

MEMORANDUM OF AGREEMENT

BETWEEN

THE CITY OF OTTAWA

AND

THE MISSISSIPPI VALLEY CONSERVATION AUTHORITY,  
THE RIDEAU VALLEY CONSERVATION AUTHORITY, AND THE  
SOUTH NATION CONSERVATION AUTHORITY

*(hereinafter referred to as “the Conservation Partners”)*

FOR THE PROVISION OF PLAN INPUT AND REVIEW ADVISORY SERVICES

Revised August 28, 2018

## A. PURPOSE

The purpose of this Memorandum of Agreement (MOA) is to renew and update a partnership agreement between the City of Ottawa and Mississippi Valley Conservation Authority, the Rideau Valley Conservation Authority and the South Nation River Conservation Authority (known as South Nation Conservation), herein referred to the Conservation Partners to achieve specific Official Plan and Provincial Policy Statement objectives. The MOA provides for:

- i. Conservation Partners screening or review of applications submitted to the City under the Planning Act and for the City to secure, from the Conservation Partners, the expertise required to undertake certain review functions as specified in this agreement.
- ii. Conservation Partners input on studies, plans and assessments that are prepared to guide and inform development.

The MOA does not affect and address those activities that the Conservation Partners currently undertake as part of their own legislated mandate under the Conservation Authorities Act and delegated responsibilities from the Province of Ontario for natural hazards management.

## B. GENERAL

- i. The MOA applies within the boundaries of the City of Ottawa.
- ii. The term of this MOA is at the pleasures of the parties to the agreement; any party may terminate the agreement with a minimum 120 days written notice.
- iii. The Conservation Partners will have on staff, or retain for the duration of the agreement, qualified professionals to undertake the requirements of the MOA and will provide the names of assigned staff, including qualifications, to the City of Ottawa.
- iv. The City requires the Conservation Partners' expertise for plan input and review of Planning Act applications and related technical studies in accordance with Appendix A: Services.
- v. The Conservation Partners acknowledge that the City of Ottawa is the approval authority for Planning Act applications for which technical review is required from the Conservation Partners pursuant to this MOA.
- vi. To ensure full consideration of all relevant Provincial Policy Statement and official plan policies, it is acknowledged by both parties to this agreement that there are common interests which may be reflected in the comments provided.
- vii. The MOA may be amended from time to time to reflect changes in programs, funding and personnel in both parties or changes in Provincial legislation, policy and delegation of responsibilities.
- viii. Minor amendments, as agreed upon by both parties, may be made by an addendum to this agreement and signed by the General Managers of the Conservation Partners and the General Manager of Planning, Infrastructure and Economic Development, City of Ottawa.

## C. ROLES AND RESPONSIBILITIES

The City of Ottawa commits to:

- i. Request, with reasonable notice, the participation of the Conservation Partners in pre-consultation meetings either in person or by teleconference, as appropriate, for Planning Act applications which involve Conservation Partners interests in accordance with Appendix A.

- ii. Forward the required applications and technical studies as listed in Appendix A to the responsible Conservation Partner.
- iii. Collect fees for the Conservation Partners in accordance with the current fee schedule as may be amended and approved by the Boards of Directors from time to time (Appendix B).
- iv. Acknowledge that the Conservation Partners will charge additional fees directly to applicants for technical report reviews and application reviews that take more than the average review time as provided for in the approved fee schedules (Appendix B).
- v. Retain consultants, when in the opinion of the City of Ottawa or the Conservation Partners, there may be a real or perceived conflict of interest.
- vi. Ensure that the Conservation Partners are kept informed as to status of all application and technical report reviews and direct or copy all correspondence (including revised reports and consultants' responses) to the Conservation Partners.
- vii. Request the Conservation Partners participation in official plan and comprehensive zoning by-law reviews, special zoning studies and related by-laws, land use planning studies, community design plans, master servicing studies, environmental management plans, subwatershed studies and other similar studies as appropriate, based on Conservation Partners' interests as defined in Appendix A.
- viii. Acknowledge that the Conservation Partners will charge fees for the review of technical reports and attendance at technical advisory committee or similar meetings associated with the studies identified in clause vii above, when such studies are privately initiated.

The Conservation Partners commit to:

- i. Attend pre-consultation meetings and other application related meetings (with reasonable notice from the City), including City Council and Committees of Council either in person or by teleconference, as appropriate, for applications which involve Conservation Partners interests in accordance with Appendix A.
- ii. Provide review of Planning Act applications and technical reports submitted to the City in accordance with Appendix A, on a fee for service basis with the applicant.
- iii. Provide the City of Ottawa with updated Conservation Partners fee schedules (as approved by each Conservation Authority's Board of Directors) on an annual basis (Appendix B).
- iv. Review Planning Act applications and technical studies in the context of the Official Plan policies, the Provincial Policy Statement and all relevant City of Ottawa, Conservation Partners and Province of Ontario policies and guidelines.
- v. Provide detailed comments on applications and technical studies (including when applicable, terms of reference, preliminary and detailed design) and, if required, recommend conditions of approval.
- vi. Provide comments within 28 days of a request for comments from the City of Ottawa and receipt of complete reports from the applicant. The 28 day comment period begins on the date of receipt. If no response or status update is received from the Conservation Partners, the City of Ottawa will assume that the Conservation Partners have no comment. A comment period more than 28 days may be provided if agreed upon by both parties.
- vii. Ensure that the City of Ottawa is kept informed as to status of all application and technical report reviews and direct or copy all correspondence (including revised reports and consultants' responses) to the City of Ottawa.
- viii. Participate as requested, in official plan and comprehensive zoning by-law reviews, special zoning studies and related by-laws, land use planning studies, community design plans, master servicing studies, environmental management plans, master servicing studies, subwatershed studies and other similar studies as appropriate based on Conservation Partners' interests as defined in Appendix A.

The City of Ottawa and the Conservation Partners commit to:

- i. Evaluate, on an annual basis, the performance of this agreement and take action, if necessary, to resolve any identified deficiencies, performance issues or additional needs.
- ii. Share environmental monitoring and GIS data associated with watershed health to assist with the preparation of watershed/subwatershed plans, catchment reports, environmental management plans and other similar plans and studies and the implementation of related recommendations. This MOA does not supersede the need to enter into formal data sharing agreements when such agreements are determined to be necessary by either party.

#### D. ATTACHMENTS

Appendix A: Services

Appendix B: Conservation Partners Fee Schedules (web links)

Appendix C: Conservation Ontario Memorandum of Understanding with Ministry of Natural Resources and Ministry of Municipal Affairs and Housing (January 2001)

Signed at Ottawa, Ontario this \_\_\_\_\_ day of \_\_\_\_\_ 2018

THE CITY OF OTTAWA

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Jim Watson  
Mayor

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Rick O'Connor  
City Clerk and Solicitor

MISSISSIPPI VALLEY CONSERVATION AUTHORITY

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Duncan Abbott  
Chair

RIDEAU VALLEY CONSERVATION AUTHORITY

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Lyle Pederson  
Chair

SOUTH NATION CONSERVATION AUTHORITY

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Fernand Dicaire  
Chair

## Appendix A: Services

1. Throughout the City of Ottawa, the following applications will be circulated to the Conservation Partners for review within the terms of this MOA, in accordance with the Conservation Partners' legislated mandate under the Conservation Authorities Act and delegated responsibilities from the Province of Ontario for natural hazards management. The full fee, as specified in the current fee schedule (as updated on an annual basis) will be collected by the City of Ottawa. Comments will be provided as applicable for:
  - a) Plans of subdivision
  - b) Plans of condominium
  - c) Official plan amendments
  
2. Within Wards 7, 8, 9, 12, 13, 14, 15, 16, 17, 18 applications as specified below will be circulated, the screening fee as specified in the current fee schedule (as updated on an annual basis) will be collected by the City of Ottawa and the Conservation Partners will invoice proponents where input is required for:
  - d) Site specific zoning amendments
  - e) Applications for minor variance
  - f) Applications for consent
  - g) Site plan control applications (public consultation/no public consultation)
  - h) Lifting of 30 cm reserves
  - i) Lifting of part lot control
  
3. Within Wards 1, 2, 3, 4, 5, 6, 10, 11, 19, 20, 21, 22, 23 applications as specified below will be circulated and the full fee as specified in the current fee schedule (as updated on an annual basis) will be collected by the City of Ottawa:
  - j) Site specific zoning amendments
  - k) Applications for minor variance
  - l) Applications for consent
  - m) Site plan control applications
  - n) Lifting of 30 cm reserves
  - o) Lifting of part lot control
  
4. Technical review may be required for certain types of development applications. Technical review is defined as:
  - p) Assessing technical reports submitted by applicants' consultants to determine if the reports have been prepared in accordance with City of Ottawa, Conservation Partners and Provincial policies, guidelines and standards.
  - q) Ensuring that the recommendations contained in the reports are appropriate and feasible.
  
5. Responsibilities for technical report reviews are defined in Table 1A Private Servicing for Water and Sewage, Table 1B Municipal Servicing for Water and Sewage, Table 2 Aggregate Resources Act Applications, Table 3 Natural Hazards, Table 4 Natural Heritage and Table 5 Stormwater Management, all of which are part of this agreement.

**Table 1A**  
**Private Servicing for Water and Sewage**

| Technical Report  | Application/Study Type  | Conservation Partners | City of Ottawa |
|---|---|-----------------------|----------------|
| Hydrogeological and Terrain Analysis  | Draft plans of subdivision (including subsequent phases) and related Zoning By-Law Amendments | X                     |                |
| Servicing Review Study  | Phased Subdivision Registration - Lifting of 30 cm Reserve or Inhibiting Order                | X                     |                |
| Well Inspection Report  | Lifting of 30 cm Reserve or Inhibiting Order  |                       | X              |
| Scoped Hydrogeological Study  | Severance   | X <sup>1</sup>        | X              |
|   | Minor Variance  | X <sup>1</sup>        | X              |
|   | Official Plan Amendments  | X                     |                |
|   | Zoning By-Law Amendments  | X <sup>2</sup>        | X              |
|   | Site Plan Control   |                       | X              |
|   | Coach House Application   |                       | X              |
| Scoped Hydrogeological and Terrain Analysis Study and Scoped Water Budget Study | Master Servicing Studies  | X <sup>4</sup>        | X <sup>3</sup> |
|   | Community Design Plans  | X <sup>4</sup>        | X <sup>3</sup> |
| Scoped hydrogeological study  | Environmental Assessments (EA Act)  | X <sup>4</sup>        | X <sup>3</sup> |

<sup>1</sup>Conservation Partners, in consultation with the Ottawa Septic Systems Office, reviews all applications for privately serviced development with sewage design flows < 10,000 L/d with respect to Part VIII (Sewage Systems) of the Ontario Building Code.

<sup>2</sup>Conservation Partners review zoning by-law amendments when private servicing demands exceed 10, 000 L/day.

<sup>3</sup> City of Ottawa reviews these studies regarding private water supply wells, Natural Environment Areas and Rural Natural Features.

<sup>4</sup> Conservation Partners review these studies regarding surface and groundwater features.

**Table 1B**  
**Municipal Servicing for Water and Sewage**

| Technical Report   | Application/Study Type             | Conservation Partners | City of Ottawa |
|--|------------------------------------|-----------------------|----------------|
| Scoped Hydrogeological Study in Support of Stormwater Management Planning                        | Feasibility Studies                | X <sup>1</sup>        | X <sup>2</sup> |
|  | Official Plan Amendments           | X <sup>1</sup>        | X <sup>2</sup> |
|  | Zoning By-Law Amendments           | X <sup>1</sup>        | X <sup>2</sup> |
| Scoped Existing Conditions Hydrogeological and Water Budget Study                                | Watershed/Subwatershed Plans       | X <sup>1</sup>        | X <sup>2</sup> |
|  | Master Servicing Studies           | X <sup>1</sup>        | X <sup>2</sup> |
|  | Community Design Plans             | X <sup>1</sup>        | X <sup>2</sup> |
|  | Environmental Management Plan      | X <sup>1</sup>        | X <sup>2</sup> |
|  | Environmental Assessments (EA Act) | X <sup>1</sup>        | X <sup>2</sup> |
| Conceptual/Preliminary Servicing and Detailed Design for Water and Sewage (Full Urban Servicing) | All                                |                       | X              |

<sup>1</sup>Conservation Partners review these studies regarding surface and groundwater features.

<sup>2</sup> City of Ottawa reviews these studies regarding private water supply wells, Natural Environment Areas and Rural Natural Features.



**Table 2**  
**Aggregate Resources Act Applications**

| Technical Report  | Application Type                                    | Conservation Partners | City of Ottawa |
|---|---|-----------------------|----------------|
| Scoped Existing Conditions Hydrogeological and Water Budget Study | Official Plan Amendment/<br>Zoning By-Law Amendment | X <sup>1</sup>        | X <sup>2</sup> |

<sup>1</sup>Conservation Partners review applications under the Aggregate Resources Act for potential impact on surface water and groundwater features and functions.

<sup>2</sup>City of Ottawa reviews applications under the Aggregate Resources Act for potential impact on private water supply wells, Natural Environment Areas and Rural Natural Features.

**Table 3**  
**Natural Hazards**

| Technical Report   | Application/Study Type | Conservation Partners | City of Ottawa |
|--|------------------------|-----------------------|----------------|
| Natural Hazards<br>a. Hazardous Lands (flood hazard, erosion hazard, meander belt) | All                    | X <sup>1</sup>        | X <sup>2</sup> |
| b. Hazardous Sites (unstable slopes, unstable soils, unstable bedrock)             | All                    | X <sup>1</sup>        | X <sup>2</sup> |

<sup>1</sup> Conservation Partners review these reports to ensure that the Provincial interest in natural hazards and hazardous sites (as defined in the 2001 Memorandum of Understanding between Conservation Ontario and the Ministry of Municipal Affairs and Housing, attached as Appendix B to this agreement) and Conservation Partners regulatory requirements are addressed.

<sup>2</sup> City of Ottawa reviews reports on natural hazards and hazardous sites with respect to setbacks for new development and potential impacts on infrastructure that may be located within or adjacent to valley and stream corridors. City of Ottawa also reviews geotechnical reports that are prepared specifically for construction recommendations (grade raise restrictions, `subgrades, compaction, foundations, trenching etc.).

**Table 4 Natural Heritage**

| Feature                                  |  | Conservation Partners | City of Ottawa |
|--|--|-----------------------|----------------|
| Surface Water/Headwater Features         |  | X                     |                |
| Aquatic Habitat                          |  | X                     |                |
| Provincially Significant Wetlands        |  | X                     |                |
| Other Wetlands                           |  | X                     |                |
| Significant Woodlands                    |  |                       | X <sup>1</sup> |
| Significant Valleylands                  |  |                       | X              |
| Significant Wildlife Habitat             |  |                       | X              |
| Species at Risk                          |  |                       | X              |
| Endangered and Threatened Species        |  |                       | X              |
| Areas of Natural and Scientific Interest |  |                       | X              |
| Urban Natural Features                   |  |                       | X <sup>1</sup> |
| Rural Natural Features                   |  |                       | X <sup>1</sup> |
| Natural Environment Area                 |  |                       | X <sup>1</sup> |

<sup>1</sup>Where these features are also wetlands, the Conservation Partners will also provide comment within the context of Section 28 of the Conservation Authorities Act.

**Table 5 Stormwater Management**

| Conceptual Stormwater Management Plans, Final Stormwater Management Plans and Detailed Design | Conservation Partners | City of Ottawa |
|---|-----------------------|----------------|
| Impacts on Receiver   |                       |                |
| i) Water Quantity (flood control and erosion control)   | X <sup>1</sup>        | X <sup>1</sup> |
| ii) Water Quality   | X <sup>1</sup>        | X <sup>1</sup> |
| Major/Minor System  | X <sup>2</sup>        | X              |
| Water Balance   | X <sup>1</sup>        | X <sup>1</sup> |
| Outlet Configuration (structure and channel)  | X <sup>3</sup>        | X              |
| Geotechnical Constraints  | X <sup>4</sup>        | X              |
| Hydrogeological Constraints   | X <sup>5</sup>        | X <sup>5</sup> |
| Environmental Compliance Approval   | X <sup>6</sup>        | X              |

<sup>1</sup>Conservation Partners review is focused on natural hazards and natural heritage aspects of stormwater management. City of Ottawa review is focused on infrastructure design and performance to ensure that the water quality and quantity objectives for the receiver will be met.

<sup>2</sup>Conservation Partners will review major system if it involves conveyance via a watercourse.

<sup>3</sup>Conservation Partners will review outlet configuration with respect to permit requirements under Section 28 of the Conservation Authorities Act.

<sup>4</sup>Conservation Partners geotechnical interests are focused on slope stability where stormwater management infrastructure is located adjacent to a valley system or other potentially unstable slope. The City of Ottawa geotechnical interests with respect to stormwater management are focused on infrastructure design and performance, and risk to stormwater management infrastructure from unstable slopes and soils.

<sup>5</sup>Conservation Partners interests in hydrogeology are focused on protection of groundwater resources. The City of Ottawa interests are focused on how hydrogeological conditions may influence infrastructure design and performance.

<sup>6</sup>Although Conservation Partners do not review Environmental Compliance Approval (ECA) applications, City of Ottawa does not issue ECA approval until Conservation Partners have reviewed and commented on the final stormwater management report.

## Appendix B: Web Links to Conservation Partners Fee Schedules

- i. Mississippi Valley Conservation Authority <http://mvc.on.ca/planning-advisory-program/>
- ii. Rideau Valley Conservation Authority <https://www.rvca.ca/rvca-publications/forms-fees/planning-approvals-fee-schedule?highlight=WyJmZWVzIl0>
- iii. South Nation Conservation Authority <http://www.nation.on.ca/development/fee-schedules/planning-regulations-fee-schedule>

**CO/MNR/MMAH – DELEGATED RESPONSIBILITIES MOU**

**CONSERVATION ONTARIO,  
MINISTRY OF NATURAL RESOURCES &  
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING**

**MEMORANDUM OF UNDERSTANDING ON PROCEDURES TO ADDRESS  
CONSERVATION AUTHORITY DELEGATED  
RESPONSIBILITY**

**PURPOSE OF THE MOU**

The MOU defines the roles and relationships between Conservation Authorities (CAs), the Ministry of Natural Resources (MNR), and the Ministry of Municipal Affairs and Housing (MMAH) in planning for implementation of CA delegated responsibilities under the Provincial One Window Planning System.

**BENEFITS TO SIGNATORY PARTIES**

It is beneficial for all parties to enter into this agreement because it clarifies the roles of CAs and the unique status of CAs in relationship to the Provincial One Window Planning System.

**DELEGATED RESPONSIBILITY FOR NATURAL HAZARDS**

CAs were delegated natural hazard responsibilities by the Minister of Natural Resources. A copy of the delegation letter is attached. This letter (dated April 1995) went to all CAs and summarizes delegations from the MNR including flood plain management, hazardous slopes, Great Lakes shorelines, unstable soils and erosion which are now encompassed by Section 3.1 "Natural Hazards" of the Provincial Policy Statement (1997). In this delegated role, the CA is responsible for representing the "Provincial Interest" on these matters in planning exercises where the Province is not involved.

This role does not extend to other portions of the PPS unless specifically delegated or assigned in writing by the Province.

**ROLES AND RESPONSIBILITIES**

**Ministry of Natural Resources**

- a) MNR retains the provincial responsibility for the development of flood, erosion and hazard land management policies, programs and standards on behalf of the province pursuant to the *Ministry of Natural Resources Act*.
- b) Where no conservation authorities exist, MNR provides technical support to the Ministry of Municipal Affairs and Housing on matters related to Section 3.1 of the Provincial Policy Statement in accordance with the "Protocol Framework – One Window Plan Input, Review and Appeals".

- c) MNR, in conjunction with MMAH, co-ordinates the provincial review of applications for Special Policy Area approval under Section 3.1 of the PPS.

#### **Ministry of Municipal Affairs and Housing**

- a) MMAH coordinates provincial input, review and approval of policy documents, and development proposals and appeals to the Ontario Municipal Board in accordance with the "Protocol Framework One Window Plan Input Review and Appeals".
- b) Where appropriate, MMAH will consult conservation authorities as part of its review of policy documents and development proposals to seek input on whether there was "regard to" Section 3.1 of the PPS.
- c) Where there may be a potential conflict regarding a Conservation Authority's comments on a planning application with respect to Section 3.1 of the PPS and comments from provincial ministries regarding other Sections of the PPS, the Ministry of Municipal Affairs and Housing will facilitate discussions amongst the affected ministries and the Conservation Authority so that a single integrated position can be reached.
- d) Where appropriate, MMAH will initiate or support appeals to the OMB on planning matters where there is an issue as to whether there was "regard to" Section 3.1 of the PPS.
- e) MMAH, in conjunction with MNR, coordinates the provincial review of application for Special Policy Area approval under Section 3.1 of the PPS.

#### **Conservation Authorities (CAs)**

- a) The CAs will review policy documents and development proposals processed under the *Planning Act* to ensure that the application has appropriate regard to Section 3.1 of the PPS.
- b) Upon request from MMAH, CAs will provide comments directly to MMAH on planning matters related to Section 3.1 of the PPS as part of the provincial one window review process.
- c) Where there may be a potential conflict regarding a Conservation Authority's comments on a planning application with respect to Section 3.1 of the PPS and comments from provincial ministries regarding other Sections of the PPS, the Ministry of Municipal Affairs and Housing will facilitate discussions amongst the affected ministries and the Conservation Authority so that a single integrated position can be reached.
- d) CAs will apprise MMAH of planning matters where there is an issue as to whether there has been "regard to" Section 3.1 of the PPS to determine whether or not direct involvement by the province is required.

- e) Where appropriate, CAs will initiate an appeal to the OMB to address planning matters where there is an issue as to whether there has been "regard to" Section 3.1 of the PPS is at issue. CAs may request MMAH to support the appeal.
- f) CAs will participate in provincial review of applications for Special Policy Area approval.
- g) CAs will work with MMAH, to develop screening and streamlining procedures that eliminate unnecessary delays and duplication of effort.

#### **FURTHER CA ROLES IN PLAN INPUT, PLAN REVIEW AND APPEALS**

CAs also undertake further roles in planning under which they may provide plan input or plan review comments or make appeals.

##### **1. Watershed Based Resource Management Agency**

CAs are corporate bodies created by the province at the request of two or more municipalities in accordance with the requirements of the *Conservation Authorities Act (CA Act)*. Section 20 of the *CA Act* provides the mandate for an Authority to offer a broad resources management program. Section 21 of the *CA Act* provides the mandate to have watershed-based resource management programs and/or policies that are approved by the Board of Directors.

CAs operating under the authority of the *CA Act*, and in conjunction with municipalities, develop business plans, watershed plans and natural resource management plans within their jurisdictions (watersheds). These plans may recommend specific approaches to land use and resource planning and management that should be incorporated into municipal planning documents and related development applications in order to be implemented. CAs may become involved in the review of municipal planning documents (e.g., Official Plans (OPs), zoning by-laws) and development applications under the *Planning Act* to ensure that program interests developed and defined under Section 20 and 21 of the *CA Act* are addressed in land use decisions made by municipal planning authorities. In this role, the CA is responsible to represent its program and policy interests as a watershed based resource management agency.

##### **2. Planning Advisory Service to Municipalities**

The provision of planning advisory services to municipalities is implemented through a service agreement with participating municipalities or as part of a CAs approved program activity (i.e., service provided through existing levy). Under a service agreement, a Board approved fee schedule is used and these fee schedules are coordinated between CAs that "share" a participating municipality. The "Policies and Procedures for the Charging of CA Fees" (MNR, June 13, 1997) identifies "plan review" activities as being eligible for charging CA administrative fees.

The CA is essentially set up as a technical advisor to municipalities. The agreements cover the Authority's areas of technical expertise, e.g., natural hazards and other resource management programs. The provision of planning advisory services for the review of *Planning Act* applications is a means of implementing a comprehensive resource management program on a watershed basis.

In this role, the CA is responsible to provide advice on the interpretation of the Provincial Policy Statement (PPS) under the terms of its planning advisory service agreement with the municipality. Beyond those for Section 3.1 "Natural Hazards" where CAs have delegated responsibility, these comments should not be construed by any party as representing the provincial position.

### 3. CAs as Landowner

CAs are landowners and as such, may become involved in the planning process as a proponent or adjacent landowner. Planning Service Agreements with municipalities have anticipated that this may lead to a conflict with our advisory role and this is addressed by establishing a mechanism for either party to identify a conflict and implement an alternative review mechanism.

### 4. Regulatory Responsibilities

#### a) *CA Act* Regulations

In participating in the review of development applications under the *Planning Act*, CAs will (i) ensure that the applicant and municipal planning authority are aware of the Section 28 regulations and requirements under the *CA Act*, and, (ii) assist in the coordination of applications under the *Planning Act* and the *CA Act* to eliminate unnecessary delay or duplication in the process.

#### b) Other Delegated or Assigned Regulatory/Approval Responsibility

Federal and provincial ministries and municipalities often enter agreements to transfer regulatory/approval responsibilities to individual CAs (e.g., Section 35 Fisheries Act/DFO; Ontario Building Code/septic tank approvals). In carrying out these responsibilities and in participating in the review of development applications under the *Planning Act*, CAs will (i) ensure that the applicant and municipality are aware of the requirements under these other pieces of legislation and how they may affect the application; and, (ii) assist in the coordination of applications under the *Planning Act* and those other Acts to eliminate unnecessary delays or duplication in the process.

### **CANCELLATION OR REVIEW OF THE MOU**

The terms and conditions of this MOU can be cancelled within 90 days upon written notice from any of the signing parties. In any event, this document should be reviewed at least once every two years to assess its effectiveness, its relevance and its appropriateness in the context the needs of the affected parties. "Ed. Note: 90 days is to provide time for the parties to reach a resolution other than cancellation".

**MEMORANDUM OF UNDERSTANDING ON PROCEDURES TO ADDRESS  
CONSERVATION AUTHORITY DELEGATED RESPONSIBILITY**

I hereby agree to support the provisions contained in this Memorandum of Understanding as an appropriate statement of the roles and responsibilities of relevant Ministries and Conservation Authorities in the implementation of the Provincial Policy Statement.

**Jan 19, 2001: Original signed by**

\_\_\_\_\_  
David de Launay  
Director  
Lands and Waters Branch  
Ministry of Natural Resources

\_\_\_\_\_  
Date

**Feb 12, 2001: Original signed by**

\_\_\_\_\_  
Audrey Bennett  
A/Director  
Provincial Planning and Environmental Services Branch  
Ministry of Municipal Affairs and Housing

\_\_\_\_\_  
Date

**Jan 01, 2001: Original signed by**

\_\_\_\_\_  
R.D. Hunter  
General Manager  
Conservation Ontario

\_\_\_\_\_  
Date





Ministry of  
Natural  
Resources

Ministère des  
Richesses  
naturelles

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Toronto, Ontario  
M7A 1W2  
416 / 314-2501

APR 19 1985

95-01251-MIN

Mr. Donald Hocking  
Chair  
Upper Thames River Conservation Authority  
R.R. #6  
London, Ontario  
N6A 4C1

Dear Mr. Hocking:

This letter is with regard to the responsibilities of Conservation Authorities in commenting on development proposals.

The Government of Ontario is continuing to move forward on reforms promoting greater local involvement in decision-making, streamlining of municipal planning and other approval processes, and improved environmental protection. Ontario's Conservation Authorities continue to be important partners in this process.

In 1983, Conservation Authorities were delegated commenting responsibility on flood plain management matters. This was followed in 1988 by a similar delegation of commenting responsibility for matters related to flooding, erosion, and dynamic beaches along the shorelines of the Great Lakes-St. Lawrence River system.

At present, the Ministry and Conservation Authorities continue to independently review and provide input to municipalities and the Ministry of Municipal Affairs on development matters related to riverine erosion, slope, and soil instability. Although Authorities and the Ministry share similar objectives, this overlap and duplication of efforts have occasionally led to differences in comments which, in turn, have sometimes resulted in confusion, delays and expense for development proponents. As part of the current Planning Reform initiative, there is an opportunity to clarify the roles and responsibilities related to these important hazard management issues.

Through their flood plain, watershed and Great Lakes-St. Lawrence River shoreline management planning initiatives, Conservation Authorities have made good progress in streamlining approval processes and strengthening provincial-municipal partnerships. By extension, I believe that it would be appropriate to recognize the well-developed expertise and capabilities of Conservation Authorities in the evaluation of riverine erosion, slope and soil instability matters and to formally confirm Conservation Authorities as the lead commenting agency. This would result in further streamlining of approval processes, the promotion of environmentally sound development, and the provision of an economic stimulus for the province.

As of March 29, 1995, Conservation Authorities, where they exist, will have sole commenting responsibilities on development proposed in areas subject to riverine erosion, slope instability and soil instability, such as in areas of high water tables, organic or peat soils, and leda, or sensitive marine clay, soils. Implementation of this policy by authorities would continue to be eligible for provincial grant. Where Conservation Authorities exist, I have asked Ministry staff to focus their comments on all other matters of direct interest and concern to the Ministry. Where Conservation Authorities do not exist, the Ministry will continue its commenting role on these matters.

The Ministry of Natural Resources will continue as lead administrative Ministry having overall Government responsibility for hazard management policies and programs. In this regard, the Ministry will continue to provide leadership, policy direction and advisory assistance to the Conservation Authorities.

Your continued participation in the delivery of this important component of the overall provincial hazard management program will serve to strengthen the partnership between the Ministry and the Conservation Authorities.

Yours sincerely,



Howard Hampton  
Minister