



Conservation Halton Board Meeting

Conservation Halton
2596 Britannia Road West, Burlington, ON
February 20, 2025, 1:00 PM - 4:00 PM EST

Agenda

1. Roll Call
2. Disclosure of Pecuniary Interest
3. Acceptance of Agenda
4. President & CEO Verbal Update
5. Consent Items
 - 5.1. Approval of DRAFT December 5, 2024, Conservation Halton Board Meeting Minutes.....3
 - 5.2. Watershed Management Plan Program Renewal (CHB 02 25 01).....7
 - 5.3. Permits Issued under Part IV of the *Conservation Authorities Act* and *Ontario Regulation 41/24* from October 1 to December 31, 2024 (Q4 2024) (CHB 02 25 02).....10
 - 5.4. Notice of East Sixteen Mile Creek Flood Hazard Mapping Study (CHB 02 25 03).....20
 - 5.5. Conservation Halton Permit Statistics *Ontario Regulation 41/24* Reporting (CHB 02 25 04).....22
6. Action Items
 - 6.1. Amendments to the Conservation Halton *Conservation Authorities Act* Hearing Guidelines & Procedures (CHB 02 25 05).....38
 - 6.2. Regional Infrastructure Team (RIT) Service Agreement with the Region of Halton (CHB 02 25 06).....75
7. Other Business
8. In Camera
 - 8.1. Approval of DRAFT December 5, 2024, Conservation Halton Board In Camera Meeting Minutes
 - 8.2. Legal Matter (CHB 02 25 07)
 - 8.3. Legal Matter (CHB 02 25 08)
 - 8.4. Personnel Matter (Verbal Update)
 - 8.5. Legal Matter (Verbal Update)

8.6. Legal Matter (CHB 02 25 09)

9. Adjournment

Conservation Halton Board Meeting Minutes

Conservation Halton

December 5, 2024, at 1:00 PM EST

@ 2596 Britannia Road West, Burlington, ON L7P 0G3

1. Roll Call

Members Present	Sameera Ali Sara Bailey John-Paul Danko Cathy Duddeck (Vice-Chair) Allan Elgar Jane Fogal Chantal Garneau Dave Gittings Gordon Krantz Marianne Meed Ward Gerry Smallegange (Chair) Shawna Stolte Kristina Tesser Derksen
Absent with Regrets	Rob Burton Cameron Kroetsch Sue McFadden Rory Nisan Alex Wilson
Absent	Sammy Ijaz Alvin Tedjo
Staff Present	Chandra Sharma, President & CEO/Secretary-Treasurer Barbara J. Veale, Senior Director, Watershed Management & Climate Change Garner Beckett, Executive Director, Conservation Halton Foundation Adriana Birza, Senior Advisor, Office of the President & CEO Craig Machan, Director, Parks & Operations Kellie McCormack, Director, Planning & Regulations/Strategic Initiatives & Partnerships Marnie Piggot, Director, Finance Plezzie Ramirez, Director, Human Resources Shelly Datseris, Manager of Communications & Marketing Kim Barrett, Senior Specialist, Research & Sustainability Robyn Koutrouliotis, Admin. Assistant, Office of the President & CEO

The Chair called the meeting to order at 1:03 p.m.

2. Disclosure of Pecuniary Interest

There were **no disclosures of pecuniary interest.**

3. Acceptance of Agenda

CH 07 01 Moved by: Cathy Duddeck
Seconded by: Allan Elgar

THAT the Conservation Halton Board **approves the agenda as presented.**

Carried

4. President & CEO Verbal Update

Chandra Sharma, President & CEO, provided an update on various areas of the organization, including the launch of the PaRx: Prescription for Nature Program on December 2; Conservation Halton's 2025 Budget presentation to Halton Region Council on November 20; preparations for the Glen Eden season; the Christmas Town program at Mountsberg Conservation Area; and a summary of grants and other funding received in 2024.

5. Presentations

- 5.1 Winter at Conservation Halton (Shelly Datseris, Manager of Communications & Marketing)

6. Consent Items

- 6.1 Approval of DRAFT October 31, 2024, Conservation Halton Board Meeting Minutes
- 6.2 Canada's Conserved Areas Network (CHB 07 24 01)

The consent items **were adopted.**

7. Action Items

- 7.1 Contract Revision: +VG Architects (The Ventin Group Ltd.) for Crawford Lake Visitor Center Project (CHB 07 24 02)

CH 07 02 Moved by: Marianne Meed Ward
Seconded by: Gordon Krantz

THAT the Conservation Halton Board **approves the revised cumulative contract value of \$587,200 (excluding HST) with +VG Architects (The Ventin Group Ltd.) to accommodate scope changes to the Crawford Lake Visitor Center project, as per the Conservation Halton Purchasing Policy.**

Carried

- 7.2 Delegation of Approval Authority for Permits and Permit Extensions under the *Conservation Authorities Act* and *Ontario Regulation 41/24* (CHB 07 24 03)

CH 07 03 Moved by: Chantal Garneau
Seconded by: Jane Fogal

THAT the Conservation Halton Board **approves the following staff position be added to the list of positions with delegated authority to issue permits and permit extensions that meet Conservation Halton Board-approved regulatory policies:**

- **Associate Director, Development Review**

Carried

8. Other Business

8.1 Correspondence to Board

- 8.1.1 Conservation Ontario's comments on "Enabling greater beneficial reuse of excess soil" (ERO#019-9196)

9. In Camera

CH 07 04

Moved by: Dave Gittings
Seconded by: Sara Bailey

THAT the Conservation Halton Board **moves In Camera.**

Carried

9.1 Legal Matter (Verbal Update)

CH 07 05

Moved by: Dave Gittings
Seconded by: Sara Bailey

Carried

9.2 Personnel Matter (CHB 07 24 04)

CH 07 06

Moved by: Dave Gittings
Seconded by: Sara Bailey

Carried

CH 07 07

Moved by: Dave Gittings
Seconded by: Sara Bailey

THAT the Conservation Halton Board **reconvenes in public forum;**

And

THAT Conservation Halton staff **proceeds as directed.**

Carried

10. Adjournment

CH 07 08

Moved by: John-Paul Danko

THAT the Conservation Halton Board meeting **be adjourned at 2:02 p.m.**

Carried

Signed by: Chandra Sharma, President & CEO/Secretary-Treasurer

Date: February 20, 2025

DRAFT

TO: Conservation Halton Board

MEMO NO: # CHB 02 25 01

FROM: Barbara J. Veale, Senior Director, Watershed Management & Climate Change

DATE: February 20, 2025

SUBJECT: Watershed Management Plan Program Renewal

MEMO

Conservation Halton (CH) is renewing the watershed management planning program. The renewal is a corporate priority that aligns with and supports CH's Strategic Plan, the Memoranda of Understanding for Watershed Programs and Services between CH and municipalities first signed in 2023, and the Watershed-Based Resource Management Strategy, 2024 (Watershed Strategy). The Watershed Management Plans (WMP) will build on existing watershed studies and technical reports, as well as other supportive initiatives.

Most WMPs for CH watersheds are outdated and have run their course. The primary reason for updating the WMPs is to ensure the watersheds continue to provide critical ecosystem services while adapting to the impacts of climate change, urbanization, and population growth. The time is right to consider the importance of:

- reducing environmental, economic, and social risk from natural hazards, including flooding, drought, and erosion;
- improving surface and groundwater quality and quantity to maintain creek health and reduce impacts on ecosystems in western Lake Ontario and Hamilton Harbour;
- arresting trends which show declining water quality, increasing environmental degradation, fragmentation, and loss of natural spaces and biodiversity; and
- ensuring a sustainable, high-quality water supply for communities and ecosystems.

The overall goal for the WMPs is to develop a joint implementation plan to enhance the delivery and effectiveness of existing programs and services to help:

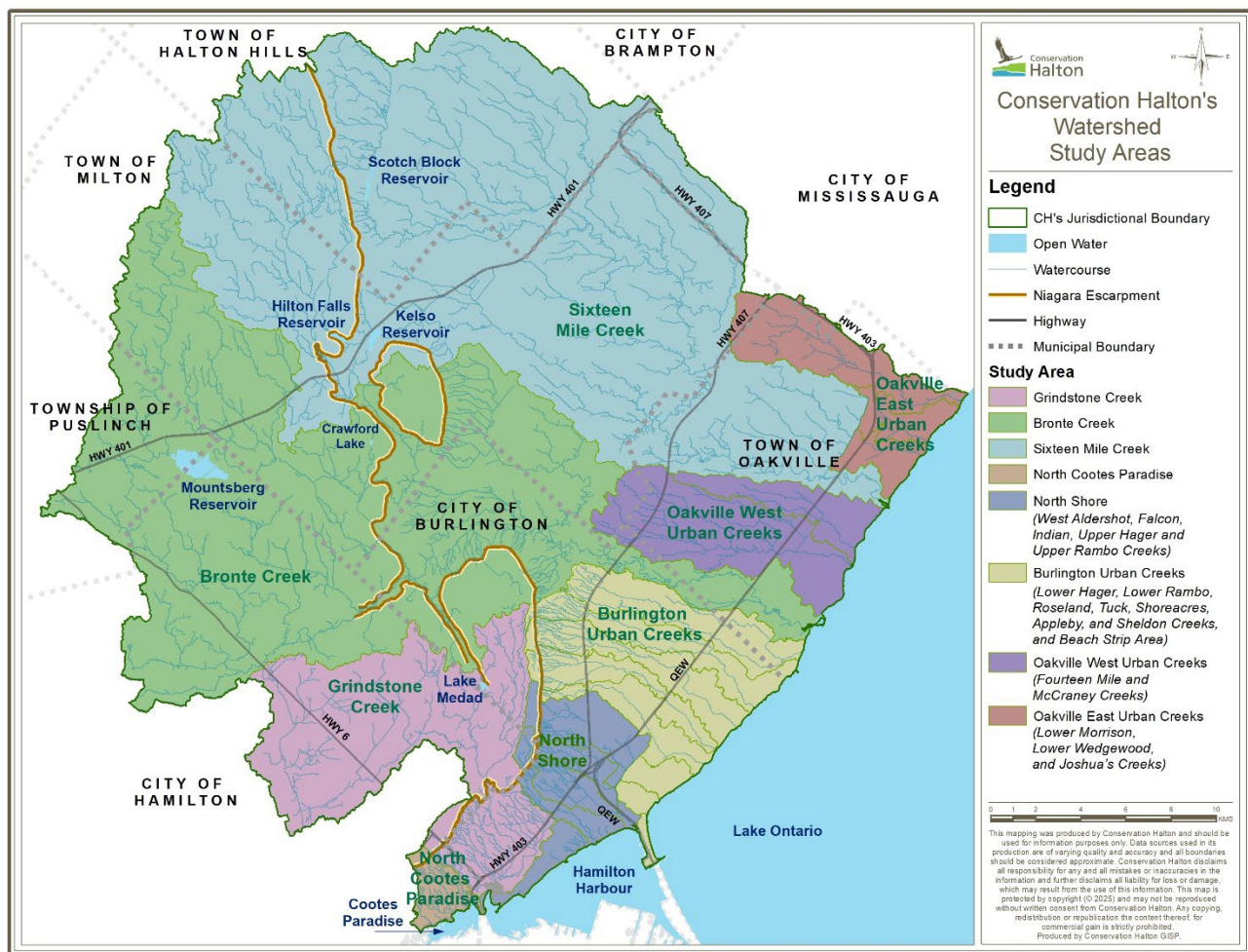
- protect people and property from risks associated with natural hazards;
- address watershed-scale key natural resource issues; and
- protect, conserve, and enhance nature.

CH will collaborate with municipal partners and other stakeholders to identify and prioritize key watershed natural resource issues, best-value solutions, and individual and joint actions within watersheds that are cost-effective and address management priorities. The WMPs will guide the implementation of mutually supportive actions that align with the efforts of our municipal partners and others.

CH's jurisdiction covers more than 1000 square kilometres. This includes the drainage areas associated with major creeks, including the Grindstone, Bronte, and Sixteen Mile Creek watersheds, and eighteen (18) smaller urban watersheds that enter Lake Ontario. It also includes approximately fifty-one (51) kilometres of shoreline along Cootes Paradise, Hamilton Harbour, and Lake Ontario.

For the purposes of renewing the watershed management planning program, CH watersheds are grouped into eight (8) study areas as shown in Figure 1.

Figure 1: Watershed Management Plan Study Areas



The process for updating the plans will begin in 2025. The first two (2) plans scheduled for renewal will focus on the Grindstone Creek and Sixteen Mile Creek watersheds. A draft project charter has been developed for each watershed, and staff is reaching out to municipalities, First Nations, and others to secure their active participation in these initiatives. It is anticipated that the plans will take two to three years to complete.

The update or development of new WMPs for other watershed study areas is planned over the next decade. The process will include monitoring, assessing, and reporting on outcomes and a governance structure for ongoing collaboration and plan renewal to ensure the currency and effectiveness of the WMPs.

Staff will provide periodic updates to the Board on the progress of the WMPs.

REPORT TO: Conservation Halton Board

REPORT NO: # CHB 02 25 02

FROM: Kellie McCormack, Director, Planning & Regulations/Strategic Initiatives & Partnerships

DATE: February 20, 2025

SUBJECT: **Permits Issued under Part IV of the *Conservation Authorities Act* and *Ontario Regulation 41/24* from October 1 to December 31, 2024 (Q4 2024)**
CH File No.: AADM-420

Recommendation

THAT the Conservation Halton Board **receives for information the staff report entitled “Permits Issued under Part IV of the *Conservation Authorities Act* and *Ontario Regulation 41/24* from October 1 to December 31, 2024 (Q4 2024)”**.

Report

Between October 1 to December 31, 2024, Conservation Halton (CH) staff issued sixty-seven (67) Permits (Attachment 1). All approvals were reviewed and approved in accordance with the policies contained in CH’s Board-approved “Policies and Guidelines for the Administration of Part VI of the *Conservation Authorities Act* and *Ontario Regulation 41/24* and Land Use Planning Policy Document, April 27, 2006 (last amended June 21, 2024)” or through a site-specific policy exception as approved by the Board.

Impact on Strategic Priorities

This report supports the Momentum priority of “Natural Hazards and Water”.

Financial Impact

There is no financial impact to this report.

Signed & respectfully submitted:



Kellie McCormack
Director, Planning & Regulations/Strategic Initiatives & Partnerships

Approved for circulation:



Chandra Sharma
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

Kellie McCormack, Director, Planning &
Regulations/Strategic Initiatives & Partnerships
kmccormack@hrca.on.ca, 905-336-1158 x 2228

Attachments:

Attachment 1: Permits October 1 to December 31, 2024

Permits October 1 to December 31, 2024

Municipality	Permit
Burlington	23
Halton Hills	2
Hamilton	4
Milton	10
Mississauga	3
Oakville	25
Puslinch	0
	67

Municipality	CAID	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
Burlington	RAPP-9365	9023	2331 Appleby Line	Installation of approximately 57 metres of a High-Density Polyethylene (HDPE) conduit structure within the spill flood hazard associated with Sheldon Creek.	September 30, 2024	October 1, 2024	Adam Heizer
	RAPP-9379	9024	0 Dundas Street (at Millcroft Park Drive)	Installation of approximately 85 metres of a HDPE conduit structure within the flooding and erosion hazards associated with Sheldon Creek.	September 30, 2024	October 1, 2024	Adam Heizer
	RAPP-9414	9025	5151 New Street	Construction of parking lots, stormwater pipes, and grading within the flood plain associated with Appleby Creek (outside 100-year floodplain).	October 3, 2024	October 2, 2024	Ashley Gallagher
	RAPP-9404	9026	5986 Lakeshore Road	Installation of approximately 107 metres of a natural gas pipeline structure within a portion of the regulatory allowance associated with Appleby Creek.	September 17, 2024	October 2, 2024	Adam Heizer
	RAPP-9411	9027	2155 Cavendish Drive	Grading and excavation within the flood plain and erosion hazard associated with Upper Rambo Creek.	October 2, 2024	October 3, 2024	Charles Priddle
	RAPP-9425	9030	5622 Appleby Line	Replacement of an existing septic system within 6 metres of the stable top of bank associated with the valley of Bronte Creek.	October 7, 2024	October 7, 2024	Ashley Gallagher
	RAPP-413	9038	0 Prospect Street (Grahams Lane to Cumberland Avenue)	Construction of a watermain and wastewater main replacement within 15 metres of the flood plain associated with Roseland Creek.	October 3, 2024	October 9, 2024	Ben Davis

Permits October 1 to December 31, 2024

Municipality	CAID	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
Burlington, continued	RAPP-8947	9041	Appleby Creek (280 metres upstream to 80 metres downstream of the Spruce Avenue bridge)	Alteration of ±350 metres of Appleby Creek for erosion protection works upstream and downstream of the Spruce Avenue bridge including channel realignment and regrading of the creek banks.	June 6, 2024	October 15, 2024	Charles Priddle
	RAPP-9441	9046	2600 Headon Road at St. Paul's Presbyterian Church	Watercourse alteration including excavation and grading within a tributary of Shoreacres Creek to restore grades and improve drainage.	October 28, 2024	October 28, 2024	Charles Priddle
	RAPP-9434	9051	0 Northside Road at Mainway	Installation of approximately 162 metres of conduit structure above a piped tributary of Roseland Creek and within the flooding and erosion hazards associated with that watercourse.	October 21, 2024	October 31, 2024	Adam Heizer
	RAPP-9418	9057	2039 Oak Grove Place	Reconstruction of a 630 square foot deck within the regulatory allowance associated with a tributary of Sheldon Creek (7.5 to 15 metres from the flood plain).	October 31, 2024	November 07, 2024	Justin McArthur
	RAPP-9405	9060	3284 Lakeland Crescent	Construction of a covered porch within the erosion hazard associated with the shoreline of Lake Ontario.	September 17, 2024	November 7, 2024	Adam Heizer
	RAPP-9449	9062	4090 Millcroft Park Drive	Replacement of thirteen (13) connected decks within 6 metres of the stable top of bank hazard associated with Shoreacres Creek, but no closer than the existing structures.	November 07, 2024	November 13, 2024	Shayan Madani Ghahfaro
	RAPP-9448	9064	592 Guelph Line	Construction of an addition to a dwelling between 6 and 15 metres of the flood plain associated with Roseland Creek.	November 13, 2024	November 20, 2024	Laura Head
	RAPP-9458	9065	0 Britannia Road (near 5781 Walkers Line)	Replacement of a culvert and associated grading within the flooding and erosion hazards associated with Bronte Creek.	November 20, 2024	November 21, 2024	Laura Head
	RAPP-9457	9066	Culvert west of 3319 Britannia Road	Replacement of a culvert and associated grading within the flooding and erosion hazards associated with Bronte Creek.	November 20, 2024	November 21, 2024	Laura Head

Permits October 1 to December 31, 2024

Municipality	CAID	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
Burlington, continued	RAPP-9452	9069	3029 Briarwood Crescent	Construction of a minor addition to a dwelling within the flood plain associated with Roseland Creek.	November 18, 2024	November 25, 2024	Laura Head
	RAPP-9456	9070	3192 New Street	Construction of a building and associated landscaping and grading between 6 and 15 metres of the flood plain associated with Roseland Creek.	November 19, 2024	November 27, 2024	Laura Head
	RAPP-9471	9073	387 Pomona Avenue	Construction of a pool and associated patio between 6 and 15 metres of the erosion hazard associated with Roseland Creek.	December 5, 2024	December 6, 2024	Laura Head
	RAPP-9467	9077	1101 Blair Road	Grading within low-risk spill flood hazards associated with Tuck Creek.	December 11, 2024	December 11, 2024	Ashley Gallagher
	RAPP-9472	9078	1371 Snake Road	Construction of temporary erosion protection works and associated grading within the valley and flood plain associated with Grindstone Creek to address exposed infrastructure.	December 5, 2024	December 16, 2024	Adam Heizer
	RAPP-191	9082	3132 Lakeshore Road	Reconstruction and expansion of a single-family dwelling and accessory structures within the erosion hazard associated with Lake Ontario.	October 25 2021	December 16, 2024	Laura Head
	RAPP-9487	9085	2230 Grand Boulevard	Construction of minor addition to a dwelling within a valley associated with Bronte Creek.	December 19, 2024	December 19, 2024	Ashley Gallagher
Halton Hills	RAPP-9413	9028	8583 Eighth Line	Construction of an inground swimming pool located within the flood plain associated with a tributary of Sixteen Mile Creek.	September 27, 2024	October 3, 2024	Justin McArthur
	RAPP-9462	9072	11309 Fifth Line	Construction of an addition to a dwelling and a new septic system located between 6 and 15 metres of the valley associated with a tributary of Sixteen Mile Creek.	November 27, 2024	December 2, 2024	Justin McArthur
Hamilton	RAPP-9427	9031	556 Parkside Drive	Replacement of a septic system within the erosion hazard and between 6 to 15 metres of flood plain associated with Grindstone Creek and within 6 metres of a wetland.	October 7, 2024	October 7, 2024	Ashley Gallagher

Permits October 1 to December 31, 2024

Municipality	CAID	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
Hamilton, continued	RAPP-9429	9033	816 Millgrove Side Road	Construction of a temporary access road and bridge over a tributary of Grindstone Creek and excavation within a wetland, flood plain, and valley associated with that watercourse to complete an integrity dig.	October 16, 2024	October 16, 2024	Adam Heizer
	RAPP-9407	9039	Adjacent to 1724 Centre Road	Grading and soil removal associated with ditching maintenance within a tributary of Bronte Creek, a wetland, and associated regulatory allowances/"other areas".	October 4, 2024	October 11, 2024	Charles Priddle
	RAPP-9465	9074	Oldenburg Road (between Appaloosa Trail and Palomino Drive)	Replacement of approximately 71 metres of Nominal Pipe Size (NPS) 34-inch pipe located within the other areas (0 to 30 metres) associated with a wetland and regulatory allowance (0 to 6 metres) associated with a tributary of Bronte Creek.	December 3, 2024	December 11, 2024	Laura Head
Milton	RAPP-8757	8394 – REVISE D	405 Industrial Drive to 15 Steeles Avenue West	Installation of a telecommunications conduit involving grading and filling within the flood plain and 15-metre allowance associated with a tributary of Sixteen Mile Creek.	November 25, 2024	November 28, 2024	Justin McArthur
	RAPP-9347	9034	1275 Derry Road	Addition of a garage, modification to existing patio, and replacement of a wooden deck between 6 and 15 metres of the meander belt hazard associated with Bronte Creek and between 15 and 30 metres of a wetland.	October 17, 2024	October 17, 2024	Heather Dearlove
	RAPP-9415	9035	8483 Appleby Line	Construction of an addition to a dwelling between 7.5 and 15 metres from a wetland and a septic system replacement and expansion between 15 and 30 metres from that wetland.	September 30, 2024	October 10, 2024	Heather Dearlove
	RAPP-9421	9040	0 Trudeau Drive (Louis Saint Laurent Avenue to Sauble Court)	Installation of a natural gas pipeline crossing the flood plain and erosion hazard associated with a tributary of Sixteen Mile Creek.	October 6, 2024	October 11, 2024	Justin McArthur
	RAPP-8915	9048	6071 Fourth Line	Alteration of a tributary of Sixteen Mile Creek and associated flood plain, including the installation of a concrete culvert.	May 24, 2023	October 28, 2024	Justin McArthur

Permits October 1 to December 31, 2024

Municipality	CAID	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
Milton cont'd	RAPP-9438	9049	320 Kingsleigh Court	Reconstruction and expansion of a dwelling located within 6 metres of the flood plain associated with a tributary of Sixteen Mile Creek which extends no closer to the flood plain than the existing dwelling.	October 23, 2024	October 30, 2024	Justin McArthur
	RAPP-9444	9050	270 Bronte Street North	Replacement of a septic system within the flood plain associated with a tributary of Sixteen Mile Creek.	October 28, 2024	October 30, 2024	Justin McArthur
	RAPP-9436	9053	7130 Bell School Line	Replacement of a culvert which conveys a tributary of Bronte Creek and within the flooding and erosion hazards associated with that watercourse.	October 28, 2024	November 1, 2024	Heather Dearlove
	RAPP-9446	9058	0 Fourth Line (adjacent to 10241 Fourth Line)	Installation of a 450 millimetre culvert replacement within the flood plain associated with a tributary of Sixteen Mile Creek.	October 24, 2024	November 4, 2024	Ben Davis
	RAPP-8929	9093	0 Fourth Line (adjacent 6071 Fourth Line)	Alteration of a watercourse and flood plain and installation of a culvert and headwall which will convey a tributary of Sixteen Mile Creek.	November 8, 2024	November 18, 2024	Justin McArthur
Mississauga	RAPP-9417	9029	3981 Lacman Trail	Construction of a sunroom addition located between 6 and 15 metres from the flood plain associated with a tributary of Sixteen Mile Creek.	September 26, 2024	October 3, 2024	Justin McArthur
	RAPP-9422	9042	5768 Ninth Line	Installation of a natural gas pipeline within the flood plain associated with a tributary of Sixteen Mile Creek.	October 8, 2024	October 16, 2024	Justin McArthur
	RAPP-9372	9047	6314 Ninth Line	Alterations to a tributary of Sixteen Mile Creek and associated flood plain, as well as relocation of wetlands into a newly created channel corridor.	September 3, 2024	October 24, 2024	Justin McArthur
Oakville	RAPP-1121	8383 – REVISED	3014 Lakeshore Road	REVISED – Reconstruction of shoreline protection works within the flooding and erosion hazards associated with Bronte Creek.	November 25, 2024	November 26, 2024	Adam Heizer

Permits October 1 to December 31, 2024

Municipality	CAID	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
Oakville, continued	RAPP-9058	8801 – REVISE D	466 Drummond Road	REVISED – Reconstruction and expansion of a two (2)-storey dwelling and an approximately 20 square-metre covered porch no closer than existing development located within the regulatory allowance associated with Lower Wedgewood Creek.	December 18, 2024	December 18, 2024	Adam Heizer
	RAPP-9144	8935 – REVISE D	372 Bronte Road	REVISED – Construction of a covered porch, basement walkout, pool, and soakaway pit within the regulatory allowance associated with the valley of Bronte Creek.	October 9, 2024	October 10, 2024	Adam Heizer
	RAPP-9358	9016	460 Morrison Road	Construction of a pool, patio, and stairs partially located within 6 metres of the valley associated with Lower Wedgewood Creek, but no closer than the existing structures.	August 20, 2024	October 1, 2024	Adam Heizer
	RAPP-9403	9017	1063 Churchill Avenue	Construction of a covered porch within the flood spill hazard associated with the Morrison-Wedgewood Diversion Channel.	September 18, 2024	October 30, 2024	Adam Heizer
	RAPP-9382	9022	8 Ennisclare Drive West	Partial reconstruction of a concrete pier within the flooding and erosion hazards associated with the shoreline of Lake Ontario.	August 21, 2024	October 1, 2024	Adam Heizer
	RAPP-9423	9032	208 Glen Oak Drive	Reconstruction of an attached garage and expansion of an attached porch within the flood plain associated with McCraney Creek.	October 4, 2024	October 10, 2024	Adam Heizer
	RAPP-9428	9036	0 Guelph Line (at Harvester Road)	Installation of approximately 25 metres of a HDPE conduit structure within the spill flood hazard associated with Upper Rambo Creek.	October 15, 2024	October 16, 2024	Adam Heizer
	RAPP-9426	9043	192 Mohawk Road	Construction of an addition on a dwelling partially located within the spill flood hazard associated with Sheldon Creek.	October 17, 2024	October 21, 2024	Adam Heizer
	RAPP-9437	9044	1465 Abbeywood Drive	Construction of a walkout basement within the regulatory allowance associated with Fourteen Mile Creek (between 6 and 15 metres of the flooding and erosion hazards).	October 24, 2024	October 23, 2024	Adam Heizer
	RAPP-9440	9045	0 Dundas Street East (250 metres west of Ninth Line)	Construction of a sanitary sewer within 15 metres of the flood plain associated with Joshua's Creek.	October 22, 2024	October 23, 2024	Ben Davis

Permits October 1 to December 31, 2024

Municipality	CAID	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
Oakville, continued	RAPP-9443	9052	0 Trafalgar Road (at Wheat Boom Drive)	Installation of approximately 157 metres of HDPE conduit structure beneath a tributary of East Morrison Creek.	October 29, 2024	October 31, 2024	Adam Heizer
	RAPP-9396	9054	3065 Trafalgar Road	Construction of a building located between 6 to 15 metres of the flood plain associated with East Morrison Creek and construction of retaining walls and an underground parking garage located 4.6 metres from the flood plain as approved by the Conservation Halton Board on October 31, 2024 (CHB 06 24 08).	September 6, 2024	November 1, 2024	Adam Heizer
	RAPP-9442	9055	3065 Trafalgar Road	Minor grading within the flood plain associated with East Morrison Creek.	October 25, 2024	November 1, 2024	Adam Heizer
	RAPP-9445	9056	2402 Ravinebrook Crescent	Construction of an approximately 30 square metre, attached, upper and lower deck within the regulatory allowance associated with Morrison Creek (between 6 and 15 metres of the stable top of bank).	November 6, 2024	November 7, 2024	Adam Heizer
	RAPP-9430	9059	3065 Trafalgar Road	Construction of a temporary access road within the flood plain associated with East Morrison Creek.	October 26, 2024	November 4, 2024	Adam Heizer
	RAPP-9447	9061	1400 The Canadian Road	Construction of a private access road (minor grading and filling) partially within the flood plain associated with Joshua's Creek.	November 13, 2024	November 13, 2024	Adam Heizer
	RAPP-9454	9067	1328 Aymond Crescent	Construction of a basement walkout including grading within the regulatory allowance associated with Joshua's Creek (between 6 and 15 metres of the flood plain and stable top of bank).	November 21, 2024	November 22, 2024	Adam Heizer
	RAPP-9460	9068	417 Callaghan Crescent	Construction of an addition within the regulatory allowance (between 6 and 15 metres) of the flooding and erosion hazards associated with a piped tributary of Shannon's Creek.	November 26, 2024	November 26, 2024	Adam Heizer

Permits October 1 to December 31, 2024

Municipality	CAID	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
Oakville, continued	RAPP-9461	9071	120 Navy Street	Construction of an access road and associated grading within the flood plain and valley associated with Sixteen Mile Creek (no further into the valley than existing structures).	November 28, 2024	November 29, 2024	Adam Heizer
	RAPP-9470	9075	62 Bel Air Drive	Construction of an addition to a dwelling within the erosion hazard associated with the shoreline of Lake Ontario beyond the engineered development setback.	December 4, 2024	December 10, 2024	Adam Heizer
	RAPP-9468	9076	0 Upper Middle Road (Bridge at Sixteen Mile Creek)	Slope stabilization within the valley and flood plain of Sixteen Mile Creek as part of bridge repairs.	November 29, 2024	December 11, 2024	Ben Davis
	RAPP-9469	9080	1485 Owlsnest Way	Construction of municipal roads, storm water pipes, residential buildings, and associated grading between 15 and 30 metres from a wetland and grading within the regulatory allowance associated with Fourteen Mile Creek (between 6 and 15 metres).	December 13, 2024	December 17, 2024	Adam Heizer
	RAPP-9474	9081	1110 Berkshire Court	Construction of a basement walkout within the regulatory allowance (between 6 and 15 metres) of the flooding and erosion hazards associated with Fourteen Mile Creek.	December 18, 2024	December 18, 2024	Adam Heizer
	RAPP-9451	9083	0 Bronte Road (north of 1440 Yellow Rose Circle)	Construction of a stormwater outfall and associated grading within the regulatory allowance (between 6 and 15 metres) associated with the flood plain of Fourteen Mile Creek.	December 13, 2024	December 17, 2024	Adam Heizer

TO: Conservation Halton Board

MEMO: # CHB 02 25 03

FROM: Kellie McCormack, Director, Planning & Regulations/Strategic Initiatives & Partnerships

DATE: February 20, 2025

SUBJECT: Notice of East Sixteen Mile Creek Flood Hazard Mapping Study
CH File No.: AADM-44

MEMO

Conservation Halton (CH) will be commencing a study to update flood hazard modelling and mapping for the eastern reaches of Sixteen Mile Creek. While preparatory work (e.g., background data reviews, field surveys, model set-up) has already occurred, a Notice of Study Commencement will be issued late Q1/early Q2 2025 to formally launch the East Sixteen Mile Creek Flood Hazard Mapping Study.

The Study will define the regulatory flood hazard and associated flood risk information for watercourses in the eastern portion of the watershed (Attachment 1). The study will be supported by a Technical Advisory Committee (TAC) with representatives from the Town of Milton, Town of Halton Hills, City of Mississauga, Town of Oakville, and Halton Region, as well as CH Planning and Engineering staff. An independent consultant will be retained to complete a technical peer review of the report and mapping.

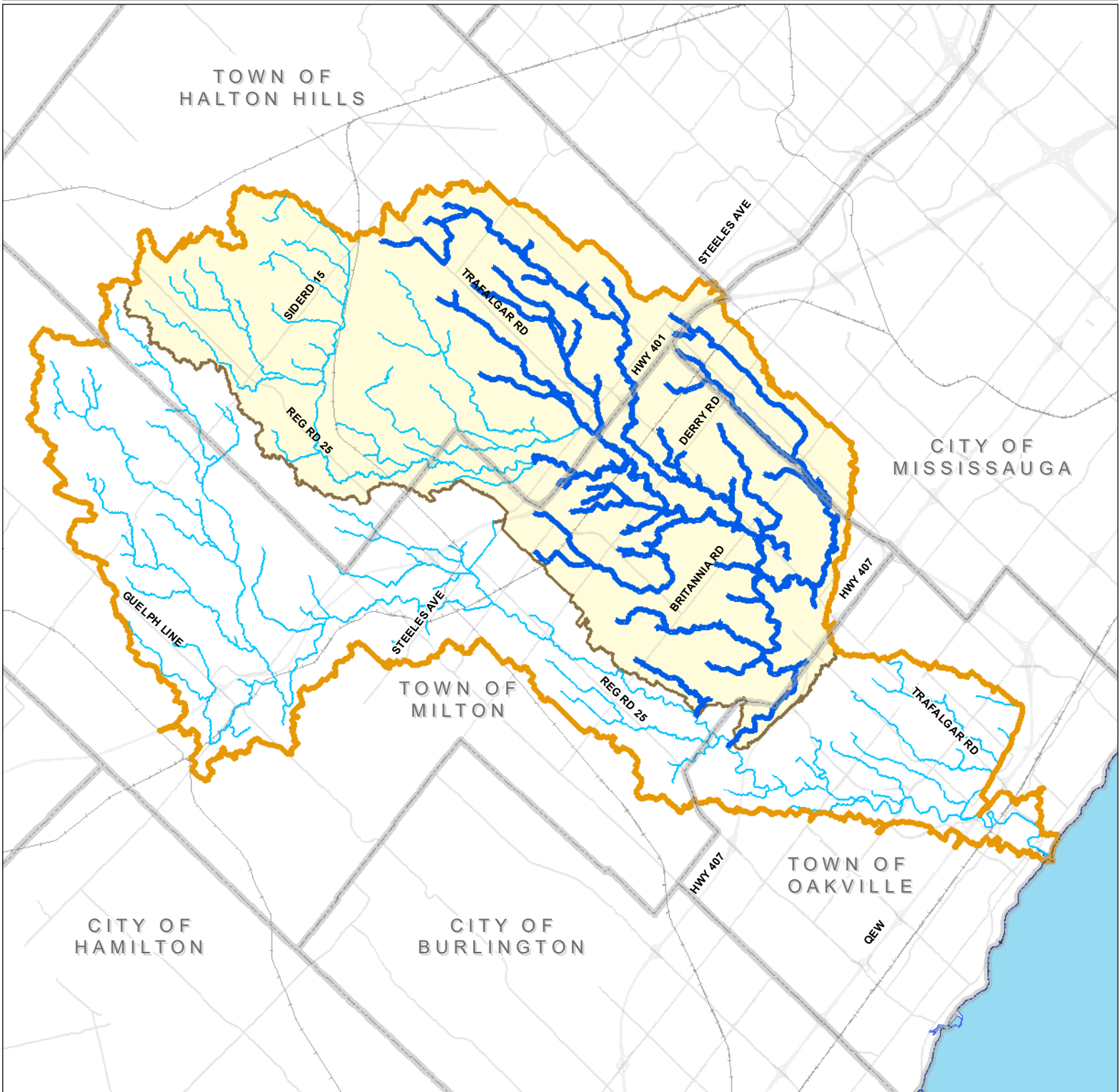
The Study process will include multiple opportunities for stakeholder and public engagement. Information about the study and engagement sessions will be posted on CH's website and select social media, and direct contact will be made with Indigenous community members and key stakeholders. An initial public engagement session is anticipated for Q4 2025 and will take place once the study methodology has been established. All consultation materials will be published on CH's website for a minimum of thirty (30) days. Draft flood hazard mapping is anticipated to be shared as part of a second engagement session once draft final mapping is available in 2026.

Staff will review and respond to all feedback on the draft mapping before finalizing the Study. The final draft report and mapping will be posted on CH's website for a minimum of thirty (30) days before it is brought back to the Board for approval to incorporate study findings into CH's Approximate Regulations Limit Mapping.

Attachments: Attachment 1: Figure 1: East Sixteen Mile Creek Flood Hazard Mapping Study

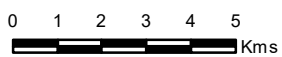


Figure 1: East Sixteen Mile Creek Flood Hazard Mapping Study



Legend

- East Sixteen Mile Creek - Study Area
- Sixteen Mile Creek Watershed
- Municipal Boundaries
- Lake Ontario
- Flood Hazards - To Be Mapped
- Watercourses
- Roads
- Railway



This mapping was produced by Conservation Halton and should be used for information purposes only. Data sources used in its production are and accuracy and all boundaries should be considered approximate. Conservation Halton disclaims all responsibility for any and all mistakes or in the information and further disclaims all liability for loss or damage, which may result from the use of this information. NOT A PLAN OF SUR protected by copyright (© 2025), and may not be reproduced without written consent from Conservation Halton.

REPORT TO: Conservation Halton Board

REPORT NO: # CHB 02 25 04

FROM: Kellie McCormack, Director, Planning & Regulations/Strategic Initiatives & Partnerships

DATE: February 20, 2025

SUBJECT: Conservation Halton Permit Statistics *Ontario Regulation 41/24* Reporting
CH File No.: AADM-73

Recommendation

THAT the Conservation Halton Board **receives for information the staff report entitled “Conservation Halton Permit Statistics *Ontario Regulation 41/24* Reporting”.**

Executive Summary

Conservation Halton’s (CH) Planning & Regulations (P&R) department successfully responded to numerous legislative and regulatory changes from the Province in 2024. As part of these changes, one (1) new regulatory requirement is for all Conservation Authorities (CAs) to prepare an annual report on permit statistics, timelines, and compliance with requirements of *Ontario Regulation 41/24* (O. Reg. 41/24). While CH has been reporting on permit and planning review timelines since 2019, this report covers all new statutory reporting requirements.

CH continues to meet or exceed the strategic targets established for planning and development review services and has a high level of compliance with new provincial regulatory requirements. CH issued 335 permits in 2024, with 99% of minor permits issued within thirty (30) days and 98% of major permits issued within ninety (90) days. CH’s mapping has been updated on an annual basis since 2019 and there were no requests for administrative reviews in 2024.

To maintain a high service standard and ensure CH is fulfilling its responsibilities to protect people and property from natural hazards, it is critical that CH continue to focus on building and maintaining staff capacity and capability, building relationships, and delivering innovative and quality programs and services. The Minister of Natural Resources issued an order instructing CAs to freeze their planning, development, and permit fees for 2025 (Attachment 1). As such, CH has not been able to implement the Board-approved 2025 Fee Schedule to achieve 100% fee recovery. Staff will continue to monitor the impacts of this fee freeze.

Report

The purpose of this report is to:

- i. Report on CH's permit statistics and other Provincial regulatory requirements;
- ii. Provide a brief overview of the key initiatives undertaken by the P&R department in 2024; and
- iii. Provide an update on the Minister's order to freeze planning and development review fees for 2025.

Planning and Regulations Overview

The P&R department carries out CH's roles and responsibilities as a regulatory authority and a provincially delegated reviewer for natural hazards-related matters. The department is made up of five (5) key program areas: Regulations, Planning, Regional Infrastructure Team (RIT), Policy, and Flood Hazard Mapping (FHM):

- Regulations – responsible for permitting, compliance, and enforcement of the *Conservation Authorities Act* (CA Act) and O. Reg. 41/24: Prohibited Activities, Exemptions and Permits;
- Planning – reviews a range of planning and development applications, as well as technical studies, under the *Planning Act*, *Niagara Escarpment Planning and Development Act*, *Environmental Assessment Act*, and *Aggregate Resources Act*, and provides input on provincial and municipal policies and initiatives;
- RIT – a dedicated team that provides review and approval services to Halton Region for regional infrastructure-related projects through an agreement;
- Policy – develops regulatory policies and technical guides for Board approval, which supports the implementation of the CA Act and O. Reg. 41/24; and
- FHM – responsible for updating flood hazard mapping across the watershed to support P&R programs and flood warning and forecasting operations, as well as informing public infrastructure management decisions, emergency planning and response, prioritization of flood mitigation efforts, and infrastructure design.

Annual Reporting: 2024 Permit Statistics and Compliance with O. Reg. 41/24

On April 1, 2024, O. Reg. 41/24 came into effect and various sections within the CA Act were also proclaimed. Amendments to *Ontario Regulation 686/21: Mandatory Programs and Services* (O. Reg. 686/21) also came into effect. Section 8.1 of O. Reg. 686/21 requires CAs to prepare an annual report on permit statistics, timelines, and compliance with the requirements of O. Reg. 41/24.

CH has been reporting on permit review timelines since 2019. The data presented in this report covers all new statutory reporting requirements, in addition to CH's long-established planning and permit turnaround targets.

Table 1 presents CH's 2024 permit statistics. The data reflects major and minor permit applications received and decisions made under the amended CA Act and O. Reg. 41/24 (e.g., after April 1, 2024) and decisions made under CH's previous regulation, Ontario Regulation 162/06 (i.e., permit

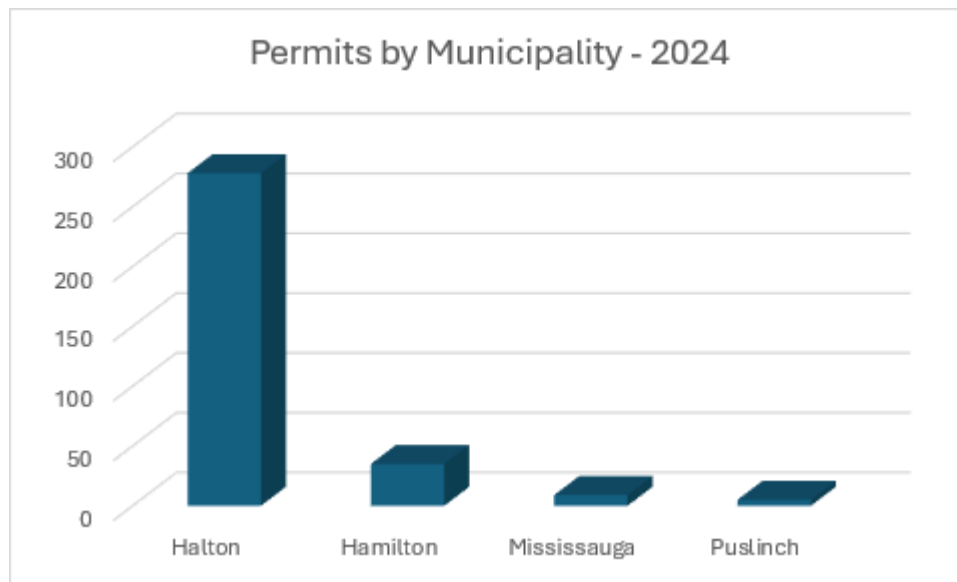
applications submitted January 1, 2024, to March 31, 2024). Permit application types are based on the level of complexity and scale of the application.

Table 1: Annual Reporting – 2024 Permit Statistics and Review Timelines		
	April 1, 2024 – December 31, 2024	January 1, 2024 – December 31, 2024
Permit Statistics		
Total Permits Issued	240	335
Total Major Permits Issued	50	65
Total Minor Permits Issued	190	270
Total Applications Subject to Minister’s Order/Review	0	0
Permit Review Timelines		
Complete Permit Application Review percent of application reviews completed in 21 days	98%	not applicable prior to April 1, 2024
Permit Timelines (Major) percent of major permits issued within 90 days	98%	98%
Permit Timelines (Minor) percent of minor permits issued within 30 days	99%	99%
Permit Timelines (Average – All) Average number of days for all permit reviews*	8.4 days	9 days
Permit Timelines (Average – Major) Average number of days for major permit reviews*	14.6 days	14.6 days
Permit Timelines (Average – Minor) Average number of days for minor permit reviews*	6.8 days	7.5 days

* The overall average permit review time is nine (9) days after a permit is deemed complete. While CH’s permit review time is low, the average review time does not reflect staff review time before an application is deemed complete (e.g., staff undertakes review of information submitted but before an application can officially be deemed complete, and while they are waiting for an applicant to submit required information or permit fees).

In 2024, CH approved 335 permits, and most were for works within Halton Region (83%). This is a 29% reduction in the number of permits approved compared to 2023. Figure 1 shows the distribution of permits issued by municipality in 2024.

Figure 1: CH Permits Issued by Municipality in 2024



Minor permits were issued within thirty (30) days 99% of the time and major permits were issued within ninety (90) days 98% of the time. These response times exceed the targets set in Momentum, CH’s strategic plan.

While all permits were approved in a timely manner, 2% of permit applications did not receive a “completeness” notification within the twenty-one (21) day requirement. In these cases, a formal letter to notify applicants that their application was incomplete was not issued as the applicant was aware that their required review fee was outstanding (note: this did not result in delays to the applicant in receiving a CH permit).

Staff responded to more than 1200 general inquiries and requests for information (e.g., solicitor and real estate inquiries), carried out 184 compliance inspections, and formalized 47 violations in 2024.

In addition to permit statistics and reviews, CAs are required to report on whether regulatory mapping is available, if an annual mapping update has taken place, and if any requests for administrative reviews have been received. Table 2 contains other Provincial reporting requirements related to mapping and administrative reviews.

Table 2: Annual Reporting – 2024 Mapping and Administrative Reviews	
Mapping Are maps of regulated areas available at the CA head office and on the CA website? (ss. 4(1) of O. Reg. 41/24)	Yes
Mapping Has the Authority undertaken an annual review of the mapping and made necessary updates? (ss. 4(2) of O. Reg. 41/24)	Yes
Administrative Reviews Total requests for administrative reviews made to the Authority	0
Administrative Reviews Total administrative reviews completed within 30 days of the request	not applicable – no requests

CH’s mapping has been updated on an annual basis since 2019 in accordance with CH’s Board-approved Mapping Maintenance Protocol. CH received no requests for administrative reviews in 2024.

Other 2024 P&R Initiatives

As part of implementing the 2024 CA Act and regulatory changes, numerous updates were required to CH’s administrative/public documents (e.g., website references, permit application forms, technical guides, stakeholder/public notifications), regulatory mapping, and policies and procedures. CH responded in a timely manner, with most changes implemented within weeks of the legislative/regulatory changes coming into effect.

In addition to ongoing planning file reviews from previous years, the P&R team reviewed approximately three hundred (300) new planning files in 2024. CH continued to work with municipal partners and members of the development community to advance numerous large-scale, complex technical studies in support of growth and development initiatives (e.g., Midtown Oakville, Trafalgar Master Environmental Servicing Plan (MESP) Milton). Considerable staff attention was dedicated to several ongoing legal files (e.g., Ontario Land Tribunal (OLT) files, regulatory violation files, and other legal matters), including participating in OLT mediation and settlement discussions.

Numerous policy initiatives were advanced in 2024, including conformity updates to CH’s regulatory and land use planning policies and updates to CH’s regulatory allowance policies. CH released draft spill flood hazard policies and an associated technical companion document for public engagement and kicked off background work for the comprehensive review of CH’s regulatory and land use planning policies.

CH continued to advance FHM across the watershed, including strategic growth areas. To date, FHM is now complete or underway across 90% of CH’s jurisdiction (e.g., 30% of CH’s jurisdiction mapping is complete and 60% is underway). In 2024, studies and/or background work were advanced for Midtown Oakville, East Sixteen Mile Creek, Bronte Creek, and Central Burlington.

Multiple public and stakeholder engagement sessions were carried out as part of these policy and mapping initiatives.

All P&R-related Key Performance Indicators (KPIs) will be reported in CH's Annual Report, published in April each year.

Minister's Order to Freeze Fees

On December 28, 2022, the Minister of Natural Resources and Forestry (now Minister of Natural Resources) issued an order instructing all CAs to freeze development fees for 2023. CH's fee schedule for 2023 was Board-approved prior to the order and therefore could be implemented.

In early 2023, CH retained Watson & Associates Economists Ltd. (Watson) to undertake a comprehensive review of CH's planning and permit review fees to confirm whether CH was achieving its 100% cost recovery target. The review concluded that overall CH was recovering 89% of the annual fee-related service costs. The Board approved an updated planning and permit review fee schedule for 2024 on November 23, 2023 (Report No. CHB 09 23 06). The proposed 2024 fees reflected the changes necessary to achieve CH's 100% cost recovery target.

On December 13, 2023, the Minister issued an order instructing all CAs to freeze development fees for 2024, regardless of whether they had received Board approval. As a result, CH was unable to implement the approved 2024 fee schedule and CH's overall cost recovery gap widened.

On October 31, 2024, the Board approved an updated planning and permit review fee schedule for 2025 (Report No. CHB 06 24 09). The 2025 fees reflected changes necessary to ensure 100% cost recovery. In December 2024, CH received the Minister's direction of a 2025 fee freeze (Attachment 1). As such, CH's permitting and planning fees remain the same as the 2023 Fee Schedule.

CH's development review fees enable CH to continue to deliver exceptional customer service, provide timely reviews, and deliver other supportive projects/initiatives such as regulatory policy and mapping. Staff will continue to monitor the implications of this Provincial fee freeze.

Conclusion

CH's P&R department is committed to delivering person-centered service and providing timely permitting reviews and approvals. CH continues to meet or exceed the strategic targets established for planning and development review services and has a high level of compliance with provincial regulatory requirements. To maintain this high service standard and ensure CH is fulfilling its responsibilities to people and property from natural hazards, it is critical that CH continues to focus on building and maintaining staff capacity and capability, building relationships, and delivering innovative and quality programs and services.

Impact on Strategic Priorities

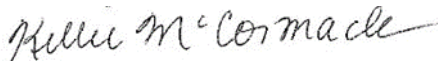
This report supports the Momentum priorities of “Natural Hazards and Water” and “Organizational Sustainability”.

Financial Impact

There is no financial impact resulting from this proposal.

Signed & respectfully submitted:

Approved for circulation:



Kellie McCormack
Director, Planning & Regulations/Strategic Initiatives &
Partnerships



Chandra Sharma
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

Kellie McCormack, Director, Planning &
Regulations/Strategic Initiatives & Partnerships
kmccormack@hrca.on.ca, 905-336-1158 x 2228

Attachments:

Attachment 1: Extension of Minister’s direction for
conservation authorities regarding fee
changes associated with planning,
development, and permitting fees

Ministry of Natural Resources

Office of the Minister

99 Wellesley Street West
 Room 6630, Whitney Block
 Toronto ON M7A 1W3
 Tel: 416-314-2301

Ministère des Richesses naturelles

Bureau du ministre

99, rue Wellesley Ouest
 Bureau 6630, Édifice Whitney
 Toronto ON M7A 1W3
 Tél.: 416 314-2301



December 12, 2024

TO: Conservation authorities as listed in the Attachment A “Extension of Minister’s Direction to Not Change Fees”

SUBJECT: Extension of Minister’s direction for conservation authorities regarding fee changes associated with planning, development, and permitting fees

I am writing with regard to conservation authority fees for the 2025 calendar year. Pursuant to my authority under subsection 21.3 (1) of the *Conservation Authorities Act*, I am issuing a new Direction, attached to this letter as Attachment A, that extends the previous Directions that were in place for the 2023 and 2024 calendar years.

The purpose of this Direction, which is effective from January 1, 2025, to December 31, 2025, is to require a conservation authority not to change the amount of the fee it charges or the manner in which it determines the fee for any program or service related to reviewing and commenting on planning and development related proposals or land use planning policies, or for permits issued by conservation authorities. This Direction is intended to support less costly approvals in order to help increase housing supply and affordability in Ontario.

This Direction applies to the conservation authorities listed in Appendix A, who are encouraged to make the Direction publicly available on the Governance section of their websites.

If you have any questions regarding this Direction, please contact Jennifer Keyes, Director, Development and Hazard Policy Branch, at Jennifer.Keyes@ontario.ca or 705-761-4831.

Sincerely,

The Honourable Graydon Smith
 Minister of Natural Resources

c: The Honourable Paul Calandra, Minister of Municipal Affairs and Housing

**Minister’s Direction Issued Pursuant to Section 21.3 of the *Conservation Authorities Act*
(this “Direction”)**

WHEREAS section 21.2 of the *Conservation Authorities Act* permits a conservation authority to charge a fee for a program or service if the program or service is included in the Minister’s list of classes of programs and services in respect of which a conservation authority may charge a fee;

AND WHEREAS subsections 21.2 (6) and 21.2 (7) of the *Conservation Authorities Act* provide that a conservation authority shall adopt a written fee policy that includes a fee schedule listing the programs and services that it provides in respect of which it charges a fee, and the amount of the fee charged for each program or service or the manner in which the fee is determined (a “**Fee Schedule**”);

AND WHEREAS subsection 21.2 (10) of the *Conservation Authorities Act* provides that a conservation authority may make a change to the list of fees set out in the fee schedule or to the amount of any fee or the manner in which a fee is determined, provided the authority shall give notice of the proposed change to the public in a manner it considers appropriate;

AND WHEREAS section 21.3 of the *Conservation Authorities Act* provides the Minister with the authority to give a written direction to an authority directing it not to change the amount of any fee it charges under subsection 21.2 (10), in respect of a program or service set out in the list referred to in subsection 21.2 (2), for the period specified in the direction;

NOW THEREFORE pursuant to the authority of the Minister of Natural Resources under section 21.3, the conservation authorities set out under Appendix “A” of this Direction (the “**conservation authorities**” or each, a “**conservation authority**”) are hereby directed as follows:

Fee Changes Prohibition

1. Commencing on the Effective Date and for the duration of the Term of this Direction, a conservation authority is prohibited from making a change under subsection 21.2 (10) of the *Conservation Authorities Act* to the amount of any fee or the manner in which a fee is determined in its fee schedule if such a change would have the effect of changing the fee amount for the programs and services described in paragraphs 2 and 3 of this Direction.

Program and Service Fees Impacted

2. This Direction applies to any fee set out in the Fee Schedule of a conservation authority, including without limitation fees for any mandatory program or service (Category 1), municipal program or service (Category 2), or conservation authority recommended program or service (Category 3) related to reviewing and commenting on planning and

Attachment A

development related proposals, applications, or land use planning policies, or for conservation authority permitting.

3. For greater certainty, this Direction applies to any fees in respect of the following programs or services provided under the Mandatory Programs and Services regulation ([O. Reg. 686/21](#)):
 - a. Section 6: programs and services related to reviewing applications and proposals under the *Aggregate Resources Act*, *Drainage Act*, *Environmental Assessment Act*, and the *Niagara Escarpment Planning and Development Act*, for the purpose of commenting on the risks related to natural hazards arising from the proposal,
 - b. Section 7: programs and services related to ensuring that decisions under the *Planning Act* are consistent with the natural hazards policies in the policy statements issued under section 3 of the *Planning Act* and are in conformance with any natural hazard policies included in a provincial plan as defined in section 1 of that Act,
 - c. Section 8: programs and services related to conservation authority duties, functions, and responsibilities to administer and enforce section 28 and its regulations, section 28.0.1, and section 30.1 of the *Conservation Authorities Act*,
 - d. Paragraph 4 of subsection 13 (3): programs and services related to reviewing and commenting on any proposal made under another Act for the purpose of determining whether the proposal relates to a significant drinking water threat or may impact any drinking water sources protected by a source protection plan, and
 - e. Subparagraph 4 iv of section 15: programs and services related to reviewing and commenting on proposals made under other Acts for the purpose of determining the proposal's impact on the Lake Simcoe Protection Plan and the Lake Simcoe watershed.

Application

4. This Direction, applies to all conservation authorities in Ontario, listed in Appendix “A” to this Direction.
5. For greater certainty, this Direction also applies to the conservation authorities listed in Appendix “A” to this Direction when such conservation authorities are meeting as a source protection authority under the *Clean Water Act, 2006*.

Effective Date and Term

6. This Direction is effective from January 1, 2025 (the “**Effective Date**”).
7. The term of this Direction is the period from the Effective Date to December 31, 2025 (the “**Term**”).

Attachment A

Amendments

8. This Direction may be amended in writing from time to time at the sole discretion of the Minister.

HIS MAJESTY THE KING IN RIGHT OF ONTARIO
as represented by the
Minister of Natural Resources



The Honourable Graydon Smith
Minister of Natural Resources
December 12, 2024

APPENDIX A

LIST OF CONSERVATION AUTHORITIES TO WHICH THE DIRECTION APPLIES

Ausable Bayfield CA

R.R. #3
71108 Morrison Line
Exeter ON N0M 1S5
Brian Horner
bhorner@abca.on.ca

Cataraqui Region CA

Box 160
1641 Perth Road
Glenburnie ON K0H 1S0
David Ellingwood
dellingwood@crca.ca

Catfish Creek CA

R.R. #5
8079 Springwater Road
Aylmer ON N5H 2R4
Dusty Underhill
generalmanager@catfishcreek.ca

Central Lake Ontario CA

100 Whiting Avenue
Oshawa ON L1H 3T3
Chris Darling
cdarling@cloca.com

Credit Valley CA

1255 Old Derry Rd
Mississauga ON L5N 6R4
Quentin Hanchard
quentin.hancard@cvc.ca

Crowe Valley CA

Box 416
70 Hughes Lane
Marmora ON K0K 2M0
Tim Pidduck
tim.pidduck@crowevalley.com

Essex Region CA

Suite 311
360 Fairview Ave West
Essex ON N8M 1Y6
Tim Byrne
tbyrne@erca.org

Ganaraska Region CA

Box 328
2216 County Road 28
Port Hope ON L1A 3V8
Linda Laliberte
llaliberte@grca.on.ca

Grand River CA

Box 729
400 Clyde Road
Cambridge ON N1R 5W6
Samantha Lawson
slawson@grandriver.ca

Grey Sauble CA

R.R. #4
237897 Inglis Falls Road
Owen Sound ON N4K 5N6
Tim Lanthier
t.lanthier@greysauble.on.ca

Halton Region CA

2596 Britannia Road West
Burlington ON L7P 0G3
Chandra Sharma
csharma@hrca.on.ca

Hamilton Region CA

P.O. Box 81067
838 Mineral Springs Road
Ancaster ON L9G 4X1
Lisa Burnside
lisa.burnside@conservationhamilton.ca

Kawartha Region CA

277 Kenrei (Park) Road
Lindsay ON K9V 4R1
Mark Majchrowski
mmajchrowski@kawarthaconservation.com

Kettle Creek CA

R.R. #8
44015 Ferguson Line
St. Thomas ON N5P 3T3
Elizabeth VanHooren
elizabeth@kettlecreekconservation.on.ca

Lake Simcoe Region CA

Box 282
120 Bayview Parkway
Newmarket ON L3Y 3W3
Rob Baldwin
r.baldwin@lsrca.on.ca

Lakehead Region CA

Box 10427
130 Conservation Road
Thunder Bay ON P7B 6T8
Tammy Cook
tammy@lakeheadca.com

Long Point Region CA

4 Elm Street
Tillsonburg ON N4G 0C4
Judy Maxwell
jmaxwell@lprca.on.ca

Lower Thames Valley CA

100 Thames Street
Chatham ON N7L 2Y8
Mark Peacock
mark.peacock@ltvca.ca

Lower Trent Region CA

R.R. #1
714 Murray Street
Trenton ON K8V 5P4
Rhonda Bateman
rhonda.bateman@lrc.on.ca

Maitland Valley CA

Box 127
1093 Marietta Street
Wroxeter ON N0G 2X0
Phil Beard
pbeard@mvca.on.ca

Mattagami Region CA

100 Lakeshore Road
Timmins ON P4N 8R5
David Vallier
david.vallier@timmins.ca

Mississippi Valley CA

10970 Highway 7
Carleton Place ON K7C 3P1
Sally McIntyre
smcintyre@mvc.on.ca

Niagara Peninsula CA

250 Thorold Road West, 3rd Floor
Welland ON L3C 3W2
Leilani Lee-Yates
llee-yates@npca.ca

Nickel District CA

199 Larch St
Suite 401
Sudbury ON P3E 5P9
Carl Jorgensen
carl.jorgensen@conservationsudbury.ca

North Bay-Mattawa CA

15 Janey Avenue
North Bay ON P1C 1N1
Robin Allen
robin.allen@nbmca.ca

Nottawasaga Valley CA

8195 Line 8
Utopia ON L0M 1T0
Doug Hevenor
dhevenor@nvca.on.ca

Otonabee Region CA

250 Milroy Drive
Peterborough ON K9H 7M9
Janette Loveys Smith
jsmith@otonabeeconservation.com

Quinte Region CA

R.R. #2
2061 Old Highway #2
Belleville ON K8N 4Z2
Brad McNevin
bmcnevin@quinteconservation.ca

Raisin Region CA

PO Box 429
18045 County Road 2
Cornwall ON K6H 5T2
Alison MacDonald
alison.macdonald@rrca.on.ca

Rideau Valley CA

Box 599
3889 Rideau Valley Dr.
Manotick ON K4M 1A5
Sommer Casgrain-Robertson
sommer.casgrain-robertson@rvca.ca

Saugeen Valley CA

R.R. #1
1078 Bruce Road #12, Box #150
Formosa ON N0G 1W0
Erik Downing
e.downing@svca.on.ca

Sault Ste. Marie Region CA

1100 Fifth Line East
Sault Ste. Marie ON P6A 6J8
Corrina Barrett
cbarrett@ssmrca.ca

South Nation River CA

38 Victoria Street
P.O. Box 29
Finch ON K0C 1K0
Carl Bickerdike
cbickerdike@nation.on.ca

St. Clair Region CA

205 Mill Pond Crescent
Strathroy ON N7G 3P9
Ken Phillips
kphillips@scrca.on.ca

Toronto and Region CA

101 Exchange Avenue
Vaughan ON L4K 5R6
John MacKenzie
john.mackenzie@trca.ca

Upper Thames River CA

1424 Clarke Road
London ON N5V 5B9
Tracey Annett
annett@thamesriver.on.ca

REPORT TO: Conservation Halton Board

REPORT NO: # CHB 02 25 05

FROM: Kellie McCormack, Director, Planning & Regulations/Strategic Initiatives & Partnerships

DATE: February 20, 2025

SUBJECT: Amendments to the Conservation Halton *Conservation Authorities Act* Hearing Guidelines & Procedures
CH File No. ADM 261

Recommendation

THAT the Conservation Halton Board **approves the updated “Conservation Halton Hearing Guidelines & Procedures, February 2025”**.

Report

On April 1, 2024, *Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits* (O. Reg. 41/24) under the *Conservation Authorities Act* (CA Act) came into effect, and various sections within the CA Act were also proclaimed (e.g., sections related to hearing proceedings). Through these legislative and regulatory changes, opportunities for a hearing by a Conservation Authority (CA) Board (sitting as a Hearing Board) were expanded. An applicant may be provided a hearing in circumstances where there is intent to refuse a permit, impose permit conditions, cancel a permit, and refuse a permit extension and where a stop work order has been issued.

Conservation Ontario (CO) has developed revised model hearing guidelines to assist CAs in developing or updating their individual guidelines. CO’s model guidelines were amended to reflect changes to the CA Act and O. Reg. 41/24, as well as to provide best practices based in part on recent CA hearing experiences. The model guidelines provide a step-by-step process to conduct hearings and are intended to promote consistency across CAs and ensure hearings meet the legal requirements of the *Statutory Powers Procedures Act* without being overly legalistic or intimidating to participants.

Conservation Halton’s (CH) Hearing Guidelines and Procedures were last updated October 2021 ([CHBD 07 21 04](#)). Staff reviewed CO’s model hearing guidelines dated December 2024 and has updated CH’s document accordingly (Attachment 1: “DRAFT Conservation Halton *Conservation Authorities Act* Hearing Guidelines & Procedures, February 2025”). Staff recommends the CH Board approves the revised Conservation Halton Hearing Guidelines & Procedures. If approved, the October 2021 version will be replaced on the CH website.

Impact on Strategic Priorities

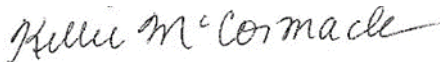
This report supports the Momentum priority of “Natural Hazards and Water”.

Financial Impact

There is no financial impact resulting from this proposal.

Signed & respectfully submitted:

Approved for circulation:



Kellie McCormack
Director, Planning & Regulations/Strategic Initiatives &
Partnerships



Chandra Sharma
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

Kellie McCormack, Director, Planning &
Regulations/Strategic Initiatives & Partnerships
kmccormack@hrca.on.ca, 905-336-1158 x 2228

Attachments:

Attachment 1: DRAFT Conservation Halton *Conservation
Authorities Act* Hearing Guidelines & Procedures,
February 2025



Conservation
Halton

**CONSERVATION AUTHORITIES ACT
HEARING GUIDELINES & PROCEDURES**

THE HALTON REGION CONSERVATION AUTHORITY

**Amended: DRAFT February 2025
October 2021
September 2019
February 2015
February 2011**

Adopted: June 26, 2008

Summary of Revisions			
Revision No.	Date	Comments	Approval
	June 2008	Updated and adopted Hearing Procedures based on the guidance provided by Conservation Ontario and the Ministry of Natural Resources	Report No. WMAC 05 08 02 Resolution No. CHBD 06 09
1	February 2011 February 2015 September 2019	Minor housekeeping amendments to reflect changes in relevant provincial ministries and tribunals.	CH Board Approved Report No. CHBD 09 19 12 Resolution No. CHBD 09 03
2	October 2021	Amendments to reflect legislative and administrative changes impacting hearings (e.g., changes related to: electronic hearings, appointment of the Ontario Land Tribunal to hear Section 28 appeals under the <i>Conservation Authorities Act</i> , and inclusion of Section 28.0.1 in the <i>Conservation Authorities Act</i> related to Minister's Zoning Orders	Report No. CHBD 07 21 04 Resolution No. CHDB 07 02
3	February 2025	Amendments to update legislative and regulatory changes related to hearings and appeals under the <i>Conservation Authorities Act</i> and O. Reg. 41/24.	Report No. CHB 02 25 05 Resolution No. TBC

Table of Contents

1.0	DEFINITIONS	4
2.0	PURPOSE OF HEARING GUIDELINES & PROCEDURES	5
3.0	PREHEARING PROCEDURES	7-8
3.1	Role of the Hearing Board	7
3.2	Notice of Hearing	7
3.3	Resubmissions of Reports	8
3.4	Hearing Information	8
4.0	HEARING	9-11
4.1	Public Hearing	9
4.2	Hearing Participants	9
4.3	Attendance of Hearing Board Members	9
4.4	Adjournments	9
4.5	Orders and Directions	9
4.6	Information Presented at Hearings	9
4.7	Conduct of Hearing	10
4.7.1	Record of Attending Hearing Board Members	10
4.7.2	Opening Remarks	10
4.7.3	Presentation of Authority Staff Information	10
4.7.4	Presentation of Party Information	10
4.7.5	Questions	11
4.7.6	Deliberation	11
5.0	DECISION	12-13
5.1	Notice of Decision	13
5.2	Adoption	13
6.0	RECORD	14

List of Appendices		
Appendices No.	Name	<i>Conservation Authorities Act and Ontario Regulation Reference</i>
A-1	Notice of Hearing - Permit	Section 28.1, Subsection 5 of the <u><i>Conservation Authorities Act</i></u>
A-2	Notice of Hearing – Minister’s Order	Section 28.1.2 Permit Application of the <u><i>Conservation Authorities Act</i></u>
A-3	Notice of Hearing – Stop Order	Section 30.4 Permit Application of the <u><i>Conservation Authorities Act</i></u>
A-4	Notice of Hearing – Permit Cancellation	Section 28.3 (2), (3) and (4) Permit Application of the <u><i>Conservation Authorities Act</i></u>
A-5	Notice of Hearing – Extensions to the Permit Validity	Pursuant to Section 11 (4), (5) and (6) of Ontario Regulation 41/24, made pursuant to Section 40 (4) of the <u><i>Conservation Authorities Act</i></u>
B	Hearing Procedures	
C-1	Chairperson’s Remarks – Permit Applications	Section 28.1 (5) of the <u><i>Conservation Authorities Act</i></u>
C-2	Chairperson’s Remarks – Mandatory Permits, Zoning Orders	Section 28.1.2, (7) of the <u><i>Conservation Authorities Act</i></u>
C-3	Chairperson’s Remarks – Stop Orders	Section 30.4 (6) of the <u><i>Conservation Authorities Act</i></u>
C-4	Chairperson’s Remarks – Cancellation Permit	Section 28.3 (4) of the <u><i>Conservation Authorities Act</i></u>
C-5	Chairperson’s Remarks – Consider Extensions to the Permit Validity	Section 11 (4), (5) and (6) of Ontario Regulation 41/24, made pursuant to Section 40 (4) of the <u><i>Conservation Authorities Act</i></u>
D-1	Sample Notice of Decision - Permit Applications	Section 28.1 (5) of the <u><i>Conservation Authorities Act</i></u>
D-2	Sample Notice of Decision - Mandatory Permits, Zoning Orders	Section 28.1.2, (7) of the <u><i>Conservation Authorities Act</i></u>
D-3	Sample Notice of Decision – Stop Orders	Section 30.4 (6) of the <u><i>Conservation Authorities Act</i></u>
D-4	Sample Notice of Decision – Cancellation Permit	Section 28.3 (4) of the <u><i>Conservation Authorities Act</i></u>
D-5	Sample Notice of Decision - Consider Extensions to the Permit Validity	Section 11 (4), (5) and (6) of Ontario Regulation 41/24, made pursuant to Section 40 (4) of the <u><i>Conservation Authorities Act</i></u>

1.0 DEFINITIONS

“Act” means the *Conservation Authorities Act*, R.S.O. 1990, c. C.27;

“Applicant” means a person who applies for a Permit to engage in an activity prohibited under the Act within the Authority’s jurisdiction;

“Application” means a formal request for a Permit to engage in an activity prohibited under the Act within the Authority’s jurisdiction;

“Authority” means the Board of Conservation Halton;

“Hearing Board” means the Authority while it is conducting hearings in accordance with the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22. Further to section 28.4 of the *Conservation Authorities Act*, an Authority may also delegate any of its powers relating to the holding of hearings in relation to permits to any other person or body, subject to any limitations or requirements prescribed by regulation;

“Minister” means the Minister of Natural Resources;

“Party” means an Applicant, Permit Holder, or individual subject to a Stop Order;

“Permit” means a permit to engage in otherwise prohibited activities under the Act, issued by the Authority (s. 28.1 and s. 28.1.2 permits) or by the Minister (s. 28.1.1 permits).

“Permit Holder” means a person who holds an active Permit issued by the Authority or a Minister’s Permit issued by the Minister;

“Staff” means the employees of The Halton Region Conservation Authority (also referred to as “Conservation Halton”);

“Stop Order” means a stop order issued under section 30.4 of the Act;

“Witness” means a person who is called to speak to evidence presented at a hearing.

2.0 PURPOSE OF HEARING GUIDELINES & PROCEDURES:

The Hearing Guidelines & Procedures provide a step-by-step process for conducting hearings required under ss. 28.1 (5), ss. 28.1.2 (7), ss. 28.3 (2), (3) and (4), ss. 30.4 (6) of the *Conservation Authorities Act* (CAA) and ss.11(4), (5) and (6) of O. Reg. 41/24. Hearings provide due process and ensure the rights of the Party are upheld.

The purpose of these Hearing Guidelines & Procedures is to reflect changes to the CAA. The Act requires that the applicant be provided with an opportunity for a hearing by the Conservation Authority Board (sitting as a Hearing Board) in the circumstances outlined in Table 1. The Hearing Board is empowered by law to make a decision, governed by the *Statutory Powers Procedures Act* (SPPA).

Section 25.1 of the SPPA provides that “a tribunal may make rules governing the practice and procedure before it”. The Hearing Rules are adopted under the authority of Section 25.1 of the SPPA. The SPPA applies to the exercise of a statutory power of decision where there is a requirement to hold or to afford the parties to the proceeding an opportunity for a hearing prior to a decision. The SPPA sets out minimum procedural requirements governing such hearings and provides rule-making authority to establish rules to govern such proceedings.

Table 1: Summary of Hearing Requirements under the Conservation Authorities Act and O. Reg. 41/24 ¹				
Hearing Scenario	Legislative or Regulatory Reference	Party	CA Board Hearing Intent	Opportunity to Appeal of Board Decision
Refusal Section 28.1 Permit	CAA, ss. 28.1 (5)	Applicant	Intent to refuse	OLT – Within ninety (90) days of receiving the reasons for the Authority's decision Minister's Review – Within fifteen (15) days of receiving reasons for the Authority's decision
Attaching Conditions Section 28.1 Permit	CAA, ss. 28.1 (5)	Applicant	Intent to attach conditions	
Attaching Conditions Section 28.1.2 Permit	CAA, ss. 28.1.2 (7)	Applicant	Intent to attach conditions	
Cancellation Section 28.1 Permit	CAA, ss. 28.3 (2)	Permit Holder	Intent to cancel	OLT – Within ninety (90) days of receiving notice of decision from Authority
Cancellation Section 28.1.1 Permit	CAA, ss. 28.3 (2)	Permit Holder	Intent to cancel	
Refuse Extension Section 28.1 Permit	O. Reg. 41/24, ss. 11(4), (5), and (6)	Permit Holder	Intent to refuse extensions	No appeal
Refuse Extension Section 28.1.2 Permit	O. Reg. 41/24, ss. 11(4), (5), and (6)	Permit Holder	Intent to refuse extensions	
Stop Order	CAA, ss. 30.4	Individual subject to Stop Order	Issuance of Stop Order	Minister or body prescribed by the regulations – within thirty (30) days of receiving reasons for the Authority's decision

This document outlines a step-by-step process to conduct hearings required under Section 28.1 (5), 28.1.2 (7), 28.3 (2), 30.4) of the Conservation Authorities Act, and Sections 11 (4), (5) and (6) of Ontario Regulation 41/24. In accordance with the model hearing guidelines developed by Conservation Ontario and updated in 2024, these procedures are intended to promote consistency and ensure that The Halton Region Conservation Authority (Conservation Halton) hearings meet the legal requirements of the *SPPA* without being unduly legalistic or intimidating to the participants.

¹ Note: The information presented in this table is a summary. For full details, please review the relevant sections of the *Conservation Authorities Act* and O. Reg. 41/24.

3.0 ROLE OF THE HEARING BOARD

3.1 Role of the Hearing Board

In any of the hearing scenarios listed in Table 1 above, the Hearing Board is acting as a decision-making tribunal. The tribunal is to act fairly. Under general principles of administrative law relating to the duty of fairness, the tribunal is obliged not only to avoid any bias, but also to avoid the appearance or reasonable apprehension of bias. The following are three examples of steps to be taken to avoid apprehension of bias where it is likely to arise.

- (a) No member of Conservation Halton taking part in the hearing should have prior involvement with the Application or other hearing matter indicated in Table 1 that could lead to a reasonable apprehension of bias on the part of that member. Where a member has a personal interest, the test is whether a reasonably well-informed person would consider that the interest might have an influence on the exercise of the official's public duty. Where a member is a municipal councillor, the *Municipal Conflict of Interest Act* applies. In the case of a previously expressed opinion, the test is that of an open mind, i.e., is the member capable of persuasion in participating in the decision making.
- (b) If material relating to the merits of an Application or other matter indicated in Table 1 that is the subject of a hearing is distributed to Board members before the hearing, the material shall be distributed to the applicant at the same time. The Applicant may be afforded an opportunity to distribute similar pre-hearing material. These materials may be distributed electronically.
- (c) The Applicant will be given an opportunity to attend the hearing before a decision is made; however, the Applicant does not have to be present for a decision to be made.

3.2 Notice of Hearing

The Party is entitled to reasonable notice of the hearing pursuant to the *SPPA*. The Notice of Hearing shall be sent to the Party within sufficient time to allow the Applicant to prepare for the hearing.

In cases where the Authority (or designated Staff) intends to refuse a request for a Permit extension, the Permit Holder must be given at least five (5) days' notice of the hearing date, per ss. 11(6) of O. Reg. 41/24. This represents the minimum notice, and other timelines provided in these guidelines may influence the total notice period (e.g., timelines associated with pre-submission of reports).

The Notice of Hearing must contain or append the following:

- (a) Reference to the applicable legislation under which the hearing is to be held (*Conservation Authorities Act*).
- (b) The time, place, and the purpose of the hearing (i.e., intent to refuse Application or request for extension, intent to attach conditions, intent to cancel a Permit, and Stop Order), or for electronic hearings, the time, purpose of the hearing, and details about the manner in which the hearing will be held. The Notice must also contain a statement that the applicant should notify the Authority if they believe holding the hearing electronically is likely to cause them significant prejudice. The Authority shall assume the applicant has no objection to the electronic hearing if no such notification is received.

- (c) Particulars to identify the Party, property, and the nature of the matter that forms the subject of the hearing.
- (d) The reasons for the proposed refusal or conditions of approval shall be specifically stated. This should contain sufficient detail to enable the Party to understand the issues so that they can prepare for the hearing.

It is sufficient to reference in the Notice of Hearing that the recommendation for refusal or conditions of approval is based on the reasons outlined in previous correspondence or a hearing report that will follow.

- (e) A statement notifying the Party that the hearing may proceed in the Party's absence and that the Party will not be entitled to any further notice of the proceedings.

Except in extreme circumstances, it is recommended that the hearing not proceed in the absence of the applicant.

- (f) Reminder that the Party is entitled to be represented at the hearing by a representative such as legal counsel, if desired. The conservation authority may be represented at the hearing by counsel or staff. The applicant shall inform the conservation authority in advance if they will be represented by legal counsel.

The Notice will be sent out by the Board Chair or President & CEO/Secretary Treasurer. The Notice of Hearing shall be directed to the applicant and/or landowner by registered mail. Refer to **Appendix A-1** through **Appendix A-5** for an example Notice of Hearing.

3.3 Resubmission of Reports

Staff may prepare and submit a written report to the Hearing Board in advance of the hearing. A copy of the Staff report will be shared with the Party. The Party shall be provided with the same opportunity to submit a written report to the Hearing Board.

The Party shall be provided with all reports from staff that will be provided to the Hearing Board. The applicant shall be given two (2) weeks to prepare a report once the reasons for the staff recommendations have been received. Subsequently, this may affect the timing and scheduling of the staff hearing reports.

3.4 Hearing Information

Prior to the hearing, the applicant shall be advised of Conservation Halton's hearing procedures. This information will be provided by the Office of the President & CEO.

4.0 HEARING

4.1 Public Hearing

Pursuant to the *SPPA* hearings, including electronic hearings, are required to be held in public ('open to the public'). For electronic hearings, public attendance should be synchronous with the hearing.

A hearing or part of a hearing may be closed to the public in accordance with the *SPPA* or the Authority's Administrative By-Laws (e.g., where the Hearing Board is of the opinion that public security matters, intimate financial matters, personal matters, or other matters would be disclosed at the hearing).

4.2 Hearing Participants

The *Conservation Authorities Act* does not provide for third party status at the hearing. The hearing, however, is open to the public. Any information related to the matter that forms the subject of the hearing provided by third parties must be incorporated within the presentation of information by, or on behalf of, the Party or Authority staff as appropriate.

4.3 Attendance of Hearing Board Members

In accordance with case law relating to the conduct of hearings, those members of the Hearing Board who will decide whether to grant or refuse the application must be present during the full course of the hearing. If it is necessary for a member to leave, the remaining members can continue with the hearing and render a decision, provided quorum is maintained. The Board may elect to retain legal counsel to provide guidance and support at the Hearing.

4.4 Adjournments

The Hearing Board may adjourn a hearing on its own motion or that of the applicant or Authority staff where it is satisfied that an adjournment is necessary for an adequate hearing to be held. While adjourned, members of the Hearing Board shall not discuss the matter that is the subject of the hearing.

Any adjournments form part of the hearing record.

4.5 Orders and Directions

In accordance with ss. 9 (2) of the *SPPA*, a Hearing Board is entitled to make orders or directions to maintain order and prevent the abuse of its hearing processes. A hearing procedures example has been included as **Appendix B**.

4.6 Information Presented at Hearings

- (a) The *SPPA* requires that a witness be informed of their right to object pursuant to the *Evidence Act*, R.S.O. 1990, c. E.23 ("*Evidence Act*") and the *Canada Evidence Act*, R.S.C., 1985, c. C-5 ("*CEA*"). The *Evidence Act* and *CEA* indicate that any answers provided by a Witness during the hearing are not admissible against the Witness in any criminal trial or proceeding.
- (b) It is the decision of the hearing members as to whether information is presented under oath or affirmation. It is not a legal requirement. The Party must be informed of the above, prior

to or at the start of the hearing.

- (c) The Hearing Board may authorize receiving a copy rather than the original document, however, the Hearing Board can request certified copies of the document if required.
- (d) Privileged information, such as solicitor/client correspondence, cannot be heard. Information that is not directly within the knowledge of the speaker (hearsay), can be heard if relevant to the issues of the hearing.
- (e) The Hearing Board may consider matters of common knowledge such as geographic or historic facts, times measures, weights, etc. or generally recognized scientific or technical facts, information or opinions within its specialized knowledge without hearing specific information to inform their decision.
- (f) Staff and the Party shall not present new information at the hearing that has not been submitted to the Hearing Board and the other Party.

4.7 Conduct of Hearing

4.7.1 Record of Attending Hearing Board Members

Attendance of Hearing Board members shall be recorded at the opening of the hearing.

4.7.2 Opening Remarks

The Chairperson shall convene the hearing with opening remarks, which generally; identify the applicant, the nature of the Party, the nature of the matter that forms the subject of the hearing (e.g., Application, Permit, Stop Order), and the property location; outline the hearing procedures; and advise on requirements of the Evidence Act and the CEA. **Appendix C-1 through C-5** provides a model for the Chairperson's Opening Remarks. In an electronic hearing, all the parties and the members of the Hearing Board must be able to clearly hear one another and any witnesses throughout the hearing.

4.7.3 Presentation of Authority Staff Information

Staff of the Authority presents the reasons supporting the recommendation associated with the refusal or conditions of approval of the Permit application, a refusal of Permit extensions, cancellations or Stop Orders; in addition to providing legislative/regulatory background and case background. Any reports, documents or plans that form part of the presentation shall be properly indexed and received.

Staff and/or legal counsel of the Authority should not submit new technical information at the hearing, as the Party will not have had time to review and provide a professional opinion to the Hearing Board.

One staff member or legal counsel shall coordinate the presentation of information on behalf of Authority staff and ask questions on behalf of Authority staff.

4.7.4 Presentation of Party Information

The Party has the opportunity to present information at the conclusion of the Staff presentation. Any reports, documents or plans, which form part of the submission should be properly indexed

and received.

The Party shall present information as it applies to the purpose of the hearing (e.g. related to activities covered by the permit application, permit conditions, activities subject to a Stop Order, etc.).

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

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

4.7.5 Questions

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

Pursuant to the *Statutory Powers Procedure Act*, the Hearing Board can limit questioning where it is satisfied that there has been full and fair disclosure of the facts presented.

4.7.6 Deliberation

After all the information is presented, the Hearing Board may debate and vote in open session or may adjourn the hearing and retire in private to confer. Legal counsel may be secured to advise the Hearing Board when conferring in private. The Hearing Board may reconvene on the same date or at some later date to advise of its decision. The Hearing Board members shall not discuss the hearing with others prior to the decision being finalized.

5.0. DECISION

Hearing participants must receive written notice of the Hearing Board's decision. The Hearing Board shall itemize and record information of particular significance which led to their decision.

The Party must receive written notice of the decision. The Party shall be informed of the right to appeal the decision upon receipt of the written decision, to the Ontario Land Tribunal and/or Minister, as outlined in Table 2.

It is important that the hearing participants have a clear understanding of the reason for the Board's decision. The Board shall itemize and record information of particular significance which led to their decision.

Hearing Scenario	Hearing Board Decision Powers	Appeal Rights
Considering Refusal or Attaching Conditions (Section 28.1 Permit)	(a) Issue the Permit; (b) Issue the Permit subject to conditions; or, (c) Refuse the Permit.	Request Minister's Review within fifteen (15) days after receiving Authority's decision (CAA, ss. 28.1 (8)); or, Appeal to the OLT within ninety (90) days of receiving the Authority's decision (in accordance with CAA requirements) (CAA, ss. 28.1 (20) (21)).
Considering Attaching Conditions (Section 28.1.2 Permit)	(a) Issue the Permit; or, (b) Issue the Permit subject to conditions.	Request Minister's Review within fifteen (15) after receiving Authority's reasons for conditions (CAA, ss. 28.1.2 (9)); or, Appeal to the OLT within ninety (90) days of receiving the Authority's reasons for conditions (in accordance with CAA requirements) (CAA, ss. 28.1.2(14) (15)).
Considering Cancellation (Section 28.1 or 28.1.1 Permit)	(a) Confirm decision to cancel Permit; (b) Rescind decision to cancel Permit; or, (c) Vary decision to cancel Permit.	Appeal to the OLT within ninety (90) days after receiving the Authority's decision (CAA, ss.28.3(6))
Considering Extension (Section 28.1 or 28.1.2 Permit)	(a) Confirm the refusal of the extension; or, (b) Grant an extension for such period of time as it	No appeal mechanism.

² Note: The information presented in this table is a summary. For full details, please review the relevant sections of the *Conservation Authorities Act* and O. Reg. 41/24

	deems appropriate, as long as the total period of validity of the Permit does not exceed the applicable maximum period specified in O. Reg. 41/24.	
Considering Stop Order (Section 30.4)	(a) Confirm the order; (b) Amend the order; or, (c) Remove the order, with or without conditions.	Appeal to the Minister or a body prescribed by the regulations within thirty (30) days after receiving the Authority's decision (CAA, ss. 30.4(9))

5.1 Notice of Decision

The Notice of Decision notice should include the following information:

- (a) The identification of the person who requested the hearing, property and the purpose of the hearing (i.e., Application for a Permit, attaching Permit conditions, requests for Permit extension, Stop Order, or cancellation of Permit).
- (b) The decision.
- (c) Written reasons for the decision.
- (d) A copy of the Hearing Board resolution.
- (e) Notice of the Party's right to appeal.

The written Notice of Decision shall be forwarded to the applicant by registered mail. A sample Notice of Decision and cover letter has been included as **Appendix D-1 through D-5**.

5.2 Adoption

The Hearing Board shall adopt a resolution containing the decision and any particulars of the decision.

6.0 RECORD

The Authority shall compile a record of the hearing. In the event of an appeal, a copy of the record should be forwarded to the Ontario Land Tribunal or Minister (as appropriate).

The record must include the following:

- (a) As applicable, copies of the Application for the Permit, the Permit issued, notice of cancellation, or Stop Order that was subject of the Hearing;
- (b) The Notice of Hearing;
- (c) Any orders made by the Hearing Board (e.g. adjournments);
- (d) All information received by the Hearing Board;
- (e) Attendance of Hearing Board members;
- (f) The decision and written reasons for decisions of the Hearing Board; and,
- (g) The Notice of Decision sent to the Party.

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APPENDIX A-1

**NOTICE OF HEARING
IN THE MATTER OF
The Conservation Authorities Act,
R.S.O. 1990, Chapter 27**

AND IN THE MATTER OF a permit application by

**MADE TO
THE HALTON REGION CONSERVATION AUTHORITY**
Pursuant to Section 28.1, Subsection 5 of the said Act

TAKE NOTICE THAT a Hearing before The Halton Region Conservation Authority Board will be held under Section 28.1, Subsection 5 of the Conservation Authorities Act at the administrative office located at 2596 Britannia Road West, Burlington, Ontario, at the hour of 4:00 p.m. on the day of _____, 2____, [for electronic hearings, include details about the manner in which the hearing will be held] with respect to the application by (**NAME**) to permit development within an area regulated by the Authority in order to ensure **the activity is not likely to [affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock; 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]** on Lot x, Plan/Lot xx, Concession x, (**Street**) in the City/Town of x , Regional Municipality of x , x watershed.

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

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

AND FURTHER TAKE NOTICE that if you do not attend at this Hearing, the Board of The Halton Region Conservation Authority may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

DATED the _____ day of, _____ 2_____

Per:
President & Chief Executive Officer/Secretary-Treasurer

APPENDIX A-2

NOTICE OF HEARING

IN THE MATTER OF
The Conservation Authorities Act,
R.S.O. 1990, Chapter 27

AND IN THE MATTER OF a permit application by

MADE TO
THE HALTON REGION CONSERVATION AUTHORITY
Pursuant to section 28.1.2, subsection 7 of the said Act

TAKE NOTICE THAT a Hearing before The Halton Region Conservation Authority Board will be held under section 28.1.2, subsection 7 of the *Conservation Authorities Act* at the offices of the said Authority [ADDRESS], at the hour of [TIME], on the day of [DATE], 202X, [for electronic hearings, include details about the manner in which the hearing will be held] with respect to the application by [NAME] to permit development within an area regulated by the Authority in association with a Minister's Zoning Order [REGULATION NUMBER] on Lot , Plan/Lot , Concession , [STREET] in the City/Town of, Regional Municipality of Halton, River Watershed.

TAKE NOTICE THAT you are invited to make a delegation and submit supporting written material to the Board of Halton Region Conservation Authority for the meeting of (*meeting number*). If you intend to appear [For electronic hearings: or if you believe that holding the hearing electronically is likely to cause significant prejudice], please contact [NAME]. Written material will be required by [DATE], to enable the Board members to review the material prior to the meeting.

TAKE NOTICE THAT pursuant to section 28.1.2, subsection 3 of the *Conservation Authorities Act*, a Conservation Authority is required to grant the permit applied for and may only impose conditions to the permit, provided all legislative requirements are met. The Hearing will therefore focus on the conditions to be imposed to the granting of the permit.

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

AND FURTHER TAKE NOTICE that if you do not attend at this Hearing, the Board of The Halton Region Conservation Authority may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

DATED the ____ day of , _____ 202X

The Halton Region Conservation Authority

Per:
President & Chief Executive Officer/Secretary-Treasurer

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APPENDIX A-3

NOTICE OF HEARING

IN THE MATTER OF
The Conservation Authorities Act,
R.S.O. 1990, Chapter 27

AND IN THE MATTER OF a Stop Order

Issued by
THE HALTON REGION CONSERVATION AUTHORITY
Pursuant to Section 30.4, Subsection 6 of the said Act

TAKE NOTICE THAT a Hearing before The Halton Region Conservation Authority Board will be held under section 30.4, subsection 6 of the *Conservation Authorities Act* at the offices of the said Authority [ADDRESS], at the hour of [TIME], **on the day of [DATE], 202X**, [for electronic hearings, include details about the manner in which the hearing will be held] with respect to a **Stop Order** issued to [NAME] on [date Stop Order was issued]. The Stop Order requires [NAME] to [stop engaging in or to not to engage] in the following activity(ies) on Lot , Plan/Lot , Concession , [STREET] in the City/Town of , Regional Municipality of , Watershed:

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

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

AND FURTHER TAKE NOTICE that if you do not attend this Hearing, The Halton Region Conservation Authority may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

DATED the ____ day of , _____ 202X

The Halton Region Conservation Authority

Per:
President & Chief Executive Officer/Secretary-Treasurer

APPENDIX A-4**NOTICE OF HEARING**

IN THE MATTER OF
The Conservation Authorities Act,
R.S.O. 1990, Chapter 27

AND IN THE MATTER OF cancellation of Permit Number ##

Issued by

THE HALTON REGION CONSERVATION AUTHORITY
Pursuant to Section 28.3, Subsections 2, 3, AND 4 of the said Act

TAKE NOTICE THAT a Hearing before the Conservation Halton Board will be held under Section 28.3, subsection 4 of the *Conservation Authorities Act* at the offices of the said Authority [ADDRESS], at the hour of [TIME], **on the day of [DATE], 202X**, [for electronic hearings, include details about the manner in which the hearing will be held] with respect to the '**Notice of Intent to Cancel Permit Number XX**' issued to [NAME] on [DATE the Intent to Cancel Notice was issued] that permits development within an area regulated by the Authority on Lot , Plan/Lot , Concession , [STREET] in the City/Town of , Regional Municipality of Halton, River Watershed.

TAKE NOTICE THAT you are invited to make a delegation and submit supporting written material to the Board or the meeting of [*meeting number*]. If you intend to appear [*For electronic hearings: or if you believe that holding the hearing electronically is likely to cause significant prejudice*], please contact [NAME]. Written material will be required by [DATE], to enable the Board members to review the material prior to the meeting.

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

AND FURTHER TAKE NOTICE that if you do not attend this Hearing, the Board of the Conservation Authority may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

DATED the ____ day of , _____ 202X

The Halton Region Conservation Authority

Per:
President & Chief Executive Officer/Secretary-Treasurer

APPENDIX A-5**NOTICE OF HEARING**

IN THE MATTER OF
The Conservation Authorities Act,
R.S.O. 1990, Chapter 27

AND IN THE MATTER OF refusal of a request for an extension to the period of validity for
Permit Number ##

Issued by the

THE HALTON REGION CONSERVATION AUTHORITY

Pursuant to Section 11, Subsections. 4, 5, AND 6 of Ontario Regulation 41/24,
made pursuant to Section 40, Subsection 4
of the said Act

TAKE NOTICE THAT a Hearing before The Halton Region Conservation Authority Board will be held under section 11, subsection 6 of O. Reg. 41/24 at the offices of the said Authority [ADDRESS], at the hour of [TIME], **on the day of [DATE], 202X**, [for electronic hearings, include details about the manner in which the hearing will be held] with **respect to a 'Request for Permit Extension' for Permit Number ##** issued to [NAME] on [DATE] that permits development within an area regulated by the Authority on Lot , Plan/Lot , Concession , [STREET] in the City/Town of , Regional Municipality of Halton, River Watershed.

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

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

AND FURTHER TAKE NOTICE that if you do not attend at this Hearing, the Board of The Halton Region Conservation Authority may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

DATED the _____ day of , _____ 202X

The Halton Region Conservation Authority

Per:
President & Chief Executive Officer/Secretary-Treasurer

DRAFT

APPENDIX B**HEARING PROCEDURES**

1. Motion to sit as Hearing Board.
2. Roll Call followed by the Chairperson's opening remarks. For electronic hearings, the Chairperson shall ensure that all parties and the Hearing Board are able to clearly hear one another and any witnesses throughout the hearing.
3. Staff will introduce to the Hearing Board the Party and their agent/representative wishing to speak.
4. Staff will indicate the nature and location of the subject matter {Application/issued Permit/Stop Order} and the conclusions.
5. Staff and/or counsel will present the staff report included in the Authority agenda, including the reasons for the staff recommendation.
6. The Party and/or their agent will present their material in the Authority agenda, and the reasons why the application should be considered.
7. The Party and/or their agent may question staff and/or their agent if reasonably required for full and fair disclosure of matters presented at the hearing. The staff and/or counsel may question the applicant/agent, if reasonably required for full and fair disclosure of matters presented at the hearing.³
8. The Hearing Board will question, if necessary, both the staff and the Party/agent.
9. The Hearing Board will move into deliberation. The Hearing Board may also adjourn the hearing and retire in private to confer. For electronic meetings, the Hearing Board will deliberate in a manner consistent with practices for in-person hearings (e.g., open vs closed session).
10. Members of the Hearing Board will move and second a motion.
11. A motion will be carried which will culminate in the decision.
12. The Hearing Board will move out of deliberation. For electronic meetings, the Hearing Board will reconvene with other participants.
13. The Chairperson or Acting Chairperson will advise the Party of the Hearing Board decision.
14. The Chairperson or Acting Chairperson shall notify the Party of their right to appeal the decision to the Ontario Land Tribunal, Minister, or other prescribed body (as applicable) upon receipt of the reasons for decision, in accordance with the provisions and timelines outlined in the Conservation Authorities Act and Ontario Regulation 41/24 (see *sample Notices of Decision for more detail*).
15. Motion to move out of Hearing Board.

³ As per the *Statutory Powers Procedure Act*, a tribunal may reasonably limit further examination or cross-examination of a witness where it is satisfied that the examination or cross-examination has been sufficient to disclose fully and fairly all matters relevant to the issues in the proceeding.

APPENDIX C-1

CHAIRPERSON'S OPENING REMARKS WHEN DEALING WITH HEARINGS

**(Section 28.1, Subsection 5 of the Conservation Authorities Act)
Permit Application, with or without conditions**

We are now going to conduct a hearing under Section 28.1, Subsection 5 of the Conservation Authorities Act in respect of an application by _____, for permission to _____.

Section 28.1, subsection 1 of the Conservation Authorities Act provides that an Authority may issue a permit to a person to engage in an activity that would otherwise be prohibited by section 28, subsection 1 of the Act, in an area regulated by the Authority, if in the opinion of the Authority, the activity is not likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock; the activity is not 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; and any other requirements that may be prescribed by the regulations are met.

The Staff has reviewed this proposed work and prepared a staff report, a copy of which has been given to the applicant and the Board. The applicant was invited to file material in response to the staff report, a copy of which has also been provided to the Board.

Under Section 28.1, Subsection 5 of the Conservation Authorities Act, the person applying for a permit has the right to a hearing before the Authority Board who sit as a Hearing Board.

In holding this hearing, the Hearing Board is to determine whether or not a permit is to be issued, with or without conditions. In doing so, we can only consider the application in the form that is before us, the staff report, and such evidence as may be given and the submissions to be made on behalf of the applicant. Only information disclosed prior to the hearing to be presented at the hearing.

The proceedings will be conducted according to the Statutory Powers Procedure Act. Under section 9 of the Evidence Act and Section 5 of the Canada Evidence Act, any witness called may object to answer any question on the ground that the answer may tend to incriminate the person or may tend to establish his/her liability to a civil proceeding at the instance of the Crown or of any person.

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

If the Party has any questions to ask of the Hearing Board or of the Authority representative, they must be directed to the Chairperson of the board.

The Party is reminded that the time allotted for their presentation is limited. The presentation should summarize the key points outlined in their submitted materials. At all times, comments must be respectful to staff and Hearing Board members.

The hearing will be conducted as per Conservation Halton's approved Hearing Procedures.

APPENDIX C-2

CHAIRPERSON'S REMARKS WHEN DEALING WITH HEARINGS
(Section 28.1.2, Subsection 7 of the Conservation Authorities Act)
Mandatory Permits, Zoning Orders

We are now going to conduct a hearing under section 28.1.2, subsection 7 of the Conservation Authorities Act in respect of an application for a permit by [*applicant name*] to [*details of proposed works*].

Under section 28.1.2, subsection 3 of the Conservation Authorities Act, an Authority that receives an application for a permit to carry out a development project in the Authority's area of jurisdiction shall issue the permit if an order has been made by the Minister of Municipal Affairs and Housing under section 47 of the Planning Act authorizing the development project under that Act; and the lands in the Authority's area of jurisdiction on which the development project is to be carried out are not located in the Greenbelt Area designated under section 2 of the Greenbelt Act, 2005; and such other requirements as may be prescribed are satisfied.

Furthermore, section 28.1.2, subsection 6 allows an Authority to attach conditions to such permits, including conditions to mitigate: any effects the development project is likely to have on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock; circumstances created by the development project 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; or any other matters that may be prescribed by regulation.

Staff have reviewed this proposed work and prepared a staff report, including the proposed conditions of approval for the proposed work, which has been given to the applicant and the Board. The applicant was invited to file material in response to the staff report, a copy of which has also been provided to the Board.

Under section 28.1.2, subsection 7 of the Conservation Authorities Act, the person applying for a permit has the right to a hearing before the Authority [or as delegated to the Authority's Executive Committee or any other person or body, subject to limitations or requirements that may be prescribed by the regulation].

In holding this hearing, the Authority Board/Executive Committee is to determine the prescribed conditions, if any, to be attached to the approved permit. In doing so, we can only consider the application in the form that is before us, the staff report, such evidence as may be given and the submissions to be made on behalf of the applicant. Only information disclosed prior to the hearing is to be presented at the hearing.

The proceedings will be conducted according to the Statutory Powers Procedure Act. Under section 9 of the Evidence Act and section 5 of the Canada Evidence Act, any witness called may object to answer any question on the ground that the answer may tend to incriminate the person or may tend to establish his/her liability to a civil proceeding at the instance of the Crown or of any person.

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

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

APPENDIX C-3

CHAIRPERSON'S REMARKS WHEN DEALING WITH HEARINGS

**(Section 30.4, Subsection 6 of the Conservation Authorities Act)
To Consider a Stop Order**

We are now going to conduct a hearing under section 30.4, subsection 6 of the Conservation Authorities Act in respect to a Stop Order issued to [Party] on [Date], 20XX.

In accordance with section 30.4, subsection 1 of the Act, [NAME] was served with a Stop Order by an officer of the Authority because the officer believed [NAME] **[had engaged / was about to engage]** in an activity that **[has contravened/will contravene]** the Act or a regulation made under the Act; **and/or** the conditions of **Permit Number XXX**.

Furthermore, the officer believes that the activity **[has caused / is likely to cause]** significant damage and the damage **[affects / is likely to affect]** the control of flooding, erosion, dynamic beaches or unstable soil or bedrock **and/or** in the event of a natural hazard, the damage **has created / is likely** to create conditions or circumstances that might jeopardize the health and safety of persons or result in damage or destruction of property; and that, the order will prevent or reduce said damage.

Section 30.4, subsection 6 of the Act requires that a person who is served with a Stop Order be provided with an opportunity to request and attend a hearing before the Authority.

The Staff have prepared a report, a copy of which has been given to the [APPELLANT NAME] and the Board. The [APPELLANT NAME] was invited to file material in response to the staff report, a copy of which has also been provided to the Board.

In accordance with section 30.4, subsection 7 of the Act, after holding the hearing, the Authority shall confirm the order, amend the order, or remove the order with or without conditions. In doing so, we can only consider the information in the form that is before us, the staff report, such evidence as may be given, and the submissions to be made on behalf of [APPELLANT NAME]. Only information disclosed prior to the hearing is to be presented at the hearing.

The proceedings will be conducted according to the Statutory Powers Procedure Act. Under section 9 of the Evidence Act and section 5 of the Canada Evidence Act, any witness called may object to answer any question on the ground that the answer may tend to incriminate the person or may tend to establish his/her liability to a civil proceeding at the instance of the Crown or of any person.

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

If [APPELLANT NAME] has any questions to ask of the Hearing Board or of the Authority representative, they must be directed to the Chairperson of the board.

APPENDIX C-4

CHAIRPERSON'S REMARKS WHEN DEALING WITH HEARINGS

**(Section 28.3, Subsections 4 of the Conservation Authorities Act)
To Consider the Cancellation of a Permit**

We are now going to conduct a hearing under section 28.3, subsection 4 of the Conservation Authorities Act to consider the cancellation of permit number ## issued to [Permit Holder], on [Date], 20XX.

In accordance with section 28.3, subsection 1 of the Act, the Authority notified the permit holder of the intent to cancel permit number ### by [Date], 20## because, it is the opinion of the Authority, the conditions of the permit have not been met; **or** that the circumstances prescribed by regulation exist (**include detail here if applicable**).

Section 28.3, subsection 3 of the Act provides that a permit holder may request a hearing within 15 days of receiving the Authority's intent to cancel a permit.

The Staff have prepared a report, a copy of which has been given to the permit holder and the Board. The permit holder was invited to file material in response to the Staff report, a copy of which has also been provided to the Board.

In accordance with section 28.3, subsection 5 of the Act, after holding the hearing, the Authority may confirm, rescind or vary the decision to cancel the permit. In doing so, we can only consider the information in the form that is before us, the Staff report, such evidence as may be given, and the submissions to be made on behalf of the permit holder. Only information disclosed prior to the hearing is to be presented at the hearing.

The proceedings will be conducted according to the Statutory Powers Procedure Act. Under section 9 of the Evidence Act and section 5 of the Canada Evidence Act, any witness called may object to answer any question on the ground that the answer may tend to incriminate the person or may tend to establish his/her liability to a civil proceeding at the instance of the Crown or of any person.

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

If the permit holder has any questions to ask of the Hearing Board or of the Authority representative, they must be directed to the Chairperson of the board.

APPENDIX C-5

CHAIRPERSON'S REMARKS WHEN DEALING WITH HEARINGS

**(Section 11, Subsection 6 of Ontario Regulation 41/24, made pursuant to Section 40,
Subsection 4 of the Conservation Authorities Act)
To Consider an Extension to the Period of Validity of a Permit**

We are now going to conduct a hearing under section 11, subsection 6 of Ontario Regulation 41/24, made under section 40, subsection 4 of the Conservation Authorities Act regarding a request for extension of permit number ## issued to [*Permit Holder*].

Section 11, subsections 4 and 5 of Ontario Regulation 41/24 provides that a permit holder may request a hearing to consider their request to extend the period of validity of a permit issued under section 28.1 or 28.1.2 of the Act within 15 days of receiving notice that the Authority intends to refuse a request for extension.

The Staff have prepared a report, a copy of which has been given to the permit holder and the Board. The permit holder was invited to file material in response to the Staff report, a copy of which has also been provided to the Board.

In accordance with section 11, subsection 7 of the Regulation, after holding the hearing, the Authority may confirm the refusal of the extension or grant an extension for a time deemed appropriate, provided the total period of validity of the permit does not exceed the applicable maximum period of 60 months prescribed by Regulation. In doing so, we can only consider the information in the form that is before us, the Staff report, such evidence as may be given, and the submissions to be made on behalf of the permit holder. Only information disclosed prior to the hearing is to be presented at the hearing.

The proceedings will be conducted according to the Statutory Powers Procedure Act. Under section 9 of the Evidence Act and section 5 of the Canada Evidence Act, any witness called may object to answer any question on the ground that the answer may tend to incriminate the person or may tend to establish his/her liability to a civil proceeding at the instance of the Crown or of any person.

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

If the permit holder has any questions to ask of the Hearing Board or of the Authority representative, they must be directed to the Chairperson of the board.

APPENDIX D-1

NOTICE OF DECISION (REFUSAL/ATTACHING CONDITIONS)

(Date)

BY REGISTERED MAIL

(name)

(address)

Dear:

RE: NOTICE OF DECISION
Hearing Pursuant to Section 28.1(5) of the Conservation Authorities Act
Proposed (*development*)
Address [Lot , Plan , if applicable] ; City of
Application #:

In accordance with the requirements of the Conservation Authorities Act, The Halton Region Conservation Authority provides the following Notice of Decision:

On (***meeting date and number***), the Hearing Board for The Halton Region Conservation Authority refused/approved your application/approved your application with conditions. A copy of the Board's resolution # has been attached for your records. Please note that this decision is based on the following reasons: (***the proposed development/alteration to a watercourse or shoreline adversely affects the control of flooding, erosion, dynamic beaches or pollution or interference with a wetland or conservation of land***).

[Provide specific and clear reasons for refusal or attaching conditions relevant to the application in accordance with ss. 28.1 (7) of the Act]

In accordance with Section 28.1 of the Conservation Authorities Act, an applicant who has been refused a permit or a permit holder or who objects to conditions imposed on a permit by the Authority may submit a request for a Minister's Review of this decision to the Minister of Natural Resources, or may appeal this decision to the Ontario Land Tribunal. These options are further described below:

1. Within fifteen (15) days of receiving the reasons for the Authority's decision, submit a request to the Minister to review the Authority's decision. If a request for a Minister's review is submitted, the Minister will indicate in writing whether or not they intend to conduct a review of the Authority's decision. This notice will be provided within 30 days of receiving the request. If the Minister does not reply within 30 days, this is deemed to be an indication that the Minister does not intend to review the Authority's decision.

The Minister may, in accordance with section 28.1 (15) of the Act, confirm or vary the Authority's decision, or make any decision the Minister considers appropriate, including issuing a permit subject to conditions. Per subsection 28.1(19) of the Conservation Authorities Act, a decision made by the Minister is final; or,

2. Appeal to the OLT within 90 days of receiving the reasons for the Authority's decision, provided that:
 - a. the applicant/permit holder has not submitted a request for Minister's review; or,

- b. the applicant/permit holder has submitted a request for Minister's review, and;
- i. the Minister refused to conduct a review further to a request made under ss. 28.1 (8) of the Act; or,
 - ii. 30 days have lapsed since the applicant/permit holder submitted a request for Minister's review and the Minister has not replied; or,
 - iii. If, further to a request for review made under ss. 28.1 (8) of the Act, the Minister indicates their intent to review a decision and the Minister fails to make a decision within 90 days of giving the reply, the applicant/permit holder may, within the next 30 days, appeal the Authority's decision directly to the OLT.

For your information, should you wish to exercise your right for a Minister's review or appeal to the OLT, your requests can be forwarded to:

For Minister's Review:

Hon. Graydon Smith
Whitney Block
99 Wellesley Street West
Toronto ON M7A 1W3
 Phone: 416-314-2301
 Email: minister.mnrf@ontario.ca

For Appeal to Ontario Land Tribunal:

Ontario Land Tribunal
 655 Bay Street, Suite 1500
 Toronto ON M5G 1E5
 Phone: 416-212-6349 or 866-448-2248
 Email: OLT.General.Inquiry@ontario.ca
[Information on Filing an Appeal Link](#)

A copy of this request should also be sent to this Conservation Authority. Should you require any further information, please do not hesitate to contact [**staff contact**] or the undersigned.

Yours truly,

President & Chief Executive Officer/Secretary-Treasurer

APPENDIX D-2

NOTICE OF DECISION (ATTACHING CONDITIONS, MINISTER'S ZONING ORDER PERMIT)

(Date)

BY REGISTERED MAIL

(name)

(address)

Dear:

RE: *NOTICE OF DECISION*
Hearing Pursuant to Section 28.1.2, Subsection 7 of the Conservation Authorities Act
Proposed Residential Development
Lot , Plan ; [Address] [City/Town]
[Application #]

In accordance with the requirements of the Conservation Authorities Act, Halton Region *Conservation Authority* provides the following Notice of Decision:

On [*meeting date and number*], the Hearing Board approved permit number #### [with conditions / without conditions]. A copy of the Hearing Board resolution has been attached for your records. Please note that this decision is based on the following reasons:

[Provide specific and clear reasons for attaching conditions relevant to the application in accordance with ss. 28.1.2 (8) of the Act]

In accordance with the Conservation Authorities Act, a permit holder who objects to conditions imposed on a permit by the Authority may submit a request for a Minister's Review of this decision to the Minister of Natural Resources, or may appeal this decision to the Ontario Land Tribunal. These options are further described below:

1. Within fifteen (15) days of receiving the reasons for the Authority's decision, submit a request to the Minister to review the conditions. If a request for a Minister's review is submitted, the Minister will indicate in writing whether or not they intend to conduct a review of the conditions. This notice will be provided within 30 days of receiving the request. If the Minister does not reply within 30 days, this is deemed to be an indication that the Minister does not intend to review the Authority's decision.

The Minister may, in accordance with section 28.1.2 (11) of the Act, confirm or vary the conditions attached by the Authority to a permit, including removing conditions or requiring that such additional conditions be attached to the permit as the Minister considers appropriate. Per subsection 28.1.2 (13) of the *Conservation Authorities Act*, a decision made by the Minister is final; or,

2. Appeal to the OLT within 90 days of receiving the reasons for the Authority's decision, provided that:
 - a) the permit holder has not submitted a request for Minister's review; or,
 - b) the permit holder has submitted a request for Minister's review, and;
 - i. the Minister refused to conduct a review further to a request made under ss. 28.1.2 (9) of the Act; or,
 - ii. 30 days have lapsed since the permit holder submitted a request for

- iii. Minister's review and the Minister has not replied; or,
If, further to a request for review made under ss. 28.1.2 (9) of the Act, the Minister indicates their intent to review a decision and the Minister fails to make a decision within 90 days of giving the reply, the permit holder may, within the next 30 days, appeal the conditions attached by the Authority directly to the OLT.

For your information, should you wish to exercise your right for a Minister's review, or appeal to the OLT, your requests can be forwarded to:

For Minister's Review:

Hon. Graydon Smith
Whitney Block
99 Wellesley Street West
Toronto ON M7A 1W3
Phone: 416-314-2301
Email: minister.mnrf@ontario.ca

For Appeal to Ontario Land Tribunal:

Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Phone: 416-212-6349 or 866-448-2248
Email: OLT.General.Inquiry@ontario.ca
[Information on Filing an Appeal Link](#)

A copy of this request should also be sent to this Conservation Authority. Should you require any further information, please do not hesitate to contact [**staff contact**] or the undersigned.

Yours truly,

President & Chief Executive Officer/Secretary-Treasurer

Enclosure

APPENDIX D-3

NOTICE OF DECISION (STOP ORDER)

(Date)

BY REGISTERED MAIL*(name)**(address)*

Dear:

RE: *NOTICE OF DECISION*
Hearing Pursuant to Section 30.4, Subsection 6 of the Conservation Authorities Act
Stop Order
Lot , Plan ; [Address], [City/Town]
[Application # or Permit #]
[Stop Order #]

In accordance with the requirements of the Conservation Authorities Act, Halton Region *Conservation Authority* provides the following Notice of Decision:

On **[meeting date and number]**, the [Authority/Executive Committee] **[confirmed the Stop Order, amended the Stop Order, or removed the Stop Order, with or without conditions]**. A copy of the [Authority / Executive Committee] resolution has been attached for your records. Please note that this decision is based on the following reasons:

[Provide specific and clear reasons for confirming, amending, or removing the order, with or without conditions in accordance with ss. 30.4 (8)

In accordance with the Conservation Authorities Act, the person who requested the hearing may appeal to the Minister for a review within 30 days after receiving the reasons for the Authority's decision. The Minister (or other prescribed body) may confirm, amend or remove the Stop Order, with or without conditions.

For your information, should you wish to exercise your right for a Minister's review, your request can be forwarded to:

Hon. Graydon Smith
Whitney Block
99 Wellesley Street West
Toronto ON M7A 1W3
 Phone: 416-314-2301
 Email: minister.mnrf@ontario.ca

A copy of this request should also be sent to this Conservation Authority. Should you require any further information, please do not hesitate to contact [**staff contact**] or the undersigned.

Yours truly,

President & Chief Executive Officer/Secretary-Treasurer
 Enclosure

APPENDIX D-4

NOTICE OF DECISION (CANCELLATION OF PERMIT)

(Date)

BY REGISTERED MAIL*(name)**(address)*

Dear:

RE: *NOTICE OF DECISION*
Hearing Pursuant to Section 28.3 , Subsections (2), (3), and (4) of the
Conservation Authorities Act
Cancellation of Permit
Lot , Plan ; [Address], [City/Town]
[Permit Number]

In accordance with the requirements of the Conservation Authorities Act, Halton Region *Conservation Authority* provides the following Notice of Decision:

On **[meeting date and number]** the [Authority/Executive Committee] **[confirmed / rescinded / varied] the decision to cancel permit number ##**. A copy of the [Authority / Executive Committee] resolution has been attached for your records. Please note that this decision is based on the following reasons:

[Provide specific and clear reasons for confirming, rescinding or varying the decision to cancel the permit, in accordance with ss. 28.3 (5) of the Conservation Authorities Act]

In accordance with the Conservation Authorities Act, the permit holder may, within 90 days after receiving the reasons for the Authority's decision, appeal the decision to the Ontario Land Tribunal (OLT). The OLT has the authority to take evidence, to confirm, rescind or vary the decision to cancel the permit, with or without conditions.

For your information, should you wish to exercise your right to appeal, section 28.3, subsection 7 of the Act requires that the notice shall be sent to the OLT and to the Authority by registered mail.

Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Phone: 416-212-6349 or 866-448-2248
Email: OLT.General.Inquiry@ontario.ca
[Information on Filing an Appeal Link](#)

Should you require any further information, please do not hesitate to contact [**staff contact**] or the undersigned.

Yours truly,

President & Chief Executive Officer/Secretary-Treasurer
Enclosure

APPENDIX D-5

NOTICE OF DECISION (PERMIT EXTENSION)

(Date)

BY REGISTERED MAIL

(name)

(address)

Dear:

RE: *NOTICE OF DECISION*

**Hearing Pursuant to Section 11, Subsections 4, 5, and 6 of O. Reg. 41/24, pursuant to Section 40, Subsection 4 of the Conservation Authorities Act
Request for Permit Extension
Lot , Plan ; [Address], [City/Town]
[Permit Number]**

In accordance with the requirements of the Conservation Authorities Act, Halton Region *Conservation Authority* provides the following Notice of Decision:

On [meeting date and number], the [Authority/Executive Committee] **confirmed the refusal of the permit extension / granted the permit extension]. Permit number ## shall be valid until [Date], 20##.** A copy of the [Authority/Executive Committee] resolution has been attached for your records. Please note that this decision is based on the following reasons:

[Provide specific and clear reasons relating to the application for refusing or granting the extension, if applicable. In either case, it is best practice to relate the decision to the Conservation Authorities Act tests in ss. 28.1 (1), and ss. 11 (7) of O. Reg. 41/24]

For your information, the Authority's decision is final; there is no legislated appeal process under the *Conservation Authorities Act*.

Should you require any further information, please do not hesitate to contact [**staff contact**] or the undersigned.

Yours truly,

President & Chief Executive Officer/Secretary-Treasurer

Enclosure

REPORT TO: Conservation Halton Board

REPORT NO: # CHB 02 25 06

FROM: Kellie McCormack, Director, Planning & Regulations/Strategic Initiatives & Partnerships

DATE: February 20, 2025

SUBJECT: **Regional Infrastructure Team (RIT) Service Agreement with the Region of Halton**
CH File No.: AADM-386

Recommendation

THAT the Conservation Halton Board **approves the Board Chair and President & CEO to execute a Regional Infrastructure Team (RIT) Service Agreement with the Region of Halton.**

Report

In 2014, Conservation Halton (CH) and Halton Region (Region) developed an agreement to establish a Regional Infrastructure Team (RIT) dedicated to the review and processing of permit applications and studies related to Regional capital infrastructure projects (e.g., water, wastewater, and transportation infrastructure). The RIT members are CH employees, however the team's work plan and priorities are set in conjunction with the Region. The RIT is comprised of a Team Lead, Water Resources Engineer, and Planning Ecologist, as well as other staff on an as-needed basis (e.g., hydrogeologist, regulations officer). All costs associated with the RIT are paid quarterly by the Region and are funded by the Region's approved water, wastewater, and transportation budget. The RIT consistently exceeds CH targets for permit and technical review timelines, enabling the Region to deliver capital infrastructure projects in a timely manner.

In August 2017, the RIT agreement was renewed for a two (2) year term and then extended for another five (5) years in 2019. The latest agreement expired in August 2024, but both parties agreed to continue to fulfill the terms of the expired agreement until a new agreement is established. Although the previous agreements have been successful, opportunities existed to improve and update the agreement to better serve both parties and to reflect current legislative and regulatory roles and responsibilities.

A new service agreement was established to detail the agreed-upon terms of service that CH will provide to the Region related to infrastructure reviews throughout Halton and within CH's jurisdiction. The goal of the service agreement is to maintain an efficient, timely, and coordinated review process for capital infrastructure projects through a dedicated RIT. The new agreement lays out:

- Roles and responsibilities of CH and the Region;
- Service delivery tasks and standards (i.e., Key Performance Indicators (KPIs));

- Staff training requirements;
- Conflict resolution mechanisms;
- Billing/fees/reimbursement requirements;
- Insurance/Workplace Safety and Insurance Board coverage requirements; and
- Other general terms and conditions.

The new agreement will come into effect once it is executed by all parties and is for an initial term of five (5) years. The agreement establishes that the Commissioner, Public Works at Halton Region may negotiate any future extensions of the agreement, providing budget approval and continued effectiveness of the RIT. The annual cost estimate for a RIT of up to four (4) members is \$620,000 for 2025, including all salaries and associated administration costs. This cost estimate is subject to an annual adjustment.

On January 22, 2025, Halton Regional Council approved Report No. PW-02-25 that authorized the Commissioner, Public Works to negotiate and execute a new service agreement with CH. An agreement will continue to benefit both parties, along with local Halton municipalities, members of the development community, and the public as it enables not only a faster review and approval process but also faster delivery of critical infrastructure. CH staff recommends that the Board Chair and President & CEO be approved to execute the RIT Service Agreement with Halton Region.

Impact on Strategic Priorities

This report supports the Momentum priority of “Natural Hazards and Water”.

Financial Impact

The service agreement will result in the continued use of RIT employees. The staff salaries and associated administrative costs will be funded by the Region based on the terms of the service agreement.

Signed & respectfully submitted:



Kellie McCormack
Director, Planning & Regulations/Strategic Initiatives & Partnerships

Approved for circulation:



Chandra Sharma
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

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PREPARED BY:

Ben Davis, Regional Infrastructure Team Lead