



Staff Report

Planning & Development Services – Planning Division

Report To: COW-Operations, Planning and Development Services
Meeting Date: March 14, 2023
Report Number: PDS.23.029
Title: Grey Sauble Conservation Authority Programs and Services
Inventory Consultation
Prepared by: Adam Smith, Director of Planning & Development Services

A. Recommendations

THAT Council receive Staff Report PDS.23.029, entitled “Grey Sauble Conservation Authority Programs and Services Inventory Consultation”;

AND THAT Council direct staff to negotiate the necessary agreements for the delivery of programs and services by the Grey Sauble Conservation Authority in the Town of The Blue Mountains and in accordance with Ontario Regulation 687/21

B. Overview

The Grey Sauble Conservation Authority (GSCA) is currently undertaking consultations with each member municipality regarding their Program and Services Inventory as required under the Conservation Authorities Act. The GSCA is seeking to negotiate and finalize necessary agreements for program delivery. Staff are recommending that the services included in the 2007 Memorandum of Agreement (MOA) continue to be delivered subject to necessary modifications as a result of Bill 23: More Homes, Built Faster Act. Further, that staff in conjunction with the GSCA prepare an agreement for the provision of Category 3 programs.

C. Background

As per the attached consultation document, under Ontario Regulation 687/21, conservation authorities must prepare an inventory of all programs and services offered and identify the programs as either Category 1 (Mandatory), Category 2 (Municipal Service), Category 3 (Other Programs and Services) or General Operating Expenses.

Category 1 programs are mandatory for conservation authorities to undertake. These mandatory programs include:

1. Programs and services related to the risk of natural hazards.

2. Programs and services related to the conservation and management of lands owned or controlled by the authority, including any interests in land registered on title.
3. Programs and services related to the authority's duties, functions and responsibilities as a source protection authority under the Clean Water Act, 2006.
4. Programs and services to support the authority's functions and responsibilities related to the implementation and enhancement of the provincial groundwater monitoring program.
5. Programs and services to support the authority's functions and responsibilities related to the implementation and enhancement of the provincial stream monitoring program.
6. Programs and services to support the authority's functions and responsibilities related to the development and implementation of a watershed-based resource management strategy on or before December 31, 2024.

Category 2 refers to programs and services that a conservation authority provides on behalf of a municipality. Examples of this within the Grey Sauble watershed are Review and Commenting Agreements under the Planning Act (currently altered by Bill 23), Risk Management agreements under the Clean Water Act, and the management of Grey County's Forested properties, the CP Line, and the Forest Management By-Law.

Category 3 refers to Other Programs and Services that an Authority determines are advisable to further the purposes of the Act. Examples of Category 3 programs and services are tree planting, stewardship activities, watershed monitoring (other than Category 1), and some of the revenue generating activities GSCA carries out on its land holdings.

Based on regulatory changes under the Conservation Authorities Act, staff understand that programs that include any funding from municipal levy under Category 3 require an agreement between the municipality and the GSCA. This agreement will not impact the amount of the municipal levy for those programs and services.

Alongside formulating a new agreement inclusive of Category 3 programs, staff are also intending on amending the 2007 MOA with the GSCA related to responsibilities in review of applications under the Planning Act. This is influenced by a separate regulatory change brought by Bill 23. Most significantly, the MOA needs to reflect the GSCA being limited to reviewing natural hazards and drinking water source protection in development applications.

D. Analysis

Currently, staff intend on negotiating a Category 3 agreement with the GSCA that represents 'business as usual' whereby the amount levied, and services provided do not change with the new agreement requirement. Council does have an opportunity through this process to request additional programming that may include other member municipalities but in doing so there could be financial implications.

In terms of the 2007 MOA, the agreement will need to be amended to remove natural heritage review from the scope of GSCA plan review and technical clearance. Despite natural heritage review no longer being under the purview of conservation authorities, this will not impact the

ability of the Town to require studies assessing impacts to natural heritage features (environmental impact statements, tree preservation plans etc.) and ensuring that these submissions are subject to rigorous review.

On February 23, 2023, Grey County supported a staff recommendation to recruit a planning ecologist to fill the County's needs related to files under their responsibility. In the case of the Town of the Blue Mountains, this would include plans of subdivision and official plan amendments. For those applications solely the responsibility of the Town, staff will utilize a third-party reviewer. However, this could be subject to change if there is appetite amongst member municipalities for Grey County to also assume responsibility for natural heritage review of municipal development applications.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

F. Environmental Impacts

In executing the necessary agreements with the GSCA, the Town ensures the authority is in alignment with Ontario Regulation 687/21 and can continue to deliver programs that support a healthy watershed environment.

G. Financial Impacts

The recommendation does not impact the municipal levy required by the GSCA and costs associated with the review of development applications are recovered through fees.

H. In Consultation With

Shawn Postma, Manager of Community Planning

Tim Lanthier, CAO, Grey Sauble Conservation Authority

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Adam Smith, directorplanningdevelopment@thebluemountains.ca

J. Attached

1. Grey Sauble Conservation Authority Programs and Services Inventory: Issued for Consultation January 2023
2. Memorandum of Agreement between the Town of The Blue Mountains and The Grey Sauble Conservation Authority (2007)

Respectfully submitted,

Adam Smith
Director of Planning & Development Services

For more information, please contact:
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