

Member

Municipalities

January 11, 2023

Township of  
Adelaide-Metcalf

To: Clerks, CAO's and Planning and Building Departments of SCRCA Watershed Municipalities

Municipality of  
Brooke-Alvinston

**RE: Legislative and regulation changes affecting conservation authorities, effective January 1, 2023**

Municipality of  
Chatham-Kent

Further to letter provided from the Ministry of Natural Resources and Forestry dated December 28, 2022, the St. Clair Region Conservation Authority (SCRCA) would like to share the following clarifications regarding its programs and services.

Township of  
Dawn-Euphemia

### **Plan Review Services**

Township of  
Enniskillen

This regulation does not affect Conservation Authorities' provision of mandatory programs or services (Category 1) related to reviewing and commenting on a proposal, application, or other matter made under those Acts. Plan review and commenting under the Mandatory Programs and Services Regulation (O.R. 686/21), which includes natural hazards and source water protection continues to be unaffected and circulation of applications shall continue as outlined below:

Municipality of  
Lambton Shores

*7. (1) An authority shall provide programs and services to ensure the authority satisfies the functions and responsibilities set out in subsection (2), whether acting on behalf of the Ministry of Natural Resources and Forestry or in its capacity as a public body under the Planning Act, for the purposes of helping to ensure that the decisions under that Act are,*

Municipality of  
Middlesex Centre

*(a) consistent with the natural hazards policies in the policy statements issued under section 3 of the Planning Act, but not including those policies related to hazardous forest types for wildland fire; and*

Village of  
Newbury

*(b) where applicable, conform with any natural hazards policies included in a provincial plan as defined in section 1 of the Planning Act, but not including those policies related to hazardous forest types for wildland fire.*

[Ontario Regulation 596/22: Prescribed Acts](#) passed effective January 1, 2023. Sections 21.1.1 and 21.1.2 of the Conservation Authorities Act prohibit Conservation Authorities from providing a program or service related to reviewing and commenting on proposals, applications, or other matters under prescribed Acts are specific to our non-mandatory review and commenting services for development applications (e.g. **natural heritage review and commenting**) under the following Acts:

- The Aggregate Resources Act
- The Condominium Act, 1998
- The Drainage Act
- The Endangered Species Act, 2007
- The Environmental Assessment Act
- The Environmental Protection Act
- The Niagara Escarpment Planning and Development Act
- The Ontario Heritage Act
- The Ontario Water Resources Act
- The Planning Act

The SCRCA is committed to working with our watershed municipalities through this transition period and will continue to provide natural heritage comments on Planning Act circulations/applications received on or before December 31, 2022. The SCRCA will continue to provide comments and review as it pertains to natural hazards for the aforementioned acts.

### **Updated Fee Schedule**

In addition, under the new section 21.3, the Minister provided a direction to freeze our fees effective January 1, 2023 until December 31, 2023. The SCRCA's 2023 Fee Schedule was approved by our Board of Directors in September, 2022 and came into effect prior to January 1, 2023. No further fee changes are proposed during this period.

### **Other Services Provided through MOUs/Agreements**

The recent legislative changes do not affect other services provided to municipalities. The St. Clair Region Conservation Authority will continue work on formalizing these arrangements (Category 2 and 3) through Memoranda of Understanding and agreements where they are not already present.

The SCRCAs remains committed to providing you with exemplary services and welcomes the opportunity to discuss these changes further with you in order to ensure a smooth transition. Please contact me if you have any further questions.

Yours Truly,

A handwritten signature in black ink, appearing to be 'Ken Phillips', written in a cursive style.

Ken Phillips  
General Manager / Secretary-Treasurer