



## 2024 Annual Report on Section 28 Timelines

On April 1, 2024, the *Conservation Authorities Act* (the CA Act) was amended, bringing into force new legislative and regulatory requirements associated with permitting. These include timelines associated with the permitting process, and a new requirement for all CAs to prepare an annual report outlining statistics on permits and the level of compliance with the requirements of Ontario Regulation 41/24 - Prohibited Activities, Exemptions and Permits (O.Reg. 41/24).

Conservation Sudbury has voluntarily completed and posted an annual report as a best management practice for the past several years.

Section 28 of the CA Act establishes prohibited activities that shall not be undertaken by individuals in the area of jurisdiction of a conservation authority. These prohibitions include:

- Activities to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or to change or interfere in any way with a wetland; and,
- Development activities in areas that are within the Authority's area of jurisdiction including hazardous lands, wetlands, river and stream valleys, areas adjacent to watercourses.

Section 28.1 of the CA Act enables CAs to issue a permit for a person to engage in an activity that is otherwise prohibited. CAs may issue a permit if, in the opinion of the Authority:

- The activity is not likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock;
- The activity is not 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; and,
- Any other requirements that may be prescribed by the regulations are met.

Timelines associated with permit reviews are specified in Section 7 of O. Reg. 41/24 and under section 28.1 of the *Conservation Authorities Act*.

These outline two timelines:

- I. Staff have 21 days upon receipt of an application to deem it "complete" or not.
  - a. If staff have not deemed an application complete within 21 days, then the applicant can request an administrative review.
- II. Once an application is deemed complete, staff have required timelines between 30 and 90 days to make a decision (depending on the size of the project, see below)

- a. If a decision is not made within 90 days, an applicant may appeal directly to the Ontario Land Tribunal (OLT).

Timelines are presented in calendar days, excluding statutory holidays, and are divided between *Major* and *Minor* application types. Conservation Sudbury’s current fee schedule includes four application categories: Major, Large, Standard and Small. To complete the required timeline reporting, the categories were combined as follows:

- Large and Major are considered “Major” projects
- Small and Standard are considered “Minor”

### Summary

In 2024, a total of 77 permits were issued under Section 28 of the CA Act. Of these, 70 were issued within the decision timeline. No appeals to the OLT were made and no requests for administrative review were received. No permits were recommended for denial by staff and consequently no hearings were required. A breakdown of the categories and timelines may be found in the table below.

<b>Conservation Sudbury Annual Reporting – Permit Statistics</b>	
<b>Total Permits Issued (Overall)</b>	<b>77</b>
<b>Total Major Permits Issued</b>	22
<b>Total Minor Permits Issued</b>	55
<b>Total Applications Subject to Minister’s Order (Minister’s Review)</b>	0
<b>Annual Reporting – Permit Timelines</b>	
<b>COMPLETE APPLICATION REVIEW</b>	65

Total complete application reviews completed in 21 days	
<b>PERMIT TIMELINES (MAJOR)</b>	17
Total Major Permits Issued <u>Within</u> Decision Timeline (90 Days)	
<b>PERMIT TIMELINES (MAJOR)</b>	5
Total Major Permits Issued <u>Outside</u> Decision Timeline (90 Days)	
<b>PERMIT TIMELINES (MINOR)</b>	53
Total Minor Permits Issued <u>Within</u> Decision Timeline (30 Days)	
<b>PERMIT TIMELINES (MINOR)</b>	2
Total Minor Permits Issued <u>Outside</u> Decision Timeline (30 Days)	
<b>VARIANCE FROM TIMELINES</b>	
Reason for Variance from Timelines (Optional): Some permits, despite their categorization of small are complex projects that require more time allotted than the 30-day timeline. In addition, there are busier periods of the year where staff have many ongoing files and timelines are difficult to maintain.	
<b>PERMIT TIMELINES (AVERAGE – ALL)</b>	37
Overall Average Permit Review Timeline	
<b>PERMIT TIMELINES (AVERAGE – MAJOR – 90 DAYS)</b>	55
Average Major Permit Review Timeline	
<b>PERMIT TIMELINES (AVERAGE – MINOR – 30 DAYS)</b>	30
Average Minor Permit Review Timeline	
<b>Annual Reporting – Compliance with O. Reg. 41/24</b>	
<b>MAPPING</b>	Yes – Conservation Sudbury has an online mapping tool
Are maps of regulated areas available at the CA head office and on the CA website? (ss. 4(1) of O. Reg. 41/24)	
<b>MAPPING</b>	Yes – After the release of the new regulation, mapping updates were undertaken as necessary.
Has the Authority undertaken an annual review of the mapping and made necessary updates? (ss. 4(2) of O. Reg. 41/24)	
<b>ADMINISTRATIVE REVIEWS</b>	0
Total requests for administrative reviews made to the Authority	
<b>ADMINISTRATIVE REVIEWS</b>	0
Total administrative reviews completed within 30 days of the request	