



Client Service Standards for Conservation Authority Plan and Permit Review

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This document was developed by CO staff with input from the Conservation Ontario Timely Reviews and Approvals Taskforce. The draft document was circulated to all conservation authority CAOs/GMs, as well as forwarded to CA Planning and Regulations contacts for their review and feedback. Conservation Ontario also hosted a Multi-Stakeholder Process Flow Workshop in April, which identified a number of best practices. Comments received from CA feedback and the Multi-Stakeholder Process Flow Workshop were incorporated into an update to this draft guidelines, which was circulated to a number of external stakeholders for their review and feedback. The June, 2019 version of the document incorporates the advice received from those stakeholders as well. Additional feedback was received from AMO in October and the document has subsequently been updated to reflect that input.

Background

In April 2019, Conservation Ontario (CO) Council endorsed the CO Client Service and Streamlining Initiative. This initiative identifies actions to be taken by CAs, in order to help the Province achieve its objective of increasing housing supply while protecting public health and safety, and the environment. CO developed three documents to support the initiative:

1. CA-Municipality MOU Template for Planning and Development Reviews;
2. Guideline for Client Service Standards for Conservation Authority Plan and Permit Review; and
3. Guideline for CA Fee Administration Policies for Plan Review and Permitting.

It is important to note that a number of CAs already have comprehensive service delivery standards, MOUs, and fee structures and associated fee policies/guidelines in place. The 2019 CO documents supplement existing CA documents to support the Province's objective as noted above.

CO used existing CA resources to form a guideline that includes best practices for client service standards. The CO guideline includes several best practices to assist CAs and applicants through the CA approval process. Local CA client service procedures and policies should be consistent with this CO guideline. The costs associated with implementing the best practices and performance evaluation and reporting described in the guideline can be recovered through CA fees.

Conservation Authority Roles and Activities

The role of the CA in plan input and review (i.e. Planning), and in permit review (i.e. Permitting) is summarized below.

Planning – Plan Input and Review

The CA is involved in the review of planning applications under the *Planning Act* in five ways: as an agency with provincially delegated responsibility for the natural hazard policies of the Provincial Policy Statement (PPS); as a municipal technical advisor; as a public body under various regulations made under the *Planning Act*; as a watershed-based resource management agency and as landowners.

- The CA is delegated responsibility under the Provincial One Window Planning System for Natural Hazards. CAs review municipal policy documents and development applications under the *Planning Act* and ensure they are consistent with the natural hazard policies of the PPS. This delegated provincial responsibility is also typically included in local CA-Municipal Memorandum of Understandings (MOUs) for municipal plan review. In this delegated role, Conservation Authorities represent the “Provincial Interest” in planning exercises with respect to natural hazards.
- The CA may also provide technical advice to municipalities for planning applications through service agreements or MOUs. In this capacity, CA staff may provide technical input on potential environmental impacts and how impacts can be avoided or minimized. Comments may apply to a range of matters according to the MOU including, but not limited to: natural hazards, natural heritage, water quality and quantity, stormwater management, and other Provincial Plans such as the Oak Ridges Moraine Conservation Plan, Niagara Escarpment Plan, Greenbelt Plan, Growth Plan for the Greater Golden Horseshoe; certain policies referred to in the *Lake Simcoe Protection Act*, *Great Lakes Protection Act*, and *Clean Water Act*; as well as local Official Plan policy and zoning by-law implementation.
- *Planning Act* Regulations require municipalities to give notice to CAs regarding changes to policy documents such as Official Plans and Zoning By-laws and planning applications, such as plans of subdivision.
- The CA provides additional comments related to local watershed management as a watershed-based resource management agency.
- CAs are also landowners, and as such, may become involved in the planning and development process either as a proponent or in a third-party capacity as an adjacent landowner.

Generally municipalities act as planning approval authorities and are responsible for the planning process. It is recognized that the CA may not have a role in all *Planning Act* applications, but for purposes of this guideline and the identification of best practices, it is assumed that there is a review role for the CA. A summary of the roles of CAs in plan review is included below in **Table 1**.

Table 1: CA Roles in Plan Review

Role	Type of Role	Required, Through Agreement or Voluntary	Representing	Result
Regulatory Agency (S. 28 of the <i>Conservation Authorities Act</i>)	Decision Making	Required	Provincial Interests	CA responsible for decision
Delegated “Provincial Interest”	Review/ Commenting	Required	Provincial Interest	Comments must be considered by municipality
Public Bodies	Review/ Commenting	All	Authority Interests	Comments should be considered by municipality
Service Provider	Service	Through Agreement	Terms of Agreement (MOU)	Dependent upon terms of the agreement
Landowners	Review/ Commenting / Proponents	Voluntary	Authority Interests	Comments may be considered by the municipality

Permitting – Permit Review

The CA issues permits under Section 28 of the *Conservation Authorities Act*. Section 28 allows the CA to regulate development and activities in or adjacent to river or stream valleys, shorelines of the Great Lakes-St. Lawrence River system and inland lakes, watercourses, hazardous lands (e.g. unstable soil, bedrock, and slopes), wetlands and other areas around wetlands. Development taking place on these lands may require permission from the CA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected.

The CA also regulates the straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, and watercourse or for changing or interfering in any way with a wetland.

Upon proclamation of the new S. 28 under the *Conservation Authorities Act*, the CA would also consider whether the activity is likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property.

As CAs are responsible for the review of S. 28 permit applications, they have greater control over the timeliness of approvals as compared to their role in plan input and review.

Guideline: Client Service Standards for Plan and Permit Review

This guideline, on client service standards for plan and permit review, is divided into the following **key matters** that support process streamlining, efficiency and transparency:

- **Online decision support tools**
- **Application management and review**
- **Level of service**
- **Performance evaluation and reporting.**

In addition to the above, **Appendix A** includes an example “general complete application submission for S. 28 permit applications”, with important footnotes. **Appendix B** includes an example CA client service delivery charter, which could be modified further for the local planning and permit review program.

1. Online Decision Support Tools

In April 2019 Conservation Ontario Council endorsed the Service Delivery and Streamlining Initiative which included a commitment to implement a consistent client-centric CA review and approval process checklist that provides transparency of process and rules. The checklist is to be completed and publicly accessible by August for CA jurisdictions with **high growth areas**. The checklist includes:

- i. Having publicly accessible agreements and policies that guide reviews and decision making, including:
 - i. CA/Municipal MOUs or Technical Service Agreements,
 - ii. CA plan review and regulation approvals policies/guidelines
 - iii. CA Complete application requirements
 - iv. CA Fee schedules and/or policies
 - v. CA Client Service Standards Commitment/Policy [including for example, timelines and identification of a senior CA staff contact serving as a ‘client service facilitator’ for plan review and/or permit applications issue management]
- ii. CA Online screening maps
- iii. CA Annual report on review timelines

Regardless of the growth pressures experienced in their watershed, all CAs are encouraged to implement the client-centric CA review and approval process checklist as soon as possible.

The CA should ensure that these decision support tools are available to the public on the CA website and at the CA office. These tools and documents include:

- Online screening maps
- CA-Municipal MOU or technical service agreements
- CA plan review and regulation approvals policies, procedures and guidelines
- CA technical checklist for planning applications
- CA complete application requirements for S. 28 permit applications
- CA fee policies and schedules for planning and permit applications
- CA Client Service Standards Commitment/Policy.

1.1 Online screening maps

Planning applications are typically examined by CA planners and water resources engineers and may be reviewed by other technical staff such as hydrogeologists, geotechnical engineers, ecologists, etc. Critical advice is provided using the best available, most up to date science and information.

It is important to recognize that mapping can be updated for various reasons, for example, site-specific studies or new and updated guidelines will influence the mapping. In the “Made-in-Ontario Environment Plan”, the Province has also identified the need to support environmental planning and to update natural hazard technical guidelines to reflect climate change.

Online screening maps allow clients to efficiently screen development projects, while also supporting transparency and public access to essential information. The following **best practices** can help manage online screening maps, with a priority placed on the CA regulated area screening map:

- The CA will ensure that a CA board approved screening map for the CA regulated area is available to watershed municipalities and the public.
- The screening map will allow for users to view the CA regulated area as a separate data layer [map showing the overall CA S. 28 Regulation Limit].
- The CA regulated area maps should be updated per the “Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations”, endorsed by Conservation Ontario Council April, 2018
- The CA regulated area maps should be updated on an annual basis (at minimum) for housekeeping changes; and from time to time to maintain accuracy, for example when new provincial technical guidelines are available.
- The updated map will be approved by the CA board in a timely fashion, prior to making it available to the public.
- The CA should ensure accurate reporting of mapping updates, public consultation (to provide information and receive comments), and notification to the Ministry of Natural Resources and Forestry (MNRF) per the “Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and

Watercourses Regulations”, endorsed by Conservation Ontario Council April, 2018. The CA will notify the public of changes to mapped regulated areas.

- The CA regulated area screening map should be searchable by municipal address.
- The applicable criteria for the CA regulated area map, for example provincial technical guidelines, could be made available on the CA website if the guideline is a public document. If the guideline is not made public, then the CA will provide general contact information such that the user can request further information from the organization that issued the guideline.
- The CA will have an agreement that includes a clear disclaimer statement for users of the available map layers. The agreement should appear on top of the map layer such that the user must click “Accept” before being able to view the map layer. See the **Example Disclaimer Introduction box** below, which **as a best practice** can be inserted at the beginning of the disclaimer statement for improved clarity. Note the following important matters regarding click-wrap and data sharing agreements:
 - There may be general clauses in the disclaimer that apply to all CAs, but the dataset-specific inclusions will vary from region to region depending on the source of the data, who owns the Intellectual Property (IP), and other variables. This variation will apply to each unique layer that the CA includes in their web mapping application.
 - Data layers such as natural feature mapping etc. are typically obtained from external sources; therefore diligence is required while displaying these. Add links to where additional data may be obtained beyond CA regulated area mapping such as Natural Heritage Information Centre (NHIC) etc. for wetland data, Areas of Natural and Scientific Interest (ANSI) etc.
 - Conservation authorities have access to the Assessment Parcel layer as sub-licensees through the Ontario Parcel Alliance (OPA), which is administered by the Province of Ontario through Land Information Ontario (LIO). The OPA is an agreement between the Province, Municipal Property Assessment Corporation (MPAC) and Teranet and sets out specific requirements that need to be met before parcel data can be used on a web mapping application. A schedule needs to be completed and signed and the CA has to display certain language in their application as a condition of use.
 - Orthophotography comes to Conservation Authorities from a variety of sources – one of which is municipal partners. Each of these would come with their own specific agreement that would include various rights and obligations. Provincial acquisitions (like SWOOP, SCOOP, FRI and DRAPE), for example, stipulate that these images cannot be displayed on public facing web mapping applications under any circumstances within a two-year period following their capture. After that, they can be used with acknowledgment of the Crown copyright, etc.

- It would be a best practice for CAs to strive toward making their data available for direct download. An open data licence can help protect against legal action. This licence should be made available on the website and easily accessible by the public.
- At the discretion of the CA, other information layers may also be provided, for example: floodlines, wetlands, parcel boundaries, source protection areas, intake protection zones, wellhead protection areas, etc. The CA must ensure that relevant best practices are followed for all displayed layers.
- Mapping that informs plan review and technical services can be very complicated, and the services provided by the CA vary depending on the MOU with each municipality. CA websites and fee schedules should include plain language descriptions of the types of services and mapping provided by the CA.

Example Introduction for Disclaimer for Regulated Area Mapping

The mapping is for information screening purposes only, and shows the **approximate** regulation limits. The text of Ontario Regulation [Specific Reg. Number] supersedes the mapping as represented by this data layer. This mapping is subject to change. A site specific determination may be made by the [Name of Conservation Authority].

This layer is the approximate limit for areas regulated under Ontario Regulation [Specific Reg. Number] – [Name of Conservation Authority]: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses, which came into effect [Date]. The Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation affects what and where a Conservation Authority can regulate. Specifically, this regulation allows the Conservation Authority to:

- 1) Prohibit, regulate or provide permission for development if the control of flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by the development.
- 2) Prohibit, regulate or provide permission for straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, watercourse or changing or interfering with a wetland.

1.2 Other relevant documents

As a **best practice**, the CA will post relevant decision support tools and documents on the CA website. CA-Municipal MOUs or technical service agreements will be posted on CA websites to allow the public to understand how the CA works with local municipalities for plan review and technical services. In addition, CA websites will include other decision support tools such as: CA plan review policies/guidelines; CA Act regulation approvals policies/guidelines; CA technical checklist for planning applications; and CA complete application requirements and checklists for

S. 28 permit applications. CA fee policies and schedules and the CA Client Service Standards Commitment/Policy will also be publically available on the CA website.

The costs associated with implementing the best practices can be recovered through CA fees.

2. Application Management and Review

2.1 Application Management

The following are **best practices** to ensure that applications are managed efficiently:

- The CA will implement an internal application tracking system to support efficiency and transparency. Applications are prioritized based on a few factors such as the order in which they are submitted, the complexity, and whether the permit applications are complete or resubmissions. Planning applications may be prioritized based on discussions with and in agreement with the municipality.
- The CA will identify a senior CA staff member as a one point contact to be the ‘client service facilitator’ for issues management around plan review and/or permit applications. The senior CA staff person working in this capacity should participate in regular meetings with the development community in the CA watershed.
- The CA will prioritize S. 28 permit applications for emergency works to respond to circumstances that pose a risk to life and/or property. The CA will note this in the local CA-Municipal MOU.

Each application differs on specifics of the project, location, and the nature, scale and scope of the proposed development. Applications also may have various supporting technical studies. The different types of applications that are received by the CA may include, for example:

- *Planning Act* Applications (Official Plan Amendments, Zoning By-law Amendments, Minor Variances, Plans of Subdivision and Condominium, Site Plan Control, etc.)
- Permissions under S. 28 of the CA Act (soil placement/ re-grading, industrial development, construction of homes, relocations of watercourses, construction of accessory structures such as sheds, etc.).

Developments may undergo both planning and permitting review from the CA. Although there is a need to ensure that *Planning Act* applications are coordinated with S. 28 permit applications, these are two distinct application processes. *Planning Act* applications have to meet tests under the *Planning Act*, Provincial Policy Statement, Official Plans and any applicable provincial plan, whereas S. 28 applications have to meet the requirements of the *CA Act* and individual CA S. 28 regulations.

The emphasis should be on **land use planning first**, which must take into account the same land use constraints that CAs regulate through their S.28 regulations. **Involvement of the CA in the planning process supports good land use planning, which in turn helps to avoid situations where an application is approved under the *Planning Act* that cannot be approved under S.28 of the CA Act.**

2.2 Application Categories

2.2.1 Plan Input and Review Activities under the Planning Act

Municipalities circulate the following types of planning documents and applications made under the *Planning Act* to the CA:

- Official plans and plan amendments
- Zoning by-laws and amendments, holding by-laws and interim control by-laws
- Plans of subdivision or condominium
- Site plan control
- Consents/Land Division
- Minor variances

2.2.1a Plan Input

Under the CO/MNRF/MMAH MOU on CA Delegated Responsibilities, CAs have responsibility for representing the “Provincial Interest” for natural hazard policies (s. 3.1) of the Provincial Policy Statement, 2014 (PPS) under the *Planning Act*. The MOU with the Province commits CAs to review policy documents and development proposals processed under the *Planning Act*. CAs also have a commenting role in approval of new or amended ‘Special Policy Areas’ for flood plains under Section 3.1.3 of the PPS, where such designations are feasible.

Many CAs enter into technical service agreements or MOUs with municipalities for plan input advisory services. As a **best practice**, the CA-Municipal MOU should mutually establish service standards which should include the timelines for circulation and review of planning documents. Schedule 2 of the CO *CA-Municipal MOU Template for Planning and Development Reviews* outlines non-statutory application circulation and review timelines to be negotiated with the CA and municipality. When establishing service standards, it is important that all timelines in MOUs fit into the whole process required to meet statutory requirements. Refer to the CO template for further details.

2.2.1b Plan Review

Some applications require significant CA staff involvement for review. These may include highly complex projects requiring technical review and comprehensive analysis, or smaller, site specific applications with complex technical reviews. Some applications involve large developments with significant natural hazards, environmental impacts, or multiple approvals. Generally, these include Plans of Subdivision and Condominium, and complex Site Plan Control applications often coupled with Official Plan or Zoning By-law amendments.

Some projects have less of an environmental impact than major projects. They could require scoped technical studies. These projects typically have a lower level of hazard risk. Based on the proximity of the project to regulated areas, these planning applications are reviewed by CA staff and generally require standard recommendations to the municipality.

The CA determines the fees for each planning application in accordance with approved fee schedules. The fee schedules are based on the complexity of the application and technical review required, which influences the staff time and resources needed for the review.

Certain activities proposed under planning applications may also trigger the need for a CA Act S. 28 permit (see below).

2.2.2 Permit Application Streams

This CO guideline defines permit applications as “major”, “minor” or “routine”, to support the streamlining of the application review process. This is aligned with or exceeds the standards of the “Policies and Procedures for Conservation Authority Plan Review and Permitting Activities”, published by the Ministry of Natural Resources and Forestry in 2010.

It is recognized that many CAs divide permit applications into more streams than the three described in this guideline, for example: minor, standard/routine, complex, compliance (where works have been undertaken or is in process of being undertaken without prior approval from the CA), restoration (where works have been undertaken that do not comply with the CA S. 28 policies and procedures, and restoration/remediation measures are required), etc.

It is also recognized that some CAs divide permit applications into different streams for the purpose of determining appropriate fees, or separately for the purpose of determining the permit decision timeline.

In the CA service standards, **as a best practice**, the CA should clearly define and distinguish streams that are for determining fees and streams that are for determining permit decision timelines. As well, for the purpose of determining permit decision timelines, the applications should be categorized into the three main streams of: **major, minor and routine permit applications**. This supports an easier understanding by the public and streamlining of the process.

- **Major applications** for S. 28 permits require significant staff involvement. They could be highly complex projects, for example, large subdivisions requiring technical review supported by comprehensive analysis, or smaller scale site specific applications that require complex technical reviews. The proposals may involve developments with significant natural hazards, environmental impacts, or multiple approval processes requirements. Generally, these would include Plans of Subdivision and Condominium, large Site Plan Control applications, and major infrastructure development. Major applications could also include those where works have been undertaken, or are in process of being undertaken, without prior approval from the CA; and those where works have been undertaken that do not comply with the CA S. 28 policies and restoration/remediation measures are required.
- Permit applications for development projects could be considered **minor** in nature due to the project size, level of risk, location, and/or other factors. These have minor

impacts on the control of flooding, erosion, dynamic beaches, pollution or the conservation of land. Based on the proximity of the project to the hazard, the minor permit applications are reviewed by CA staff and generally require standard recommendations or conditions. Minor permit applications could be those involving, for example, minor fill; minor development; and minor site alteration where there is a high degree of certainty that issues associated with natural hazards are minimal.

- **Routine** permit applications are activities that are documented through another approval process or are determined to have limited impacts on the control of flooding, erosion, dynamic beaches, pollution or the conservation of land. Routine permit applications could be those involving, Standard Compliance Requirements under the Drainage Act and Conservation Authorities Act Protocol and non-habitable buildings and structures that are less than 10 m² in size.

Upon proclamation of the new S. 28 under the *Conservation Authorities Act*, the CA would also consider whether the activity is likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property.

2.3 Pre-consultation

2.3.1 *Integrated Pre-consultation for Planning Applications*

Generally municipalities act as planning approval authorities and are responsible for the planning process, including pre-consultation under the *Planning Act*. As CAs have a provincially delegated responsibility related to S. 3.1 of the PPS, it is important that CAs get circulated applications well in advance of review deadlines to ensure that natural hazard matters are addressed.

Therefore, **integrated pre-consultation with the Planning Approval Authority is a best practice, best achieved through the CA-Municipal MOU by including provisions to involve the CA in pre-consultation** and associated meetings on *Planning Act* applications. This supports clarity and certainty on the extent of the CA review and responsibilities under the *Planning Act*, and also under S. 28 of the CA Act. For complex projects, it is recommended that other relevant approval agencies, such as the Ministry of Transportation, participate in the integrated pre-consultation with the planning approval authority (see example of collaborative and efficient planning in text box below). For less complex planning applications, pre-consultation could be conducted through phone calls, emails, and a review of online screening maps.

As a **best practice**, the CA should ensure that the comments provided as part of the pre-consultation are included in the municipal record. For complex projects, the initial pre-consultation meeting should include a discussion of major milestones with projected timelines, as well as a commitment to ongoing discussion throughout the process. As a **best practice**, the CA will document any follow-up technical meetings with the applicant and provide them with a

copy to ensure clarity (including information related to projected timelines, process, checklists etc.). This will help to streamline the process for both the applicant and the CA.

The CA will work with municipalities and other agencies to ensure the pre-consultation processes are effective in specifying the application requirements, encouraging quality submissions, and meeting circulation timelines. Other **best practices** that support streamlined planning processes include allowing a CA to pre-screen natural hazard technical studies from an application prior to a municipality deeming it complete, including CA technical checklists as part of complete application requirements found within a municipality's Official Plan, establishment of clear submission guidelines, etc. For very complex projects, a CA may consider the use of a design charrettes involving all parties, which is an expanded and more intense version of a pre-consultation. Design charrettes can be quite successful when appropriate ground rules are established and sufficient information about the application and the site is available prior to the meeting.

It is recognized that substantial changes to a proposal or new information from a site visit after pre-consultation may warrant further pre-consultation and/or changes to the CA technical checklist for studies.

Example of Collaborative and Efficient Planning

The North Bay Mattawa Conservation Authority (NBMCA) participates on a Development Application Review Team (DART) with the City of North Bay. All the departments of the City are represented (including legal, tax department and economic development), as well as outside agencies: NBMCA, North Bay Hydro, and the Ministry of the Environment, Conservation and Parks. Applicants present their projects to the group and get one set of comments from the planning staff, in an effective and time efficient process. Read more at:

<https://www.cityofnorthbay.ca/business/business-development-process/>

2.3.2 Pre-consultation for Permit Applications

Pre-consultation provides an opportunity for the CA and applicant to discuss the proposal; for the CA to determine whether the application is major or minor; and to notify the applicant of complete application requirements for CA review of the application. However, as mentioned earlier, as CAs are responsible for the review of S. 28 permit applications, they have greater control over the timeliness of approvals.

Applicants are strongly encouraged to engage in pre-consultation with the CA prior to submitting an application. **It is the applicant's responsibility to ensure an appropriate level of pre-consultation has occurred to avoid unnecessary delays in the review of their application.** Standard application review periods assume that pre-consultation has been conducted and that the application meets the requirements as outlined in the CA S.28 permit review guidelines.

The CA should ensure that staff resources are provided to offer timely pre-consultation opportunities. A **best practice** for CAs is to ensure that the landowner or authorized agent is included in pre-consultation meetings or at a minimum receives correspondence regarding their application. This ensures clear communication with the agent/consultant, landowner and CA. At the pre-consultation meeting, the CA should review the technical checklist with the applicant to identify the appropriate studies/technical information for the proposal.

CAs are responsible for the review of S. 28 permit applications, including arranging pre-consultation meetings, site visits, permit decision timelines, etc. As per the “Policies and Procedures for Conservation Authority Plan Review and Permitting Activities”, published by the Ministry of Natural Resources and Forestry in 2010 the CA will determine whether the permit application is major or minor and outline any outstanding information requirements **within 21 days of the pre-consultation meeting**, as indicated in **Table 2**. It is recognized that substantial changes to a proposal or new information from a site visit after pre-consultation may warrant further pre-consultation and/or changes to the CA complete application requirements.

Often times because of the level of pre-consultation undertaken prior to submission of an application, the CA moves seamlessly towards processing the application and issuing the permit. CAs may choose to only notify applicants where the application is determined to be major (for the purpose of permit decision timelines), or the application is incomplete within 21 days. There is no need to notify an applicant that the application is complete if the permission can be issued prior to end of the 21 day period.

As a **best practice**, the CA should document and track comments provided during the pre-consultation and thereafter. A paper trail of the meeting and details should be provided to the applicant to ensure everything is clear from the onset (expectations, process, checklists etc.) to streamline the process for both the applicant and the CA.

2.4 Application Submission Quality

Applicant requirements will be scoped based on the complexity of the project. For applications requiring technical studies, applicants are strongly encouraged to ensure that these studies are properly scoped through pre-consultation before planning and permit applications are submitted. Specific guidance in this regard will need to be sought from CA staff. Properly developed technical studies will support timely review by the CA. Guidelines for review timelines cannot be adhered to when submissions are incomplete and information is received in an uncoordinated fashion.

Technical submissions by the applicant must meet good practice and industry standards to minimize resubmissions and avoid unnecessary delay. As a **best practice** CAs should consider requiring the applicant, as part of the covering letter, to have a professional confirm that an application is complete. Ultimately, quality control is the responsibility of the applicant, to ensure studies are consistent and properly referenced (e.g. location, city).

2.4.1 Planning Application Submissions

The commitment to review timelines assumes that application submissions are complete. Some Official Plans stipulate the complete application requirements. Planning applications will be deemed complete by the municipality, not by the CA, however consultation with CA staff before deeming an application complete is a **best practice** when the CA will be reviewing technical studies and/or plans in support of an application submission.

As a best practice, the CA should work with the municipality to get CA technical checklists included as part of complete application requirements in municipal Official Plans. Therefore municipalities would inform the applicant about the CA technical checklists as part of municipal complete application requirements.

The CA could request the municipality to require the applicant to include a sign off sheet with the technical work to confirm that the work meets good practice and acceptable, current industry standards for technical studies and was completed by persons with relevant qualifications and experience. This **best practice** may help ensure adequate quality of technical studies, which supports CA review.

During the review of the application, CA staff may request additional information if it has been determined that the application does not contain sufficient and/or good quality technical analysis. Note that reviews may be done by “peer reviewers” as well as CA staff. Delays in timelines for decision making may occur due to requests for additional information to address errors or gaps in information submitted for review.

2.4.2 Permit Application Submissions

Upon receipt of an application, CA staff will review the application requirements for the specific project. **Within 21 business days of receipt** of a permit application, the CA will either issue the permit or for more complex projects, notify the applicant in writing whether the application has been deemed complete or not, as indicated in **Table 2**. In order to make the determination of a complete application the CA checks if the application meets submission requirements. The complete application determination does not mean that the application meets all of the tests of the S. 28 regulation. A general list of recommended requirements for a complete application for S. 28 permits is provided in **Appendix A**.

The CA could require the applicant to include a sign off sheet with the technical work to confirm that the work meets good practice and acceptable, current industry standards for technical studies and was completed by persons with relevant qualifications and experience. This **best practice** may help ensure adequate quality of technical studies, which supports CA review.

If the applicant disagrees with the complete application decision the applicant may contact the senior CA staff serving as a ‘client service facilitator’ for applications issue management first. If not satisfied, the applicant can request an administrative review by the CA Chief Administrative Officer/General Manager and then if not satisfied, the CA Board. The review will be limited to a complete application policy review, and will not include review of the technical merits of the

application. During this review, this list of required information will be assessed and a determination will be made.

During the review of the application, CA staff may request additional information if it has been deemed that the application does not contain sufficient technical analysis. Delays in timelines for decision making may occur due to requests for additional information to address errors or gaps in information submitted for review. A S. 28 permit application may be put in abeyance or returned to the applicant, pending the receipt of further information leading to a re-submission. If necessary, this could be confirmed between both parties in correspondence or in an email or as a signed "Agreement to Defer Decision", to clarify mutually agreeable tasks and timelines, and avoid premature refusals of permits due to inadequate information.

2.5 Re-submission

Amendments to previous submissions or additional information such as technical analysis required as a result of the review process or site investigation may affect the application review timelines. Re-submissions are different between plan review and permitting. As CAs manage the S. 28 permitting process, there are best practices that CAs can use to ensure better quality submissions that help streamline the process.

Some best practices are summarized below.

- When a planning or permit application is determined to be incomplete, the CA will provide a document containing a detailed list of information needed. The applicant must describe how each item is addressed in a covering letter upon re-submission, to indicate that all of the deficiencies have been addressed and itemized. This will help expedite the subsequent review process.
- Meeting with CA staff to go over substantial changes to an application is a positive step, and can speed up review times.
- If a resubmission also modifies other areas of a report or plans that affect an area of interest to the CA, it is a best practice for an applicant or consultant to identify these new changes as well.
- Some CAs have introduced a graduated fee structure to encourage better re-submissions.
- The CA may choose to adopt a 'start and stop' **best practice**, whereby the decision timeline for a permit application is stopped - until a re-submission is made.

Re-submissions affect the Level of Service timelines for permit decisions. Re-submissions that are the result of insufficient studies/submissions may be subject to additional fees, which should be clearly laid out in the CA board approved fee schedule.

Re-submissions can be minimized through: pre-consultation, and meeting the CA complete submission requirements - for S. 28 permit applications; and meeting the municipal complete

application requirements as well as the CA technical checklist for planning applications. This message should be reiterated to applicants at the pre-consultation stage.

The costs associated with implementing the best practices can be recovered through CA fees.

3. Level of Service

CAs are committed to meeting timelines for development applications, and meeting service standards. The key steps that form the cornerstone of an efficient and effective CA review process are provided in **Table 2** below.

Table 2: Steps to an Efficient and Effective Conservation Authority Review Process

	Planning Act Application	S. 28 Permit Application
Pre-consultation	Integrated pre-consultation with the Planning Approval Authority	Pre-consultation with the applicant
Application circulation/submission	<p>Consultation with CA staff prior to municipality deeming applications complete. Complete circulation of the planning application, including the necessary technical reports and plans by the municipality to the CA well in advance of the CA review deadline set by the municipality.</p> <p>Consultation with CA staff before deeming an application complete is a best practice when the CA will be reviewing technical studies and/or plans in support of an application submission</p>	Complete submission of the S. 28 application, including the necessary technical reports.
Quality of submission	Good-quality applications including submission of all components, such as technical studies, requested during pre-consultation.	

An overarching best practice is preparing a schedule, and taking a project management approach where both sides commit to meeting the schedule. It is very important to note that as CAs are responsible for the review of S. 28 permit applications; they have greater control over the timeliness of approvals. This critical matter is elaborated upon in the sections below.

3.1 Planning Applications Timelines

Decision making timelines for municipal planning are set out in the *Planning Act*. It is important to note that each municipality has its own planning process; therefore, the standardization of CA comment timelines for all planning applications is not a straightforward matter.

As a **best practice**, the CA-Municipal MOU should mutually establish service standards which should include the timelines for circulation and review of planning applications. Refer to the CO template for CA-Municipal MOU. There may be some modification to these review timelines for

individual applications with discussion and agreement amongst the applicant, municipal and CA staff during the pre-consultation stage and provided that the requirements of the *Planning Act* are met.

To achieve a streamlined approval process, the CA relies heavily on each municipality to include the CA in pre-consultation meetings, consult with the CA prior to deeming applications complete; and to circulate the planning application, technical reports and plans well in advance of the CA review deadline set by the municipality. This, along with the CA participation during pre-consultation and the applicant meeting the CA technical checklist with good quality studies, is vital to the CA meeting level of service timelines for planning applications.

Other **best practices** for CAs are to ensure that front line staff are trained to understand the tight planning turnaround times and the importance of good information and data management.

3.2 Permit Applications Timelines

Service standards for Section 28 permit applications are specified by the Ministry of Natural Resources and Forestry (MNRF) in the “Policies and Procedures for Conservation Authority Plan Review and Permitting Activities (2010)”. This CO guideline suggests three additional best practices based on practical input from CAs. These details are summarized below, and shown in **Table 3**.

As a **best practice**, the CA will make every effort to be consistent with the timelines shown in **Table 3**. It is important to note that the CA has the ability to identify a target timeline for completion that is reduced from these timelines.

Table 3: Level of Service for CA Review of S. 28 Permit Applications

Note: The timelines contained within this table have been developed as best-practices for CA staff. The timeline guideline is recommended as a client service target for CAs and represent a significant improvement to the timelines provided in the MNRF 2010 Guideline entitled “CA Roles and Responsibilities in Plan Review and Permitting”; the timeline guideline for major permits change from a total of 132 to 63 calendar days and for minor permits change from a total of 72 to 42 calendar days. **All timelines presented exclude statutory holidays.**

Application Process Step	Timeline
Notification of complete application requirements for the purpose of review of the permit application by the CA, start of “paper trail” documentation, and discussion of timelines and fees – Pre-consultation	<ul style="list-style-type: none"> • Major permit applications: Within 14 days of the pre-consultation meeting. • Minor permit applications: Within 7 days of the pre-consultation meeting. <p>This will include confirmation of whether the application is considered major or minor, if the applicant has provided adequate</p>

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

If the CA has not made a decision with regard to an application made under S.28 within the appropriate timeframes noted above, the applicant may contact the senior CA staff serving as a ‘client service facilitator’ for applications issue management first. If the applicant is not satisfied with the response from the client service facilitator, the applicant can submit a request for administrative review by the General Manager or Chief Administrative Officer, and then if not

satisfied, the CA Board. It should be noted that the review timelines may be affected by unexpected circumstances. Clear communication with the municipality and applicant is essential in these situations to establish expectations and new timelines.

The costs associated with implementing the best practices can be recovered through CA fees.

3.3 Summary of Best Practices

Table 4 summarizes the best practices provided within this guideline to support the streamlining of CA review of planning and permit applications. It is divided into those best practices that support the CA review of planning applications or permitting applications or both. It is important to refer to the sections identified for the full context and applicability of the practice.

Table 4: Summary of Best Practices

No.	Summary of Best Practices	Section
CA Review of <i>Planning Act</i> Applications		
1.	The CA-Municipal MOU should include provisions to involve the CA in pre-consultation	2.3.1 Pre-consultation for Planning Applications
2.	The CA should work with the municipality to get CA technical checklists included as part of complete application requirements in municipal Official Plans	2.4.1 Planning Application Submissions
3.	The CA could request the municipality to: include a sign off sheet with the technical work to confirm that the work meets good practice and acceptable, current industry standards for technical studies and was completed by persons with relevant qualifications and experience.	2.4.1 Planning Application Submissions
4.	The CA-Municipal MOU should mutually establish service standards which should include the timelines for plan review applications	3.1 Planning Application Timelines
CA Review of applications made under S. 28 of the <i>Conservation Authorities Act</i>		
1.	The CA regulated area will be displayed as a separate data layer in the online screening map	1.1 Online Screening Maps
2.	The CA will ensure that an approved and updated screening map for the CA regulated area is available to watershed municipalities and the public. The updates will be done per the “Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations”, endorsed by Conservation Ontario (April, 2018).	1.1 Online Screening Maps

No.	Summary of Best Practices	Section
3.	The screening map will be searchable by municipal address.	1.1 Online Screening Maps
4.	The CA will make the mapping rationale available.	1.1 Online Screening Maps
5.	The CA will have an agreement that includes a clear disclaimer statement.	1.1 Online Screening Maps
6.	CA websites and fee schedules should include plain language descriptions of the types of services and mapping provided by the CA.	1.1 Online Screening Maps
7.	The CA will define permit applications as “major”, “minor” or “routine”	2.2.2 Permit Application Streams
8.	The CA should try to ensure that the landowner or authorized agent is included in pre-consultation meetings or as a minimum receive correspondence regarding their application	2.3.2 Pre-consultation for Permit Applications
9.	The CA could require the applicant to: include a sign off sheet with the technical work to confirm that the work meets good practice and acceptable, current industry standards for technical studies and was completed by persons with relevant qualifications and experience.	2.4.2 Permit Application Complete Submissions
10.	The CA will make every effort to be consistent with the suggested process and timelines provided in the Ministry of Natural Resources and Forestry (MNRF) publication “Policies and Procedures for Conservation Authority Plan Review and Permitting Activities” (2010) and this CO guideline.	3.2 Permit Application Timelines
11.	The CA should reiterate the technical checklist for studies to applicants at the pre-consultation meeting	2.5 Re-submission
CA Review of <i>Planning Act</i> and S. 28 Applications		
1.	<p>The CA will manage applications efficiently by:</p> <ul style="list-style-type: none"> • Implementing an internal application tracking system. • Identifying a senior CA staff contact to be the ‘client service facilitator’ for plan review and/or permit applications issue management. • The CA will prioritize applications for emergency works to respond to circumstances that pose a risk to life and/or property. The CA will note this in the local CA-municipal MOU. 	2.1 Application Management

No.	Summary of Best Practices	Section
		2.
3.	The CA will identify a senior CA staff serving as a 'client service facilitator' for planning and permit applications issue management	2.1, 2.4.2, 3.2, Appendix B

As reiterated throughout this guideline document, **the costs associated with implementing the best practices can be recovered through CA fees.**

4. Performance Evaluation and Reporting

Service information summaries, performance evaluations, and associated reporting strongly support transparency, process improvements and efficiency. Example report tables are provided below. Performance evaluation must be reported to the CA board. Most of the information should be included in public CA Annual Reports. It is recognized that CAs may need time to fully implement the suggested performance evaluation and reporting. Therefore a 2 year a transition period is recommended.

Service delivery and workload information summaries should be reported on a yearly basis including five year actuals. The summary should include a brief description of the program, and capture unusual increases, trends, or routine workloads. **Table 5** provides an example of reporting on annual workloads.

Table 5: Example of Reporting on Workload Actuals

Applications/Inquiries	2018	2017	2016	2015	2014
Number of Permit applications	101	108	221	165	202
Number of Planning applications	25	40	110	90	131
Number of Landowner inquiries* (resulting in comments)	51	57	34	60	45
Number of Lawyer inquiries (resulting in comments)	36	47	90	104	113
Number of hearings					

*The CA can choose to further divide this into: no. of Property Inquiries, no. of Permit Inquiries

The planning and permit review processes must be evaluated on a yearly basis using key performance indicators (KPIs) such as:

- Application review times (see **Table 6**).
- Percent of target timelines that were achieved (see **Table 7**).
- A summary of deferred or delayed applications, reported to the CA Board.
- Identification of publicly available tools, agreements, policies that guide reviews and decision-making:
 - Online screening map
 - CA-Municipal MOUs or Technical Service Agreements
 - CA plan review and regulation approvals policies, procedures and guidelines
 - CA technical checklist for planning applications
 - CA complete application requirements for S. 28 permit applications
 - CA Fee schedules
 - CA Client Service Standards Commitment/Policy.
- If available, client feedback on performance: responsiveness, cooperation, accessibility, issuance of clear guidance.

Some CAs also provide staff time allocation tracking summaries by program (i.e. plan input vs plan review vs permit vs infrastructure/environmental assessments etc.), to support tracking review process performance, assist in supporting justification for fees, and to find process inefficiencies and efficiencies for staffing and resource allocation. The CA may choose to include this within their performance evaluation.

Table 6: Example for Reporting on Permit Application Review Time

Permit Application Stream	No. of permit applications reviewed with decision in 2018			
	Pre-Consultation within 21 days	1-30 days	31-90 days	> 90 days
Routine	10	10	0	0
Minor	7	58	0	0
Major	15	3	40	0

Table 7: Example for Reporting on Timelines Achieved

Application Type	Percent of Applications where the Timeline is Achieved
Official Plan Amendments*	80%
Zoning By-law Amendments*	72%
Plans of Subdivision*	66%

Site Plan Control*	89%
Consents (Severances)*	76%
Minor Variances*	88%
S. 28 Permits**	85%

*Compare to planning application related timelines set in the CA-Municipal MOU

**Compared to CA Level of Service timelines for S. 28 permit applications

The costs associated with performance evaluation and reporting can be recovered through CA fees.

Sources of Information

- Provincial Direction:
 - Policies and Procedures for Conservation Authority Plan Review and Permitting Activities. Ministry of Natural Resources and Forestry. 2010.
- Conservation Ontario Council endorsed procedures:
 - Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations. Conservation Ontario Section 28 Regulations Committee. 2018
- CA Policy and Procedural Manuals:
 - Planning and Development Procedural Manual. Toronto and Region Conservation Authority. 2010.
 - Plan Review Manual. Lower Trent Region Conservation Authority. March 2019.
 - Planning and Development Administrative Procedural Document. Credit Valley Conservation Authority. 2011.
 - Rules of Procedure for Permit Application Review and Approval in Accordance with Ontario Regulation 180/06 as amended by Ontario Regulation 63/13 made under Section 28 of the Conservation Authorities Act. Lakehead Region Conservation Authority. July 2018.
 - Ontario Regulation 163/06 Policy document. Lower Trent Region Conservation Authority. October 2018.
- Performance Reporting:
 - CA Staff Report to Board on Customer Service Plan for the Planning and Regulations Program. Long Point Region Conservation Authority. June 17, 2017.
- CA-Municipal Memoranda of Understanding
 - Memorandum of Understanding Between The Regional Municipality of Halton, City of Burlington, Town of Halton Hills, Town of Milton, Town of Oakville, Halton Region Conservation Authority, Credit Valley Conservation Authority, and Grand River Conservation Authority. For An Integrated Halton Area Planning System. July 16, 2018.

- Online Mapping Resources:
 - Lake Simcoe Region Conservation Authority. Ontario Regulation 179/06 Regulated Areas Mapping. Available at:
<https://maps.lsrca.on.ca/EH5Viewer/index.html?viewer=LSRCARegulations>

Appendix A: Example - General Submission for a S. 28 Permit Application

A signed and dated Application for Permit form (complete with the applicant's contact information) should be submitted, along with the other applicable information. This application can be submitted either in digital or hard copy. If the property owner is not applying, then obtain a letter from the property owner identifying that the applicant can act as the agent. The scale and complexity of the proposal will determine which of the studies, reports or design drawings will be needed for the application. A listing of potential studies that may be required can be found in the downloadable document provided below [insert link from the CA website]. The level of detail required for most of the studies and reports can vary widely depending on the property and the proposal. In some situations, a single-page letter from a qualified expert will be sufficient, while in other cases a major study will be necessary.

Permission to Develop

A signed application may contain, but is not limited to the following information:

- 4 copies of a plan of the area showing the type and location of the development
- the proposed use of the buildings and structures following completion of the development; including clarification of municipal or private services (before and after development)
- the approximate start and completion dates of the development
- the elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development
- access/egress on the plan (before and after development)
- drainage details before and after development
- a complete description of the type of fill proposed to be placed or dumped
- signed land owner authorization for the CA to enter the property*
- technical studies/plans as required to meet the regulatory provisions of CA Act S.28**.
- submission of the prescribed fee set by the CA for review of the application.

Permission to Alter

A CA may grant a person permission to straighten, change, divert, or interfere with an existing channel of a river, creek, stream, or watercourse or to change or interfere with a wetland. A signed application may contain, but is not limited to the following information:

- 4 copies of a plan of the area showing plan view and cross-section details of the proposed alteration
- a description of the methods and equipment to be used in carrying out the alteration and access/egress to do the work if applicable
- the start and completion dates of the alteration
- a statement of the purpose of the alteration
- signed land owner authorization for the CA to enter the property
- technical studies/plans as required to meet the regulatory provisions of CA Act S.28**
- submission of the prescribed fee set by the CA for review of the application.

*May not be applicable for works completed under the *Drainage Act*-see *Drainage Act* and *Conservation Authorities Act* Protocol for more details.

** These should include a sign off sheet with the technical work to confirm that the work meets good practice and acceptable, current industry standards for technical studies and was completed by persons with relevant qualifications and experience.

Appendix B: Example - Client Service Delivery Charter for CA Plan and Permit Review Program

We aim to provide a high standard of effective and efficient service to all of our customers of the plan and permit review program. This charter explains our service commitment.

Who are our customers?

- clients of plan and permit application review program including watershed residents, legal staff, real estate staff, engineering and consultants
- municipal and provincial governments

Our commitment to our customers. We will:

- provide customer service that is timely, welcoming and helpful
- provide knowledgeable, professional and courteous service
- treat you with respect, fairness, openness and equality
- ensure it is easy and convenient to contact us
- identify a CA staff as the '**client service facilitator**' for issue management
- maintain customer confidentiality and abide by all privacy legislation
- work to provide accessible services and to the provision of alternate formats, consistent with the *Accessibility Standards for Customer Service*
- ensure our customer service locations are safe and healthy environments

Our customer service standards. We will:

- answer telephone calls to our main reception in person whenever possible during office hours; outside of office hours or when it is not possible to answer a call in person, ensure that messages are forwarded to appropriate staff **within two business days**
- ensure all staff provide a courteous and accurate voicemail greeting indicating when they will be available to respond to messages
- acknowledge receipt of mail, voicemail and email **within two business day**
- explain our processes
- review S. 8 applications **per timelines specified in the Client Service Standards** and planning applications **per the CA-Municipal MOU**
- keep customers informed of timelines and explain if there will be a delay
- post notice of service disruptions on our website and telephone system
- respect our customers' time by keeping scheduled appointments, and strive to attend to general queries from customers without appointments **within two business days**
- use plain language wherever possible, and provide more detail or explanation when asked
- **post screening tools online** including CA regulated area maps, policies, procedures and guidelines, technical checklist for planning applications, complete application requirements for S. 28 permit applications, fee policies and schedules, Client Service Standards

Continuous improvement. We will:

- ensure that all customers have the opportunity to provide feedback on the service received through a CA feedback form
- monitor feedback and review performance regularly, and provide an annual report to our customers via our website
- review our commitments and standards annually

What we expect from our customers. We ask that you please:

- Participate in pre-consultation meetings
- Provide quality technical submissions and complete applications
- Provide requested information or technical resubmissions in a timely fashion
- behave courteously towards our staff and other customers
- be respectful of posted rules including those regarding parking, smoking and pets
- respect our 'no gifts' policy

Approved by the CA Board of Directors.