



To: Board of Directors
From: Eric McGill, Corporate Counsel
Date: June 3, 2026
Subject: Regulated Activities Policies Draft

RECOMMENDATION:

The Board of Directors receive as information the draft Regulated Activities Policies; and

FURTHER THAT staff be directed to make the draft Regulated Activities Policies available for public and stakeholder review and comment for a 30-day period; and

FURTHER THAT any comments and submissions regarding this project be referred to staff for review and consideration as part of the Regulated Activities Policies update; and

FURTHER THAT a summary of the comments received during the 30-day period be shared with the Board in August 2026; and

FURTHER THAT a final version of the Regulated Activities Policies be returned to the Board for potential adoption in August 2026.

BACKGROUND:

One of South Nation Conservation's principal mandates is to protect people and property from the risks of natural hazards. This role is carried out, in part, by regulating development and other activities in and around hazardous lands, watercourses, wetlands, river valleys, and shorelines. The regulation of activities and the issuance of permits for development in these areas are a mandatory program prescribed by the Province of Ontario.

As part of its permitting program, South Nation Conservation (SNC) maintains policies to provide clarity and transparency in the administration of the permitting program for the public, the Board (as a hearing appeal body), and staff. SNC's current policies – called the Section 28 Regulation Policies – were last updated in April 2023 (BD-076/23).

On April 1, 2024, the Government of Ontario implemented amendments to the *Conservation Authorities Act* (the "CA Act") that revoked the 36 individual conservation authority regulations and replaced them with one provincial regulation – O. Reg. 41/24. The amendments further introduced a new test for the issuance of permits as well as more detailed requirements regarding permit application processes and timelines.

In March of 2024 and in anticipation of the changes, the Board approved the Interim Policy for the Administration and Implementation of O. Reg. 41/24 (BD-060/24). This brief policy confirmed what was required by law: that SNC administer its permitting program in accordance with the amendments to the CA Act and the regulation. It further confirmed that where



discrepancies exist between the text of the new CA Act or regulation and SNC's current policies, the legislation and regulation would prevail.

Since April 2024, staff have been working closely with the City of Ottawa conservation authority partners to implement changes to the permitting program to comply with the amendments to the Act and the new regulation. Products of this collaboration and internal reviews include revised permit application forms, standardized timelines and processes, a permit application review policy (BD-159/24), new permit templates, and standardized permit conditions.

In November 2024, Rideau Valley Conservation Authority approved and implemented updated regulation policies. Mississippi Valley Conservation Authority is currently in the process of updating its policies.

DISCUSSION:

To ensure the SNC permitting program stays current, effective, and timely for watershed residents and partners; staff have drafted revised policies to incorporate the April 1, 2024, changes to the CA Act and regulation. The draft policies are retitled "Regulated Activities Policies" (the "Policies"). A copy of the draft Policies will be uploaded to the SNC webpage prior to the meeting.

Most updates to the Policies relate to administrative processes. Provisions regarding development or changing land in regulated areas remain unaffected or are only slightly modified for consistency with the changes to the CA Act. The Policies are not a technical document and do not contain technical guidelines.

The proposed updates include:

- incorporation of the province's new statutory test for the issuance of CA Act permits;
- updated descriptions of regulated areas and activities to comply with provincial regulations
- formalization of submission requirements and process that SNC has implemented to comply with the April 1, 2024, changes to the CA Act;
- a clearer explanation of the permit application process including timelines, the role of pre-consultation, complete application requirements, and the review of permit applications;
- a clearer explanation of processes available to permit holders including amendments, extensions, and cancellations;
- more flexibility and exceptions for minor projects and activities in hazardous lands;
- new criteria for ensuring safe access for new development during floods; and
- new criteria for "balanced cut and fill" projects in flood plains.

Adoption of the Policies will constitute one of the final steps in formalizing the permitting program processes that SNC has implemented to comply with the changes to the CA Act.



Staff are seeking direction to make the draft Policies available for public and stakeholder review and comment for a 30-day period beginning in the second half of June. During this period, the draft Policies will be made available on SNC's website, and directly circulated to key stakeholders: municipal partners, Conservation Ontario, and conservation authority partners. Public notice will be provided via a social media post and mention in the June newsletter. Comments will be received via a dedicated consultation feedback form on SNC's website. A summary of the comments received during the 30-day period will be shared with the Board in August 2026.

A final version of the Regulated Activities Policies will be returned to the Board for potential adoption in August 2026.

If adopted, the Policies will consolidate and replace the following policy documents:

- Section 28 Regulation Policies - O. Reg. 170/06 (BD-076/23);
- Interim Policy for the Administration and Implementation of O. Reg. 41/24 (BD-060/24);
- Transition Procedures O. Reg. 41/24 (BD-060/24); and
- Permit Application Administrative Review Policy (BD-159/24).

FINANCIAL IMPLICATIONS/ADHERENCE TO SNC POLICY:

Compliance with Budget: No impact on the 2026 Budget.

SNC Policy Adherence: Section 12 of O. Reg. 41/24 states each authority shall develop policy and procedure documents with respect to permit applications and reviews and that the authority shall implement procedures for consulting with stakeholders and the public during any review and update process, as the authority considers advisable.

Programs and Services Category: Category 1 – Mandatory: Administration of Part VI of the *Conservation Authorities Act* and Ontario Regulation 41/24.

Eric McGill,
Corporate Counsel.