



Conservation  
**Halton**

**CONSERVATION AUTHORITIES ACT  
HEARING GUIDELINES & PROCEDURES**

**THE HALTON REGION CONSERVATION AUTHORITY**

**Amended: 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

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## 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 <sup>1</sup>				
Hearing Scenario	Legislative or Regulatory Reference	Party	CA Board Hearing Intent	Opportunity to Appeal of Board Decision
<b>Refusal</b> 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
<b>Attaching Conditions</b> Section 28.1 Permit	CAA, ss. 28.1 (5)	Applicant	Intent to attach conditions	
<b>Attaching Conditions</b> Section 28.1.2 Permit	CAA, ss. 28.1.2 (7)	Applicant	Intent to attach conditions	
<b>Cancellation</b> 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
<b>Cancellation</b> Section 28.1.1 Permit	CAA, ss. 28.3 (2)	Permit Holder	Intent to cancel	
<b>Refuse Extension</b> Section 28.1 Permit	O. Reg. 41/24, ss. 11(4), (5), and (6)	Permit Holder	Intent to refuse extensions	No appeal
<b>Refuse Extension</b> Section 28.1.2 Permit	O. Reg. 41/24, ss. 11(4), (5), and (6)	Permit Holder	Intent to refuse extensions	
<b>Stop Order</b>	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.

<sup>1</sup> 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
<b>Considering Refusal or Attaching Conditions</b> (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)).
<b>Considering Attaching Conditions</b> (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)).
<b>Considering Cancellation</b> (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))
<b>Considering Extension</b> (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.

<sup>2</sup> 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.	
<b>Considering Stop Order</b> (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.

**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

**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

**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.<sup>3</sup>
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.

<sup>3</sup> 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](mailto: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](mailto: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

- Minister's review and the Minister has not replied; or,
- iii. 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](mailto: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](mailto: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](mailto: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