



Templates for Conservation Authority Planning Comments

Endorsed: September 30, 2019

DRAFT CA Planning Comment Template – Comments Provided

At the April, 2019 meeting Conservation Ontario council endorsed the Client Service and Streamlining Initiative, which included commitments to 1) improve client service and accountability; 2) increase speed of approvals; and 3) reduce red tape and regulatory burden. As part of commitment #1, CO has undertaken to create a series of guidelines for all CAs, including this draft template for CA planning comments.

The Draft CA Planning Comments Templates (Comments Provided / No Objection) are envisioned as BMP guidelines. The intent of the templates is to clarify the role of the CA in reviewing *Planning Act* applications and to provide some standardization in approach for the convenience of clients, including municipalities and the development community, as well as common language for CAs submitting “no objection” letters to their municipalities. It is recognized that many CAs currently tailor letters based on the type of *Planning Act* application received and the needs of their member municipalities. **As such, there may be some variation regarding which elements of this template will be used as the basis for their comments. CAs may tailor the order of information presented to suit the needs of their municipal partners.**

The draft CA Planning Comment Templates have been reviewed by the CO Timely Reviews and Approvals Taskforce and circulated to all CA planning staff for review. CA comments have been incorporated and the draft documents shared with other stakeholders, including AMO, OHBA, RESCON and BILD. It is anticipated that these draft Templates will be considered by Conservation Ontario Council at their September, 2019 meeting.

[Date]

[CA File Number]

[Planning Approval Authority/Municipal File Manager]

[Mailing Address]

[City, Province, Postal Code]

Attn: [Name]

[Title]

[E-mail Address]

Dear [Planning Approval Authority Contact/Municipal File Manager],

Re: [Application Type]

[Application File Number]

[Address, Municipality]

[Application name or Company]

*Provide introductory statements here (see example below). This section should clearly delineate the roles in which CA staff has provided comments to the municipality/applicant. **Include only those that apply.***

[Conservation Authority] staff has reviewed the above-noted application for [Description of the Development Proposal as it is worded on the Application Form].

Indicate any associated applications, for example, Draft Plan, Official Plan and/or Zoning Amendment.

Documents Received and Reviewed by Staff

Staff have received and reviewed the following documents submitted with this application:

- *List of documents/drawings/reports reviewed. Include Title, Prepared By, Date Prepared, Most Recently Revised, and Date Received by CA Staff.*

Further note if CA staff have been involved in a pre-consultation meeting with the applicant/municipality in advance of the receipt of the application. Provide the date and a summary of comments provided to the applicant at this meeting or attach the letter.

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2014) and as a regulatory authority under Ontario Regulation [#/#]. [Conservation Authority] has also provided comments as per our [MOU/MOA/service agreement] with [Municipality/Upper tier] representing [Details Outlining CA Commenting Role Established through MOU/MOA]. The application has also been reviewed through our role as a public body under the *Planning Act* as per our CA Board approved policies. Finally, [Conservation Authority] has provided advisory comments related to policy applicability and to assist with implementation of the [Source Protection Plan] under the *Clean Water Act*.

Recommendation

Provide recommendation regarding the planning application to the municipality (e.g. premature, no objection, no objection subject to conditions, deferral because more information is required, refusal – application is not supported by CA policies and/or PPS policies). Approval or completion of “upper tier” planning and technical documents (e.g. Secondary Plan) to the satisfaction of the CA may be required before the draft plan is reviewed (e.g. premature). If applicable, list outstanding technical information required to obtain approval.

Site Characteristics

Existing mapping indicates that the subject property is within the vicinity of [List Features].

- *Description of the site and the areas regulated under Ontario Regulation [#/#]. Attach regulatory mapping (if available) and provide applicant with link to CA mapping resources (if available).*
- *Located within a completed watershed or sub-watershed study area and/or Remedial Action Plan (Advisory / Based on MOU/MOA)*
- *How the property is currently designated in the OP and ZB*
- *Designation under applicable Provincial Plan(s) (Advisory / Based on MOU/MOA)*
- *Located within an area that is subject to the policies contained in the Source Protection Plan (Advisory / Based on MOU/MOA)*

Further note if CA staff have conducted a site visit to the subject property. Include date of site visit and relevant findings.

Delegated Responsibility and Statutory Comments:

1. **[Conservation Authority] has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement.**

- Provide a description of Section 3.1 PPS policies which apply to the site.
- Provide comments indicating whether the application is “consistent with” Section 3.1 of the PPS.
- Provide a description of any technical requirements.

2. **[Conservation Authority]** has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation [#/]. This regulation, made under Section 28 of the **Conservation Authorities Act**, enables conservation authorities to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Development taking place on these lands may require permission from the conservation authority to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. **[Conservation Authority]** also regulates the alteration to or interference in any way with a watercourse or wetland.

- Provide a description of the areas regulated under Ontario Regulation [#/] and reference attached regulatory mapping (if available).
- Provide a description of technical and CA policy requirements as well as related comments.

Advisory Comments

3. **[Conservation Authority]** has reviewed the application through our responsibilities as a service provider to the **[Municipality/Upper Tier]** in that we provide **[context of MOU/MOA]** through a **[MOU/MOA/Service Agreement]**.

Comments are advisory in nature and will be dependent on the contents of the service agreement (should such an agreement exist).

4. **[Conservation Authority]** has reviewed the application through our role as a public body, pursuant to the **Planning Act**

Comments are advisory in nature and will be dependent on the CA Board approved policies as local resource management agencies.

These comments could include references to the PPS beyond Section 3.1 and other Conservation Authority developed guidelines (e.g. stormwater, planning, natural heritage system, erosion and sediment control, etc).

5. **[Conservation Authority]** has reviewed the application in terms of the **[applicable source protection plan(s)]**, prepared under the **Clean Water Act, 2006**. The Source Protection Plan came into effect on **[date]** and contains policies to protect sources of municipal drinking water from existing and future land use activities.

Comments are advisory in nature and may include any or all of the following information:

- Clarification of whether the subject property is located within an area subject to the local Source Protection Plan, based on map screening.
- Provide a website link to the Source Protection Plan. The applicant can check whether policies in the Source Protection Plan apply to the activities proposed to occur at the subject property.

- *If the proposal is related to a new or change in a municipal drinking water system, remind municipalities of the requirement to provide notice of such change to the source protection authority, and their obligations to undertake work necessary to update the source protection plan.*

6. [Conservation Authority] has reviewed the application as an adjacent landowner

CAs are landowners and as such, may become involved in the planning process as an adjacent landowner.

Comments are advisory in nature and will be dependent on the CA Board approved policies.

Additional Advisory Comments

These would apply if/when there are comments that relate to:

- Provincial plans as defined under the Planning Act*
- Remedial Action Plans*
- Pertinent Watershed Plan*

Summary

Provide an overview of key concerns and justification for recommendation or conclusion.

Given the above comments, it is the opinion of the *[Conservation Authority]* that:

1. Consistency with Section 3.1 of the PPS *[has/has not]* been demonstrated;
2. Ontario Regulation *[/#/#]* *[does/does not]* apply to the subject site. A permit from *[Conservation Authority]* *[will/will not]* be required prior to any development taking place;
3. *Provide advice from review as part of a municipal MOU/MOA;* and
4. *The subject site [is/is not] located within an area that is subject to the policies contained in the Source Protection Plan.*

Consistent with the approved fee schedule *[title of the document, year]* the applicant will be invoiced *[or the municipality/planning approval authority will collect]* \$x for the Conservation Authority's review of this application.

To be included only where the conservation authority is invoicing fees directly (no municipal collection), and/or when the CA has not collected the fee in advance of providing comments.

Please inform this office of any decision made by *[the planning approval authority]* with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned *[provide direct contact information]*.

Sincerely,

[CA Staff Contact]
[Title, Department]

Encl: *[Maps, technical comments, complete application checklists, etc.]*

c.c. Owner? Applicant? Agent? Additional CA Contacts?

DRAFT CA Planning Comment Template - No Objection

[Date]

[CA File Number]

[Planning Approval Authority/Municipal File Manager]

[Mailing Address]

[City, Province, Postal Code]

Attn: [Name]

[Title]

[Email Address]

Dear [Planning Approval Authority Contact/Municipal File Manager],

Re: [Application Type]

[Application File Number]

[Address, Municipality]

[Application name or Company]

*Provide introductory statements here (see example below). This section should clearly delineate the roles in which CA staff has provided comments to the municipality/applicant. **Include only those that apply.***

[Conservation Authority] staff has reviewed the above-noted application for [Description of the Development Proposal as it is worded on the Application Form].

Indicate any associated applications, for example, Draft Plan, Official Plan and/or Zoning Amendment.

Documents Received and Reviewed by Staff

Staff have received and reviewed the following documents submitted with this application:

- *List of documents/drawings/reports reviewed. Include Title, Prepared By, Date Prepared, Most Recently Revised, and Date Received by CA Staff.*

Further note if CA staff has been involved in a pre-consultation meeting with the applicant/municipality in advance of the receipt of the application. Provide the date and a summary of comments provided to the applicant at this meeting.

Staff has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2014) and as a regulatory authority under Ontario Regulation [#/#]. [Conservation Authority] has also provided comments as per our [MOU/MOA/service agreement] with [Municipality/Upper tier] representing [Details Outlining CA Commenting Role Established through MOU/MOA]. The application has also been reviewed through our role as a public body under the *Planning Act* as per our CA Board approved policies. Finally, [Conservation Authority] has provided advisory comments related to policy applicability and to assist with implementation of the [Source Protection Plan] under the *Clean Water Act*.

Site Characteristics

Include site characteristics information if appropriate.

Existing mapping indicates that the subject property is within the vicinity of *[List Features]*.

- *Description of the site and the areas regulated under Ontario Regulation [#/#]. Attach regulatory mapping (if available) and provide applicant with link to CA mapping resources (if available).*
- *Located within a completed watershed or sub-watershed study area and/or Remedial Action Plan (Advisory / Based on MOU/MOA)*
- *How the property is currently designated in the OP and ZB*
- *Designation under applicable Provincial Plan(s) (Advisory / Based on MOU/MOA)*
- *Located within an area that is subject to the policies contained in the Source Protection Plan (Advisory / Based on MOU/MOA)*

Recommendation

[Conservation Authority] has no objection to the approval of application *[Municipal File Number]*. The subject property does not contain any floodplains, watercourses, shorelines, wetlands, valley slopes or other environmental features of interest to *[Conservation Authority]*, and it is of the opinion of *[Conservation Authority]* that the application is consistent with Section 3.1 policies of the PPS. The property is not subject to Ontario Regulation [#/#], or to the policies of *[Conservation Authority]* at this time, and as such, a permission from the *[Conservation Authority]* is not required.

Consistent with the approved fee schedule *[title of the document, year]* the applicant will be invoiced *[or the municipality/planning approval authority will collect]* \$x for the Conservation Authority's review of this application.

- *To be included only where the conservation authority is invoicing fees directly (no municipal collection) or when the CA has not collected the fee in advance of providing comments.*

We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned *[provide direct contact information]*.

Sincerely,

[CA Staff Contact]
[Title, Department]

Encl: *[Maps, etc.]*

c.c. Owner? Applicant? Agent? Additional CA Contacts?