



NPCA Client Service Standards for Plan and Permit Review

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NPCA Client Service Standards Plan and Permit Review

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Background

In April 2019, Conservation Ontario (CO) Council endorsed the CO Client Service and Streamlining Initiative. This initiative identifies actions to be taken by CAs, in order to help the Province achieve its objective of increasing housing supply while protecting public health and safety, and the environment. These actions include: a) Improve Client Service and Accountability, b) Increase Speed of Approvals, and c) Reduce Red Tape and Regulatory Burden.

In June 2019, (and amended at CO Council in December 2019 based on further input from the Association of Municipalities of Ontario) CO developed three documents to support the initiative:

1. CA-Municipality MOU Template for Planning and Development Reviews;
2. Guideline for Client Service Standards for Conservation Authority Plan and Permit Review; and
3. Guideline for CA Fee Administration Policies for Plan Review and Permitting.

It is important to note that a number of CAs already have comprehensive service delivery standards, MOUs, and fee structures and associated fee policies/guidelines in place. The 2019 CO documents supplement existing CA documents to support the Province's objective as noted above.

CO used existing CA resources to form a guideline that includes best practices for client service standards. The CO guideline includes several best practices to assist CAs and applicants through the CA approval process. Local CA client service procedures and policies should be consistent with this CO guideline.

NPCA has utilized the CO Client Service Standards for Conservation Authority Plan and Permit Review guidance document to create a localized standard within the watershed.

Conservation Authority Roles and Activities

The role of the NPCA in plan input and review (i.e. Planning), and in permit review (i.e. Permitting) is summarized below.

Planning – Plan Input and Review

The NPCA is involved in the review of planning applications under the *Planning Act* in five ways: as an agency with provincially delegated responsibility for the natural hazard policies of the Provincial Policy Statement (PPS); as a municipal technical advisor; as a public body under various regulations made under the *Planning Act*; as a watershed-based resource management agency and as landowners.

- The NPCA is delegated responsibility under the Provincial One Window Planning System for Natural Hazards. NPCA reviews municipal policy documents and development applications under the *Planning Act* and ensures they are consistent with the natural hazard policies of the PPS. This delegated provincial responsibility is also typically included in local CA- Municipal Memorandum of Understandings (MOUs) for municipal plan review. In this delegated role, Conservation Authorities represent the “Provincial Interest” in planning exercises with respect to natural hazards.
- The NPCA may also provide technical advice to municipalities for planning applications through service agreements or MOUs. In this capacity, NPCA staff may provide technical input on potential environmental impacts and how impacts can be avoided or minimized. Comments may apply to a range of matters according to the MOU including, but not limited to: natural hazards, natural heritage, water quality and quantity, stormwater management, and other Provincial Plans such as the Niagara Escarpment Plan, Greenbelt Plan, Growth Plan for the Greater Golden Horseshoe; *Great Lakes Protection Act*, and *Clean Water Act*, as well as local Official Plan policy and zoning by-law implementation.
- *Planning Act* Regulations require municipalities to give notice to the NPCA regarding changes to policy documents such as Official Plans and Zoning By-laws and planning applications, such as plans of subdivision.
- The NPCA provides additional comments related to local watershed management as a watershed-based resource management agency.
- The NPCA is also a landowner, and as such, may become involved in the planning and development process either as a proponent or in a third-party capacity as an adjacent landowner.

Generally, municipalities act as planning approval authorities and are responsible for the planning process. It is recognized that the NPCA may not have a role in all *Planning Act* applications, but for purposes of this guideline and the identification of best practices, it is assumed that there is a review role for the NPCA. A summary of the roles of the NPCA in plan review is included below in **Table 1**.

Table 1: NPCA Role in Plan Review

Role	Type of Role	Required, Through Agreement or Voluntary	Representing	Result
Regulatory Agency (S. 28 of the <i>Conservation Authorities Act</i>)	Decision Making	Required	Provincial Interests	CA responsible for decision
Delegated "Provincial Interest"	Review/ Commenting	Required	Provincial Interest	Comments must be considered by municipality
Public Bodies	Review/ Commenting	All	Authority Interests	Comments should be considered by municipality
Service Provider	Service	Through Agreement	Terms of Agreement (MOU)	Dependent upon terms of the agreement
Landowners	Review/ Commenting / Proponents	Voluntary	Authority Interests	Comments may be considered by the municipality

Permitting – Permit Review

The CA issues permissions (permits) under Section 28 (S. 28) of the *Conservation Authorities Act*. Section 28 allows the CA to regulate development and activities in or adjacent to river or stream valleys, shorelines of the Great Lakes-St. Lawrence River system and inland lakes, watercourses, hazardous lands (e.g. unstable soil, bedrock, and slopes), wetlands and other areas around wetlands. Development taking place on these lands may require permission from the CA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not negatively affected.

The CA also regulates the straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, and watercourse or for changing or interfering in any way with a wetland.

Upon proclamation of the new S. 28 under the *Conservation Authorities Act*, the NPCA would also consider whether the activity is 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.

As CAs are responsible for the review of S. 28 permit applications, they have greater control over the timeliness of approvals as compared to their role in plan input and review.

Guideline: Client Service Standards for Plan and Permit Review

This guideline, on client service standards for plan and permit review, is divided into the following **key matters** that support process streamlining, efficiency and transparency:

- **Online decision support tools**
- **Application management and review**
- **Level of service**
- **Performance evaluation and reporting.**

In addition to the above, **Appendix A** includes the “general complete application submission for S. 28 permit applications”, with important footnotes and **Appendix B** includes the NPCA client service delivery charter.

4. Online Decision Support Tools

The NPCA will ensure that decision support tools are available to the public on the NPCA website and at the NPCA main office. These tools and documents include:

- Online screening maps for regulated features
- CA-Municipal MOU or technical service agreements
- CA plan review and regulation approvals policies, procedures and guidelines
- CA technical checklist for planning applications
- CA complete application requirements for S. 28 permit applications
- CA fee policies and schedules for planning and permit applications
- CA Client Service Standards Commitment/Policy.

1.1 Online screening maps

Planning applications are typically examined by NPCA staff (including planners and water resources engineers). Applications may be reviewed by other technical staff such as hydrogeologists, geotechnical engineers, ecologists, regulations officers, etc. Critical advice with regards to projects/proposals is provided to applicants using the best available and most up to date science and information.

It is important to recognize that technical mapping will be periodically updated for various reasons, for example, site- specific studies or new and updated guidelines will influence the mapping. In the “Made-in-Ontario Environment Plan”, the Province has also identified the need to support environmental planning and to update natural hazard technical guidelines to reflect climate change.

Online screening maps allow clients to efficiently screen development projects, while also supporting transparency and public access to essential information. The following best practices will help manage online screening maps, with a priority placed on the NPCA regulated area screening map:

- The NPCA will ensure that a Board approved screening map for the NPCA regulated areas is available to watershed municipalities and the public.
- The screening map will allow for users to view the NPCA regulated areas as a separate data layer [map showing the overall NPCA S. 28 Regulation Limits].
- The NPCA regulated area maps shall be updated per the “Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations”, endorsed by Conservation Ontario Council April, 2018 (**Appendix E**).
- The NPCA regulated area maps will be reviewed and updated on an annual basis (at minimum) for housekeeping changes; and from time to time to maintain accuracy, for example when new provincial technical guidelines are available.
- The updated mapping shall be approved by the NPCA Board in a timely fashion, prior to making it available to the public.
- The NPCA shall ensure accurate reporting of mapping updates, public consultation (to provide information and receive comments), and notification to the Ministry of Natural Resources and Forestry (MNR) per the “Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations”, endorsed by Conservation Ontario Council April, 2018. The NPCA will notify the public of changes to mapped regulated areas.
- The NPCA regulated area screening map shall be searchable by municipal address and ARN if possible.
- The applicable criteria for the map showing areas regulated by the NPCA, (i.e. provincial technical guidelines), shall be made available on the NPCA website if the guideline is a public document. If the guideline is not made public, then the NPCA will provide general contact information such that the user can request further information from the organization or agency that issued the guideline.

- The NPCA will have an agreement that includes a clear disclaimer statement for users of the available map layers. The agreement should appear on top of the map layer such that the user must click “Accept” before being able to view the map layer. See the **Example Disclaimer Introduction box in Appendix C**, which as a best practice can be inserted at the beginning of the disclaimer statement for improved clarity. Note the following important matters regarding click-wrap and data sharing agreements:
 - There may be general clauses in the disclaimer that apply to all CAs, but the dataset-specific inclusions will vary from region to region depending on the source of the data, who owns the Intellectual Property (IP), and other variables. This variation will apply to each unique layer that the CA includes in their web mapping application.
 - Data layers such as natural feature mapping etc. are typically obtained from external sources; therefore diligence is required while displaying these. Links may be added to where additional data may be obtained beyond NPCA regulated area mapping such as Natural Heritage Information Centre (NHIC) etc. for wetland data, Areas of Natural and Scientific Interest (ANSI) etc.
 - NPCA has access to the Assessment Parcel layer as sub- licensees through the Ontario Parcel Alliance (OPA), which is administered by the Province of Ontario through Land Information Ontario (LIO). The OPA is an agreement between the Province, Municipal Property Assessment Corporation (MPAC) and Teranet and sets out specific requirements that need to be met before parcel data can be used on a web mapping application. (Note: a schedule needs to be completed and signed and the NPCA must display certain language in the application as a condition of use).
 - Orthophotography comes to the NPCA from a variety of sources – one of which is municipal partners. Each of these would come with their own specific agreement that would include various rights and obligations. Provincial acquisitions (like SWOOP, SCOOP, FRI and DRAPE), for example, stipulate that these images cannot be displayed on public facing web mapping applications under any circumstances within a two-year period following their capture. They then can be used with acknowledgment of the Crown copyright, etc.
 - A best practice for NPCA is to strive toward making NPCA owned data available for direct download through an open data licence and if possible, will be made available on the website and easily accessible by the public.

- At the discretion of the NPCA, other information layers may also be provided, for example: floodlines, wetlands, parcel boundaries, source protection areas, intake protection zones, wellhead protection areas, etc. The NPCA must ensure that relevant best practices are followed for all displayed layers.
- Mapping which informs plan review and technical services can be very complicated, and the services provided by each CA vary depending on their MOU with each municipality. The NPCA website and fee schedules will, if possible, include plain language descriptions of the types of services and mapping provided by the NPCA.

1.2 Other relevant documents

As a best practice, the NPCA will post relevant decision support tools and documents on the website. NPCA-Municipal/Regional/County MOUs or technical service agreements will be posted on the NPCA website to allow the public to understand how the NPCA works with local municipalities for plan review and technical services. In addition, the NPCA website will include other decision support tools such as: NPCA plan review policies/guidelines; CA Act regulation approvals policies/guidelines; NPCA technical checklist for planning applications; and NPCA complete application requirements and checklists for S. 28 permit applications. NPCA fee policies and schedules and the Client Service Standards Commitment/Policy will also be publicly available on the website.

2. Application Management and Review

2.1 Application Management

The following are best practices to ensure that applications are managed efficiently:

- The NPCA will implement an internal application tracking system to support efficiency and transparency. Applications are prioritized based on factors such as the order in which they are submitted, complexity, and whether the permit applications are complete or resubmissions required. Planning applications may be prioritized based on discussions with and in agreement with the associated municipality.
- The NPCA will identify a senior planning and permitting staff member as a one-point contact to be the 'client service facilitator' for issues management around plan review and/or permit applications. The senior NPCA staff person working in this capacity should participate in regular meetings with the development community in the watershed. For the NPCA this contact person will be the Director, Watershed Management or their designate.

- The NPCA will prioritize S. 28 permit applications for emergency works to respond to circumstances that pose a risk to life and/or property. The NPCA will note this (if required) in MOU's with the Region of Niagara, City of Hamilton and Haldimand County and any additional MOU's which may be required.

Each application differs on specifics of the project, location, and the nature, scale and scope of the proposed development. Applications also may have various supporting technical studies. The different types of applications that are received by the NPCA may include, for example:

- *Planning Act* Applications (Official Plan Amendments, Zoning By-law Amendments, Minor Variances, Plans of Subdivision and Condominium, Site Plan Control, etc.)
- Permissions under S. 28 of the *Conservation Authorities Act* (soil placement/re-grading, industrial development, construction of homes, relocations of watercourses, construction of accessory structures such as sheds, etc.).

Developments may undergo both planning and permitting review from the NPCA. Although there is a need to ensure that *Planning Act* applications are coordinated with S. 28 permit applications, these are **two distinct application processes**. *Planning Act* applications must meet requirements under the *Planning Act*, Provincial Policy Statement, Official Plans and any applicable provincial plan, whereas S. 28 applications need to meet the requirements of the *Conservation Authorities Act* and NPCA Regulation 155/06 (or as amended).

The emphasis should be on **land use planning first**, which must consider the same land use constraints that the NPCA regulates through the S.28 regulations. **Involvement of the NPCA in the planning process supports good land use planning, which in turn helps to avoid situations where an application is approved under the *Planning Act* that may not be approved under S.28 of the *Conservation Authorities Act*.**

2.2 Application Categories

2.2.1 Plan Input and Review Activities under the Planning Act

Municipalities circulate the following types of planning documents and applications made under the *Planning Act* to the NPCA:

- Official Plans and Plan amendments
- Zoning By-laws and amendments, Holding By-laws, Temporary Use By-laws and Interim Control By-laws
- Plans of Subdivision or Condominium
- Site Plan Control
- Consents/Land Division
- Minor variances

2.2.1a Plan Input

Under the CO/MNRF/MMAH MOU on CA Delegated Responsibilities, NPCA has responsibility for representing the “Provincial Interest” for natural hazard policies (Section 3.1) of the Provincial Policy Statement, 2020 (PPS) under the *Planning Act*. The MOU with the Province commits all CAs to review policy documents and development proposals processed under the *Planning Act*. NPCA also has a commenting role in approval of new or amended ‘Special Policy Areas’ for flood plains under S. 3.1.3 of the PPS, where such designations are feasible.

Many CAs enter into technical service agreements or MOUs with municipalities for plan input advisory services. As a best practice, a CA-Municipal MOU would mutually establish service standards which should include the timelines for circulation and review of planning documents. NPCA MOU’s can be reviewed at <https://npca.ca/administration/permits>.

2.2.1b Plan Review

Some applications require significant NPCA staff involvement for review. These may include highly complex projects requiring technical review and comprehensive analysis, or smaller, site specific applications with complex technical reviews. Some applications involve large developments with significant natural hazards, environmental impacts, or multiple approvals. Generally, these include Plans of Subdivision and Condominium, and complex Site Plan Control applications often coupled with Official Plan or Zoning By-law amendments.

Some projects have less of an environmental impact than major projects. They could require scoped technical studies. These projects typically have a lower level of hazard risk. Based on the proximity of the project to regulated areas, these planning applications are reviewed by NPCA staff and generally require standard recommendations to the municipality.

The NPCA determines the fees for each planning application in accordance with approved fee schedules. The fee schedules are based on the complexity of the application and technical review required, which influences the staff time and resources needed for the review. To review NPCA's current planning & regulation fee schedule, please visit <https://npca.ca/administration/permits>.

Certain activities proposed under planning applications may also trigger the need for a CA Act S. 28 permit (see below).

2.2.2 Permit Application Streams

As per the CO guideline, NPCA defines permit applications as “major”, “minor” or “routine”, to support the streamlining of the application review process. This is aligned with or exceeds the standards of the [“Policies and Procedures for Conservation Authority Plan Review and Permitting Activities”](#), published by the Ministry of Natural Resources and Forestry in 2010.

It is recognized that many CAs divide permit applications into more streams than the three described in this guideline, for example: minor, standard/routine, complex, compliance (where works have been undertaken or are in process of being undertaken without prior approval from the CA), restoration (where works have been undertaken that do not comply with the CA S. 28 policies and procedures, and restoration/remediation measures are required), etc.

It is also recognized that some CAs divide permit applications into different streams for the purpose of determining appropriate fees, or separately for the purpose of determining the permit decision timeline.

In the CA service standards, the CA will clearly define and distinguish streams that are for determining fees and streams that are for determining permit decision timelines. The NPCA, as a best practice, will provide a break-down of fees within each category of application to clarify fees or timelines for application submissions. For the purpose of determining permit decision timelines, the applications will be categorized into the three main streams of: **major, minor and routine permit applications**. This supports an easier understanding by the public and streamlining of the process.

- **Major applications** for S. 28 permits require significant staff involvement. These applications involve highly complex projects, for example, large subdivisions requiring technical review supported by comprehensive analysis, or smaller scale site specific applications that require complex technical reviews. The proposals may involve developments with significant natural hazards, environmental impacts, or multiple approval processes requirements. Generally, these would include Plans of Subdivision and Condominium, large Site Plan Control applications, and major infrastructure development. Major applications could also include those where works have been undertaken, or are in process of being undertaken, without prior approval from the NPCA; and those where works have been undertaken that do not comply with the CA S. 28 policies and restoration/remediation measures are required.

- Permit applications for development projects may be considered **minor** in nature due to the project size, level of risk, location, and/or other factors. These applications have minor impacts on the control of flooding, erosion, dynamic beaches, pollution or the conservation of land. Based on the proximity of the project to the hazard, the minor permit applications are reviewed by NPCA staff and generally require standard recommendations or conditions. Minor permit applications could be those involving, for example, minor fill; minor development; and minor site alteration where there is a high degree of certainty that issues associated with natural hazards are minimal.
- **Routine** permit applications are activities that are documented through another approval process or are determined to have limited impacts on the control of flooding, erosion, dynamic beaches, pollution or the conservation of land. Routine permit applications may be those involving, Standard Compliance Requirements under the Drainage Act and Conservation Authorities Act Protocol and non-habitable buildings and structures that are less than 10 m² in size.

A list of the Major, minor and routine permits are included in the permit application package located on the NPCA website at <https://npca.ca/administration/permits>. (**Appendix D**)

It is recommended that as part of the annual reporting to the NPCA Board of Directors on timelines, NPCA may further refine the descriptions of the permit categories based on the hazards found within the watershed and common development applications received.

Upon proclamation of the new S. 28 under the *Conservation Authorities Act*, the CA would also consider whether the activity is 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.

2.3 Pre-consultation

2.3.1 Integrated Pre-consultation for Planning Applications

Generally, municipalities act as planning approval authorities and are responsible for the planning process, including pre-consultation under the *Planning Act*. As NPCA has a provincially delegated responsibility related to S. 3.1 of the PPS, it is important that NPCA is circulated applications well in advance of review deadlines to ensure that natural hazard matters are addressed.

Therefore, **integrated pre-consultation with the Planning Approval Authority is a best practice, best achieved through the CA-Municipal MOU by including provisions to involve the CA in pre-consultation** and associated meetings on *Planning Act* applications. This supports clarity and certainty on the extent of the NPCA review and responsibilities under the *Planning Act*, and also under S. 28 of the *Conservation Authorities Act*. For complex projects, it is recommended that other relevant approval agencies, such as the Ministry of

Transportation, participate in the integrated pre-consultation with the planning approval authority (see example of collaborative and efficient planning in text box below). For less complex planning applications, pre-consultation could be conducted through phone calls, emails, and a review of online screening maps.

As a best practice, the NPCA will, if possible, ensure that the comments provided as part of the pre-consultation are included in the municipal record. For complex projects, the initial pre-consultation meeting should include a discussion of major milestones with projected timelines, as well as a commitment to ongoing discussion throughout the process. As a best practice, the NPCA will document any follow-up technical meetings with the applicant and provide them with a copy to ensure clarity (including information related to projected timelines, process, checklists etc.). This will help to streamline the process for both the applicant and the NPCA.

The NPCA will work with municipalities and other agencies to ensure the pre-consultation processes are effective in specifying the application requirements, encouraging quality submissions, and meeting circulation timelines. Other best practices that support streamlined planning processes include allowing the NPCA to pre-screen natural hazard technical studies from an application prior to a municipality deeming it complete, including NPCA technical checklists as part of complete application requirements found within a municipality's Official Plan, establishment of clear submission guidelines, etc. For very complex projects, the NPCA may consider the use of a design charrettes involving all parties, which is an expanded and more intense version of a pre-consultation. Design charrettes can be quite successful when appropriate ground rules are established and sufficient information about the application and the site is available prior to the meeting.

It is recognized that substantial changes to a proposal or new information from a site visit after pre-consultation may warrant further pre-consultation and/or changes to the NPCA technical checklist for studies.

2.3.2 Pre-consultation for Permit Applications

Pre-consultation provides an opportunity for the NPCA and applicant to discuss the proposal; for the NPCA to determine whether the application is major, minor or routine; and to notify the applicant of complete application requirements for our review of the application. However, as mentioned earlier, as CAs are responsible for the review of S. 28 permit applications, there is greater control over the timeliness of approvals.

Applicants are strongly encouraged to engage in pre-consultation with the NPCA prior to submitting an application. **It is the applicant's responsibility to ensure an appropriate level of pre-consultation has occurred to avoid unnecessary delays in the review of their application.** Standard application review periods assume that pre-consultation has been conducted and that the application meets the requirements as outlined in the CA S.28 permit review guidelines.

The NPCA should ensure that staff resources are provided to offer timely pre-consultation opportunities. A best practice for NPCA is to ensure that the landowner or authorized agent is included in pre-consultation meetings or at a minimum receives correspondence regarding their application. This ensures clear communication with the agent/consultant, landowner and NPCA. At the pre-consultation meeting, the staff shall review the technical checklist with the applicant to identify the studies/technical information which may be required for the proposal.

The NPCA is responsible for the review of S. 28 permit applications, including arranging pre-consultation meetings, site visits, permit decision timelines, etc. As per the "[Policies and Procedures for Conservation Authority Plan Review and Permitting Activities](#)", published by the Ministry of Natural Resources and Forestry in 2010 the NPCA will determine whether the permit application is major or minor and outline any additional or outstanding information requirements **within 21 days of the pre-consultation meeting**, as indicated in **Table 2**. It is recognized that substantial changes to a proposal or new information from a site visit after pre-consultation may warrant further pre-consultation and/or changes to the NPCA complete application requirements.

Often because of the level of pre-consultation undertaken prior to submission of an application, the NPCA moves seamlessly towards processing the application and issuing the permit. NPCA may choose to only notify applicants where the application is determined to be major (for the purpose of permit decision timelines), or the application is incomplete within 21 days. There is no need to notify an applicant that the application is complete if the permission can be issued prior to end of the 21 day period.

The NPCA will document and track comments provided during the pre-consultation and thereafter. Details will be provided to the applicant to ensure everything is clear from the onset (expectations, process, checklists etc.) to streamline the process for both the applicant and the NPCA.

2.4 Application Submission Quality

Applicant requirements will be scoped based on the complexity of the project. For applications requiring technical studies, applicants are strongly encouraged to ensure that these studies are properly scoped through pre-consultation before planning and permit applications are submitted. Specific guidance in this regard will need to be sought from NPCA staff. Properly developed technical studies will support timely review by the NPCA. Guidelines for review timelines cannot be adhered to when submissions are incomplete, and information is received in an uncoordinated fashion.

Technical submissions by the applicant must meet good practice and industry standards to minimize resubmissions and avoid unnecessary delay. As a best practice NPCA should consider requiring the applicant, as part of the covering letter, to have a professional confirm that an application is complete (where warranted). Ultimately, quality control is the responsibility of the applicant, to ensure studies are consistent and properly referenced.

2.4.1 Planning Application Submissions

The commitment to review timelines assumes that application submissions are complete. Some Official Plans stipulate the complete application requirements. Planning applications will be deemed complete by the municipality, not by the NPCA, however consultation with NPCA staff before deeming an application complete is a best practice when the NPCA will be reviewing technical studies and/or plans in support of an application submission.

As a best practice, the NPCA will work with the municipality to get NPCA technical checklists included as part of complete application requirements in municipal Official Plans. Therefore, municipalities would inform the applicant about the NPCA technical checklists as part of municipal complete application requirements.

The NPCA should request the municipality to require the applicant to include a sign off sheet with the technical work to confirm that the work meets good practice and acceptable, current industry standards for technical studies and was completed by persons with relevant qualifications and experience. This best practice may help ensure adequate quality of technical studies, which supports NPCA review.

During the review of the application, NPCA staff may request additional information if it has been determined that the application does not contain sufficient and/or good quality technical analysis. Note that reviews may be done by “peer reviewers” as well as NPCA staff. Delays in timelines for decision making may occur due to requests for additional information to address errors or gaps in information submitted for review.

2.4.2 Permit Application Submissions

Upon receipt of an application, NPCA staff will review the application requirements for the specific project. **Within 21 business days of receipt** of a permit application, the NPCA will either issue the permit or for more complex projects, notify the applicant in writing whether the application has been deemed complete or not, as indicated in **Table 2**. In order to make the determination of a complete application the NPCA checks if the application meets submission requirements. The complete application determination does not mean that the application meets all of the tests of the S. 28 regulation. A general list of recommended requirements for a complete application for S. 28 permits is provided in **Appendix A**.

The NPCA will require the applicant to confirm all technical work adheres to current industry standards for technical studies. This confirmation must be completed by persons with relevant qualifications and experience (i.e. a certificate of completion by a Professional Engineer). This will help ensure adequate quality of technical studies, which supports NPCA review.

If the applicant disagrees with the complete application decision the applicant may first contact the senior NPCA staff serving as a ‘client service facilitator’ for applications issue management. If not satisfied, the applicant may request an administrative review by the NPCA Chief Administrative Officer and then if not satisfied, the NPCA Board. The review will be limited to a complete application review only and will not include review of the technical merits

of the application. During this review, this list of required information will be assessed, and a determination will be made.

During the review of the application, NPCA staff may request additional information if it has been deemed that the application does not contain sufficient technical analysis. Delays in timelines for decision making may occur due to requests for additional information to address errors or gaps in information submitted for review. A S. 28 permit application may be put in abeyance or returned to the applicant, pending the receipt of further information leading to a re-submission. If necessary, this could be confirmed between both parties in correspondence or in an email or as a signed “Agreement to Defer Decision”, to clarify mutually agreeable tasks and timelines, and avoid premature refusals of permits due to inadequate information.

2.5 Re-submission

Amendments to previous submissions or additional information such as technical analysis required as a result of the review process or site inspection may affect the application review timelines and/or categorization of the permit application. Re-submissions are different between plan review and permitting. As NPCA manages the S. 28 permitting process, there are best practices that NPCA can use to ensure better quality submissions that help streamline the process.

Some best practices are summarized below.

- When a planning or permit application is determined to be incomplete, the NPCA will provide a document containing a detailed list of information needed. The applicant must describe how each item is addressed in a covering letter upon re-submission, to indicate that all deficiencies have been addressed and itemized. This will help expedite the subsequent review process.
- Meeting with NPCA staff to review substantial changes to an application is a positive step and can decrease review times.
- If a re-submission also modifies other areas of a report or plans that affect an area of interest to the NPCA, it is a best practice for an applicant or consultant to identify these new changes as well.
- The NPCA will adopt a ‘start and stop’ best practice, whereby the decision timeline for a **permit application** is stopped – until a re-submission is made.

Re-submissions affect the Level of Service timelines for permit decisions. Re-submissions that are the result of insufficient studies/submissions may be subject to additional fees, which shall be clearly laid out in the NPCA Board approved fee schedule.

Re-submissions can be minimized through: pre-consultation and meeting the NPCA complete submission requirements – for S. 28 permit applications; and meeting the municipal complete application requirements as well as the NPCA technical checklist for planning applications. This message should be reiterated to applicants at the pre-consultation stage.

3. Level of Service

NPCA is committed to meeting timelines for development applications, and meeting service standards. The key steps that form the cornerstone of an efficient and effective review process are provided in **Table 2** below.

Table 2: Steps to an Efficient and Effective Conservation Authority Review Process

	Planning Act Application	S. 28 Permit Application
Pre-consultation	Integrated pre-consultation with the Planning Approval Authority	Pre-consultation with the applicant
Application circulation/submission	<p>Consultation with NPCA staff prior to municipality deeming applications complete. Complete circulation of the planning application, including the necessary technical reports and plans by the municipality to the NPCA well in advance of the review deadline set by the municipality.</p> <p>Consultation with NPCA staff before deeming an application complete is a best practice when the NPCA will be reviewing technical studies and/or plans in support of an application submission.</p>	Complete submission of the S. 28 application, including the necessary technical reports.
Quality of submission	Good-quality applications including submission of all components, such as technical studies, requested during pre-consultation.	

An overarching best practice is preparing a schedule and taking a project management approach where all parties commit to meeting the schedule.

3.1 Planning Applications Timelines

Decision making timelines for municipal planning are set out in the *Planning Act*. It is important to note that each municipality has its own planning process; therefore, the standardization of NPCA comment timelines for planning applications may not be consistent across the watershed or even the province.

As a best practice, the CA-Municipal MOU would mutually establish service standards which would include the timelines for circulation and review of planning applications. Refer to the CO template for CA-Municipal MOU. There may be some modification to these review timelines for individual applications with discussion and agreement amongst the applicant, municipal and NPCA staff during the pre-consultation stage and provided that the requirements of the *Planning Act* are met.

To achieve a streamlined approval process, the NPCA relies heavily on each municipality to include the CA in pre-consultation meetings, consult with the CA prior to deeming applications complete; and to circulate the planning application, technical reports and plans well in advance of the NPCA review deadline set by the municipality. This, along with the NPCA participation during pre-consultation and the applicant meeting the NPCA technical checklist with good quality studies, is vital to the NPCA meeting level of service timelines for planning applications.

Other best practices for the NPCA include ensuring that front line staff are trained to understand the tight planning turnaround times and the importance of good information and data management.

3.2 Permit Applications Timelines

Service standards for Section 28 permit applications are specified by the Ministry of Natural Resources and Forestry (MNR) in the "[Policies and Procedures for Conservation Authority Plan Review and Permitting Activities \(2010\)](#)". As part of the commitment to improve client service and accountability and increase speed of approvals, Conservation Ontario has created the **Client Service Standards for Conservation Authority Plan and Permit Review Guideline**. This CO guideline recommends new service standards for S.28 approvals that NPCA is supportive of.

As a best practice, the NPCA will make every effort to be consistent with the timelines shown in **Table 3**. It is important to note that the NPCA has the ability to identify a target timeline for completion that is reduced from these timelines.

**Table 3: Level of Service for CA Review of S. 28
Permit Applications**

Note: The timelines contained within this table have been developed as best-practices for the NPCA. The timeline guideline is recommended as a client service target for CAs and represents a significant improvement to the timelines provided in the MNR 2010 Guideline entitled “[Policies and Procedures for Conservation Authority Plan Review and Permitting Activities](#)”. The timeline guidelines for major permits change from a total of 132 to 63 calendar days and for minor permits change from a total of 72 to 42 calendar days. **All timelines presented exclude statutory holidays and the time required for the applicant to respond to NPCA comments on an application.**

Application Process Step	Timeline
<p>Notification of complete application requirements for the purpose of review of the permit application by the NPCA, start of documentation, and discussion of timelines and fees – Pre-consultation</p>	<ul style="list-style-type: none"> • Major permit applications: Within 14 days of the pre- consultation meeting. • Minor permit applications: Within 7 days of the pre- consultation meeting. <p>This will include confirmation of whether the application is considered major or minor, if the applicant has provided adequate information (including the scope and scale of the work) for the NPCA to make that determination. NPCA will only notify applicants where the application is determined to be major. This eliminates unnecessary paperwork for minor applications. Substantial changes to a proposal or a site visit after pre-consultation may impact this timeline.</p>
<p>Notification whether the permit application is considered complete (i.e. it has met submission requirements) for the purpose of NPCA review</p>	<ul style="list-style-type: none"> • Major permit applications: Within 21 days of the application being received. • Minor permit applications: within 14 days of the application being received. NPCA will only notify applicants where the application is determined to be major. This eliminates unnecessary paperwork for minor applications. • Routine permit applications: within 10 days of the applications being received. NPCA will only notify applicants where the application is determined to be major. This eliminates unnecessary paperwork for minor applications. • NPCA may issue a permit prior to the end of the 21 day period. In that case, no notification of complete application would be received. • Note that if the application is incomplete, the decision timeline does not begin.

<p>Decision (recommendation to approve or refer to a hearing) or Comments to Applicant – Major application</p>	<ul style="list-style-type: none"> • Within 28 days after a complete application is received. • Within 30 additional days upon each re-submission made to address CA comments.
<p>Decision (recommendation to approve or refer to a hearing) or Comments to Applicant – Minor application</p>	<ul style="list-style-type: none"> • Within 21 days after a complete application is received. • 15 additional days upon each re-submission made to address CA comments.
<p>Decision (recommendation to approve or refer to a hearing) or Comments to Applicant – Routine application</p>	<ul style="list-style-type: none"> • Within 14 days after a complete application is received. • 7 additional days upon each re-submission made to address CA comments.

If the NPCA has not made a decision with regard to an application made under S.28 within the appropriate timeframes noted above, the applicant may first contact the ‘client service facilitator’ for applications issue management first. If the applicant is not satisfied with the response from the client service facilitator, the applicant can submit a request for administrative review by the Chief Administrative Officer, and then if not satisfied, the NPCA Board. The review will be limited to a complete application review and timeframe review only and will not include review of the technical merits of the application. It should be noted that the review timelines may be affected by unexpected circumstances. Clear communication is essential in these situations to establish expectations and new timelines if warranted.

3.3 Summary of Best Practices

Table 4 summarizes the best practices provided within this guideline to support the streamlining of NPCA review of planning and permit applications. It is divided into those best practices that support the NPCA review of planning applications or permitting applications or both. It is important to refer to the sections identified for the full context and applicability of the practice.

Table 4: Summary of Best Practices

No.	Summary of Best Practices	Section
CA Review of <i>Planning Act</i> Applications		
1.	The CA-Municipal MOU would include provisions to involve the NPCA in pre-consultation	2.3.1 Pre-consultation for Planning
2.	The NPCA should work with the municipality to get CA technical checklists included as part of complete application requirements in municipal Official Plans	2.4.1 Planning Application Submissions
3.	The NPCA should request the municipality to: include a signoff sheet with the technical work to confirm that the work meets good practice and acceptable, current industry standards for technical studies and was completed by persons with relevant qualifications and experience.	2.4.1 Planning Application Submissions
4.	The CA-Municipal MOU would mutually establish service standards which would include the timelines for plan review applications	3.1 Planning Application Timelines
CA Review of applications made under S. 28 of the <i>Conservation Authorities Act</i>		
1.	A map showing areas regulated by the NPCA will be displayed as a separate data layer in the online screening map	4.2 Online Screening Maps
2.	<p>The NPCA will ensure that an approved and updated screening map showing areas regulated by the NPCA is available to watershed municipalities and the public.</p> <p>The updates will be done per the “Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations”, endorsed by Conservation Ontario (April, 2018).</p>	4.2 Online Screening Maps

No.	Summary of Best Practices	Section
3.	The screening map will be searchable by municipal address if possible.	4.2 Online Screening
4.	The NPCA will make the mapping rationale available.	4.2 Online Screening
5.	The NPCA will have an agreement that includes a clear disclaimer statement.	4.2 Online Screening
6.	NPCA website and fee schedules shall include plain language descriptions of the types of services and mapping provided by the NPCA.	4.2 Online Screening Maps
7.	The NPCA will define permit applications as “major”, “minor” or “routine”	2.2.2 Permit Application Streams
8.	The NPCA should try to ensure that the landowner or authorized agent is included in pre-consultation meetings or as a minimum receive correspondence regarding their application	2.3.2 Pre-consultation for Permit Applications
9.	The NPCA will require the applicant to: confirm all technical work adheres to current industry standards for technical studies. This confirmation must be completed by persons with relevant qualifications and experience (i.e. a certificate of completion by a Professional Engineer). This will help ensure adequate quality of technical studies, which supports NPCA review.	2.4.2 Permit Application Complete Submissions
10.	The NPCA will make every effort to be consistent with the suggested process and timelines provided in the Ministry of Natural Resources and Forestry (MNRF) publication “Policies and Procedures for Conservation Authority Plan Review and Permitting Activities (2010)” and this CO guideline.	3.2 Permit Application Timelines
11.	The NPCA should review the technical checklist for studies to applicants at the pre-consultation meeting	2.5 Re-submission

No.	Summary of Best Practices	Section
CA Review of <i>Planning Act</i> and S. 28 Applications		
1.	The NPCA will manage applications efficiently by: <ul style="list-style-type: none"> • Implementing an internal application tracking system. • Identifying a senior NPCA staff contact to be the ‘client service facilitator’ for plan review and/or permit applications issue management. • The NPCA will strive to prioritize applications for emergency works to respond to circumstances that pose a risk to life and/or property. The NPCA will note this in the local CA- Municipal MOU. 	2.1 Application Management
2.	The NPCA will post all online decision support tools online.	4. Online Decision Support Tools (and 1.1,1.2)
3.	The NPCA will identify a senior CA staff serving as a ‘client service facilitator’ for planning and permit applications issue management	2.1, 2.4.2, 3.2, Appendix B

4. Annual Reporting to the NPCA Board of Directors

Beginning in 2020, high growth CAs (such as NPCA) should report at least annually to their Board of Directors on the timeliness of their approvals under Section 28 of the *Conservation Authorities Act*. ***NPCA is committed to reporting this information to the Board of Directors at minimum annually.*** NPCA has implemented processes to report on the timeliness of our reviews and will constantly review and enhance this information. Once the Board has received the information, the annual report will be placed on the NPCA’s website, as part of the client-centric checklist material. **Table 5** summarizes how the report may be presented to ensure comparability between CAs. CA staff may choose to include in their report common reasons for variance from the timeline guidelines. This could assist with the development of future guidance material to address these areas of variance.

Table 5: Annual Reporting on Timelines for Permissions under Section 28 of the Conservation Authorities Act

Conservation Authority	Number of Permits Issued Within Policy and Procedure timeline(i)		Number of Permits Issued Outside of Policy and Procedure Timeline			Reason for Variance from Policy and Procedure (Optional)			
	Major	Minor	Major	Minor		Major	Minor		
Conservation Authority	Number of Permits Issued Within CO Guideline timeline			Number of Permits Issued Outside of CO Guideline timeline			Reasons for Variance from Guidelines (Optional)		
	Major	Minor	Routine	Major	Minor	Routine	Major	Minor	Routine

4.1 Annual Reporting to Conservation Ontario Council

As per the CO Council endorsed Client Service and Streamlining Initiative Workplan, for 2020 two interim reports for high growth CAs (such as the NPCA), will be brought to CO Council for information purposes. These reports will be sent to Conservation Ontario staff in May and November. These interim reports from CAs to CO will assist with identifying any issues with the reporting template early on in the process. The final report on annual timeliness will be received by Conservation Ontario Council in April, 2021. For annual reporting from high growth CAs for 2021 and beyond, CAs will be requested to provide annual reporting in February for consideration by Conservation Ontario Council at their AGM.

4.2 Reporting on Level of Service for Applications Made Under the *Planning Act*

CAs are deeply embedded and integrated within the planning system and must work closely with their municipal partners to ensure that their service expectations are being met. As stated previously however, while CAs have multiple roles in the Planning regime, generally, municipalities act as planning approval authorities under the *Planning Act* and are responsible for the planning process.

As municipalities are adjusting their processes to respond to new timeline requirements under the *Planning Act* and new requirements are anticipated to be established for CAs related to the creation of municipal MOUs and a hazard program and service regulation, Conservation Ontario (and the NPCA) will await additional information from the Province prior to establishing any supplemental guidance related to reporting on *Planning Act* timelines and there will be no requirement for high growth CAs to report to CO Council.

Sources of Information

- Provincial Direction:
 - [Policies and Procedures for Conservation Authority Plan Review and Permitting Activities. Ministry of Natural Resources and Forestry. 2010.](#)
- Conservation Ontario Council endorsed procedures:
 - Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations. Conservation Ontario Section 28 Regulations Committee. 2018
- CA Policy and Procedural Manuals:
 - Planning and Development Procedural Manual. Toronto and Region Conservation Authority. 2010.
 - Plan Review Manual. Lower Trent Region Conservation Authority. March 2019.
 - Planning and Development Administrative Procedural Document. Credit Valley Conservation Authority. 2011.
 - Rules of Procedure for Permit Application Review and Approval in Accordance with Ontario Regulation 180/06 as amended by Ontario Regulation 63/13 made under Section 28 of the Conservation Authorities Act. Lakehead Region Conservation Authority. July 2018.
 - Ontario Regulation 163/06 Policy document. Lower Trent Region Conservation Authority. October 2018.
 - [NPCA Policy Document: Policies for the Administration of Ontario Regulation 155/06 and the Planning Act](#)
- Performance Reporting:
 - CA Staff Report to Board on Customer Service Plan for the Planning and Regulations Program. Long Point Region Conservation Authority. June 17, 2017.
- CA-Municipal Memoranda of Understanding:
 - Memorandum of Understanding Between The Regional Municipality of Halton, City of Burlington, Town of Halton Hills, Town of Milton, Town of Oakville, Halton Region Conservation Authority, Credit Valley Conservation Authority, and Grand River Conservation Authority. For An Integrated Halton Area Planning System. July 16, 2018.
- Online Mapping Resources:
 - Lake Simcoe Region Conservation Authority. Ontario Regulation 179/06 Regulated Areas Mapping. Available at: <https://maps.lsrca.on.ca/EH5Viewer/index.html?viewer=LSRCARegulations>
 - NPCA Ontario Regulation 155/06 Regulated Areas Mapping. Available at: <https://npca.ca/administration/permits>

APPENDICES LIST

Appendix A: General Submission for a S. 28 Permit Application

INSERT LINK

Appendix B: NPCA – Client Service Delivery Charter

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Appendix C: Example Disclaimer Introduction Box for Mapping

INSERT LINK

Appendix D: NPCA Permit Application Package

INSERT LINK

Appendix E: CO Procedure for Updating Section 28 Mapping: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation

INSERT LINK
