moved by Jennifer Prenger

Seconded by Greg McLean

THAT the Saugeen Valley Conservation Authority Board of Directors re-affirm for 2024 the Health and Safety Policy; and further

THAT the Saugeen Valley Conservation Authority Board of Directors Re-Affirm for 2024 the Workplace Violence, Harassment, and Sexual Harassment Policy.

Carried

14. Committee meeting schedule

Motion #G24-21

Moved by Bill Stewart

Seconded by Steve McCabe

THAT the Committee meeting schedules be adopted as presented.

Carried

15. Adjournment

There being no further business, the meeting adjourned at 3:27 p.m. on the motion of Peter Whitten and Moiken Penner.

Barbara Dobreen
Chair

Janice Hagan
Recording Secretary

Report #WR-2024-01

Report To: Chair and Directors, Saugeen Valley Conservation Authority
From: Elise MacLeod, Manager, Water Resources
Date: February 15, 2024
Subject: Publicly Accessible Water Quality and Flood Warning Data
Purpose: To provide an update on the completion of the RBC Tech for Nature Program

Background

In June 2023, SVCA staff were notified of a successful grant application for the RBC Tech for Nature Program. SVCA staff applied for funding to develop and procure a data visualization tool that would allow SVCA to share data publicly. At the time, SVCA's surface water, groundwater, snow survey and watercourse data (i.e. temperature, precipitation) were accessible to employees only, unless requested externally.

Analysis

SVCA staff have successfully created a data visualization tool, using the Microsoft Power-bi platform, which will be live by March 2024. The launch of the program will be accompanied by press releases and social media postings. Once live, this initiative will allow SVCA to share our water quality and flood warning data in a format fully compliant to the *Accessibility for Ontarians with Disabilities Act*. This information can be used to support community groups, grass-roots environmental organizations, local governments, schools, and other parties that are interested in watershed education.

SVCA staff will evaluate the platform's reception and performance annually through website metrics. The anticipated positive response from the public is a testament to the value of transparent data sharing. This project marks a milestone in public knowledge transfer and enhancement of SVCA's existing water resources program.

Prepared by:

< [Original signed by:] >

Elise MacLeod, Manager, Water Resources

Approved by:

< [Original signed by:] >

Erik Downing, General Manager / Secretary-Treasurer (Acting)

Report #GM-2024-03

Report To: Chair and Directors, Saugeen Valley Conservation Authority
From: Erik Downing, General Manager/Secretary Treasurer (Acting)
Date: February 15, 2024
Subject: General Manager's Update

Inventory of Programs and Services

Since November 2022, SVCA staff have engaged in ongoing discussions with municipal CAOs across our member municipalities. This support has revolved around the Inventory of Programs and Services submitted to the Province in February 2022. SVCA intends to continue these services post-January 1, 2024, and services under Categories 2 and 3 needing municipal funding will necessitate an agreement with municipalities to extend beyond this date. An extension for the MNRF deadline of January 1, 2024, for completion of these agreements was requested and the request has been approved. March 31, 2024, is the new deadline for the SVCA.

No requests for changes to the Category 3 Cost Apportioning Agreements were received from member municipalities. Unanimously category 3 agreements have been signed for the SVCA's Water Quality Program through 2028. Municipal staff seeing the new Category 3 invoices arrive and recognizing them as 'new' relative to previous years are being addressed as needed in the new funding framework. Category 2 draft agreements have been shared, with municipalities now scheduling meetings with SVCA for further deliberations and a number of signed agreements and planned releases.

The business case for Category 3 Stewardship proposal is now complete and was received by the Board at the December 2024 SVCA meeting. The Stewardship program could be restarted at the direction of the Board, for any fiscal year. Staff are investigating funding opportunities for a self-funded Environmental Education program.

NWMO

The SVCA's NWMO Program Coordinator, alongside staff have finalized and submitted the year 2 program report draft. This report was submitted January 31, 2024. Year 3 work and planning is underway. 2024 will be the last year of a three-year special project collaborating the SVCA with NWMO for their baseline water quality program.

SVCA Staff Complement

2024 position in forestry and lands and water quality have been posted and interviews are well underway. Formosa office configuration is being revisited to accommodate these additional staff and returning staff positions.

All Departments:

Item	Progress	Completion Date
Performance evaluations	In circulation	June 2024
Staff training	In circulation	December 2024
Content management system	In progress – with CLOCA	June 2024
Mapping Working Group	In progress in 3 communities	March 2024
Annual report	In progress	April 2024
Job descriptions	Department Managers Reviewing	February 2024
Inflation and Pay policy	In progress	June 2024

Health and Safety

Item	Progress	Completion Date
Workplace Inspection policy	In progress	January 2024
WHMIS policy	Included in February BoD Meeting	February 2024
Job Hazard Analysis	In progress	February 2024
Durham Emergency plan	In progress	April 2024

Corporate Services

Item	Progress	Completion Date
Strategic plan	Complete	September 2023
Budget 2024	Complete	November 2023
Fee schedule 2024	Complete (Park, Forestry, EPR)	September 2023 December 2023 January 2024
Category 2 and 3 Programs and Services agreements	Category 3 – Complete Category 2 – Underway	March 2024
Volatile client plan	In progress	March 2024
Accessibility and accommodation policy	In progress	March 2024
Conflict resolution policy	In progress	April 2024
Personnel policy	In progress	June 2024
Document retention policy	In progress	June 2024

Environmental Planning and Regulations

Item	Progress	Completion Date
Bill 23 update for member municipalities – Planning and Natural Heritage	Complete	Summer 2023
Freedom of information procedure	Complete	November 2023
Administrative review guidelines and complete application guidelines	Complete	November 2023
Municipal zoning survey	Complete	November 2023
Expert resources	Complete	December 2023
Board of Director Section 28 Hearing training	In progress	February 2024

Forestry and Lands

Item	Progress	Completion Date
Kincardine Cross Country Ski Club agreement	In circulation / Legal Review underway	February 2024
Land Acquisition and Disposition policy	In progress	First Quarter 2024
Varney Pond	In circulation with appropriate agencies	Ongoing

Water Management

Item	Progress	Completion Date
Confirmation of infrastructure ownership/easements	In progress	Ongoing
Transfer payment agreements	Complete	July 2023
Pine River Watershed Report summary	Complete	December 2023
Working in and around water policy	In progress	March 2024
Flood training; WRC, internal, external	In progress: WRC complete; internal ½ complete; external dates tbd	April 2024

NWMO

Item	Progress	Completion Date
Invoicing	Complete	Ongoing
Permissions to terrestrial soil sample on select SVCA properties	Complete	September 2023
Develop Year 3 scope of work and budget	Complete	November 2023
Finalize NRSI	Complete	December 2023
Channel characterization scope of work	With Coordinator and NWMO	July 2024
Year 2 Report	Complete	January 31, 2024

Drinking Water Source Protection

- 3-year funding announcement – MECP
- SVCA SPA Meeting – In February SVCA agenda

Approved by:



Erik Downing
General Manager / Secretary-Treasurer, (Acting)

Report #COR-2024-05

Report To: Chair and Directors, Saugeen Valley Conservation Authority
From: Laura Molson, Manager, Corporate Services
Date: February 15, 2024
Subject: Finance Report

General Levy Programs

For YTD and month ended November 30, 2023, with the % Actual budgeted funds.

Table 1 – Consolidated statement of revenues compared to budgeted amounts.

Revenues	Approved Budget	YTD Budget	YTD Actual	YTD % Actual/Budget
Corporate Services	1,121,050	1,035,009	984,343	95.10%
Environmental Planning and Regulations	1,184,300	1,084,351	991,633	91.45%
Water Resources	681,600	624,632	585,086	93.67%
Forestry and Lands	463,900	395,923	365,670	92.36%
Total Revenues	3,450,850	3,139,915	2,926,732	93.21%

Table 2 – Consolidated statement of expenses compared to budgeted amounts.

Expenses	Approved Budget	YTD Budget	YTD Actual	YTD % Actual/Budget
Corporate Services	1,121,050	1,077,043	939,055	93.25%
Environmental Planning and Regulations	1,184,300	1,079,818	972,309	90.04%
Water Resources	681,600	612,534	541,972	88.48%
Forestry and Lands	463,900	426,590	368,120	86.29%
Total Expenses	3,450,850	3,125,985	2,821,456	90.26%

Non-General Levy Programs

For YTD and month ended November 30, 2023, with the % Actual budgeted funds.

Table 3 – Consolidated statement of revenues compared to budgeted amounts.

Revenues	Approved Budget	YTD Budget	YTD Actual	YTD % Actual/ Budget
Forestry and Lands	705,150	683,607	619,755	90.66%
Campgrounds	1,266,600	1,266,600	977,746	77.19%
Capital Projects	670,000	548,750	194,000	35.35%
Total Revenues	2,641,750	2,498,957	1,791,501	71.69%

Table 4 – Consolidated statement of expenses compared to budgeted amounts.

Expenses	Approved Budget	YTD Budget	YTD Actual	YTD % Actual/ Budget
Forestry and Lands	686,750	652,031	584,286	89.61%
Campgrounds	1,199,480	1,147,774	824,669	71.85%
Capital Projects	670,000	420,000	635,385	151.28%
Total Expenses	2,556,230	2,219,805	2,044,340	92.10%

Programs Report #GM-2024-04

Forestry and Lands

Staff have been busy preparing tree planting plans, Managed Forest Tax Incentive Program plans, and ordering trees. Interviews were completed for the two forestry technician positions. It is anticipated that the new staff will start in early to mid-February.

Snow removal has taken a fair bit of staff time. Staff were greeted with a collapsed culvert at Sulphur Spring CA to start the new year. Permitting and planning for the replacement has been completed. A new culvert should be in place by early February. Staff have been working on the annual servicing of the fleet of vehicles as well as the trailers and equipment. This service often includes mechanical work as well as rust removal, patching and painting.

With the assistance of the Corporate Services department, staff spent a lot of time migrating data into a new campground reservation system. Ensuring the accuracy of all mapping and site information, along with rules and pricing has been a very difficult and time-consuming project. All campground information for Durham and Saugeen Bluffs was input into our reservation system for the 'go-live date' of February 1st.

Staff invested time on Section 29 matters, resulting in one trespasser vacating SVCA lands, and appreciation from neighbours.

Hazard tree removals from 2023 have continued into this month but will be complete by the end of January.

The monitoring of the Durham, Walkerton, and Paisley flood control structures is ongoing. Staff complete this work to assist the Water Resources Department.

Water Resources

SVCA Flood and Erosion Control Project Activity

SVCA staff continue to discuss Category 2 agreements with member municipalities.

Applications are currently being accepted for an Environmental Technician to support the preparation of CA deliverables and a Capital Water Infrastructure Coordinator to assist with capital infrastructure projects.

Federal Hazard and Identification Mapping Program (FHIMP)

Greenland Consulting is finalizing their review of all hydrologic models and two hydraulic models. Recent MNRF reporting has highlighted no extensions beyond the March 1, 2024 deadline. Additional modelling, report preparation and public information schedules remain outstanding.

Dam Public Safety Risk Assessments

D.M. Wills Associates are finalizing the dam public safety risk assessments for the Durham Lower Dam and the Glenelg Dam. SVCA staff have reviewed these assessments and provided feedback. Safety plans will be developed prior to the March 31, 2024 WECl funding deadline.

Flood Forecasting and Warning (FFW)

A Watershed Condition Statement – Flood Outlook was issued on January 23rd, 2024 due to forecasted precipitation, above freezing temperatures, and melting snowpack. While no significant flooding was reported in the watershed, flows were elevated in all watercourses and ice breakup occurred. Watershed status returned to normal on January 29th, 2024 after water levels peaked and were beginning to recede.

Summer Student Posting

Applications are currently being accepted for a Water Resources Technician position. This summer student position will be responsible for assisting the Flood Forecasting and Warning Program with field data collection, equipment installations and maintenance, and data management. An application has been submitted to *Canada Summer Jobs* to support with funding the position.

Public Data Accessibility

In an effort to improve data transparency and public accessibility, SVCA has developed dashboards that allow the public to view historical snow and rain data collected through our monitoring network. These dashboards will be available to the public by the end of February 2024. Media posts will be used to spread awareness of these resources. This initiative aligns with the immediate and short-term goals of publicly accessible data included in SVCA's 2023-2033 Strategic Plan and is supported through RBC Tech for Nature grant funding.

Snow Survey

SVCA staff have been diligently conducting snow surveys throughout the watershed since November 15th, 2023. Snow surveys are conducted at 14 distinct locations throughout the watershed. This information allows staff to calculate water content within the snowpack, which is then used to determine runoff potential during a melt event. Snow surveys are critical for assessing flood risk during mid-winter thaws and the spring freshet.

Water Quality (WQ)

SVCA staff continue to work diligently on QA/QC of all water quality data, including historical data. Preparation of a formal data QA/QC procedure is underway.

Benthic macroinvertebrate sorting is expected to take place throughout the winter months.

Environmental Planning & Regulations (EPR)

Department News

- Continued work with Central Lake Ontario Conservation Authority (CLOCA) staff on the new content management system. Data entry is ongoing, and we anticipate testing a beta version of the system this summer.

- Teamed up with Water Resources staff and presented to Municipality of Arran-Elderslie staff on SVCA's role and resources related to natural hazard emergency preparedness and response.
- Met with Grey County planning staff to discuss wetland and floodplain offsetting policies.
- Participated in notebook entry training by Capstone Development and Training.



Municipality of South Bruce

MUNICIPAL OFFICE

P.O. Box 540, 21 GORDON ST E. TEESWATER, ONTARIO N0G 2S0
Phone (519) 392-6623x229 | Fax (519) 392-6266 | Email vkennedy@southbruce.ca

January 17, 2024

Via Email

Minister of Natural Resources and Forestry
5th Floor, 99 Wellesley St.
Toronto, ON M7A 1W3
Graydon.Smith@pc.ola.org

Lisa Thompson, Huron-Bruce MPP
408 Queen Street, Box 426
Blyth, ON N0M 1H0
lisa.thompsonco@pc.ola.org

Dear Sir and Madams,

Re: Extension of Minister's Direction for Conservation Authorities Regarding Fee Changes Associated with Planning, Development and Permitting Fees

Please be advised that the Municipality of South Bruce Council met at their regular session of Council on January 9, 2024, at which time the following resolution was passed in response to correspondence received relating to the continued fee freeze:

Motion M24-15

Moved by: Nigel Van Dyk

Seconded by: Ron Schnurr

THAT Council instructs staff to write a letter to the Ministry of Natural Resources and Forestry opposing the directive mandating conservation authorities to not alter fees related to planning, development and permitting for the 2023 calendar year;

AND FURTHER THAT a copy of this letter be forwarded to the MPP.

Carried

The Municipality of South Bruce encourages the Ministry of Natural Resources and Forestry to reevaluate its recent directive directing conservation authorities not to change fees for programs and services associated with planning, development and permitting for the 2023 calendar year.

The unexpected announcement affects our local Authority's 2024 budget. The budget had already been approved at the time of the announcement, resulting in time lost to review and potentially revise their 2024 budget.

Additionally, the freeze impacts the financial planning and operation capabilities of Conservation Authorities across Ontario. The impact of rising costs has affected all sectors and it is important for Conservation Authorities to be able to achieve an appropriate level of costs recovery through their fees.

The Municipality of South Bruce is hopeful the Ministry will reconsider their directive.

Sincerely,

A handwritten signature in black ink, appearing to read 'Vivian Kennedy', with a stylized flourish at the end.

Vivian Kennedy
Deputy Clerk
Municipality of South Bruce

**Township of Southgate
Administration Office**

185667 Grey County Road 9, RR 1
Dundalk, ON N0C 1B0



Phone: 519-923-2110
Toll Free: 1-888-560-6607
Fax: 519-923-9262
Web: www.southgate.ca

February 8, 2024

Re: MNRF Conservation Authority Review Fee Freeze

Please be advised that at their January 17, 2024, Council meeting, the Council of the Corporation of the Township of Southgate approved the following:

No. 2024-049

Moved By Deputy Mayor Dobreen

Seconded By Councillor Shipston

Be it resolved that Council receive Consent Item 12.3.7 Municipality of South Bruce - Letter to MNRF MPP - Review Fee Changes; and

That Whereas the Ministry of Natural Resources and Forestry issued a new directive on December 13th, 2023 extending the Minister's Direction issued on December 28, 2022 through the calendar year 2024, which mandated that conservation authorities should not alter fees related to planning, development, and permitting; and

Whereas this Directive presents a significant challenge to Conservation Authorities as many of their 2024 Budgets were previously approved by the Board of Directors which incorporated increases to move towards achieving cost recovery through their Environmental Planning and Regulation fees; and

Whereas the Provincial directives that restrict Conservation Authorities ability to generate revenue, along with the continued decrease in direct funding from the Province to Conservation Authorities, pose substantial challenges and have serious implications for their operational and financial stability; and

Whereas, as a result of this unexpected extension of the 2023 fee structure into 2024, Conservation Authorities' financial planning and operational capabilities are significantly impacted with the potential that the 2024 budget may need to be revised and possibly impose further financial burden on watershed municipalities.

Now Therefore Be It Resolved that the Council of the Township of Southgate hereby request that the Minister of Natural Resources and Forestry reconsider their Directive in order to allow Conservation Authorities to alter fees for planning, development, and permitting within the 2024 calendar year; and

Further that a copy of this resolution be distributed to the Ministry of Natural Resources and Forestry, MPP Rick Byers, Conservation Ontario, Saugeen Valley

Conservation Authority.

Carried

If you have any questions, please contact our office at (519) 923-2110 ext. 230.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lindsey Green".

Lindsey Green, Clerk
Township of Southgate

cc: Ministry of Natural Resources and Forestry
Member of Provincial Parliament Rick Byers
Conservation Ontario
Saugeen Valley Conservation Authority



Saugeen Valley Conservation Authority

Executive Committee

Minutes

Date: Monday November 6, 2023, 9:00 a.m.
Location: Electronic via Zoom
Chair: Barbara Dobreen
Members present: Paul Allen, Steve McCabe, Bud Halpin, Tom Hutchinson
Staff present: Erik Downing, Janice Hagan, Laura Molson

Chair Dobreen called the meeting to order at 9:05 a.m.

1. Adoption of agenda

Motion #EC23-55

Moved by Tom Hutchinson

Seconded by Steve McCabe

That the agenda for the Executive Committee meeting be adopted as circulated.

Carried

2. Declaration of pecuniary interest

There were no declarations of pecuniary interest relative to any item on the agenda.

3. Adoption of minutes – October 5, 2023

Motion #EC23-56

Moved by Paul Allen

Seconded by Steve McCabe

That the minutes of the Executive Committee meeting, October 5, 2023, be adopted as circulated.

Carried

4. Matters arising from the minutes

4.1 Outstanding department initiatives

Erik Downing reviewed the updated list of outstanding projects and initiatives as presented. The Committee discussed various priority items.

Motion #EC23-57

Moved by Bud Halpin

Seconded by Tom Hutchinson

THAT the Executive Committee receives the Outstanding department initiatives report.

Carried

5. New business

5.1 Nuclear Waste Management Organization Year 3 Scope of Work

SVCA has partnered with NWMO in the Environmental Media Baseline Monitoring program for two (2) years and is anticipating the execution of a final year of water quality testing and monitoring. Staff will be presenting the Year 3 scope of work and contract proposal to the Authority on November 30th.

Motion #EC23-58

Moved by Tom Hutchinson

Seconded by Paul Allen

THAT the Executive Committee receives the NWMO report as information.

Carried

5.2 Interpretation of CA Act rules re: Term of Chair/Vice Chair

The Executive Committee discussed the term length for the Chair and Vice Chair as the wording in the *Conservation Authorities Act* seems confusing. Chair Dobreen will reach out to Conservation Ontario to request clarification.

5.3 Christmas vacation office closure

Erik Downing discussed previous practices for office closure over the Christmas holidays. He spoke about the efforts of staff during the past year which has brought some special challenges. He recommended that all staff be given three days off between Christmas and New Year, with pay, to build morale. After discussion the Executive Committee approved the office closure December 27-29 and that staff take this time off with pay in 2023 in recognition of their hard work. The policy for future Christmas closures and holidays will need to be reviewed and addressed in the Personnel Policy which is due to be amended in 2024.

Motion #EC23-59

Moved by Bud Halpin

Seconded by Tom Hutchinson

THAT the Executive Committee approves that the SVCA office be closed between Christmas and New Years in 2023; and further

THAT all staff be allowed to have this time off one time with pay and without use of vacation or overtime; and further

THAT the GM/S-T work with staff to develop a plan to use banked vacation and overtime hours in 2024.

Carried

5.4 Environmental education

The SVCA Education program will be cancelled after 2023 as this is a Category 3 program and has not been reflected in the proposed 2024 budget. Partners such as Bruce Power will no longer be offering funding support. Erik Downing noted that 32 of 36 conservation authorities continue to offer this service. The Committee recognized the importance of education at the youth level and discussed various funding opportunities in the community. Staff were directed to research

funding opportunities and partnerships to fund the delivery of conservation education in the SVCA watershed.

Motion #EC23-60

Moved by Steve McCabe

Seconded by Bud Halpin

THAT the Executive Committee directs staff to research funding opportunities and partnerships to fund the delivery of conservation education.

Carried

6. Closed session In Camera – to discuss personal matters about identifiable individuals

Motion #EC23-61

Moved by Dave Myette

Seconded by Steve McCabe

THAT the Executive Committee move into Closed Session, In Camera to discuss matters related to personal matters about identifiable individuals; and further

THAT Erik Downing, Matt Armstrong, Laura Molson, and Janice Hagan remain in the meeting as required.

Carried

Motion #EC23-64

Moved by Paul Allen

Seconded by Dave Myette

THAT the Executive Committee adjourn from Closed Session, In Camera and rise and report.

Carried

Chair Dobreen reported that the Executive Committee only discussed those items as declared and that Staff will proceed as directed in the Closed Session.

7. Next meeting and adjournment

The next Executive Committee meeting is scheduled for Thursday December 7, 2023, if required.

There being no further business, the meeting was adjourned at 10:40 a.m. by motion from Steve McCabe and Paul Allen.

Barbara Dobreen
Chair

Janice Hagan
Recording Secretary

News Articles for Members' Information

[Landowner in West Grey punished for environmental breaches](https://cknxnewstoday.ca/news/2024/01/16/landowner-in-west-grey-punished-for-environmental-breaches)

(<https://cknxnewstoday.ca/news/2024/01/16/landowner-in-west-grey-punished-for-environmental-breaches>)

CKNX NewsToday, January 16, 2024

[Ontario Court of Justice sides with Saugeen Conservation in West Grey case](https://midwesternnewspapers.com/ontario-court-of-justice-sides-with-saugeen-conservation-in-west-grey-case)

(<https://midwesternnewspapers.com/ontario-court-of-justice-sides-with-saugeen-conservation-in-west-grey-case>)

Midwestern News, January 17, 2024

[SVCA to hold public information session on Floodplain Mapping study](https://cknxnewstoday.ca/news/2024/01/23/saugeen-watershed-faces-potential-flooding)

(<https://cknxnewstoday.ca/news/2024/01/23/saugeen-watershed-faces-potential-flooding>)

CKNX NewsToday, January 23, 2024

[What is there to do in Paisley Ontario? \(curiosity.com\)](https://curiosity.com/paisley-ontario/)

(<https://curiosity.com/paisley-ontario/>)

Curiosity.com, January 23, 2024

[Saugeen Conservation adopts 2024 budget at AGM](https://ca.news.yahoo.com/saugeen-conservation-adopts-2024-budget-141501149.html?guccounter=1)

(<https://ca.news.yahoo.com/saugeen-conservation-adopts-2024-budget-141501149.html?guccounter=1>)

Yahoo.com, January 26, 2024

[Saugeen Conservation celebrates 2023 accomplishments](https://www.pentictonherald.ca/spare_news/article_4589b046-8b49-5486-af69-e823e4e3bd0f.html)

(https://www.pentictonherald.ca/spare_news/article_4589b046-8b49-5486-af69-e823e4e3bd0f.html)

Pentictonherald.ca, January 26, 2024

2024 Committee Meeting Schedule

Executive Committee (as required)

Date	Location	Time
Thursday February 1	Virtual (Zoom)	9:00 a.m.
Thursday March 7	Virtual (Zoom)	9:00 a.m.
Thursday April 4	Virtual (Zoom)	9:00 a.m.
Thursday May 2	Virtual (Zoom)	9:00 a.m.
Thursday June 6	Virtual (Zoom)	9:00 a.m.
Thursday July 4	Virtual (Zoom)	9:00 a.m.
Thursday August 1	Virtual (Zoom)	9:00 a.m.
Thursday September 5	Virtual (Zoom)	9:00 a.m.
Thursday October 3	Virtual (Zoom)	9:00 a.m.
Thursday November 7	Virtual (Zoom)	9:00 a.m.
Thursday December 5	Virtual (Zoom)	9:00 a.m.

Agricultural Advisory Committee

Date	Location	Time
Friday March 8	SVCA Admin Office	9:00 a.m.
Friday May 7	SVCA Admin Office	9:00 a.m.
Friday September 6	SVCA Admin Office	9:00 a.m.
Friday December 6	SVCA Admin Office	9:00 a.m.

Forestry Committee

Date	Location	Time
Wednesday March 6	TBD	1:00 p.m.
Wednesday August 7	TBD	1:00 p.m.
Wednesday October 2	TBD	1:00 p.m.

Property and Parks Committee

Date	Location	Time
Wednesday March 27	TBD	1:00 p.m.
Wednesday July 10	TBD	1:00 p.m.
Wednesday September 11	TBD	1:00 p.m.

Water Resources Committee

Date	Location	Time
Tuesday February 27	TBD	1:00 p.m.
Tuesday May 21	TBD	1:00 p.m.
Tuesday August 20	TBD	1:00 p.m.
Tuesday November 19	TBD	1:00 p.m.

Workplace Hazardous Materials Information System (WHMIS) 2015 Compliance Policy (GHS)

Intent

Saugeen Valley Conservation Authority values the safety and wellbeing of our workers and will work with them to provide every reasonable safety measure possible. In pursuit of our high safety standards, and in compliance with federal and provincial compliance regulations, Saugeen Valley Conservation Authority will provide WHMIS 2015 training for workers. WHMIS 2015 incorporates elements of the Globally Harmonized System of Classification and Labelling of Chemicals (GHS).

Definitions

- GHS: Globally Harmonized System of Classification and Labelling of Chemicals.
- SDS: Safety Data Sheet.

Guidelines

WHMIS 2015 includes the new harmonized criteria for hazard classification and establishes the requirements for labels and safety data sheets (SDS).

Saugeen Valley Conservation Authority will ensure that:

- The company is up to date on all WHMIS 2015 changes and any applicable transitional timelines;
- All legislative standards are met;
- Workers and managers receive information and training on hazardous materials and the safe use of hazardous products in the workplace (see the section below on the training and education program);
- An inventory of all hazardous products is created and maintained on a regular basis by appropriate staff, and made available to all workers and the JHSC
- SDSs will be kept up to date with annual checks, made accessible and readily available to all employees who may be exposed to a hazardous product (paper format and SharePoint), and contain additional hazard and precautionary information;
- All containers holding hazardous materials have appropriate labels;
- Suppliers provide the appropriate supplier labels and SDSs; and
- All workplace hazardous materials include supplier labels;
- Control measures are in place to protect the health and safety of workers.

Training and Education Program

Saugeen Valley Conservation Authority shall provide appropriate WHMIS 2015 training through a certified on-line provider and education for all workers and managers who are exposed or likely to be exposed to hazardous materials in the performance of their regular job duties.

Saugeen Valley Conservation Authority shall consult the joint Health and Safety Committee to ensure the appropriateness of the training and education materials and programs.

The worker training and education program shall include information on the following:

- Supplier labels;
- Hazard symbols and pictograms;
- Safety data sheets (SDSs);
- Hazard groups;
- Hazard classes;
- Hazard categories;
- Hazard statements;
- Signal words; and
- Procedures for the safe use, storage, handling, and disposal of hazardous materials in the workplace; handling leaks and spills; an emergency event involving hazardous products; and worksite-specific training on measures for working safely with hazardous products.

Saugeen Valley Conservation Authority will review its training and education program and content annually and revise as necessary. In the event of any changes, workers will be retrained and educated.

Saugeen Valley Conservation Authority workers will be compensated for time spent at training sessions, considered to be normal work time, and paid at their regular rate of pay, or at an overtime rate of pay as applicable.

Saugeen Valley Conservation Authority will respect the right of workers to be consulted regarding the development and implementation of the instruction and training, and will open the discussion process to suggestions in a consultation period. Workers will have an opportunity to comment on:

- The content of the program;
- The amount of training;
- Who is to receive what kind of training; and
- Who will deliver the training program.

Worker Responsibilities

Workers must:

- Participate in WHMIS 2015 training and education;

- Report any violation of safe work procedures connected to WHMIS 2015 to their immediate supervisor, manager, or safety representative; and
- Inform their immediate supervisor, manager, or safety representative if they do not have the proper information on a hazardous product: for example, the SDS is missing, damaged, or illegible.

Supplier Responsibilities

Suppliers must:

- Identify whether their products are hazardous products; and
- Prepare labels and SDSs to provide to purchasers of hazardous products intended for use in a workplace.

Review

This policy will be reviewed every two years and updated as needed. If any changes or updates are made, all employees will be given updated copies within 30 days of the updated version of the policy being approved.

Effective Date: February 15, 2024

Policy approved on: February 15, 2024

Next review date: February 15, 2026

Policy amended on: N/A

**Policy: Workplace Hazardous Materials Information System (WHMIS) 2015
Compliance Policy (GHS)**

Acknowledgement and Agreement

I, _____, acknowledge that I have read and understand the WHMIS 2015 Compliance Policy of Saugeen Valley Conservation Authority. Further, I agree to adhere to this policy and will ensure that employees working under my direction adhere to this policy. I understand that if I violate the rules/procedures outlined in this policy, I may face corrective action, up to and including termination of employment.

Name: _____

Signature: _____

Date: _____

Report #EPR-2024-02

Report To: Chair and Directors, Saugeen Valley Conservation Authority
From: Matt Armstrong, Manager, Environmental Planning and Regulations (Acting)
Date: February 15, 2024
Subject: Request for Endorsement: Permits Issued
Purpose: To seek endorsement for permits issued pursuant to Ontario Regulation 169/06, as amended

Recommendation

THAT the Development, Interference with Wetlands and Alterations to Shorelines and Watercourse applications (#24-001 to 24-009 and #24-011 to 24-015), pursuant to Ontario Regulation 169/06, as approved by staff, be endorsed.

Background

Saugeen Valley Conservation Authority (SVCA) staff issue permits in accordance with SVCA policies and then present them to the Board for endorsement at each Authority meeting.

The list below indicates the permits issued between December 31, 2023 and January 26, 2024.

Permit #	Location	Address	Proposed Works
24-015	Melancthon	Near 219028 4th Line NE., Junction of Side Rd. 220 & Dufferin County Rd. 2, Junction of 4 Line NE and Dufferin County Rd. 2, Lots 37 and 38, Con 4 and 5 NETSR	Watercourse alteration consisting of the installation of fibre optic cable by directional bore and trench associated with project SP23-0646.
24-014	Melancthon	Near 199261 2ND Line NE, 822038 and 240521 Melancthon-Artemesia Townline, Lots 39-41, Con 3 NETSR and Lot 210, Con 2 NETSR	Watercourse alteration consisting of the installation of fibre optic cable by directional bore and trench associated with project SP23-0645.
24-013	Melancthon	Near 159179,159231, and 159291 Highway 10, Lots 211-223, Con 1 NETSR	Watercourse alteration consisting of the installation of fibre optic cable by directional bore and trench associated with project SP23-0644.

Permit #	Location	Address	Proposed Works
24-011	Proton	132681 Southgate Sideroad 13, Part Lot 18 Concession 15, Part 21 Plan 17R160	Construction of a dwelling with attached garage, installation of a driveway.
24-009	Arthur	7814 Sideroad 6 East	To demolish an existing single-family dwelling and construct a new 3002 square foot single-family dwelling with a raised-bed septic system with related excavation, filling and grading.
24-008	Egremont	492310 Southgate Sideroad 49, Pt Lot 10, Con 14	To remove the existing 20 foot by 34 foot covered open storage section and replace with a new 60 foot by 34-foot addition to the existing storage building and associated excavation, filling, and grading
24-007	Southampton	304 Blanchfield Road, Lot 2 to 4	Construction of an attached 726 square foot garage with loft and construction of driveway to lead to garage.
24-006	Markdale	105 Toronto Street South, Part Lot 102 Concession 1	Construction of dwellings with related excavation, filling and grading, all within the adjacent lands to part of a wetland, in accordance with plan of subdivision 42T-2017-06
24-005	Normanby	241185 Concession 16, S Pt Lot 5, Con 16	To construct a 2910 square foot, two-storey dwelling with an attached two car garage, a covered deck and porch, septic bed and tank, laneway extension and well; and demolish a 1258.30 square foot dwelling to grade; with related excavation, filling and grading.
24-004	Normanby	261123 Grey Road 28, Lot 3, Concession 18	Alteration of a watercourse consisting of the emergency replacement of an existing failing laneway culvert crossing and related excavation, filling and grading.

Permit #	Location	Address	Proposed Works
24-003	Brant	484 Concession 4 East Brant, Lot 23 E, Pt Lot 22, Con 5	To construct a two-storey, 2740 square foot shop addition with stairs, with related excavation, filling and grading.
24-002	Bruce	Lots 3 and 4, Con 4 and Lots 3-5, Con 5 and 6	Alteration to watercourse consisting of bottom-only clean-out on subject and neighbouring properties and installation of systematic farm drainage tile with outlet to watercourse.
24-001	Egremont	612970 Southgate Sideroad 61, Lot 25, Con 21	Demolition of an existing dwelling and the construction of a new single detached dwelling, septic system and two shipping containers with associated excavation and grading

Prepared by:
 [Original Signed by:]
 Matt Armstrong
 Manager, Environmental Planning and Regulations (Acting)

Approved by:
 [Original Signed by:]
 Erik Downing
 General Manager/Secretary-Treasurer (Acting)

Staff Report #EPR-2024-03

Report To: Chair and Directors, Saugeen Valley Conservation Authority
From: Matt Armstrong, Manager, Environmental Planning and Regulations (Acting)
Date: February 15, 2024
Subject: Draft SVCA Administrative Review Guidelines
Purpose: To seek approval for the draft SVCA Administrative Review Guidelines

Recommendation

1. That the draft “*SVCA Administrative Review Guidelines*” be approved by the SVCA;
2. That staff are directed to include these guidelines in the upcoming Environmental Planning and Regulations Policies Manual review;
3. That the SVCA be guided by these documents in subsequent Administrative Reviews; and,
4. That the draft “*Generic Complete Application Checklist*” be made public and that staff utilize this generic checklist to create specific checklists for specific file types.

Background

An Administrative Review considers the completeness of an application associated with a Section 28 regulated proposal where staff cannot consider the application complete. This document is created to guide the SVCA in Administrative Reviews.

The draft “Administrative Review Guidelines” (attached) is the first of its kind at the SVCA. Guidelines are not currently available at Conservation Ontario or other Conservation Authorities to staff’s knowledge. Staff have based these guidelines on the Section 28 Hearing Guidelines, as the Administrative Review process is similar, if not more informal.

The draft “Generic Complete Application Checklist” (attached) is meant to indicate the potential components of a complete application, that will be further refined in proposal specific checklists. Eventually all checklists will be made available publicly. Many other Conservation Authorities have these in place and will be utilized as a resource by SVCA staff when drafting.

Analysis

The SVCA has had several Administrative Reviews that have called into question consistency, process, and transparency. Therefore, applicants and the SVCA Board have requested an SVCA guideline document on this item. The SVCA’s Administrative Review Guidelines draft, if approved, will allow the SVCA to offer that specific resource for external and internal use.

The generic complete application checklist will assist applicants in understanding what is required of their application submission, or at least what might be required (no application could require all technical reports, it is acknowledged). This will aid staff and applicants to

navigate the application process. Proposal specific application checklists can draw from this template and be more proposal specific.

Legal and Legislated Requirements

While there is no legal responsibility to implement these guidelines, to not implement a guideline increases the opportunity for inconsistency across different proceedings and does not allow transparency to the public considering requesting an Administrative Review or navigating a review.

The Generic Complete Application Checklist is for the information of the applicant; these requirements exist already, and will continue to exist with or without the checklist.

Financial Implications

There are no immediate financial or resource implications to staff recommendations. If Legal council is to review these documents, the related legal costs would be incurred. Ultimately these documents should ensure consistency internally and with provincial guidelines, the *Conservation Authorities Act*, and allow SVCA input and control when updates and modifications occur.

Prepared by:

A handwritten signature in black ink, appearing to read 'M.A.', with a long horizontal stroke extending to the right.

Matt Armstrong, Manager, Environmental Planning and Regulations (Acting)

Approved by:

< [Original signed by:] >

Erik Downing, General Manager / Secretary-Treasurer (Acting)



Administrative Review Guidelines

Saugeen Valley Conservation Authority (SVCA)

1078 Bruce Rd 12, Formosa, ON N0G 1W0

Approval Date: February 2024

Contents

Administrative Review Guidelines.....	1
1.0 Purpose of Administrative Review Guidelines	3
2.0 Pre-Administrative Review Procedures.....	3
2.1 Role of the Administrative Review Board	3
2.2 Application.....	4
2.3 Notice of Administrative Review	4
2.4 Pre-submission of Reports.....	5
3.0 Administrative Review.....	5
3.1 Public Administrative Review	5
3.2 Administrative Review Participants.....	6
3.3 Attendance of Administrative Review Board Members.....	6
3.4 Adjournments.....	6
3.5 Orders and Directions.....	6
3.6 Information Presented at Administrative Reviews	6
3.7 Conduct of Administrative Review	7
4.0 Decision	8
4.1 Notice of Decision.....	9
5.0 Record.....	9
Appendix A.....	10
Appendix B.....	12
Appendix C.....	13
Appendix D	14

1.0 Purpose of Administrative Review Guidelines

These SVCA Administrative Review Guidelines direct Administrative Reviews by the SVCA Board of Directors (“the Board”) regarding the “completeness” of Section 28 Permit Applications for proposed works. Appendix J of the SVCA’s Environmental Planning and Regulations Policies Manual (2018) associated with Section 28 Permit Applications indicates that:

7.3.3 If not satisfied with the decision on whether an application is deemed complete, the applicant can request an administrative review by the CA General Manager (GM) or Chief Administrative Officer (CAO) and then if not satisfied, by the CA Board of Directors. This review will be limited to a complete application policy review and will not include review of the technical merits of the application.

7.3.4 During the review of a ‘complete application’, a CA may request additional information if the CA deems a permission (permit) application does not contain sufficient technical analysis...

Section 7.3.3 was originally approved by the Board, associated with the document “Policies and Procedures for Conservation Authority Plan Review & Permitting Activities – May 2010”, provided by Conservation Ontario.

In the context of an Administrative Review, the Board is not empowered by the *Statutory Powers Procedures Act* as they are for Section 28 Hearings but will generally operate in accordance with this structure to ensure a fair and appropriate process.

The Board shall hear and decide whether the application shall be considered complete or incomplete. Upon completion of the Administrative Review, SVCA staff shall either:

Proceed with its review of the application that was deemed “complete” by the Board; or

Continue to work with the applicant to address the deficiencies in their application.

2.0 Pre-Administrative Review Procedures

2.1 Role of the Administrative Review Board

In considering the application, the Board is acting as a decision-making body. The Board is to act fairly. Under general principles of administrative law relating to the duty of fairness, the Board is obliged not only to avoid any bias but also to avoid the appearance or reasonable apprehension of bias. The following are three examples of steps to be taken to avoid apprehension of bias where it is likely to arise.

- (a) No member of the Authority taking part in the Administrative Review should have prior involvement with the application that could lead to a reasonable apprehension of bias on the part of that member. Where a member has a personal interest, the test

is whether a reasonably well-informed person would consider that the interest might have an influence on the exercise of the official's public duty. Where a member is a municipal councilor, the Municipal Conflict of Interest Act applies. In the case of a previously expressed opinion, the test is that of an open mind, i.e., is the member capable of persuasion in participating in the decision making.

- (b) If material relating to the merits of the application's completeness is distributed to Board members before the Administrative Review, the material shall be distributed to the applicant at the same time. The applicant may be afforded an opportunity to distribute similar pre-Administrative Review material. These materials can be distributed electronically.
- (c) The applicant will be given an opportunity to attend the Administrative Review before a decision is made; however, the applicant does not have to be present for a decision to be made.

Board-approved guidelines with regard to complete permit applications (to be completed), Section 28 Hearings, permit approvals (via policies manual), and enforcement matters (via policies manual) are available on the SVCA's website for public access.

2.2 Application

The need for an Administrative Review arises where staff are of the opinion that an application relative to Section 28 of the Conservation Authorities Act is incomplete. An incomplete application could be missing part of one or more of the components to a complete application. This could include the application review fee set by the Board, sufficient plan details so that the SVCA can understand what is proposed, sufficient technical analysis to understand local natural hazard conditions, a landowner signature or their permission for an agent to apply on their behalf, etc. Where the applicant believes their application is complete, they may request an Administrative Review by the SVCA General Manager / Secretary-Treasurer, and then if not satisfied, by the Board. The applicant is entitled to reasonable notice of the Administrative Review.

2.3 Notice of Administrative Review

The Notice of Administrative Review shall be sent to the applicant within sufficient time to allow the applicant to prepare for the Administrative Review. To ensure that reasonable notice is given, it is recommended that prior to sending the Notice of Administrative Review, the applicant be consulted to determine an agreeable date and time based on the Board's availability.

The Notice of Administrative Review must contain or append the following:

- (a) Reference to the applicable legislation under which the Administrative Review is to be held (i.e., the *Conservation Authorities Act*).

- (b) The time, place, and the purpose of the Administrative Review. OR for Electronic Administrative Reviews: The time, purpose of the Administrative Review, and details about the way the Administrative Review will be held.
- (c) Note: for electronic Administrative Reviews the Notice must also contain a statement that the applicant should notify the Authority if they believe holding the Administrative Review electronically is likely to cause them significant prejudice. The Authority shall assume the applicant has no objection to the electronic Administrative Review if no such notification is received.
- (d) The name of the applicant(s), the location of the property, and the type of application that is the subject of the Administrative Review.
- (e) A statement notifying the applicant that the Administrative Review may proceed in the applicant's absence and that the applicant will not be entitled to any further notice of the proceedings.
- (f) Except in extreme circumstances, it is recommended that the Administrative Review not proceed in the absence of the applicant.
- (g) A reminder that the applicant is entitled to be represented at the Administrative Review by a representative such as legal counsel, if desired. The conservation authority may be represented at the Administrative Review by counsel or staff.
- (h) A copy of the Authority's Administrative Review Guidelines.

It is recommended that the Notice of Administrative Review be directed to the applicant and/or landowner by both email and registered mail. Please refer to **Appendix A** for an example Notice of Administrative Review.

2.4 Pre-submission of Reports

If it is the practice of the SVCA to submit reports to Board members in advance of the Administrative Review (i.e., inclusion on a Board Agenda), the applicant shall be provided with the same opportunity. The applicant shall be given two weeks to prepare a report once the reasons for the staff recommendations have been received. Subsequently, this may affect the timing and scheduling of the staff Administrative Review reports.

3.0 Administrative Review

3.1 Public Administrative Review

Consistent with the *Statutory Powers Procedure Act*, Administrative Reviews, including electronic Administrative Reviews, are intended to be held in public. For electronic Administrative Reviews, public attendance should be synchronous with the Administrative Review. The exception is in very rare cases where public interest in public Administrative

Reviews is outweighed by the fact that intimate financial, personal, or other matters would be disclosed at Administrative Reviews.

3.2 Administrative Review Participants

The *Conservation Authorities Act* does not provide for third party status at the Administrative Review. The Administrative Review, however, is open to the public. Any information provided by third parties should be incorporated within the presentation of information by, or on behalf of, the applicant or Authority staff as appropriate.

3.3 Attendance of Administrative Review Board Members

Relating to the conduct of Administrative Reviews, those members of the Authority who will decide whether to grant or refuse the application must be present during the full course of the Administrative Review. If it is necessary for a member to leave, the remaining members can continue with the Administrative Review and render a decision.

3.4 Adjournments

The Board may adjourn an Administrative Review on its own motion or that of the applicant or Authority staff where it is satisfied that an adjournment is necessary for an adequate Administrative Review to be held.

Any adjournments form part of the Administrative Review record.

3.5 Orders and Directions

The SVCA is entitled to make orders or directions to maintain order and prevent the abuse of its Administrative Review processes. An Administrative Review procedure example has been included as **Appendix B**.

3.6 Information Presented at Administrative Reviews

- (a) The *Statutory Powers Procedure Act* requires that a witness be informed of their right to object pursuant to the *Canada Evidence Act*. The *Canada Evidence Act* indicates that a witness shall be excused from answering questions on the basis that the answer may be incriminating. Further, answers provided during the Administrative Review are not admissible against the witness in any criminal trial or proceeding. This information should be provided to the applicant as part of the Notice of Administrative Review. While the *Statutory Powers and Procedure Act* is not explicitly applicable to the Administrative Review process, it generally is used as a best practices approach therein.
- (b) It is the decision of the Board as to whether information is presented under oath or affirmation. It is not a legal requirement. The applicant must be informed of the

above, prior to or at the start of the Administrative Review.

- (c) The Board may authorize receiving a copy rather than the original document. However, the Board can request certified copies of the document if required.
- (d) Privileged information, such as solicitor/client correspondence, cannot be heard. Information that is not directly within the knowledge of the speaker (hearsay), if relevant to the issues of the Administrative Review, can be heard.
- (e) The Board may consider matters of common knowledge such as geographic or historic facts, times, measures, weights, etc. or generally recognized scientific or technical facts, information, or opinions within its specialized knowledge without Administrative Review specific information to establish their truth.

3.7 Conduct of Administrative Review

3.7.1 Record of Attending Administrative Review Board Members

A record shall be made of the members of the Administrative Review Board.

3.7.2 Opening Remarks

The Chairperson shall convene the Administrative Review with opening remarks which generally; identify the applicant, the nature of the application, and the property location; outline the Administrative Review procedures; and advise on requirements of the *Canada Evidence Act*. Please reference **Appendix C** for the Opening Remarks model. In an electronic Administrative Review, all the parties and the members of the Board must be able to clearly hear one another and any witnesses throughout the Administrative Review.

3.7.3 Presentation of Authority Staff Information

Staff of the Authority presents the reasons for the staff position to consider the application incomplete. Any reports, documents or plans that form part of the presentation shall be properly indexed and received. The Administrative Review process shall not discuss the permissibility or policy context of the application relative to an eventual SVCA permit, or not. The Administrative Review cannot be combined with, or occur concurrently with, a Section 28 Hearing. Staff of the Authority should not submit new technical information at the Administrative Review as the applicant will not have had time to review and provide a professional opinion to the Board.

Consideration should be given to the designation of one staff member or legal counsel who coordinates the presentation of information on behalf of Authority staff and who asks questions on behalf of Authority staff.

3.7.4 Presentation of Applicant Information

The applicant can present information at the conclusion of the Authority staff presentation. Any reports, documents or plans which form part of the submission should be properly

indexed and received.

The applicant shall only present information as it applies to the completeness of the permit application in question and should focus specifically on the application deficiencies identified by staff. The Administrative Review does not address the merits of the proposal or appropriateness of such a use in terms of permitting or policy applicability.

- The applicant may be represented by legal counsel or agent, if desired
- The applicant may present information to the Board and/or have invited advisors to present information to the Board
- The applicant presentation may include technical witnesses, such as an engineer, ecologist, hydrogeologist etc.

The applicant should not submit new technical information at the Administrative Review as the Staff of the Authority will not have had time to review and provide a professional opinion to the Board.

3.7.5 Questions

Members of the Board may direct questions to each speaker as the information is being heard. The applicant and /or agent can make any comments or questions on the staff report.

Consistent with the *Statutory Powers Procedures Act*, the Board can limit questioning where it is satisfied that there has been full and fair disclosure of the facts presented. Please note that the courts have been particularly sensitive to the issue of limiting questions and there is a tendency to allow limiting of questions only where it has clearly gone beyond reasonable or proper bounds.

3.7.6 Deliberation

After all the information is presented, the Board may adjourn the Administrative Review and retire in private to confer. The Board may reconvene on the same date or at some later date to advise of their decision. The Board members shall not discuss the Administrative Review with others prior to the decision of the Board being finalized.

3.7.7 Adoption

A resolution advising the applicant of the Board's decision and particulars of the decision should be adopted.

4.0 Decision

The applicant must receive written notice of the decision.

It is important that the Administrative Review participants have a clear understanding of why the application was deemed incomplete or complete. The Board shall itemize and record information of particular significance which led to their decision.

4.1 Notice of Decision

The decision notice should include the following information:

- (a) The identification of the applicant, property, and the nature of the application that was the subject of the Administrative Review.
- (b) The decision to deem the application complete or incomplete. A copy of the Board resolution outlining all the application deficiencies, if applicable, should be attached.

It is recommended that the written Notice of Decision be forwarded to the applicant by both email and registered mail. A sample Notice of Decision and cover letter has been included as **Appendix D**.

5.0 Record

The Authority shall compile a record of the Administrative Review. The record must include the following:

- (a) The application for the permit, including any supporting studies/reports.
- (b) The Notice of Administrative Review.
- (c) Any orders made by the Board (e.g., for adjournments).
- (d) All information received by the Board.
- (e) Attendance of Board members
- (f) The decision and reasons for decisions of the Board.
- (g) The Notice of Decision sent to the applicant.

Appendix A

NOTICE OF ADMINISTRATIVE REVIEW
IN THE MATTER OF
The Conservation Authorities Act,
R.S.O. 1990, Chapter 27
AND IN THE MATTER OF an application by: (NAME)
FOR THE PERMISSION OF THE SVCA
Pursuant to Regulations made under Section 28

TAKE NOTICE THAT an Administrative Review before the Conservation Authority Board of Directors (“the Board”), will be held at the offices of the said Authority (ADDRESS), at the hour of , on the day of , 202X, [for electronic Administrative Reviews, include details about the manner in which the Administrative Review will be held] with respect to the completeness of an Application to Alter a (Regulated Area or Watercourse) by (NAME) on (LOCATION e.g. Lot , Plan/Lot , Concession , Civic rd/street address, in the Town/Township/Municipality of).

TAKE NOTICE THAT you are invited to make a delegation and submit supporting written material to the Board for the meeting of (meeting number). If you intend to appear [For electronic Administrative Reviews: or if you believe that holding the Administrative Review electronically is likely to cause significant prejudice], please contact (name). Written material will be required by (date), to enable the Board to review the material prior to the meeting.

TAKE NOTICE THAT this Administrative Review is undertaken consistent with the provisions of the *Statutory Powers Procedure Act*. Under the Act, a witness is automatically afforded a protection that is like the protection of the *Ontario Evidence Act*. This means that the evidence that a witness gives may not be used in subsequent civil proceedings or in prosecutions against the witness under a Provincial Statute. It does not relieve the witness of the obligation of this oath since matters of perjury are not affected by the automatic affording of the protection. The significance is that the legislation is Provincial and cannot affect Federal matters. If a witness requires the protection of the *Canada Evidence Act* that protection must be obtained in the usual manner. The Ontario Statute requires the tribunal to draw this matter to the attention of the witness, as this tribunal has no knowledge of the effect of any evidence that a witness may give.

AND FURTHER TAKE NOTICE that if you or your representative do not attend this Administrative Review, the Board may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

DATED the day of, 202X

The SVCA Board of Directors

Per:

General Manager/Secretary-Treasurer

Appendix B

Administrative Review Procedures

1. Roll Call followed by the Chairperson's opening remarks. For electronic Administrative Reviews, the Chairperson shall ensure that all parties and the Board are able to clearly hear one another and any witnesses throughout the Administrative Review.
2. Staff will introduce to the Board the applicant/owner, his/her agent and any others that will be speaking in their presentation.
3. Staff will indicate the nature and location of the subject application and the conclusions.
4. Staff will present their report. Members of the Board may direct questions to the speaker as the information is being heard.
5. The applicant and/or their agent will present their material. Members of the Board may direct questions to the speaker as the information is being heard.
6. Staff and/or the conservation authority's agent may question or be questioned by the applicant and/or their agent if reasonably required for a full and fair disclosure of matters presented at Administrative Review¹.
7. The Board will question, if necessary, both the staff and the applicant/agent.
8. The Board will move into deliberation. For electronic meetings, the Board will separate from other participants for deliberation.
9. Members of the Board will move and second a motion.
10. A motion will be carried which will culminate in the decision.
11. The Board will move out of deliberation. For electronic meetings, the Board will reconvene with other participants.
12. The Chairperson or Acting Chairperson will advise the owner/applicant of the Board decision.

¹ As per the *Statutory Powers Procedure Act* a tribunal may reasonably limit further examination or cross-examination of a witness where it is satisfied that the examination or cross-examination has been sufficient to disclose fully and fairly all matters relevant to the issues in the proceeding.

Appendix C

Chairperson's remarks when dealing with Administrative Reviews

We are now going to conduct an Administrative Review associated with Section 28 of the *Conservation Authorities Act* in respect of the completeness of an application by: **(NAME)**, for permission to: **(DESCRIPTION)**.

The SVCA has adopted regulations under Section 28 of the *Conservation Authorities Act* which requires the permission of the Authority for: development within an area regulated by the Authority, for alteration to a shoreline or watercourse, and/or for interference with a wetland. Staff have reviewed the application and determined it to be incomplete. Staff have provided a report outlining its reasons to the applicant and the Board.

In accordance with section 7.3.3. of the document "Policies and Procedures for Conservation Authority Plan Review & Permitting Activities – May 2010" provided by Conservation Ontario for the *Conservation Authorities Act*, the person requesting permission can request an Administrative Review before the Board if their application is considered incomplete by staff.

In holding this Administrative Review, the Board is to determine whether the application deficiencies identified by staff are justified. The Board must consider whether sufficient information has been provided in the application for staff to evaluate the proposal against SVCA's policies and the tests of the Regulation. In doing so, the Board can only consider the application in the form that is before us, the staff report, such evidence as may be given, and the submissions to be made on behalf of the applicant. Only information disclosed prior to the Administrative Review should be presented at the Administrative Review.

The proceedings will be conducted consistent with the *Statutory Powers Procedure Act*. Under Section 5 of the *Canada Evidence Act*, a witness may refuse to answer any question on the ground that the answer may tend to incriminate the person or may tend to establish their liability to a civil proceeding at the instance of the Crown or of any person.

The procedure in general shall be informal without the evidence before it being given under oath or affirmation unless decided by the Board.

If the applicant has any questions to ask of the Board or of the Authority representative, they should be directed to the Chairperson of the Board.

Appendix D

(Date)

BY REGISTERED MAIL

(name) (address)

Dear: (Name of Applicant)

RE: NOTICE OF DECISION

Administrative Review

Proposed (describe project)

(Location of proposed works)

(File or Application #)

In accordance with the requirements of the *Conservation Authorities Act*, the Saugeen Valley Conservation Authority (“SVCA”) provides the following regarding the completeness of your application:

On (meeting date and number), the SVCA Board of Directors (“the Board”), completed an Administrative Review of your application and found it to be (complete or incomplete until additional items are submitted).

A copy of the Board’s resolution (add number) has been attached for your records. Please note that this decision is based on the following reasons: the application for (proposed development/ alteration to a watercourse or shoreline/interference with a wetland) has/has not provided sufficient information to evaluate the proposal against SVCA policies and the tests of Ontario Regulation 169/06, as amended.

(Please provide the SVCA with the requested details/components of a complete application for this proposal as outlined above.)

Should you require any further information, please do not hesitate to contact (staff contact) or the undersigned.

Yours truly,

(Signature)

(Name)

General Manager/Secretary-Treasurer

Enclosure

Report #EPR-2024-04

Report To: Chair and Directors, Saugeen Valley Conservation Authority
From: Matt Armstrong, Manager, Environmental Planning and Regulations (Acting)
Date: January 30, 2024
Subject: Zoning comments when reviewing development proposals.
Purpose: To seek permission for EPR staff to inform applicants of possible zoning issues when reviewing development proposals.

Recommendation

That SVCA staff be permitted to inform applicants of possible zoning issues when reviewing development proposals.

Background

Environmental Planning and Regulations (EPR) staff have responsibilities related to the *Planning Act* and to the *Conservation Authorities Act* S. 28 Regulations ("the Regulation"). On the planning side, municipalities and counties are required to circulate *Planning Act* applications (Minor Variance, Zoning By-Law Amendment, Severance, etc.), to SVCA for comments on natural hazards. This process ensures *Planning Act* decisions are consistent with the natural hazard policies under the Provincial Policy Statement (PPS). On the regulations side, SVCA staff review development and alteration applications in accordance with SVCA's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (O. Reg. 169/06, as amended).

The *Planning Act*, by way of the PPS, establishes the principle of development. The fundamental principles set out in the PPS provide for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The Regulation provides for the technical implementation of matters pursuant to the Regulation. The Regulation is designed to ensure development and site alterations will not aggravate existing natural hazards while having regard for public safety.

Concerns regarding the principle of development are conveyed to municipalities during the *Planning Act* approval process and are not normally addressed through the Regulation. As such, when a proposal requires approvals under both the *Planning Act* and the Regulation, it is necessary for proposed development to establish the principle of development through the *Planning Act* process before or in concert with approvals under the Regulation.

Prior to 2016, SVCA staff reviewing a development proposal under the Regulation would also check to see that the proposal aligned with local zoning with respect to natural hazards (and at that time, natural heritage). Applicants with proposals that were located within these lands (e.g. zoned Natural Heritage, Environmental Protection, Hazard, etc.), were notified by

SVCA staff and either directed to avoid these areas or to contact the municipality / county to initiate a *Planning Act* application.

In 2016, SVCA's Board of Directors instructed staff not to comment on zoning or other *Planning Act* matters when consulting with landowners on their development proposals under the Regulation. The goal was to streamline the approval process by only having staff provide these comments when circulated on *Planning Act* applications. In place of specific comments, a version of the following paragraph has been included in regulation correspondence since 2016:

Administration and final interpretation of the Zoning By-law and Official Plan are the responsibility of the Municipality and/or County. SVCA staff recommend you contact the Municipality and/or County to confirm the zoning status and/or designation for the property, and for all other items relating to the Zoning By-law and Official Plan. As the provincial commenting agency for matters relating to Natural Hazards (Environmental Protection, Hazard Land Area, etc. zones and/or designations) in association with applications made under the Planning Act, the SVCA is required to provide comments and assistance to the Municipality and/or County and its residents for zoning and Official Plan matters in this regard. However, SVCA comments regarding Zoning and Official Plan matters are not included within this correspondence.

Analysis

Since 2016, more applicants have been proceeding with the Regulation permitting process prior to ensuring their proposal complies with municipal zoning and other *Planning Act* considerations.

In some instances, these applicants were able to address the hazard with technical solutions and obtain an SVCA permit, only to: a) see their subsequent *Planning Act* application receive unsupportive comments from SVCA staff, or b) encounter issues when applying for a municipal building permit due to conflicts with the local zoning by-law. Current practice does not allow SVCA staff to inform applicants of these potential issues in an effective way when reviewing a development proposal.

In these instances, the application requirements are often highly technical and costly for the applicant due to their location within a hazard, require a significant amount of staff time to review, and are destined to fail. SVCA planning staff appear to be contradicting themselves when they submit negative comments on a *Planning Act* application that their colleagues previously 'approved' with a permit. Similarly, municipal staff, who are trained to send landowners to SVCA to get a development permit before they apply for a municipal building permit, must then explain that, despite SVCA's permit, a building permit cannot be issued.

Recognizing the need to address these issues and with the blessing of the SVCA Chair, staff hosted a Zoom meeting with 20 municipal and county planning/building staff to discuss the issues and possible solutions. After the meeting, participants were asked to provide their feedback on the following revised approach:

Where it becomes apparent that an applicant's development proposal may trigger a *Planning Act* application, SVCA staff propose to take the following actions:

1. Notify the applicant that a *Planning Act* application may also be necessary,
2. Explain that they can contact the County / Municipality to initiate that process,
3. Offer to provide SVCA's comments pertaining to SVCA's Regulation in advance of the applicant initiating the Planning Act application process, and
4. Offer to provide SVCA's comments pertaining to the *Planning Act* in advance of the applicant initiating the Planning Act application process.

The discussion during the meeting was productive and there were no objections to staff's proposal in the subsequent feedback from municipal and county staff .

If the Board is supportive, in addition to the steps outlined above, SVCA staff would plan to:

1. Provide this information to applicants as early in the consultation process as possible,
2. Provide applicants with contact information for the appropriate municipal/county department or staff, and
3. Copy the appropriate municipal/county department or staff in our correspondence with applicants when these matters arise.

Legal and legislated requirements

None anticipated.

Financial and other implications

Staff believe this approach will make the approval process more transparent for all parties without compromising SVCA staff's ability to achieve its file review timeline targets. Not revising our approach will continue to muddy the approval process for some applicants and take up valuable resources that could be better spent elsewhere.

Prepared by:



Matt Armstrong, Manager, Environmental Planning and Regulations (Acting)

Approved by:

< [Original signed by:] >

Erik Downing, General Manager / Secretary-Treasurer (Acting)