

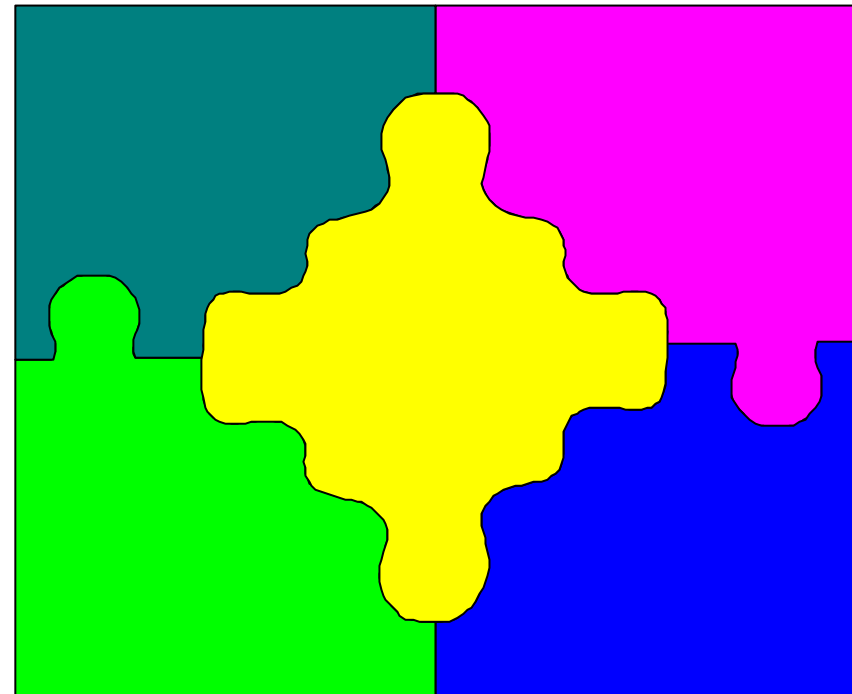
Conservation Authority Delegated Responsibilities Under One Window

MEMORANDUM OF UNDERSTANDING



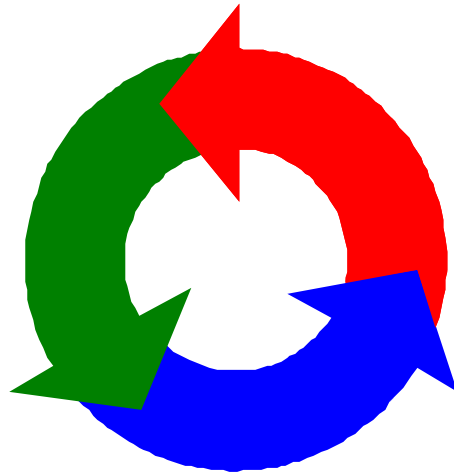
Purpose

- Define roles and relationships between CAs, MNR and MMAH
- Addresses CAs' delegated responsibilities and recognizes other CA roles
- Mesh with One Window/MPR



Signatories

- Conservation Ontario
- Ministry of Natural Resources
- Ministry of Municipal Affairs and Housing



Multiple CA Roles

- Delegated Responsibility for Natural Hazards
- Watershed based agency role
- Planning advisory service agreement
- Regulatory Role
- CA as the landowner/proponent

Delegated Responsibility for Natural Hazards

- Clarified by Minister of Natural Resources in April 1995 letter to CAs (attached to MOU)
- Natural Hazards (Section 3.1 of the PPS)
 - Flood plain management
 - Hazardous slopes
 - River processes (meander belt)
 - Great Lakes shorelines
 - Unstable slopes
 - Erosion

Watershed based agency role

- Broad mandate given to CAs under the Conservation Authorities Act
- Approved watershed plan can include many implementation activities
- CA plan input and plan review services are commonly a part of CA watershed plans
- The plan input and plan review activities of CAs often include natural heritage, natural hazard and servicing issues and address integration

Planning advisory service agreement

- Agreement between CAs and their municipalities
- Outlines planning and technical services to be provided by the CA in support of land use planning responsibility of the municipality
- Agreements can include arrangements for fees for service
- Some formal and some informal
- Can include advice on the PPS but not the Provincial position if beyond delegated Section 3.1 areas

Regulatory Role

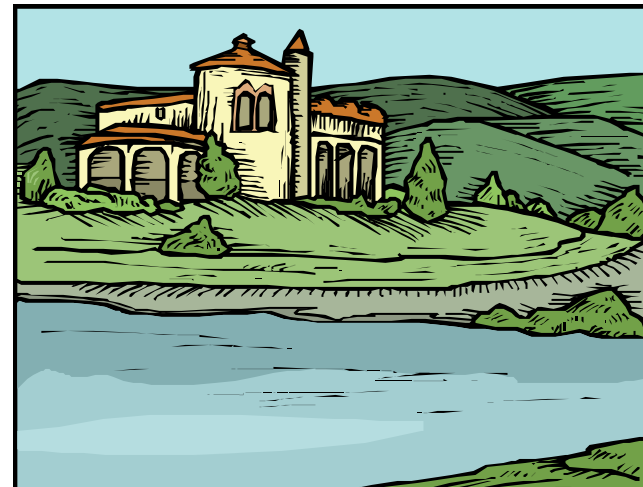
- CA Act Sec. 28 Regulations
- Fisheries Act
- Building Code
- Ensure applicant and municipality aware of requirements & assist in coordination with Planning Act

CA as the landowner/proponent

- CA can be involved in the planning process as a proponent or adjacent owner
- Important to identify potential conflicts
- May require use of alternative review mechanism

Focus on MOU - CA Roles

- Review policy documents and development proposals to ensure “regard to” Section 3.1 of PPS
- Upon request, provide comments directly to MMAH
- Inform MMAH where there may be an issue about “regard to” Section 3.1
- Initiate appeals to OMB, if appropriate



MOU - What does it mean for municipalities?

- CA watershed
 - Consult the CA to determine regard to natural hazards aspects of PPS
 - policy documents
 - development proposals
 - Use services of CA as arranged for other planning advice
 - Know which “hat” the CA is wearing in its comments
- Non CA watershed
 - One Window/MPR applies

MOU - What does it mean for CAs?

- Represent the “Provincial Interest” on Section 3.1 of the PPS where the Province not involved
- Carry on other functions as mandated or negotiated with municipalities
- Not the lead for other portions of the PPS unless specifically delegated or assigned
- Advise municipality what hat you are wearing

What does it mean for MNR?



- Develop flood, erosion and hazard land policy
- Where no CA, give technical support to MMAH on Section 3.1 of PPS
- Coordinate with MMAH on Special Policy Areas

MOU - What does it mean for MMAH?



- Consult CAs concerning “regard to” Section 3.1
- Continue One Window roles
 - coordination, review & approval of policy documents
 - appeals to OMB
 - resolve potential conflicts among affected ministries and the CA on PPS matters
- Coordinate with MNR on Special Policy Areas

Challenges

- CA will see many applications that are reviewed by MMAH
- CA needs to be clear about the context of the comments being put forward
- Often there is integration of issues (ie. natural heritage value and natural hazard function of a wetland) on a single application
- Preservation of “peer review” principle