

April 25, 2024

City of London - Planning and Environment Committee
P.O. Box 5035
London, Ontario N6A 4L9

Attention: Councillor S. Lehman, Chair (sent via e-mail)

Dear Councillor Lehman and Members of the Planning and Environment Committee

**Re: UTRCA Comments
Planning and Environment Committee Meeting – April 30, 2024
Agenda Item 4.1
Upper Thames River Conservation Authority Service Level Review**

The Upper Thames River Conservation Authority (UTRCA) is one of 36 Conservation Authorities established in 1947 under the Provincial *Conservation Authorities Act*. The UTRCA is a corporate body governed by a Board of Directors appointed by the 17 member municipalities within the Upper Thames River watershed. These members represent the local urban and rural communities, deciding policies and programs that will lead to a healthy watershed.

The *Conservation Authorities Act* and *Ontario Regulation 686/21* set out the mandatory programs and services of Ontario's conservation authorities which includes programs and services related to the risk of natural hazards.

As a mandatory program and service, the UTRCA's Environmental Planning and Regulations Department undertakes a range of programs and services, which include:

- Administering Section 28 of the *Conservation Authorities Act* and applicable regulations to ensure the protection of life and property from natural hazards such as flooding, erosion, wetlands, unstable soil or bedrock;
- As a body with delegated authority, under the Provincial Policy Statement, to represent the 'Provincial Interest' regarding natural hazards in the review of municipal policy documents and applications under the *Planning Act*;
- As a public commenting body under the *Planning Act* and other Acts and Provincial Plans;
- As a resource management agency operating on a local watershed basis.

The identification of natural hazard lands that include flood plains, erosion hazards, and regulated wetlands is also a mandatory program and service.

On April 1st of this year portions of the *Conservation Authorities Act*, including those portions that guide the work of UTRCA's environmental planning and regulations program, were repealed and replaced. At the same time, each of the province's 36 conservation authority specific regulations guiding regulatory responsibilities were

revoked and replaced with a new single regulation – *Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits*.

These significant legislative and regulatory changes to the *Conservation Authorities Act* are unprecedented since the original passage of the Act in 1946 and follow a series of 4 Bills introduced in the Legislative Assembly of Ontario over the past 7 years that also amended the *Conservation Authorities Act*. These changes have coincided with the vast number of changes that the Ontario Government has made in recent years to municipal planning and building legislation, to speed up development and increase the housing supply in Ontario. This level of change has required the UTRCA to not only make substantial adjustments to our planning and regulatory process, but to evaluate our entire service delivery model and seek ways to improve our process and streamline approvals. Over the last several years, the UTRCA has increased staff capacity, updated data management processes and systems, updated and improved documentation, and increased the frequency with which we meet our mandated permit review timelines. Our organization will continue to explore and implement ways to streamline our approval process and improve our customer service delivery.

The UTRCA recognizes the importance of housing and is committed to working collaboratively with the City of London, the public and the development community, to eliminate delays and streamline approvals to allow for housing and development to move forward as quickly as possible, while ensuring the protection of people and property. In the fall of 2023, City of London staff offered funding to the UTRCA to undertake a service level review of UTRCA's Environmental Planning and Regulations Department in effort to assist the UTRCA with further streamlining UTRCA's review and approval process and improve customer service delivery. This process would be like the efforts the City has undertaken in recent years to streamline site plan approvals. Beyond this, the goals, objectives and priority items for this service level review have never been discussed between the UTRCA and City of London. The UTRCA was agreeable to undertaking this type of review and began working on a draft *Request for Proposal* (RFP) outlining the scope of the review for which we would be seeking a consultant to undertake. This draft RFP was provided to City staff for review and comment in December 2023.

The UTRCA received the City's feedback on the draft RFP on April 17th, 2024, along with the information that a report on the service level review would be brought to the City's Planning and Environment Committee on April 30th. UTRCA expressed concerns about this approach and suggested a meeting with City staff to review the feedback on the RFP before the PEC meeting. Without having the opportunity to collaborate, the PEC report contains inaccurate information related to the UTRCA's flood plain mapping program and we are concerned that the scope of the review has expanded beyond what was originally proposed. We may need to seek direction from the Board of Director's on the RFP to ensure that it meets our legislated responsibilities. UTRCA is willing to work collaboratively with the City of London to refine the scope of the service level review and finalize the RFP. Further, we support the recommendations contained in the report to provide quarterly status updates to civic administration and a presentation to the Planning and Environment Committee once the project is finalized.

We appreciate the Committee's and Councillor's attention to this matter.

Sincerely,

UPPER THAMES RIVER CONSERVATION AUTHORITY



Tracy Annett, MCIP, RPP,
General Manager
JA/CT/TA/ta

- c.c. Brian Petrie, UTRCA Board of Directors, Chair
- Dean Trentowsky, UTRCA Board of Directors, Vice Chair
- Peter Cuddy, UTRCA Board of Directors, City of London Representative
- Skylar Frank, UTRCA Board of Directors, City of London Representative
- Anna Hopkins, UTRCA Board of Directors, City of London Representative
- Sandy Levin, UTRCA Board of Directors, City of London Representative
- Chris Tasker, Manager of Water and Information Management, UTRCA
- Jenna Allain, Manager of Environmental Planning and Regulations, UTRCA