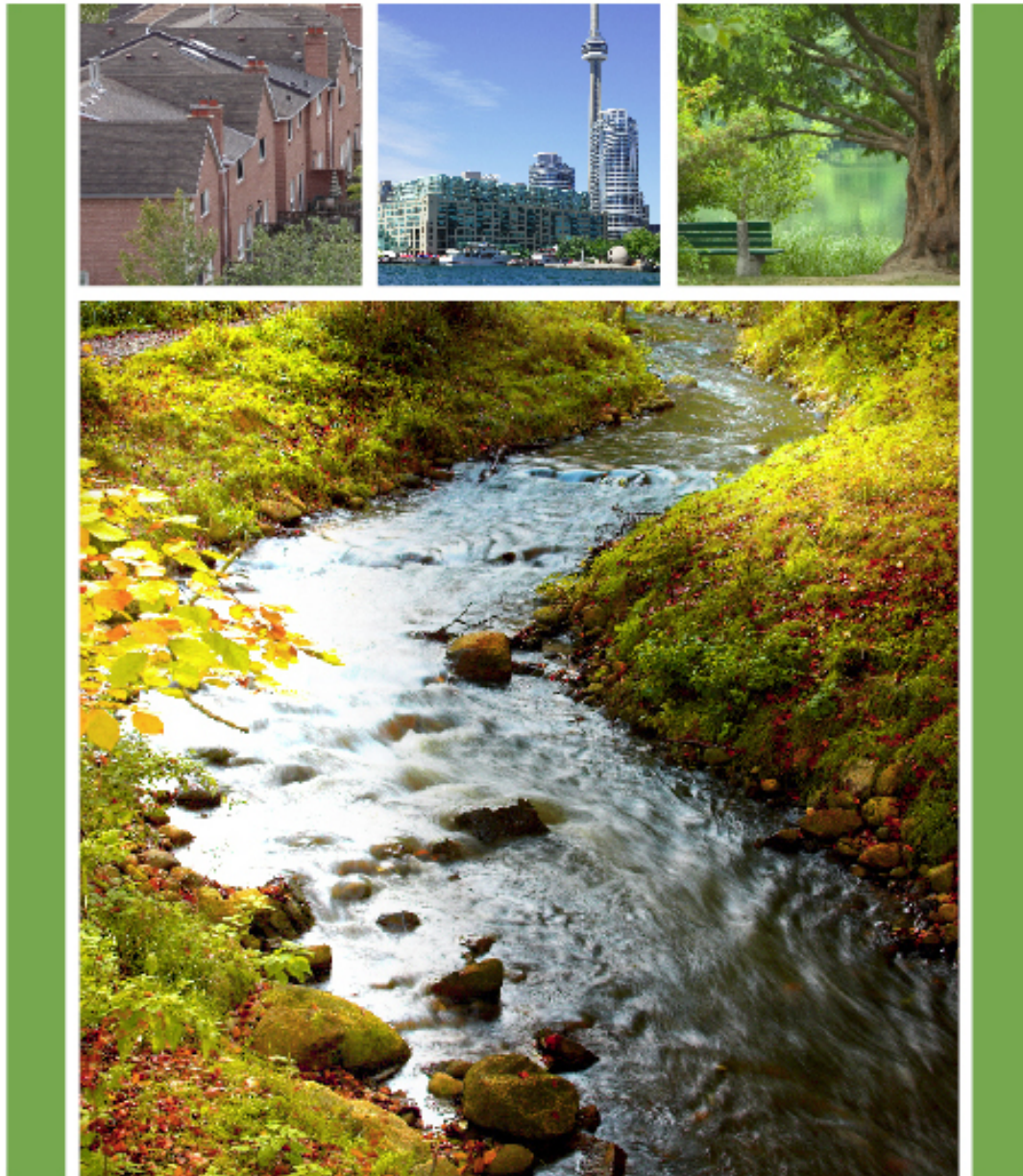


Planning & Development

PROCEDURAL MANUAL



Planning and Development Procedural Manual

Preface

The Planning and Development Procedural Manual was approved by the Authority at Meeting #7/07, held on September 28, 2007.

RES. #A196/07

PLANNING AND DEVELOPMENT PROCEDURAL MANUAL

Endorsement of the Planning and Development Procedural Manual to further enhance Toronto and Region Conservation Authority's (TRCA's) working relationship with the development community and increase procedural transparency related to TRCA's development review and approval process.

(Business Excellence Res. #C33/07)

Moved by: Bill Fisch

Seconded by: David Barrow

THAT WHEREAS Toronto and Region Conservation Authority (TRCA) staff is committed to working cooperatively with the development community and all municipal partners regarding the implementation of TRCA's planning and regulatory functions, including opportunities to increase procedural transparency and streamline the review and approval process where appropriate;

WHEREAS TRCA, through its Business Excellence objective, is committed to improve the delivery of all programs, including TRCA's planning and regulatory functions;

THEREFORE LET IT BE RESOLVED THAT the Planning and Development Procedural Manual be endorsed;

THAT TRCA staff be given the authority to make any necessary updates to the manual to reflect any procedural issues related to legislative change or technical updates related to current practices;

AND FURTHER THAT all member municipalities and the Building Industry and Land Development Association (BILD, formerly GTHBA-UDI) be advised and circulated a copy of the Planning and Development Procedural Manual.

Planning and Development Procedural Manual

Executive Summary

This Procedural Manual outlines the information, fees and other requirements needed when seeking development approvals from the Toronto and Region Conservation Authority (TRCA).

TRCA is empowered by the *Conservation Authorities Act* to regulate development, interference with wetlands and alterations to shorelines and watercourses, and to provide technical expertise on flood and erosion control, stormwater management, and the protection of natural features and functions within its watersheds. TRCA reviews applications made under Ontario Regulation 166/06; the *Planning Act*; the Ontario *Environmental Assessment Act*; the *Fisheries Act*; the *Niagara Escarpment Planning and Development Act*; the *Oak Ridges Moraine Conservation Act*; the *Greenbelt Act*; and other applicable legislation.

Our goal is to ensure your development is not at risk from flooding or erosion hazards; to protect and regenerate the ecological health and integrity of natural systems; and to provide opportunities for public use and enjoyment of the natural system.

This Manual will assist you in understanding and navigating through our approval processes. It provides an explanation of what we do and why we do it; outlines TRCA's targeted review timelines; identifies the fees for the various application types; and specifies the information we need to review your proposal. It is also intended to highlight the importance of preliminary consultation and provide clarity and transparency around our review procedures and submission requirements.

Each section of this Manual addresses a different aspect of the role TRCA plays in the review of development proposals. Included is the legislative and policy framework that guides TRCA's decisions and actions, the responsibilities TRCA has as a commenting agency under the *Planning Act*, and how TRCA administers Ontario Regulation 166/06, its natural hazard-based Regulation. The purpose and procedures associated with the other review services TRCA offers are also described. Additionally, our checklists and technical guidelines along with our fee schedules are provided.

Planning and Development Procedural Manual

Future Amendments and Updates

This Manual will need to be updated from time to time to reflect legislative changes and current technical practices. The Toronto and Region Conservation Authority (TRCA) shall review and monitor existing and future legislation related to the *Conservation Authorities Act*, the *Planning Act*, the *Ontario Environmental Assessment Act*, and other relevant provincial and federal statutes related to the planning and development process, as well as TRCA initiatives, such as watershed plans, technical guidelines and checklists, and update this Manual as required.

| Update No. | Date | Description of Update |
|------------|--------------|---|
| 1 | January 2008 | Table of Contents updated to reflect Permission for Routine Infrastructure Works Protocol (Section 5) and Qualification Criteria (Appendix E) |
| 2 | January 2008 | “How to Use this Manual” updated to reflect Permission for Routine Infrastructure Works Protocol |
| 3 | January 2008 | Section 5 updated to reflect Permission for Routine Infrastructure Works Protocol |
| 4 | January 2008 | Section 8 updated to reflect revised fee schedules |
| 5 | January 2008 | Permission for Minor Works Qualification Criteria updated as a result of revised fee schedules (Appendix E) |
| 6 | January 2008 | Permission for Routine Infrastructure Works Qualification Criteria added to Appendix E |
| 7 | January 2008 | Seed Mix Species List added to Seed Mix Guidelines (Appendix H) |
| 8 | January 2008 | TRCA Environmental Impact Statement Guidelines updated to November 2007 version (Appendix H) |
| 9 | January 2008 | Fee schedules updated (Appendix I) |
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Planning and Development Procedural Manual

How to Use this Manual

This Manual consists of:

- Section 1: **Introduction** – The intent of the Manual, the role of TRCA’s Planning and Development Division, and a description of TRCA’s jurisdiction.
- Section 2: **Legislative and Policy Framework** – A summary of the legislation and policies governing TRCA that guide our regulatory decisions and planning recommendations. Our responsibilities as they pertain to the *Conservation Authorities Act*; the *Planning Act*; the *Environmental Assessment Act*; the *Federal Fisheries Act*; the *Niagara Escarpment Planning and Development Act*; the *Oak Ridges Moraine Conservation Act*; the *Greenbelt Act*; as well as other applicable legislation are outlined.
- Section 3: **Planning Applications** – A description of how TRCA carries out its role as a commenting agency under the *Planning Act*. The benefits of preliminary consultation are discussed; the municipal screening and circulation process is outlined; TRCA’s review and approval procedures are presented; submission requirements are summarized and our service delivery standards are noted. This part of the Manual is organized into subsections that correspond to the types of *Planning Act* applications reviewed by TRCA.
- * If you are submitting a *Planning Act* application (i.e. Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, Site Plan, Consent or Minor Variance), you only need to refer to the applicable subsection(s).
- Section 4: **Environmental Assessments** – An outline of TRCA’s responsibilities under the *Environmental Assessment Act* with respect to the Environmental Assessment review process. The benefits of preliminary consultation are discussed; the screening and circulation process is described; TRCA’s review and approval procedures are presented; submission requirements are outlined; and our service delivery standards are noted. This part of the Manual is organized into subsections that correspond to the types of Environmental Assessment applications reviewed by TRCA.
- * If you are submitting an Environmental Assessment application (i.e. Individual Environmental Assessment, Class Environmental Assessment, Municipal Class Environmental Assessment or Electricity Generation and Transmission), you only need to refer to the applicable subsection.

- Section 5: **Permit Applications** – A summary of TRCA’s permitting process. The areas and activities subject to TRCA’s Regulation are detailed; the importance of preliminary consultation is highlighted; submission requirements are presented; review and approval procedures are summarized, including those related to fisheries, accessing TRCA property, and archeological assessments on TRCA property; the Permission for Minor Works Protocol, the Permission for Routine Infrastructure Works Protocol, the Permission for Emergency Works Protocol and the Debris Jam Clearance Protocol are explained; and our service delivery standards are noted. The process of denying a permit is also outlined along with the role of our Enforcement Officers.
- Section 6: **Other Review Services** – A description of the other review services offered by TRCA (i.e. Solicitor Realty Inquiries and Property Inquiries). A Property Inquiry may be warranted when a proposal does not require approval under the *Planning Act* or a TRCA permit, but does require a municipal building permit.
- Section 7: **Checklists and Guidelines** – A list of the available TRCA checklists and guidelines.
- Section 8: **Fees** – An explanation of the fee schedules adopted for TRCA’s planning and permitting services.
- Appendices: Documents that are referred to in Section 1 through 8 that provide further information and clarity to the reader.

Planning and Development Procedural Manual

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1.0 Introduction

This Procedural Manual is for landowners, developers, builders and anyone else interested in obtaining development approvals from the Toronto and Region Conservation Authority (TRCA). This Manual outlines the role of TRCA in the review of development proposals and identifies the requirements that will need to be met when seeking planning, regulatory, or other forms of approvals from TRCA.

1.1 TRCA's Planning and Development Division

Through its Planning and Development Division, TRCA regulates development in valley and stream corridors, wetlands and along the Lake Ontario shoreline, and reviews and comments on development proposals and applications within or adjacent to these natural areas. By doing so, TRCA aims to prevent, eliminate, or reduce the risk to life and property from flooding, erosion and slope instability, and to encourage the protection and enhancement of natural systems. Through our Valley and Stream Corridor Management Program (VSCMP) and the Lake Ontario Shoreline Management Program, we integrate our public safety responsibilities with ecosystem planning and management. TRCA works with municipalities and public stakeholders to ensure that our watershed ecosystems become an important component of Official Plan policies, development plans, and projects.

In addition to providing municipalities with advice on applications made under the *Planning Act* and the Ontario *Environmental Assessment Act*, TRCA reviews applications made pursuant to the *Federal Fisheries Act*, the *Niagara Escarpment Planning and Development Act*, the *Oak Ridges Moraine Conservation Act*, the *Greenbelt Act*, and other applicable legislation. TRCA provides technical and scientific expertise to support the environmental planning function of municipalities, providing recommendations on how development should proceed and how to maintain, and enhance or restore the natural environment.

TRCA makes all of its recommendations and decisions in support of The Living City objectives. These objectives include:

Healthy Rivers and Shorelines – To restore the integrity and health of the region's rivers and waters from the headwaters in the Oak Ridges Moraine, throughout each of the nine watersheds in TRCA's jurisdiction, to the Toronto waterfront on Lake Ontario.

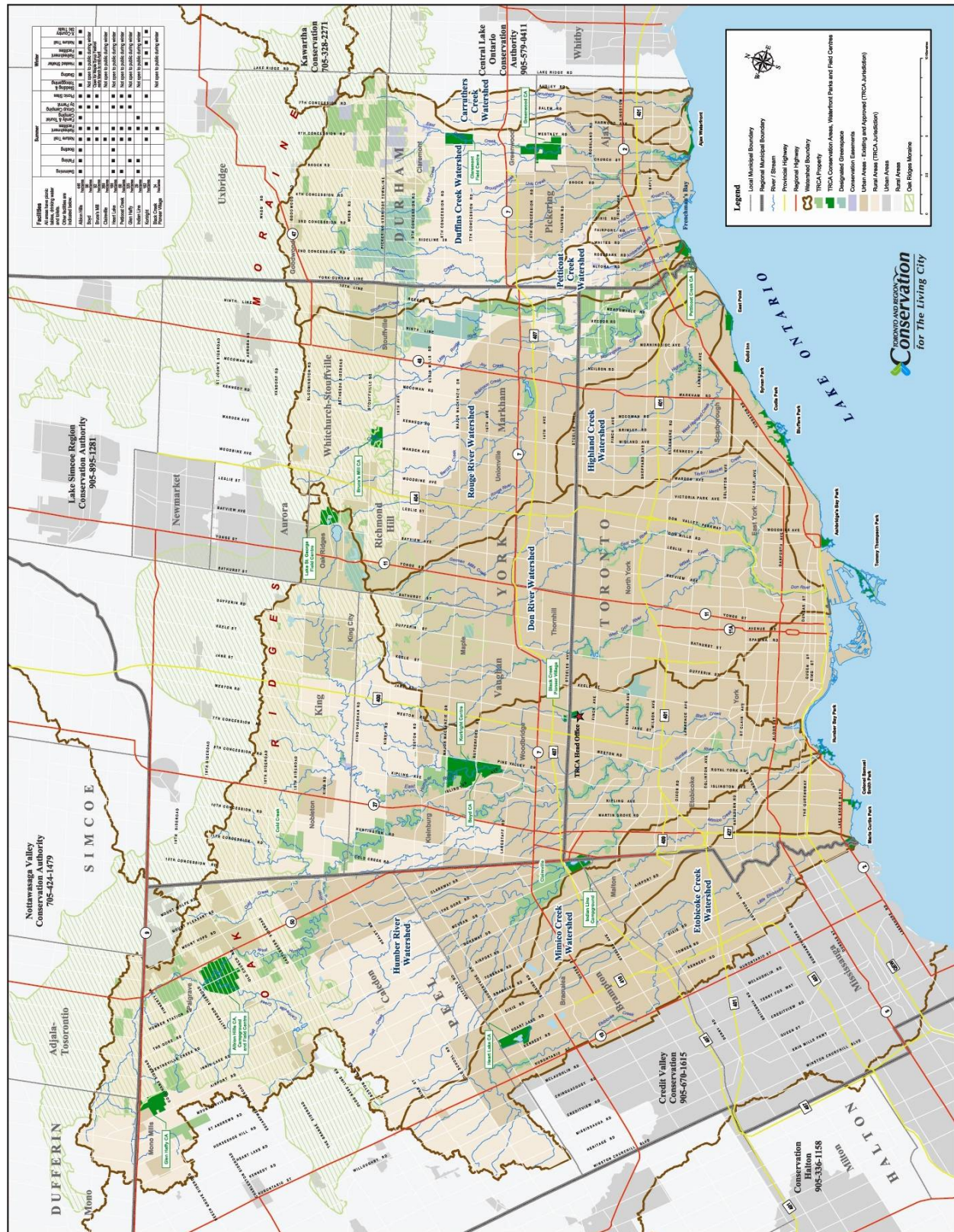
Regional Biodiversity – To protect and restore a regional system of natural areas that provides habitat for plants and animal species, improves air quality, and provides opportunities for the enjoyment of nature.

Sustainable Communities – To facilitate broad community understanding, dialogue, and action toward integrated approaches to sustainable living and city building, which improves the quality of life for residents, businesses and nature.

1.2 TRCA's Jurisdiction

TRCA's jurisdiction is illustrated in Figure 1. Our jurisdiction extends into the Regional Municipalities of Durham, Peel and York, the Counties of Dufferin and Simcoe, and the City of Toronto. It includes areas within the Township of Adjala-Tosorontio, Town of Ajax, Town of Aurora, City of Brampton, Town of Caledon, Township of King, Town of Markham, City of Mississauga, Town of Mono, City of Pickering, Town of Richmond Hill, Township of Uxbridge, City of Vaughan, and Town of Whitchurch-Stouffville. TRCA's jurisdiction also extends into Lake Ontario to the International boundary.

Figure 1 – TRCA's Jurisdiction



2.0 Legislative and Policy Framework

The following section outlines the legislative and policy framework that governs the Toronto and Region Conservation Authority (TRCA). This framework establishes the responsibilities of TRCA and guides the regulatory decisions and planning recommendations made by TRCA.

2.1 Conservation Authorities Act

The *Conservation Authorities Act* was created in 1946 in response to flooding and erosion concerns and the recognition that these and other natural resource initiatives are best managed on a watershed basis. As a piece of provincial legislation, the *Conservation Authorities Act* provides the legal basis for TRCA's mandate to prevent, eliminate, or reduce the risk to life and property from flooding and erosion, and to encourage the protection and regeneration of natural systems.

Section 20 of the *Conservation Authorities Act* sets out the objects of a conservation authority:

20. *The objects of an authority are to establish and undertake, in the area over which it has jurisdiction, a program designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals. R.S.O. 1990, c. C.27, s. 20.*

Further, under Section 21 of the *Conservation Authorities Act*, the powers of a conservation authority are established, which include the following:

21. *For the purposes of accomplishing its objects, an authority has power,*
- (a) *to study and investigate the watershed and to determine a program whereby the natural resources of the watershed may be conserved, restored, developed and managed;*

Additional rights are given to conservation authorities under Section 28 of the *Conservation Authorities Act*. Whereas Sections 20 and 21 provide the mandate to TRCA for the preparation and administration of land use planning policy, Section 28 governs TRCA in the preparation and administration of its Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation.

28. *Subject to the approval of the Minister, an authority may make regulations applicable in the area under its jurisdiction,*
- (a) *restricting and regulating the use of water in or from rivers, streams, inland lakes, ponds, wetlands and natural or artificially constructed depressions in rivers or streams;*
- (b) *prohibiting, regulating or requiring the permission of the authority for straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;*

- (c) *prohibiting, regulating or requiring the permission of the authority for development if, in the opinion of the authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.*

Since it was established under the *Conservation Authorities Act* in 1957, TRCA has undertaken numerous projects and programs, ranging in scale from broad to site specific. Moreover, TRCA's role in development review has evolved from strictly managing development adjacent to natural hazards, to providing technical expertise in natural heritage protection, including terrestrial, aquatic, and surface and groundwater management. In addition to reviewing site specific development applications, TRCA provides input and technical support in the development and implementation of municipal Official Plans, Secondary Plans, environmental studies, and special municipal by-laws (e.g., sediment and erosion control, fill and grading), as well as provincial legislation, regulations and plans. Through staff participation in various committees and studies, TRCA provides valuable information and advice on flood control, stormwater management, and the protection and enhancement of natural features and functions within its watersheds.

Within the planning context, TRCA endeavours to fulfill its responsibilities under the *Conservation Authorities Act* by undertaking three fundamental activities: developing watershed plans, formulating policy, and implementing a natural hazard-based Regulation. The following subsections describe each of these activities in turn.

2.1.1 Watershed Plans

Watershed planning is an integrated, ecosystem-based approach to land and water use planning that uses drainage boundaries to define the area of study. Watershed planning involves an examination of resource management issues and opportunities at a regional scale. The resulting watershed plan provides detailed technical analysis and guidance to local, regional and provincial governments with regard to environmental protection, conservation, and restoration within the contexts of land and water use, and the planning of future development. Watershed plans also provide direction to local non-governmental organizations and private landowners with regard to best management practices and opportunities for environmental stewardship. It is important to note that watersheds are recognized in the Provincial Policy Statement (PPS) as an ecologically meaningful scale for planning.

Watershed planning involves undertaking comprehensive studies of natural features and functions, human use, and the interdependencies among these elements. Interdisciplinary technical studies in support of watershed plans help to develop a better understanding of environmental stresses associated with current land and water use and watershed activities. Modelling techniques and expert analysis are combined to predict the response of the natural system to future scenarios of resource use and management measures. Based on the integration of results from technical studies and public input, preferred management strategies are recommended, targets for best management practices are established, and priorities for regeneration and stewardship are identified.

Through the watershed planning process, TRCA obtains a broad understanding of ecosystem function and status, and advocates that management recommendations be implemented at an early stage in the planning process. Watershed plans have been prepared for most of the

watersheds within TRCA's jurisdiction. However, watershed planning is not a static process. Areas where plans have been undertaken must be monitored to determine if the goals and objectives of the plans are being met. Plans must also be updated as new issues emerge and new science develops.

2.1.2 Valley and Stream Corridor Management Program

The Valley and Stream Corridor Management Program (VSCMP) is the main policy document used by staff to guide the review of development applications. The VSCMP provides direction for the protection and restoration of valley and stream corridors and was adopted under Sections 20 and 21 of the *Conservation Authorities Act* in 1994. VSCMP policies promote the conservation of valleyland features and functions, including: the conveyance and storage of flood waters; the provision of groundwater recharge and discharge areas; nutrient and sediment transport; the provision of fish and wildlife habitat; and corridor linkages between significant natural areas. VSCMP policies also provide direction for the accommodation of development adjacent to valley and stream corridors that aims to protect natural heritage and manage flooding and erosion by promoting the provision of buffers between valley and stream corridors and proposed development. Through the development process, TRCA seeks to have significant natural areas, floodplains and lands subject to erosion and slope instability identified within open space or hazard land zoning categories, and to have those lands conveyed into public ownership for long term conservation, restoration and enhancement.

The overall objective of the VSCMP policies is to prevent new development from occurring within areas that may introduce risk to life and property associated with flooding, erosion, and slope instability, or development that is not compatible with the protection of these areas in their natural state. VSCMP policies define the valley and stream corridor boundary by the greater of the following:

- If the valley slope is stable, a minimum of 10 metres inland from the top of bank;
- If the valley slope is not stable, a minimum of 10 metres inland from the predicted long term stable slope projected from the existing stable/stabilized toe (base) of the slope, or the predicted location of the toe slope as shifted as a result of stream erosion over a 100-year period;
- A minimum of 10 metres inland from the Regulatory Floodplain;
- When the upstream drainage area is less than 125 hectares, a minimum of 10 metres inland from the predicted meander belt of the watercourse, expanded as required to convey the major system flows and/or to maintain riparian stream functions;
- If significant vegetation is present, a minimum of 10 metres inland from the limit of the vegetation.

2.1.3 Shoreline Management Program

In addition to the VSCMP, which is focused on valley and stream corridors, TRCA has a Shoreline Management Program designed to prevent the loss of life and limit the loss of property due to shoreline hazards. Adopted in 1980, the Program is a comprehensive approach to shoreline management that respects the natural attributes of the Lake Ontario waterfront. The Program recognizes the development pressures arising out of the public's desire to live on the waterfront. The prevention of potential hazards to development located in areas vulnerable to the effects of flooding and erosion is the main focus of the Program.

Understanding the need for some shoreline modifications in order to minimize the loss of property, various alternative shoreline management measures are outlined to ensure that the appropriate treatment is used to balance natural coastal processes with public demand for open space and intensive waterfront development.

With the intent to minimize shoreline erosion and flooding-related problems, the Program establishes operational criteria, as outlined below.

- (a) Buildings, structures, or additions, (including paved surfaces), whether situated above or below ground level, should not be permitted in the following hazard impact zones, unless studies by a competent professional show that the buildings, structures, or additions will be safe during their life, which for Authority purposes is 100 years; and that the buildings structures or additions will not aggravate existing or create additional problems:
 - 10 metres back from the 100-year wave uprush line as determined by the Great Lakes Flood and Erosion-Prone Area Mapping where no definable bank exists; or
 - 10 metres back from the estimated 100-year erosion limit or if such information is not available, 10 metres back from the anticipated 2:1V slope for unprotected eroding shoreline; or
 - 10 metres back from a stable bank (assumed to be 2H:1V slope).
- (b) Surface drainage from any building, structure or paved surface should not be permitted to be discharged over shore cliffs. Such surface drainage should be directed away from the face of the shore cliff or, where appropriate, piped to the base of the cliff.

2.1.4 Ontario Regulation 166/06

TRCA administers Ontario Regulation 166/06: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Appendix A). Through Ontario Regulation 166/06, TRCA has the ability to:

- (a) prohibit, regulate or require the permission of the authority for straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- (b) prohibit, regulate or require the permission of the authority for development, if in the opinion of the authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Development, as defined in Section 28 of the *Conservation Authorities Act*, includes:

- i) the construction, reconstruction, erection or placing of a building or structure of any kind,
- ii) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- iii) site grading,
- iv) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

Permit applications made under Ontario Regulation 166/06 are assessed to determine if proposed works will affect the control of flooding, erosion, dynamic beaches, pollution or the conservation of land in accordance with TRCA's programs and policies. The Ontario Mining and Lands Commissioner, an independent adjudicative tribunal with responsibilities under the *Conservation Authorities Act*, states that the conservation of land "includes all aspects of the physical environment, be it terrestrial, aquatic, biological, botanic or air and the relationship between them" (Appeal No. CA 007-92, 1994). A broad interpretation such as this gives support to the evolution of TRCA's policies and programs, further recognizing the ecosystem approach to land use planning.

TRCA undertook an extensive mapping exercise in support of Ontario Regulation 166/06. As noted in Section 12 of the Regulation, there are 132 maps that illustrate the Regulation Limit throughout TRCA's jurisdiction. The delineation of the Regulation Limit, which identifies the area of interest, not the development limit, was based on guidelines prepared by Conservation Ontario and the Ministry of Natural Resources (MNR). The guidelines described the criteria that were to be mapped and suggested methodologies for doing so, to ensure consistency delineating regulated areas throughout the province. The criteria that had to be mapped to identify the hazards associated with riverine systems were: the engineered floodplain; an estimated floodplain where engineered mapping was not available; the crest of slope, incorporating a toe erosion allowance and a stable slope allowance; and the meander belt. The criteria that had to be mapped to identify the hazards associated with the Lake Ontario Shoreline were: the 100-year flood level, the predicted long term stable slope of the bluffs and an allowance for dynamic beaches. Wetlands and associated areas of interference were also mapped. In addition, the guidelines addressed the allowance that was to be applied to the greatest extent of all riverine and Lake Ontario Shoreline hazards and the areas of interference that were applied around wetlands. It should be noted that the text of the Regulation takes precedence over the Regulation Limit mapping; some regulated hazards and features may not appear on the Regulation Limit mapping.

2.2 Planning Act and Provincial Policy Statement

The *Planning Act* is the primary piece of legislation governing land use planning in Ontario. It sets out the means by which a municipality must implement land use planning decisions. Conservation authorities are a commenting agency under the *Planning Act*, and are thus able to provide input on planning matters.

Section 2 of the *Planning Act* is of particular relevance to conservation authorities since it outlines matters of provincial interest, such as:

- (a) the protection of ecological systems, including natural areas, features and functions;
- (c) the conservation and management of natural resources and the mineral resource base;
- (o) the protection of public health and safety;
- (p) the appropriate location of growth and development.

These matters, which all approval authorities shall have regard for in carrying out their responsibilities under the *Planning Act*, directly support the mandate of conservation authorities.

Of interest to any agency involved in the planning process is Section 3 of the *Planning Act*, wherein the ability of the Province to develop and implement detailed policy statements for matters of provincial interest is established. These policy statements are articulated through the PPS. Of primary interest to conservation authorities are Sections 2.1, 2.2 and 3.1, as the policies contained in these sections correspond to the expertise of conservation authority staff. Section 2.1 provides direction for protecting natural heritage, Section 2.2 deals with water quality and quantity, and Section 3.1 addresses the management of natural hazards and the need to direct development outside of hazardous areas. It should, however, be noted that a number of policy threads run throughout the PPS that potentially have implications for these topic areas. Therefore, these sections should not be read in isolation. The PPS requires that municipalities and other agencies involved in planning, including conservation authorities, “shall be consistent with” the policy statement when reviewing and approving development applications.

2.2.1 Memorandums of Understanding

In the early 1990s, the Province began to download plan review responsibilities to municipal governments, moving out of their role as administrator of planning affairs to one of auditor. By the mid-1990s, the Province, through the Ministry of Municipal Affairs and Housing, had entered into Memorandums of Understanding (MOU) with municipalities to officially delegate this responsibility. While this delegation provided municipalities with a greater level of authority, it created a number of challenges, especially in the areas of environmental review and technical clearance, where they tended to have little expertise. The Province therefore entered into an MOU with Conservation Ontario, the umbrella organization that represents Ontario’s 36 conservation authorities, to delegate the responsibility of upholding the natural hazards section of the PPS, Section 3.1, to conservation authorities. In this delegated role, conservation authorities are responsible for representing the “Provincial Interest” on natural hazard matters where the Province is not involved.

Just as the Province recognized the expertise of conservation authorities, municipalities commonly rely on them for advice on natural heritage and water quality and quantity. In TRCA’s case, this relationship has been formalized through a series of MOUs with its regional municipalities and through a mix of formal and informal agreements with local municipalities. Generally, these MOUs and agreements stipulate that the protection, restoration and enhancement of the natural environment, and the safety of persons and property, is carried out in part through the review of, and preparation of comments on development applications, and that it is a shared responsibility of the municipality and TRCA. Parameters for plan review and technical clearance are also established along with protocols for streamlining the planning process. Specific responsibilities typically include establishing requirements and conditions to determine the need for, and adequacy of, studies that assess impacts and propose mitigation measures related to surface and groundwater, terrestrial features and functions, and habitats.

2.3 Environmental Assessment Acts

In Ontario, Environmental Assessments (EA) are governed by two Acts: The Canadian *Environmental Assessment Act* and the Ontario *Environmental Assessment Act*. Federally initiated projects fall under the mandate of the Canadian *Environmental Assessment Act*, while all others are administered and addressed according to the Ontario *Environmental Assessment Act*. It is important to note, however, that these two Acts can apply to the same project and in

such cases the proponent must meet the requirements of both Acts. While TRCA is involved with EAs that fall under the provincial legislation, there is an awareness of the general principles of the federal process amongst staff.

2.3.1 Canadian Environmental Assessment Act

The Canadian *Environmental Assessment Act* works to ensure that the environmental effects of federal level projects are carefully examined prior to their initiation. This is done in order that potentially adverse environmental effects can be addressed before any works are undertaken. The federal EA process is administered by the Canadian Environmental Assessment Agency.

In general, the Act is applied to projects where the Government of Canada is the decision-making authority, whether through funding or as a proponent, land manager, or regulator. The degree to which a project is assessed will depend on the scale and complexity of the project and its anticipated impact on the environment.

2.3.2 Ontario Environmental Assessment Act

The purpose of Ontario's *Environmental Assessment Act* is "the betterment of the people of the whole or any part of Ontario by providing for the protection, conservation and wise management in Ontario of the environment". Within the Act, the term "environment" includes:

- a. air, land or water,
- b. plant and animal life, including human life,
- c. the social, economic and cultural conditions that influence the life of humans or a community,
- d. any building, structure, machine or other device or thing made by humans,
- e. any solid, liquid, gas, odour, heat, sound, vibration or radiation resulting directly or indirectly from human activities, or
- f. any part or combination of the foregoing and the interrelationships between any two or more of them.

Approved in 1975, the Act sets up a process for reviewing the environmental impact of proposed activities prior to their implementation. The Act applies to government ministries and agencies, conservation authorities and municipalities, and some private sector infrastructure projects, including roads, landfills, water and sewer undertakings, and electricity projects.

The Ministry of the Environment's EA program has three major processes, including:

1. Individual EAs – These apply to large, complex projects with the potential for significant impacts on the environment, such as major landfills. Proponents must prepare a Terms of Reference, which serves as a work plan to guide and focus the preparation of an EA.
2. Class EAs – These are for specific project types or classes and are based on the potential for environmental effects. Municipal roads, water and sewer, forest management, highways and GO Transit each have their own EA process. The government is proposing to give transit projects their own EA process. Every five years, municipalities can follow phases 1 and 2 of the Class EA process to prepare or update infrastructure Master Plans. The Master Plans are approved by municipal council and

include a schedule for completing the Class EA for each project, as well as proposing timing for the implementation of each project.

3. Electricity Generation and Transmission EAs – The EA rules for these types of projects are set out in the Electricity Projects Regulation. Depending on the environmental impacts and the type and size of the project, proponents must either undertake an Individual EA, a screening process or have no EA requirement. The screening process has been used for more than 30 generation projects in Ontario since 2001.

It is important to note that Individual EAs represent less than 5 per cent of all applications. The majority of EAs follow either the Class EA or the Electricity Generation and Transmission process.

As part of the overall planning process, TRCA is expected to review and comment on all EAs within its jurisdiction. This service is provided by TRCA's EA review team, which is made up of planning and technical staff. TRCA planning staff provide the project management, facilitation and policy compliance component of the project review, while TRCA technical staff are responsible for reviewing technical details and strategic directions. When access to TRCA property is required for a project, TRCA's Conservation Lands and Property Services staff are involved.

2.4 Federal Fisheries Act

TRCA has a Level III agreement with Fisheries and Oceans Canada (DFO) to review projects under Section 35(1) of the *Fisheries Act*, which states that “no person shall carry on any work or undertaking that results in the harmful alteration, disruption or destruction of fish habitat” (HADD). This agreement has been established for the conservation and protection of fish habitat while promoting the principles of good fisheries management and client service. Under this agreement, TRCA assesses all proposals within its jurisdiction, regardless of other permitting requirements, to determine whether a proposal has the potential to result in a HADD. Any work that is likely to constitute a HADD must be reviewed and authorized by DFO. When a HADD is identified, TRCA's Ecology staff will work with Planning and Development staff to:

1. Advise the applicant on how to avoid any damage to fish habitat;
2. Advise the applicant on procedures for mitigating the impacts on fish habitat by redesigning the project to lessen the effects;
3. Advise the applicant on the preparation of a letter of intent and compensation package, as required by DFO for authorization to be approved; or
4. Forward the letter of intent and the compensation to DFO and consult with DFO staff as required.

Only DFO, through the Minister of Fisheries and Oceans, can authorize “compensation” regarding a HADD pursuant to Section 35(2) of the *Federal Fisheries Act*. While DFO prefers that compensation be planned on-site so that a net environmental gain is achieved through the project construction, there are circumstances where this is not practical or feasible. In cases where off-site compensation is required, TRCA Watershed Specialist staff will be consulted to assist in determining appropriate priority locations and projects. DFO does not prefer cash-in-lieu as compensation for a HADD.

TRCA staff will advise the applicant of any potential HADD as early in the review process as possible. However, it is often not until the detailed design or permit review stages that a HADD is officially determined, thus triggering the need to develop a compensation plan and initiate the Canadian *Environmental Assessment Act* review process if applicable. Examples of a HADD may include culvert extensions and channel realignments.

2.5 Niagara Escarpment Planning and Development Act

The Niagara Escarpment is a geological landform extending 725 km from Queenston, near Niagara Falls, to Tobermory, at the tip of the Bruce Peninsula. It encompasses a variety of topographic features and land uses, and is a source of some of southern Ontario's prime rivers and streams. Public concern about unregulated growth on the Escarpment led to the creation of the Niagara Escarpment Planning and Development Act (NEPDA) in 1973. The purpose of the NEPDA is "to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment and to ensure only such development occurs as is compatible with that natural environment". At its inception, the NEPDA provided for the establishment of the Niagara Escarpment Commission (NEC) and the preparation of a provincial Niagara Escarpment Plan (NEP) to administer a development permit system. Development permit applications received by the NEC are circulated to the appropriate conservation authority, municipality and any other required agency for comment.

The NEC and TRCA have an established partnership where TRCA staff provides technical review (i.e., engineering, ecological, geotechnical, etc.) for all NEC development permit applications within TRCA's jurisdiction. All NEC applications reviewed by TRCA staff are subject to the policies outlined in the VSCMP. The review of these applications follows standard review protocol (i.e., screening, circulation to technical staff, site visits, comments, etc.). TRCA provides technical and scientific expertise to support the environmental planning function on how development should proceed to maintain, or where possible, enhance or restore, the natural environment. Under the current practice, TRCA does not charge a fee for the review of NEC applications. However, if requisite permits must be obtained by the applicant, fees outlined under TRCA's fee schedule for Ontario Regulation 166/06 apply.

2.6 Oak Ridges Moraine Conservation Act

The Oak Ridges Moraine (ORM) is an environmentally sensitive geological landform in south central Ontario, covering 190,000 hectares. It stretches 160 km from west to east, lying just north of the Toronto area, and ranges in width from 4 to 20 km. It is a "depositional" feature comprised of significant sand and gravel deposits, characterized by prominent hills, which was created when powerful glaciers scraped across the region some 12,000 years ago. Functioning as a major drainage divide and groundwater recharge area, the ORM influences the movement of both surface water and groundwater. In TRCA's jurisdiction, the ORM serves as the headwaters for 4 major watersheds – the Humber, Don and Rouge rivers and Duffins Creek. The ORM is vital to the water resources, natural heritage, quality of life, and economy, especially the agricultural and aggregates sectors, of south central Ontario.

In response to the need for a sustainable management strategy to deal with the sensitive natural features and functions of the ORM, the provincial government passed the *Oak Ridges Moraine Conservation Act* (ORMCA), which took effect on November 17, 2001. The ORMCA authorizes the government to put in place a conservation plan for the future protection of 100

per cent of the ORM's key natural heritage features and important water resources. Further, the ORMCA requires that municipalities amend their Official Plans to incorporate the requirements of the Oak Ridges Moraine Conservation Plan (ORMCP) and that all decisions made under the *Planning Act* must conform to the ORMCP.

The ORMCP is to be implemented primarily through decisions made under the *Planning Act* by municipalities. During the review of planning applications, TRCA planners screen for Key Natural Heritage and Hydrologically Sensitive Features located on the subject property, as identified in the ORMCP. While municipalities are the ultimate approval authority for planning applications, TRCA's role as a commenting agency is to provide an opinion to municipalities on applications regarding their effect on the ecological integrity of the ORM. The Province has issued a series of 17 technical guidelines to assist development proponents and review agencies to interpret and implement the requirements of the ORMCP. The required environmental reports to be prepared by the development proponents are circulated to technical staff for review. TRCA planners then submit consolidated comments and recommendations to the municipality. Although Ontario Regulation 166/06 is not specifically subject to the ORMCP, the pre-permit up-front *Planning Act* decisions should have the effect of ensuring that all subsequent permit applications will be in conformity with the ORMCP.

2.7 Greenbelt Act

The *Greenbelt Act* received Royal Assent in February 2005 and provides the legislative authority for the Greenbelt Plan. The Greenbelt Plan identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological features and functions occurring in this landscape. It also complements other provincial initiatives such as the Rouge North Management Plan. The Plan includes lands within, and builds upon the ecological protection provided by the NEP and the ORMCP, and includes additional lands designated as Protected Countryside. The Protected Countryside is comprised of an Agricultural System, a Natural System, and a series of Settlement Areas. The Protected Countryside designation is intended to enhance the spatial extent of the agriculturally and environmentally protected areas currently covered by the NEP and the ORMCP, providing linkages between them and between the major watershed systems surrounding them. New urban growth (residential, industrial and commercial) is effectively prohibited within the Plan area, except within existing settlements or their approved boundaries. The Plan contains policies that allow for certain types of development in the Protected Countryside, but that development is restricted to uses serving the agricultural and rural community, or uses associated with recreation, infrastructure and natural resources. The *Greenbelt Act* requires that planning decisions conform to the Greenbelt Plan and that municipal Official Plans be amended to conform to the Greenbelt Plan. Within TRCA's jurisdiction, the southern boundary of the Greenbelt Plan serves to define the extent of the northern limits to urbanization of the Greater Golden Horseshoe. TRCA's role in implementing the Greenbelt Plan is the same as described above for the implementation of the ORMCP.

2.8 Lakes and Rivers Improvement Act

The *Lakes and Rivers Improvement Act* (LRIA) gives MNR the mandate to manage water-related activities. The purpose of the LRIA is to manage the use of the waters of the lakes and rivers of Ontario, to regulate improvements in them, and to provide for:

- preserving public rights in or over water;
- protecting the interests of riparian owners;
- management of fish, wildlife and other natural resources dependent on such waters;
- preserving natural amenities; and
- ensuring the suitability of the location and nature of improvements.

In April 2007, amendments to Ontario Regulation 454/96 under the LRIA were approved and the revised Regulation was filed as Ontario Regulation 160/07. The new Regulation provides that approvals under the LRIA are not required for specific activities where conservation authorities have Regulations under Section 28 of the *Conservation Authorities Act* in effect. It serves to reduce confusion to applicants where previous overlap existed between approvals required from MNR under the LRIA and conservation authorities under the *Conservation Authorities Act*. This direction will not remove the requirement for an approval of a dam as defined under the LRIA, or dam decommissioning works.

More specifically, these amendments serve to:

1. provide an exemption reducing overlap that previously existed between approvals required from MNR under the LRIA and from conservation authorities under the *Conservation Authorities Act* in regard to water crossing and channelization projects;
2. strengthen and clarify the definition of a dam under the LRIA by removing the definition of a dam as stated in Ontario Regulation 454/96 that was inconsistent with the definition provided in the LRIA;
3. clarify which works, such as alteration, repair, or decommissioning of a dam require approval; and
4. define that approval is required before a dam is operated in a manner inconsistent with that contemplated in previous approval under the LRIA.

MNR will provide engineering support to conservation authorities that do not have sufficient technical expertise or capacity, upon their request.

2.9 Parkway Belt West Plan

The Parkway Belt West Plan (PBWP) was implemented in 1978 to create a multi-purpose utility corridor, urban separator and linked open space system. The *Parkway Belt Planning and Development Act, 1973* (now the *Ontario Planning and Development Act, 1994*) is the implementing legislation for the PBWP. The area covered by the Plan is divided into two general land use categories, the Public Use Area and the Complementary Use Area. Public Use Areas are defined as presently used or to be predominantly used in the future for public uses. Public Use Areas consist of areas designated as Public Open Space and Buffer Area, Utility, Electric Power Facility, Road and Inter-Urban Transit. Complementary Use Areas are to be predominantly used for private uses that aid in the Plan's objective of preserving the country landscape and encouraging land uses such as agricultural, recreational and institutional

pursuits that do not require intense urbanization. TRCA staff reviews proposed amendments to the Parkway Belt West Plan as well as zoning orders.

2.10 Rouge Park

The Province announced its intent to establish the Rouge Park in 1990 and subsequently released the Rouge Park Management Plan (RPMP) in 1994. The Park was created to protect the sensitive natural features and rich cultural legacy of the Rouge River valley. The RPMP established a park vision that provided a framework for a series of goals, objectives and planning principles. The vision for the Park outlined in the RPMP is:

The Rouge Park will be a special place of outstanding natural features and diverse cultural heritage in an urban-rural setting, protected and flourishing as an ecosystem in perpetuity. Human activities will exist in harmony with the natural values of the park. The park will be a sanctuary for natural and the human spirit.

In 1995, the Rouge Park Alliance was formed. The Alliance is a multilateral partnership body that is responsible for policy and planning for Rouge Park. The thirteen partners in the Alliance include federal and provincial governments, TRCA, watershed municipalities, the Toronto Zoo, Save the Rouge Valley System Inc., and the Waterfront Regeneration Trust. TRCA provides a number of services to the Alliance, including administrative services, land acquisition, land and property management, including holding the title of lands that have been transferred by the Province for Rouge Park purposes, communications expertise, and the implementation of the park plans through the planning process and representation at Ontario Municipal Board hearings. These roles and responsibilities are formalized through a Partnership Memorandum for the Coordination of Land Use Planning and Development Activities and a Memorandum of Agreement among the Alliance, TRCA and MNR respecting the Rouge Park Alliance operations, administration and management of Rouge Park and the Rouge Park watershed. Accordingly, TRCA staff use both the RPMP and the RNMP to guide their comments on *Planning Act* applications.

In 2001, the Alliance approved a management plan for the area of the park north of Steeles Avenue, known as the Rouge North Management Plan (RNMP). The RNMP sets out an approach to delineate the limits of Rouge Park through the application of a set of criteria. An implementation manual was also prepared to provide guidance on the delineation of the Park boundary by providing a description of the criteria and the process to be applied to facilitate their applications. The manual states that the boundary delineation process requires the undertaking of “desk top” studies, field inventory and consultation with the Province, municipality and TRCA.

It is important to note that although the City of Toronto, the Towns of Richmond Hill and Whitchurch-Stouffville do not have policies in their Official Plans that specifically implement the RPMP or the RNMP, the Province, through Section 3.2.6 of the Greenbelt Plan, has stated that land and resource use, within that portion of the Rouge Watershed designated Protected Countryside by the Greenbelt Plan, shall comply with the provisions of the more restrictive of the RNMP and the Greenbelt Plan. Section 3.2.6 goes on to state that for lands outside of the Protected Countryside portion of the Rouge Watershed, the RPMP and the RNMP, and any plans that build on or support these plans, should be considered as the guiding land and resource use planning documents.

3.0 Planning Applications

The following section details how the Toronto and Region Conservation Authority (TRCA) carries out its role as a commenting agency under the *Planning Act*. It is organized by application type and provides information on:

- The importance of preliminary consultation
- How and why your planning application is sent to TRCA for review
- TRCA's review process
- TRCA's submission requirements

This Manual is not intended to define or limit the involvement TRCA may have with your application; it provides a general guideline. Please refer to the appropriate subsection based on the type of application you need to submit, as indicated below.

- 3A – Official Plan Amendments
- 3B – Zoning By-law Amendments
- 3C – Plans of Subdivision
- 3D – Site Plans
- 3E – Consents (Severances) and Minor Variances

It is important to note that in addition to the above noted applications made under the *Planning Act*, proposals that require a municipal building permit may also require TRCA review and approval. Refer to Section 6.2 of this Manual for more information on these types of proposals.

3.1 Application Streams

Preliminary consultation and the submission of a complete application are the cornerstones of an efficient and effective review process. These notions are vital to TRCA's commitment to meeting its targeted timelines. However, each application is unique by virtue of the specifics of the property, its location, the nature of the development and many other factors. Accordingly, your application may be resolved in more or less time depending on the combination of these factors. The extent of environmental features and constraints, the complexity of a proposal, and compliance with TRCA policy largely dictate review and approval timelines. Within our plan review process, planning applications are categorized into three streams:

Complex – Applications that typically involve large developments with significant environmental impacts or multiple approval processes or permitting requirements. Generally, these would include Official Plan and Zoning By-law Amendment applications, Plans of Subdivision, and large Site Plan applications.

Routine – Applications that are typically smaller in scope and have issues that are not highly complex or controversial. These applications require limited circulation to TRCA technical staff and generally require standard approval recommendations or conditions.

Unacceptable – Applications that do not comply with the basic principles of TRCA's policies and programs.

3A Official Plan Amendment Applications

Municipalities maintain their Official Plans to provide general direction for the development of their land base and to meet the needs of their population. Any proposal to use, alter or develop a property in a way that does not conform to the Official Plan requires an Official Plan Amendment. TRCA staff routinely review these types of applications to ensure TRCA's policy and program objectives are considered through the land use planning process. It is important to note that the majority of Official Plan Amendments are made to expand the urban envelope to incorporate rural lands. This process often triggers the requirement to complete a Master Environmental Servicing Plan (MESP). An MESP ensures that the form and layout of new development is viewed in a broad context, rather than as individual properties considered in isolation of the larger system. Providing a comprehensive assessment of the limits and opportunities to development within the urban expansion area, MESPs identify issues such as transportation and servicing requirements, management of natural features and natural hazards, and the use of open space.

Note: *The following sections on “Preliminary Consultation” and “Complete Application” requirements may be subject to future updates and amendments as a result of municipal implementation of the Regulations under the Planning and Conservation Land Statute Law Amendment Act 2005 (Bill 51).*

Preliminary Consultation

In addition to consulting with municipal staff, it is important to discuss your proposal with TRCA prior to submitting a formal application. For complex applications, this preliminary consultation is often done in coordination with the municipality. Preliminary consultation should be done as early in the planning process as possible to find out how your proposal is affected by TRCA's programs and policies. Preliminary consultation serves to identify potential issues, constraints, study requirements, and TRCA permitting requirements. TRCA staff can inform you of what lies ahead in our review process, indicate whether your proposal is supported in principle and discuss anticipated processing timelines. Further, the limits of natural features can typically be determined through initial site visits. Preliminary consultation also allows you to confirm what constitutes a complete application and assess your submission based on TRCA's checklists and technical guidelines. The submission of a complete application provides TRCA staff an opportunity to review your application in a comprehensive, efficient and timely manner. Please note that it is the responsibility of an applicant to undertake due diligence to determine all required planning and permitting approvals.

Screening and Circulation Process

Screening maps have been developed for use by municipalities to determine if a planning application requires review by TRCA. The screening maps, which identify TRCA's area of interest, are used by municipal staff to determine the location of a proposed development in relation to TRCA's area of interest. TRCA's area of interest includes, but is not necessarily limited to, the features and hazards regulated under Ontario Regulation 166/06, areas requiring special stormwater management controls, Areas of Natural and Scientific Interest, Environmentally Significant Areas, and TRCA property. If a municipality determines that an Official Plan Amendment falls within TRCA's area of interest, it is circulated to TRCA. With each circulation, there is a request to provide technical input on how a proposal impacts natural

hazards or natural heritage features and functions. TRCA is required to provide comments on applications within the time frame specified by the circulating agency.

Review Procedures

TRCA provides its member municipalities with advice on issues related to natural hazards and natural heritage for applications made pursuant to the *Planning Act*. The policies contained in TRCA's Valley and Stream Corridor Management Program, the Provincial Policy Statement, the Oak Ridges Moraine Conservation Plan, the Niagara Escarpment Plan, and the Greenbelt Plan, along with other applicable legislation, provide the basis for staff review and comment. The technical and scientific expertise provided by TRCA supports the environmental planning function of municipalities.

When an Official Plan Amendment application is received by TRCA, its review is facilitated by a planner in our Planning and Development Division. The planner first reviews the application to confirm TRCA's interest in the proposal and determine if the submission is complete based on our complete application checklists. Provided the application is complete, the planner will then conduct a thorough review of the proposal. As part of this review, the planner will evaluate the proposal with respect to its proximity to, and effect on, flooding and erosion hazards, as well as natural heritage features and functions. In addition, the planner will determine if the proposal is consistent with TRCA policy, other applicable legislation and policy, and the approved MESP for the area, if applicable.

Following the TRCA planner's review, applications are circulated, if necessary, to TRCA technical staff for review. Depending upon the proposal, an application may need to be reviewed by TRCA's water resources engineers, geotechnical engineers, ecologists, hydrogeologists, Conservation Lands and Property Services staff, or Archaeology staff.

Once an application is reviewed by technical staff, and all necessary site visits are conducted to determine or stake the limits of natural features or the physical top-of-bank (Appendix B), comments are given to the TRCA planner and a letter is issued detailing TRCA's issues, concerns or recommendations. It is important to note that a site visit may reveal the need for additional technical studies. Please also note that through the planning process, TRCA staff will request that valley and stream corridors be zoned in an appropriate environmental protection/open space category and dedicated into public ownership (Appendix C). Consideration for passive public trail access adjacent to natural features is often acceptable if considered appropriate in the area. Given that applications are circulated by the municipality, TRCA's comments will typically be directed to the municipal planner and copied to the applicant or their project manager. These procedures are illustrated in Figure 2.

Submission Requirements

To ensure the interests of TRCA are met, and to appropriately assess the technical aspects of your proposal, we require the submission of a number of information items with your Official Plan Amendment application. These items may be the same as what is required by the municipality, or they may be over and above municipal requirements. Please note that not all of the items listed below will apply to your application. Further note that the level of detail required for most of the studies and reports can vary widely depending on the property and the proposal. In some situations, a single-page letter from a qualified expert will be sufficient, while

in other cases a major study will be necessary. Meeting with TRCA staff prior to submitting your application to the municipality will determine which of the items must be provided with your submission to consider it a complete application and establish the requirements for, and the scope of, any reports and studies.

COMPULSORY REQUIREMENTS

- Covering Letter, which outlines the proposal, provides contact names and describes all preliminary consultation and submission contents
- Application Fee (Appendix I)
- Appropriate Plans/Drawings
- Natural Systems Map (natural hazards and natural heritage features with requisite buffers, overlaid with existing site conditions, property boundaries, and proposed development and site alteration)
- Topographic Information

POTENTIAL TECHNICAL REQUIREMENTS

- Conceptual Channel Crossings Assessment
- Conformity Reports (Greenbelt, Niagara Escarpment, ORM, Rouge Park/Rouge Park North)
- Floodline Delineation Study/Hydraulics
- Functional Servicing Plan/Stormwater Management Study
- Geotechnical/Slope Stability Study
- Preliminary Grading Plans
- Headwater Drainage Feature Evaluation
- Hydrogeological Assessment
- Low Impact Development Opportunity Assessment, as required by municipal policy
- Scoped or Full Environmental Impact and Enhancement Study
- Water Balance Analysis
- Watercourse Erosion Analysis
- Other reports/studies identified through the checklists or staff consultation

The checklists and technical guidelines produced by TRCA should be consulted in preparation of all Official Plan Amendment applications and all supporting studies accompanying an application. The checklists and guidelines are found in Section 7.0 of this Manual. Applicable fees are due when your application is circulated or submitted for review to TRCA. Only one set of fees applies when reviewing a combined application (e.g. Official Plan Amendment and Zoning By-law Amendment). The highest rate of fees applies.

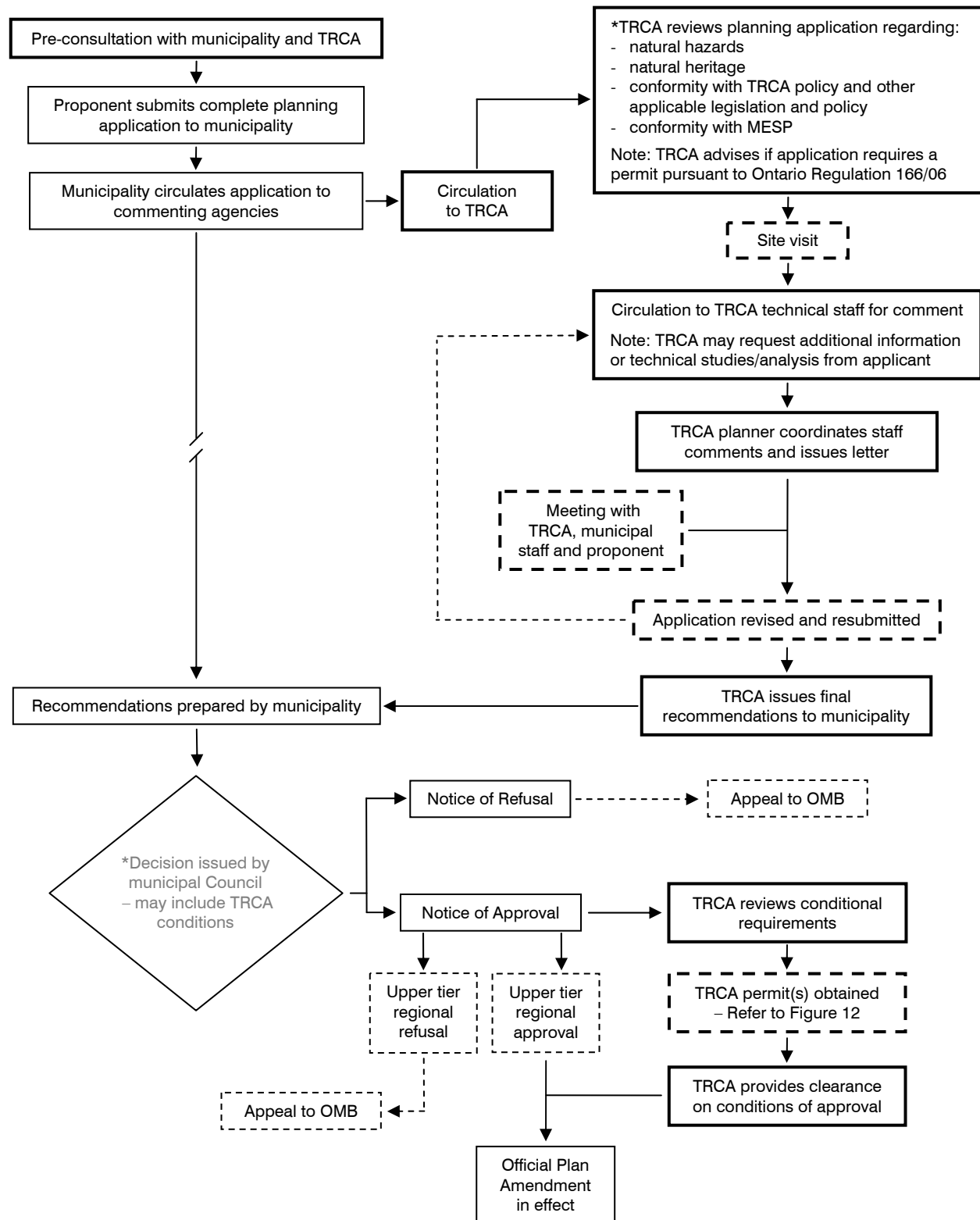
Level of Service

TRCA Planning and Development staff are committed to meeting reasonable review times for all planning applications that are submitted. Review periods are established on the premise that a level of pre-consultation has been conducted and that the guidelines and most recent policies of TRCA have been addressed. Commitment to review times also assumes submissions are complete. Applications are reviewed based on the order they are submitted and are generally subject to a 30 to 60 business day review timeline, recognizing that TRCA is required to provide comments on applications within the time frame specified by the circulating agency. Additional technical analysis required as a result of the review process or site investigation may affect these timelines.

In many cases, re-submissions are required to address outstanding information needs. The review of re-submissions can require significant time depending on the level of information that

was added. Re-submission requirements can be minimized through pre-consultation and compliance with TRCA guidelines. Generally 15 business days can be assumed for the review of re-submissions, unless they are identified as complex. An itemization of how the new or revised plans or studies address each of TRCA's comments from the previous submission will help to expedite the review process. Re-submissions that are the result of incomplete applications may be subject to additional fees. Review times cannot be adhered to when submissions are incomplete and information is received in an uncoordinated approach. It should be noted that all review times are targets that may be affected by workload or unexpected occurrences.

Figure 2 – Review Procedures for Official Plan Amendment Applications



*In conformity with applicable legislation and provincial plans

Mandatory procedure —
Potential procedure - - -
Procedure involving TRCA —

3B Zoning By-law Amendment Applications

Zoning By-laws implement the policies of Official Plans by controlling land use within a municipality. This occurs by detailing exactly how land may be used, where buildings and other structures can be located, the types of buildings that may need to be erected and their permitted uses, and lot sizes and dimensions, parking requirements, buildings heights and setbacks. If you wish to use, alter or develop your property in a way that does not conform to the municipal Zoning By-law, you must apply for a site-specific amendment to the By-law. TRCA staff routinely review Zoning By-law Amendment applications to ensure TRCA's policy and program objectives are considered through the land use planning process.

Note: *The following sections on “Preliminary Consultation” and “Complete Application” requirements may be subject to future updates and amendments as a result of municipal implementation of the Regulations under the Planning and Conservation Land Statute Law Amendment Act 2005 (Bill 51).*

Preliminary Consultation

In addition to consulting with municipal staff, it is important to discuss your proposal with TRCA prior to submitting a formal application. For complex applications, this preliminary consultation is often done in coordination with the municipality. Preliminary consultation should be done as early in the planning process as possible to find out how your proposal is affected by TRCA's programs and policies. Preliminary consultation serves to identify potential issues, constraints, study requirements, and TRCA permitting requirements. TRCA staff can inform you of what lies ahead in our review process, indicate whether your proposal is supported in principle and discuss anticipated processing timelines. Further, the limits of natural features can typically be determined through initial site visits. Preliminary consultation also allows you to confirm what constitutes a complete application and assess your submission based on TRCA's checklists and technical guidelines. The submission of a complete application provides TRCA staff an opportunity to review your application in a comprehensive, efficient and timely manner. Please note that it is the responsibility of an applicant to undertake due diligence to determine all required planning and permitting approvals.

Screening and Circulation Process

Screening maps have been developed for use by municipalities to determine if a planning application requires review by TRCA. The screening maps, which identify TRCA's area of interest, are used by municipal staff to determine the location of a proposed development in relation to TRCA's area of interest. TRCA's area of interest includes, but is not necessarily limited to, the features and hazards regulated under Ontario Regulation 166/06, areas requiring special stormwater management controls, Areas of Natural and Scientific Interest, Environmentally Significant Areas, and TRCA property. Zoning By-law Amendment applications involving lands within TRCA's area of interest are circulated to TRCA for review by municipal staff. With each circulation, there is a request to provide technical input on how a proposal impacts natural hazards or natural heritage features and functions. TRCA is required to provide comments on applications within the time frame specified by the circulating agency.

Review Procedures

TRCA provides its member municipalities with advice on issues related to natural hazards and natural heritage for applications made pursuant to the *Planning Act*. The policies contained in TRCA's Valley and Stream Corridor Management Program, the Provincial Policy Statement, the Oak Ridges Moraine Conservation Plan, the Niagara Escarpment Plan, and the Greenbelt Plan, along with other applicable legislation, provide the basis for staff review and comment. The technical and scientific expertise provided by TRCA supports the environmental planning function of municipalities.

When a Zoning By-law Amendment application is received by TRCA, its review is facilitated by a planner in our Planning and Development Division. The planner first reviews the application to confirm TRCA's interest in the proposal and determine if the submission is complete based on our complete application checklists. Provided the application is complete, the planner will then conduct a thorough review of the proposal. As part of this review, the planner will evaluate the proposal with respect to its proximity to, and effect on, flooding and erosion hazards, as well as natural heritage features and functions. In addition, the planner will determine if the proposal is consistent with TRCA policy, other applicable legislation and policy, and the approved Master Environmental Servicing Plan (MESP) for the area, if applicable. The MESP ensures that the form and layout of new development is viewed in a broad context, rather than as individual properties considered in isolation of the larger system. Providing a comprehensive assessment of the limits and opportunities to development within the urban expansion area, MESP's identify issues such as servicing requirements, transportation, management of natural features and natural hazards, and the use of open space.

Following the TRCA planner's review, applications are circulated, if necessary, to TRCA technical staff for review. Depending upon the proposal, an application may need to be reviewed by TRCA's water resources engineers, geotechnical engineers, ecologists, hydrogeologists, Conservation Lands and Property Services staff, or Archaeology staff.

Once an application is reviewed by technical staff, and all necessary site visits are conducted to determine or stake the limits of natural features or the physical top-of-bank (Appendix B), comments are given to the TRCA planner and a letter is issued detailing TRCA's issues, concerns or recommendations. It is important to note that a site visit may reveal the need for additional technical studies. Please also note that through the planning process, TRCA staff will request that valley and stream corridors be zoned in an appropriate environmental protection/open space category and dedicated into public ownership (Appendix C). Consideration for passive public trail access adjacent to natural features is often acceptable if considered appropriate in the area. Given that applications are circulated by the municipality, TRCA's comments will typically be directed to the municipal planner and copied to the applicant or their project manager. These procedures are illustrated in Figure 3.

Submission Requirements

To ensure the interests of TRCA are met, and to appropriately assess the technical aspects of your proposal, we require the submission of a number of information items with your Zoning By-law Amendment application. These items may be the same as what is required by the municipality, or they may be over and above municipal requirements. Please note that not all of the items listed below will apply to your application. Further note that the level of detail required

for most of the studies and reports can vary widely depending on the property and the proposal. In some situations, a single-page letter from a qualified expert will be sufficient, while in other cases a major study will be necessary. Meeting with TRCA staff prior to submitting your application to the municipality will determine which of the items must be provided with your submission to consider it a complete application and establish the requirements for, and the scope of, any reports and studies.

COMPULSORY REQUIREMENTS

- Covering Letter, which outlines the proposal, provides contact names and describes all preliminary consultation and submission contents
- Application Fee (Appendix I)
- Appropriate Plans/Drawings
- Natural Systems Map (natural hazards and natural heritage features with requisite buffers, overlaid with existing site conditions, property boundaries, and proposed development and site alteration)
- Topographic Information

POTENTIAL TECHNICAL REQUIREMENTS

- Archaeological Assessment on TRCA Property
- Channel Crossings Assessment
- Conformity Reports (Greenbelt, Niagara Escarpment, ORM, Rouge Park/Rouge Park North)
- Floodline Delineation Study/Hydraulics
- Functional Servicing Plan
- Geotechnical/Slope Stability Study
- Grading Plans
- Headwater Drainage Feature Evaluation
- Hydrogeological Assessment
- Low Impact Development Opportunity Assessment, as required by municipal policy
- Scoped or Full Environmental Impact and Enhancement Study
- Stormwater Management Study
- Structural Elevations and Construction Details
- Water Balance Analysis
- Watercourse Erosion Analysis
- Other reports/studies identified through the checklists or staff consultation

The checklists and technical guidelines produced by TRCA should be consulted in preparation of all Zoning By-law Amendment applications and all supporting studies accompanying an application. The checklists and guidelines are found in Section 7.0 of this Manual. Applicable fees are due when your application is circulated or submitted for review to TRCA. Only one set of fees applies when reviewing a combined application (e.g. Official Plan Amendment and Zoning By-law Amendment). The highest rate of fees applies.

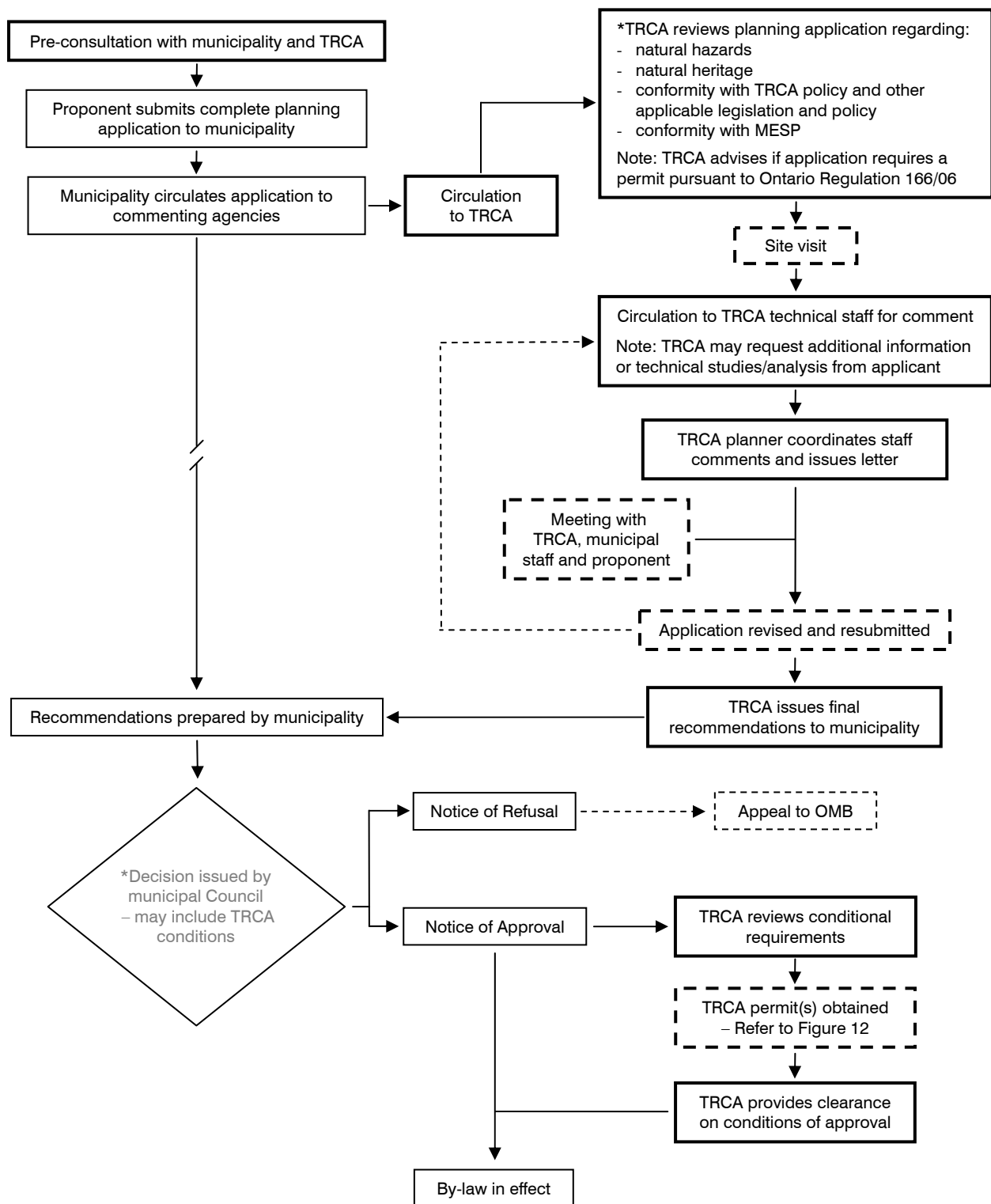
Level of Service

TRCA Planning and Development staff are committed to meeting reasonable review times for all planning applications that are submitted. Review periods are established on the premise that a level of pre-consultation has been conducted and that the guidelines and most recent policies of TRCA have been addressed. Commitment to review times also assumes submissions are complete. Applications are reviewed based on the order they are submitted and are generally subject to a 30 to 60 business day review timeline, recognizing that TRCA is required to provide comments on applications within the time frame specified by the circulating

agency. Additional technical analysis required as a result of the review process or site investigation may affect these timelines.

In many cases, re-submissions are required to address outstanding information needs. The review of re-submissions can require significant time depending on the level of information that was added. Re-submission requirements can be minimized through pre-consultation and compliance with TRCA guidelines. Generally 15 business days can be assumed for the review of re-submissions, unless they are identified as complex. An itemization of how the new or revised plans or studies address each of TRCA's comments from the previous submission will help to expedite the review process. Re-submissions that are the result of incomplete applications may be subject to additional fees. Review times cannot be adhered to when submissions are incomplete and information is received in an uncoordinated approach. It should be noted that all review times are targets that may be affected by workload or unexpected occurrences.

Figure 3 – Review Procedures for Zoning By-law Amendment Applications



*In conformity with applicable legislation and provincial plans

Mandatory procedure —
Potential procedure - - -
Procedure involving TRCA —

3C Plans of Subdivisions

When a piece of land is divided into two or more parcels, a Plan of Subdivision may be required under the *Planning Act*. Plans of Subdivision typically have conditions of approval attached to them by the various approval agencies, including but not limited to conservation authorities, commissions, or municipalities. A condominium is a form of subdivision in which the title to a unit is held by an individual with a share in the rest of the property that is common to all of the owners. The process for condominium plan approval resembles that required for a Plan of Subdivision, but is generally processed through Site Plan approval. TRCA staff routinely review Plans of Subdivision to ensure TRCA's policy and program objectives are considered through the land use planning process.

Note: *The following sections on “Preliminary Consultation” and “Complete Application” requirements may be subject to future updates and amendments as a result of municipal implementation of the Regulations under the Planning and Conservation Land Statute Law Amendment Act 2005 (Bill 51).*

Preliminary Consultation

In addition to consulting with municipal staff, it is important to discuss your proposal with TRCA prior to submitting a formal application. For complex applications, this preliminary consultation is often done in coordination with the municipality. Preliminary consultation should be done as early in the planning process as possible to find out how your proposal is affected by TRCA's programs and policies. Preliminary consultation serves to identify potential issues, constraints, study requirements, and TRCA permitting requirements. TRCA staff can inform you of what lies ahead in our review process, indicate whether your proposal is supported in principle and discuss anticipated processing timelines. Further, the limits of natural features can typically be determined through initial site visits. Preliminary consultation also allows you to confirm what constitutes a complete application and assess your submission based on TRCA's checklists and technical guidelines. The submission of a complete application provides TRCA staff an opportunity to review your application in a comprehensive, efficient and timely manner. Please note that it is the responsibility of an applicant to undertake due diligence to determine all required planning and permitting approvals.

Screening and Circulation Process

Screening maps have been developed for use by municipalities to determine if a planning application requires review by TRCA. The screening maps, which identify TRCA's area of interest, are used by municipal staff to determine the location of a proposed development in relation to TRCA's area of interest. TRCA's area of interest includes, but is not necessarily limited to, the features and hazards regulated under Ontario Regulation 166/06, areas requiring special stormwater management controls, Areas of Natural and Scientific Interest, Environmentally Significant Areas, and TRCA property. Subdivision applications involving lands within TRCA's area of interest are circulated to TRCA for review by municipal staff. With each circulation, there is a request to provide technical input on how a proposal impacts natural hazards or natural heritage features and functions. TRCA is required to provide comments on applications within the time frame specified by the circulating agency.

Review Procedures

TRCA provides its member municipalities with advice on issues related to natural hazards and natural heritage for applications made pursuant to the *Planning Act*. The policies contained in TRCA's Valley and Stream Corridor Management Program, the Provincial Policy Statement, the Oak Ridges Moraine Conservation Plan, the Niagara Escarpment Plan, and the Greenbelt Plan, along with other applicable legislation, provide the basis for staff review and comment. The technical and scientific expertise provided by TRCA supports the environmental planning function of municipalities.

When a Plan of Subdivision is received by TRCA, its review is facilitated by a planner in our Planning and Development Division. The planner first reviews the application to confirm TRCA's interest in the proposal and determine if the submission is complete based on our complete application checklists. Provided the application is complete, the planner will then conduct a thorough review of the proposal. As part of this review, the planner will evaluate the proposal with respect to its proximity to, and effect on, flooding and erosion hazards, as well as natural heritage features and functions. In addition, the planner will determine if the proposal is consistent with TRCA policy, other applicable legislation and policy, and the approved Master Environmental Servicing Plan (MESP) for the area, if applicable. The MESP ensures that the form and layout of new development is viewed in a broad context, rather than as individual properties considered in isolation of the larger system. Providing a comprehensive assessment of the limits and opportunities to development within the urban expansion area, MESP's identify issues such as servicing requirements, transportation, management of natural features and natural hazards, and the use of open space.

Following the TRCA planner's review, applications are circulated, if necessary, to TRCA technical staff for review. Depending upon the proposal, an application may need to be reviewed by TRCA's water resources engineers, geotechnical engineers, ecologists, hydrogeologists, Conservation Lands and Property Services staff, or Archaeology staff.

Once an application is reviewed by technical staff, and all necessary site visits are conducted to determine or stake the limits of natural features or the physical top-of-bank (Appendix B), comments are given to the TRCA planner and a letter is issued detailing TRCA's issues, concerns or recommendations. It is important to note that a site visit may reveal the need for additional technical studies. Please also note that through the planning process, TRCA staff will request that valley and stream corridors be zoned in an appropriate environmental protection/open space category and dedicated into public ownership (Appendix C). Consideration for passive public trail access adjacent to natural features trail access is often acceptable if considered appropriate in the area. Given that applications are circulated by the municipality, TRCA's comments will typically be directed to the municipal planner and copied to the applicant or their project manager. These procedures are illustrated in Figure 4.

Submission Requirements

To ensure the interests of TRCA are met, and to appropriately assess the technical aspects of your proposal, we require the submission of a number of information items with your Plan of Subdivision. These items may be the same as what is required by the municipality, or they may be over and above municipal requirements. Please note that not all of the items listed below will apply to your application. Further note that the level of detail required for most of the

studies and reports can vary widely depending on the property and the proposal. In some situations, a single-page letter from a qualified expert will be sufficient, while in other cases a major study will be necessary. Meeting with TRCA staff prior to submitting your application to the municipality will determine which of the items must be provided with your submission to consider it a complete application and establish the requirements for, and the scope of, any reports and studies.

COMPULSORY REQUIREMENTS

- Covering Letter, which outlines the proposal, provides contact names and describes all preliminary consultation and submission contents
- Application Fee (Appendix I)
- Appropriate Plans/Drawings
- Natural Systems Map (natural hazards and natural heritage features with requisite buffers, overlaid with existing site conditions, property boundaries, and proposed development and site alteration)
- Topographic Information

POTENTIAL TECHNICAL REQUIREMENTS

- Archaeological Assessment on TRCA Property
- Channel Crossings Assessment
- Conformity Reports (Greenbelt, Niagara Escarpment, ORM, Rouge Park/Rouge Park North)
- Erosion and Sediment Control Plans
- Floodline Delineation Study/Hydraulics
- Functional Servicing Plan
- Geotechnical/Slope Stability Study
- Grading Plans
- Headwater Drainage Feature Evaluation
- Hydrogeological Assessment
- Landscaping/Site Rehabilitation Plan
- Low Impact Development Opportunity Assessment, as required by municipal policy
- Scoped or Full Environmental Impact and Enhancement Study
- Stormwater Management Facility Design
- Stormwater Management Study
- Structural Elevations and Construction Details
- Topsoil Stripping Review
- Water Balance Analysis
- Watercourse Erosion Analysis
- Other reports/studies identified through the checklists or staff consultation

The checklists and technical guidelines produced by TRCA should be consulted in preparation of all subdivision applications and all supporting studies accompanying an application. The checklists and guidelines are found in Section 7.0 of this Manual. Applicable fees are due when your application is circulated or submitted for review to TRCA. Only one set of fees applies when reviewing a combined application (e.g. Zoning By-law Amendment and Plan of Subdivision). The highest rate of fees applies.

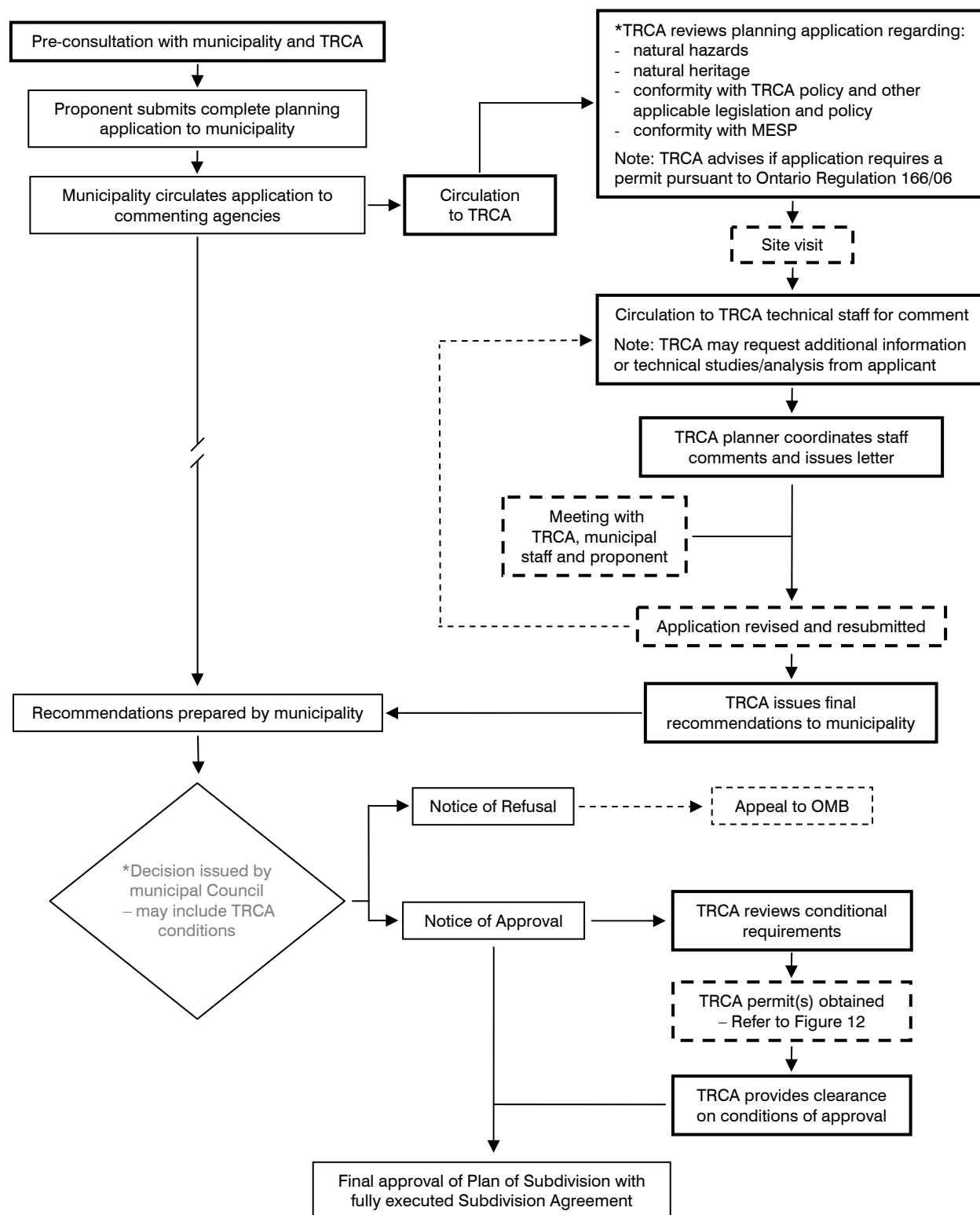
Level of Service

TRCA Planning and Development staff are committed to meeting reasonable review times for all planning applications that are submitted. Review periods are established on the premise that a level of pre-consultation has been conducted and that the guidelines and most recent policies of TRCA have been addressed. Commitment to review times also assumes

submissions are complete. Applications are reviewed based on the order they are submitted and are generally subject to a 30 to 60 business day review timeline, recognizing that TRCA is required to provide comments on applications within the time frame specified by the circulating agency. Additional technical analysis required as a result of the review process or site investigation may affect these timelines.

In many cases, re-submissions are required to address outstanding information needs. The review of re-submissions can require significant time depending on the level of information that was added. Re-submission requirements can be minimized through pre-consultation and compliance with TRCA guidelines. Generally 15 business days can be assumed for the review of re-submissions, unless they are identified as complex. An itemization of how the new or revised plans or studies address each of TRCA's comments from the previous submission will help to expedite the review process. Re-submissions that are the result of incomplete applications may be subject to additional fees. Review times cannot be adhered to when submissions are incomplete and information is received in an uncoordinated approach. It should be noted that all review times are targets that may be affected by workload or unexpected occurrences.

Figure 4 – Review Procedures for Plans of Subdivision



*In conformity with applicable legislation and provincial plans
Note: Process will be repeated for any subsequent phases of subdivision

Mandatory procedure —
Potential procedure - - -
Procedure involving TRCA —

3D Site Plans

Site Plans deal with the specifics of site design for a development proposal. In general, site plan controls are used to ensure that developments are built and maintained in a manner that has been agreed upon by the approval body. This includes meeting standards for quality and appearance, safe and easy access for pedestrians and vehicles, parking, landscaping and drainage, and that nearby properties are protected from incompatible development. TRCA staff routinely review Site Plan applications to ensure TRCA's policy and program objectives are considered through the land use planning process.

Note: *The following sections on “Preliminary Consultation” and “Complete Application” requirements may be subject to future updates and amendments as a result of municipal implementation of the Regulations under the Planning and Conservation Land Statute Law Amendment Act 2005 (Bill 51).*

Preliminary Consultation

In addition to consulting with municipal staff, it is important to discuss your proposal with TRCA prior to submitting a formal application. For complex applications, this preliminary consultation is often done in coordination with the municipality. Preliminary consultation should be done as early in the planning process as possible to find out how your proposal is affected by TRCA's programs and policies. Preliminary consultation serves to identify potential issues, constraints, study requirements, and TRCA permitting requirements. TRCA staff can inform you of what lies ahead in our review process, indicate whether your proposal is supported in principle and discuss anticipated processing timelines. Further, the limits of natural features can typically be determined through initial site visits. Preliminary consultation also allows you to confirm what constitutes a complete application and assess your submission based on TRCA's checklists and technical guidelines. The submission of a complete application provides TRCA staff an opportunity to review your application in a comprehensive, efficient and timely manner. Please note that it is the responsibility of an applicant to undertake due diligence to determine all required planning and permitting approvals.

Screening and Circulation Process

Screening maps have been developed for use by municipalities to determine if a planning application requires review by TRCA. The screening maps, which identify TRCA's area of interest, are used by municipal staff to determine the location of a proposed development in relation to TRCA's area of interest. TRCA's area of interest includes, but is not necessarily limited to, the features and hazards regulated under Ontario Regulation 166/06, areas requiring special stormwater management controls, Areas of Natural and Scientific Interest, Environmentally Significant Areas, and TRCA property. Site Plan applications involving lands within TRCA's area of interest are circulated to TRCA for review by municipal staff. With each circulation, there is a request to provide technical input on how a proposal impacts natural hazards or natural heritage features and functions. TRCA is required to provide comments on applications within the time frame specified by the circulating agency.

Review Procedures

TRCA provides its member municipalities with advice on issues related to natural hazards and natural heritage for applications made pursuant to the *Planning Act*. The policies contained in TRCA's Valley and Stream Corridor Management Program, the Provincial Policy Statement, the Oak Ridges Moraine Conservation Plan, the Niagara Escarpment Plan, and the Greenbelt Plan, along with other applicable legislation, provide the basis for staff review and comment. The technical and scientific expertise provided by TRCA supports the environmental planning function of municipalities.

When a Site Plan application is received by TRCA, its review is facilitated by a planner in our Planning and Development Division. The planner first reviews the application to confirm TRCA's interest in the proposal and determine if the submission is complete based on our complete application checklists. Provided the application is complete, the planner will then conduct a thorough review of the proposal. As part of this review, the planner will evaluate the proposal with respect to its proximity to, and effect on, flooding and erosion hazards, as well as natural heritage features and functions. In addition, the planner will determine if the proposal is consistent with TRCA policy, other applicable legislation and policy, and the approved Master Environmental Servicing Plan (MESP) for the area, if applicable. The MESP ensures that the form and layout of new development is viewed in a broad context, rather than as individual properties considered in isolation of the larger system. Providing a comprehensive assessment of the limits and opportunities to development within the urban expansion area, MESP's identify issues such as servicing requirements, transportation, management of natural features and natural hazards, and the use of open space.

Following the TRCA planner's review, applications are circulated, if necessary, to TRCA technical staff for review. Depending upon the proposal, an application may need to be reviewed by TRCA's water resources engineers, geotechnical engineers, ecologists, hydrogeologists, Conservation Lands and Property Services staff, or Archaeology staff.

Once an application is reviewed by technical staff, and all necessary site visits are conducted to determine or stake the limits of natural features or the physical top-of-bank (Appendix B), comments are given to the TRCA planner and a letter is issued detailing TRCA's issues, concerns or recommendations. It is important to note that a site visit may reveal the need for additional technical studies. Given that applications are circulated by the municipality, TRCA's comments will typically be directed to the municipal planner and copied to the applicant or their project manager. These procedures are illustrated in Figure 5.

Submission Requirements

To ensure the interests of TRCA are met, and to appropriately assess the technical aspects of your proposal, we require the submission of a number of information items with your Site Plan application. These items may be the same as what is required by the municipality, or they may be over and above municipal requirements. Please note that not all of the items listed below will apply to your application. Further note that the level of detail required for most of the studies and reports can vary widely depending on the property and the proposal. In some situations, a single-page letter from a qualified expert will be sufficient, while in other cases a major study will be necessary. Meeting with TRCA staff prior to submitting your application to the municipality will determine which of the items must be provided with your submission to

consider it a complete application and establish the requirements for, and the scope of, any reports and studies.

COMPULSORY REQUIREMENTS

- Covering Letter, which outlines the proposal, provides contact names and describes all preliminary consultation and submission contents
- Application Fee (Appendix I)
- Appropriate Plans/Drawings
- Natural Systems Map (natural hazards and natural heritage features with requisite buffers, overlaid with existing site conditions, property boundaries, and proposed development and site alteration)
- Topographic Information

POTENTIAL TECHNICAL REQUIREMENTS

- Archaeological Assessment on TRCA Property
- Channel Crossings Assessment
- Conformity Reports (Greenbelt, Niagara Escarpment, ORM, Rouge Park/Rouge Park North)
- Erosion and Sediment Control Plans
- Floodline Delineation Study/Hydraulics
- Functional Servicing Plan
- Geotechnical/Slope Stability Study
- Grading Plans
- Headwater Drainage Feature Evaluation
- Hydrogeological Assessment
- Landscaping/Site Rehabilitation Plan
- Low Impact Development Opportunity Assessment, as required by municipal policy
- Scoped or Full Environmental Impact and Enhancement Study
- Stormwater Management Facility Design
- Stormwater Management Study
- Structural Elevations and Construction Details
- Topsoil Stripping Review
- Water Balance Analysis
- Watercourse Erosion Analysis
- Other reports/studies identified through the checklists or staff consultation

The checklists and technical guidelines produced by TRCA should be consulted in preparation of all Site Plan applications and all supporting studies accompanying an application. The checklists and guidelines are found in Section 7.0 of this Manual. Applicable fees are due when your application is circulated or submitted for review to TRCA. Only one set of fees applies when reviewing a combined application (e.g. Zoning By-law Amendment and Site Plan). The highest rate of fees applies.

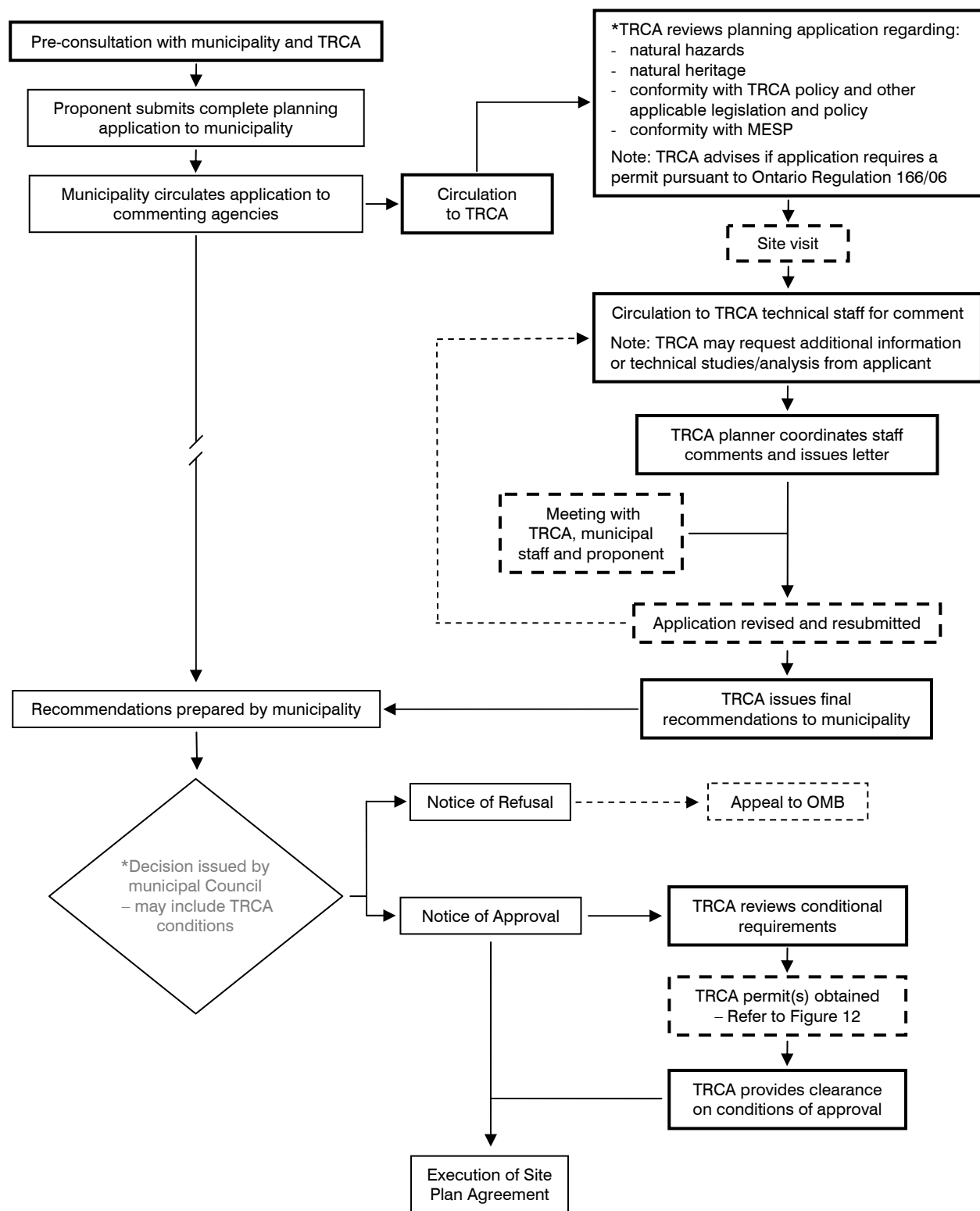
Level of Service

TRCA Planning and Development staff are committed to meeting reasonable review times for all planning applications that are submitted. Review periods are established on the premise that a level of pre-consultation has been conducted and that the guidelines and most recent policies of TRCA have been addressed. Commitment to review times also assumes submissions are complete. Applications are reviewed based on the order they are submitted and are generally subject to a 30 to 60 business day review timeline, recognizing that TRCA is required to provide comments on applications within the time frame specified by the circulating

agency. Additional technical analysis required as a result of the review process or site investigation may affect these timelines.

In many cases, re-submissions are required to address outstanding information needs. The review of re-submissions can require significant time depending on the level of information that was added. Re-submission requirements can be minimized through pre-consultation and compliance with TRCA guidelines. Generally 15 business days can be assumed for the review of re-submissions, unless they are identified as complex. An itemization of how the new or revised plans or studies address each of TRCA's comments from the previous submission will help to expedite the review process. Re-submissions that are the result of incomplete applications may be subject to additional fees. Review times cannot be adhered to when submissions are incomplete and information is received in an uncoordinated approach. It should be noted that all review times are targets that may be affected by workload or unexpected occurrences.

Figure 5 – Review Procedures for Site Plan Applications



*In conformity with applicable legislation and provincial plans

Mandatory procedure —
Potential procedure - - -
Procedure involving TRCA —

3E Consents (Severances) and Minor Variances

A land severance is the authorized separation of a piece of land to form two new adjoining properties. Commonly referred to as a Consent, it is required when you want to sell, mortgage, change or enter into any agreement for a portion of your land. If several severances are intended for the same area, a Plan of Subdivision may be required by the municipality.

A Minor Variance is sought in instances where only minor changes are required to the zoning provisions that exist on a property (e.g. small reduction in a yard setback for a structure).

Every municipality has a Committee of Adjustment or Land Division Committee who is responsible for reviewing and making decisions on Consent and Minor Variance applications. The review of these applications provides TRCA staff with the opportunity to monitor and comment on development activities in hazardous areas and to ensure TRCA's policy and program objectives are considered during the planning process.

Note: *The following sections on “Preliminary Consultation” and “Complete Application” requirements may be subject to future updates and amendments as a result of municipal implementation of the Regulations under the Planning and Conservation Land Statute Law Amendment Act 2005 (Bill 51).*

Preliminary Consultation

In addition to consulting with municipal staff, it is important to discuss your proposal with TRCA prior to submitting a formal application. This preliminary consultation should be done as early in the planning process as possible to find out how your proposal is affected by TRCA's programs and policies. Preliminary consultation serves to identify potential issues, constraints, study requirements, and TRCA permitting requirements. TRCA staff can inform you of what lies ahead in our review process, indicate whether your proposal is supported in principle and discuss anticipated processing timelines. Further, the limits of natural features can typically be determined through initial site visits. Preliminary consultation also allows you to confirm what constitutes a complete application and assess your submission based on TRCA's checklists and technical guidelines. The submission of a complete application provides TRCA staff an opportunity to review your application in a comprehensive, efficient and timely manner. Please note that it is the responsibility of an applicant to undertake due diligence to determine all required planning and permitting approvals.

Screening and Circulation Process

Screening maps have been developed for use by municipalities to determine if a planning application requires review by TRCA. The screening maps, which identify TRCA's area of interest, are used by municipal staff to determine the location of a proposed development in relation to TRCA's area of interest. TRCA's area of interest includes, but is not necessarily limited to, the features and hazards regulated under Ontario Regulation 166/06, areas requiring special stormwater management controls, Areas of Natural and Scientific Interest, Environmentally Significant Areas, and TRCA property. Consent and Minor Variance applications involving lands within TRCA's area of interest are circulated to TRCA for review by municipal staff. With each circulation, there is a request to provide technical input on how a

proposal impacts natural hazards or natural heritage features and functions. TRCA is required to provide comments on applications within the time frame specified by the circulating agency.

Review Procedures

TRCA provides its member municipalities with advice on issues related to natural hazards and natural heritage for applications made pursuant to the *Planning Act*. The policies contained in TRCA's Valley and Stream Corridor Management Program, the Provincial Policy Statement, the Oak Ridges Moraine Conservation Plan, the Niagara Escarpment Plan, and the Greenbelt Plan, along with other applicable legislation, provide the basis for staff review and comment. The technical and scientific expertise provided by TRCA supports the environmental planning function of municipalities.

When a Consent or Minor Variance application is received by TRCA, its review is facilitated by a planner in our Planning and Development Division. The planner first reviews the application to confirm TRCA's interest in the proposal and determine if the submission is complete based on our complete application checklists. Provided the application is complete, the planner will then conduct a thorough review of the proposal. As part of this review, the planner will evaluate the proposal with respect to its proximity to, and effect on, flooding and erosion hazards, as well as natural heritage features and functions. In addition, the planner will determine if the proposal is consistent with TRCA policy, as well as other applicable legislation and policy.

Following the TRCA planner's review, applications are circulated, if necessary, to TRCA technical staff for review. Depending upon the proposal, an application may need to be reviewed by TRCA's water resources engineers, geotechnical engineers, ecologists, hydrogeologists, Conservation Lands and Property Services staff, or Archaeology staff.

Once an application is reviewed by technical staff, and all necessary site visits are conducted to determine or stake the limits of natural features or the physical top-of-bank (Appendix B), comments are given to the TRCA planner and a letter is issued detailing TRCA's issues, concerns or recommendations. It is important to note that a site visit may reveal the need for additional technical studies. Given that applications are circulated by the municipality, TRCA's comments will typically be directed to the Secretary of the Committee of Adjustment or Land Division Committee and copied to the applicant or their project manager.

Consent and Minor Variance applications are subject to a quick turn around as they are received generally less than two weeks prior to the Committee of Adjustment meeting. TRCA Planning and Development staff respond by letter to the Secretary of the Committee in the following manner:

- no objection, as the application is within the screening area but no interests are directly affected;
- request for conditions of approval, where there is an interest affected and conditions will address the issue; or
- request for deferral of the application due to the nature of the interest affected, where more time is required to consult with TRCA staff, visit the site, or receive additional information prior to the application being deemed acceptable.

These procedures are illustrated in Figure 6.

Submission Requirements

To ensure the interests of TRCA are met, and to appropriately assess the technical aspects of your proposal, we require the submission of a number of information items with your Consent or Minor Variance application. These items may be the same as what is required by the municipality, or they may be over and above municipal requirements. Please note that not all of the items listed below will apply to your application. Further note that the level of detail required for most of the studies and reports can vary widely depending on the property and the proposal. In some situations, a single-page letter from a qualified expert will be sufficient, while in other cases a major study will be necessary. Meeting with TRCA staff prior to submitting your application to the municipality will determine which of the items must be provided with your submission to consider it a complete application and establish the requirements for, and the scope of, any reports and studies.

COMPULSORY REQUIREMENTS

- Covering Letter, which outlines the proposal, provides contact names and describes all preliminary consultation and submission contents
- Application Fee (Appendix I)
- Appropriate Plans/Drawings

POTENTIAL TECHNICAL REQUIREMENTS

- Archaeological Assessment on TRCA Property
- Conformity Reports (Greenbelt, Niagara Escarpment, ORM, Rouge Park/Rouge Park North)
- Erosion and Sediment Control Plans
- Floodline Delineation Study/Hydraulics
- Geotechnical/Slope Stability Study
- Grading Plans
- Hydrogeological Assessment
- Headwater Drainage Feature Evaluation
- Landscaping/Site Rehabilitation Plan
- Natural Systems Map (natural hazards and natural heritage features with requisite buffers, overlaid with existing site conditions, property boundaries, and proposed development and site alteration)
- Scoped or Full Environmental Impact and Enhancement Study
- Structural Elevations and Construction Details
- Topographic Information
- Other reports/studies identified through the checklists or staff consultation

The checklists and technical guidelines produced by TRCA should be consulted in preparation of all Consent and Minor Variance applications and all supporting studies accompanying an application. The checklists and guidelines are found in Section 7.0 of this Manual. Applicable fees are due when your application is circulated or submitted for review to TRCA, otherwise TRCA may ask to have a condition of approval added that requires fees be paid prior to approval. Only one set of fees applies when reviewing a combined application (e.g. Site Plan and Minor Variance). The highest rate of fees applies.

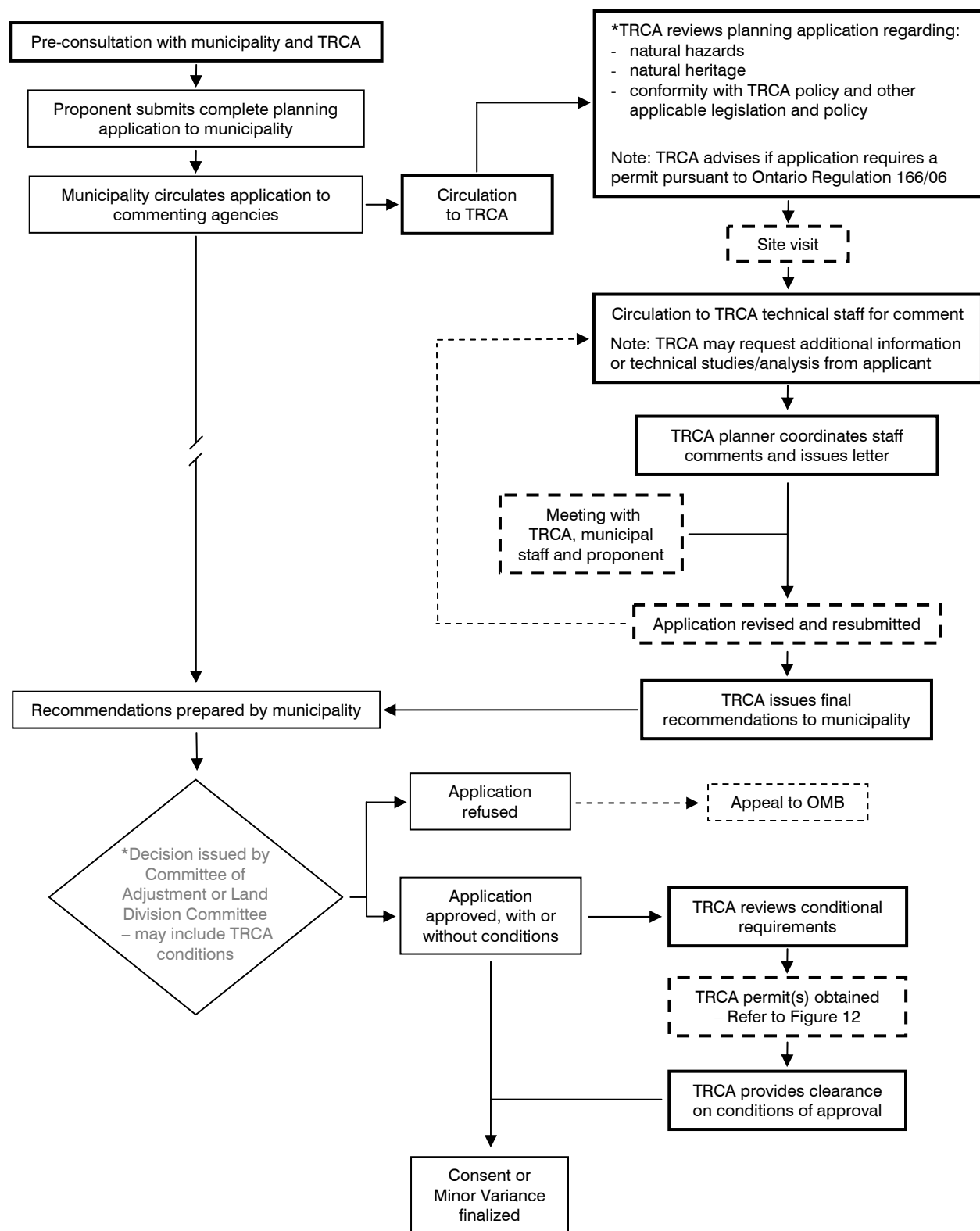
Level of Service

TRCA Planning and Development staff are committed to meeting reasonable review times for all planning applications that are submitted. Review periods are established on the premise that a level of pre-consultation has been conducted and that the guidelines and most recent

policies of TRCA have been addressed. Commitment to review times also assumes submissions are complete. Applications are reviewed based on the order they are submitted, recognizing that TRCA is required to provide comments on applications within the time frame specified by the circulating agency. Additional technical analysis required as a result of the review process or site investigation may affect these timelines.

In many cases, re-submissions are required to address outstanding information needs. The review of re-submissions can require significant time depending on the level of information that was added. Re-submission requirements can be minimized through pre-consultation and compliance with TRCA guidelines. Generally 15 business days can be assumed for the review of re-submissions, unless they are identified as complex. An itemization of how the new or revised plans or studies address each of TRCA's comments from the previous submission will help to expedite the review process. Re-submissions that are the result of incomplete applications may be subject to additional fees. Review times cannot be adhered to when submissions are incomplete and information is received in an uncoordinated approach. It should be noted that all review times are targets that may be affected by workload or unexpected occurrences.

Figure 6 – Review Procedures for Consent and Minor Variance Applications



*In conformity with applicable legislation and provincial plans

Mandatory procedure —
Potential procedure - - -
Procedure involving TRCA —

4.0 Environmental Assessment Applications

The following section details how the Toronto and Region Conservation Authority (TRCA) carries out its role as a review agency, with provincial direction to provide technical clearance, under the Ontario *Environmental Assessment Act*, here on in referred to as the *Environmental Assessment Act*. It is organized by application type and provides information on:

- The importance of preliminary consultation
- How and why your Environmental Assessment application is sent to TRCA for review
- TRCA's review process
- TRCA's submission requirements

This Manual is not intended to define or limit the involvement TRCA may have with your application; it provides a general guideline. Please refer to the appropriate subsection based on the type of application you need to submit, as indicated below.

- 4A – Individual Environmental Assessments
- 4B – Class Environmental Assessments
- 4C – Municipal Class Environmental Assessments
 - 1 – Master Plans
 - 2 – Schedule A
 - 3 – Schedule B and C
- 4D – Electricity Generation and Transmission Environmental Assessments
 - 1 – Category A
 - 2 – Category B
 - 3 – Category C

As noted in Section 2.3 of this Manual, which outlines the legislative framework governing TRCA with respect to the Environmental Assessment review process, TRCA staff are responsible for providing technical clearance on applications made under the *Environmental Assessment Act* and recommendations to TRCA's Executive Committee regarding any associated Ontario Regulation 166/06 permit applications. Staff comments and recommendations are based on TRCA's commitment to integrating the principles of sustainable planning into city building within the nine watersheds of our jurisdiction.

In addition to the above noted review of applications under the *Environmental Assessment Act* and TRCA's Regulation, it is important to note that proposals may require approvals from other agencies. It is the responsibility of an applicant to undertake due diligence to determine all required approvals.

4.1 Application Streams

Preliminary consultation and the submission of a complete application are the cornerstones of an efficient and effective review process. These notions are vital to TRCA's commitment to meeting its targeted timelines. However, each application is unique by virtue of the specifics of the property, its location, the nature of the development and many other factors. Accordingly, your application may be resolved in more or less time depending on the combination of these factors. The extent of environmental features and constraints, requirements for TRCA property,

the complexity of a proposal, and compliance with TRCA policy, largely dictate review and approval timelines. Within our plan review process, Environmental Assessment applications are categorized into three streams:

Complex – Applications that typically involve large developments with significant environmental impacts, community stakeholder concerns, or permitting requirements. Generally, these would include Master Plans, Individual Environmental Assessments and Municipal Class Environmental Assessments – Schedule C and some Schedule B.

Routine – Applications that are typically smaller in scope and have issues that are not highly complex or controversial. These applications require limited circulation to TRCA technical staff and generally require standard approval recommendations or conditions. Generally, these would include most Class Environmental Assessments, including most Schedule B Municipal Class Environmental Assessments.

Unacceptable – Applications that do not comply with the basic principles of TRCA's policies and programs.

4A Individual Environmental Assessments

The *Environmental Assessment Act* allows for two types of Environmental Assessments (EA): Individual and Class. An Individual EA is required for a project that is routine but does not have predictable and mitigable environmental effects. From a municipal perspective, examples include new roads and transit facilities.

For each project requiring an Individual EA, a Terms of Reference must be completed at the outset of the project. The management of the EA process occurs in consultation with staff from the Ministry of Environment (MOE) – Environmental Assessment and Approvals Branch. As defined by MOE, the Terms of Reference document must set out in detail the proposed work plan for the preparation of the EA document, and it must provide commitments to consultation, EA process and technical requirements during the EA.

For municipal, private and other agency projects, TRCA provides comments on the draft Terms of Reference to the proponent and on the final Terms of Reference to MOE. The final Terms of Reference is approved by MOE staff. Once the Terms of Reference is approved, the proponent can undertake the required studies and complete the EA. TRCA staff reviews and comments on draft reports throughout the process, and meets with the proponent as required. Staff use TRCA watershed management strategies, plans, programs and policies to provide direction to the proponent.

For projects where TRCA is the proponent, Individual EAs are required when the requirements of the Conservation Ontario Class Environmental Assessment for Remedial Flood and Erosion Control Projects are not met. Such projects include those implemented under the Watershed Plan: Waterfront Development Program (1980) and the Integrated Shoreline Management Plan – Tommy Thompson Park to Frenchman's Bay (1996). These projects are managed by staff in the Restoration Services or Watershed Management Divisions. For these projects, the planner forms part of the internal review team, which also includes technical staff. The planner provides advice on project compliance with TRCA policies and programs, but does not coordinate comments from other divisions. The planner will attend public meetings if requested to do so.

Preliminary Consultation

Proponents of an EA should discuss their proposal with TRCA prior to submitting a formal document. This preliminary consultation should be done as early in the EA process as possible to find out how your proposal is affected by TRCA's programs and policies. Preliminary consultation serves to identify potential issues, constraints and study requirements. TRCA staff can inform you of what lies ahead in our review process, indicate whether your proposal is supported in principle and discuss anticipated processing timelines. Preliminary consultation also allows you to confirm what constitutes a complete application and assess your submission based on TRCA checklists and technical guidelines. The submission of a complete application provides TRCA staff an opportunity to review your application in a comprehensive, efficient and timely manner.

Review Procedures

For applications made pursuant to the *Environmental Assessment Act*, TRCA provides technical clearance on issues related to natural hazards and natural heritage, and technical advice on issues related to energy efficiency, and the use of renewable and non-renewable resources. The policies contained in TRCA's Valley and Stream Corridor Management Program, The Living City Strategic Plan, the Provincial Policy Statement, the Oak Ridges Moraine Conservation Plan, the Niagara Escarpment Plan, and the Greenbelt Plan, along with other applicable legislation, provide the basis for staff review and comment.

When the Notice of Commencement is received, its review is facilitated by a planner in our EA review team. The planner first reviews the submission and confirms TRCA interest in the proposal. A letter detailing these interests, together with digital information on natural features and regulatory limits, is provided to the proponent. This information should be used in determining recommendations in the Individual EA.

The following data are available to the proponent for most areas within TRCA watersheds and are provided when projects are initiated:

NATURAL FEATURES AND REGULATION DATA

- Archaeological and Heritage Resources Data
- Baseflow Data
- Engineered Flood Elevation Data
- Engineered Flood Plain Maps
- Environmentally Significant Areas
- Fish Monitoring Data
- Hydrogeological Data
- Natural Cover (forests, successional, etc.)
- Regulation Limits
- Special Policy Areas
- Targeted Terrestrial Natural Heritage System
- TRCA Property
- TRCA Species of Conservation Concern (Flora and Fauna)*
- Vegetation Type (ELC Communities)*
- Watercourses
- Watershed Boundaries

Typically, staff will participate on a technical advisory committee that meets at strategic points throughout the course of the project. The planner is invited to be part of the public consultation process, and will review all information provided at the meeting. Further, staff will attend the meeting if technical support is required.

When the technical background studies or the Individual EA are prepared, they should be submitted to TRCA for comment. The planner will circulate the submission to TRCA technical staff for review. Depending upon the proposal, a submission may need to be reviewed by TRCA's water resources engineers, geotechnical engineers, ecologists, hydrogeologists, Conservation Lands and Property Services staff, Archaeology staff, Restoration Services staff, or Watershed Specialist staff. Once a submission is reviewed by technical staff, and all necessary site visits are conducted to determine or stake the limits of natural features or the physical top-of-bank (Appendix B), the planner coordinates the review comments and

composes a letter detailing TRCA's issues, concerns or recommendations. These procedures are illustrated in Figure 7.

Submission Requirements

To ensure the interests of TRCA are met and to appropriately assess the technical aspects of your proposal, we require the submission of a number of information items as part of your Individual EA. Please note that not all of the items listed below will apply to your application, and depending on the study there may be additional requirements. Also note that the level of detail required for most of the studies and reports can vary widely depending on the property and the proposal. In some situations, a single-page letter from a qualified expert will be sufficient, while in other cases a major study will be necessary. Meeting with TRCA staff prior to the initiation of the Individual EA will determine which of the items must be provided with your submission, and facilitate a timely review.

COMPULSORY REQUIREMENTS

- Application Fee (Appendix I)
- Notice of Commencement, which describes the study area, outlines the proposal and provides contact names

POSSIBLE TECHNICAL REQUIREMENTS

- Archaeological Assessment by TRCA staff on TRCA Property
- Channel Crossings Assessment
- Conformity Reports (Greenbelt, Niagara Escarpment, ORM, Rouge Park/Rouge Park North)
- Environmental Impact Assessment
- Environmental Monitoring and Mitigation Plan
- Floodline Delineation Study/Hydraulics
- Geotechnical/Slope Stability Study
- Hydrogeological Assessment
- Natural Features Assessment
- Stormwater Management Study
- Structural Elevations and Construction Details
- Water Balance Analysis
- Watercourse Erosion Analysis
- Other reports/studies identified through the checklists or staff consultation

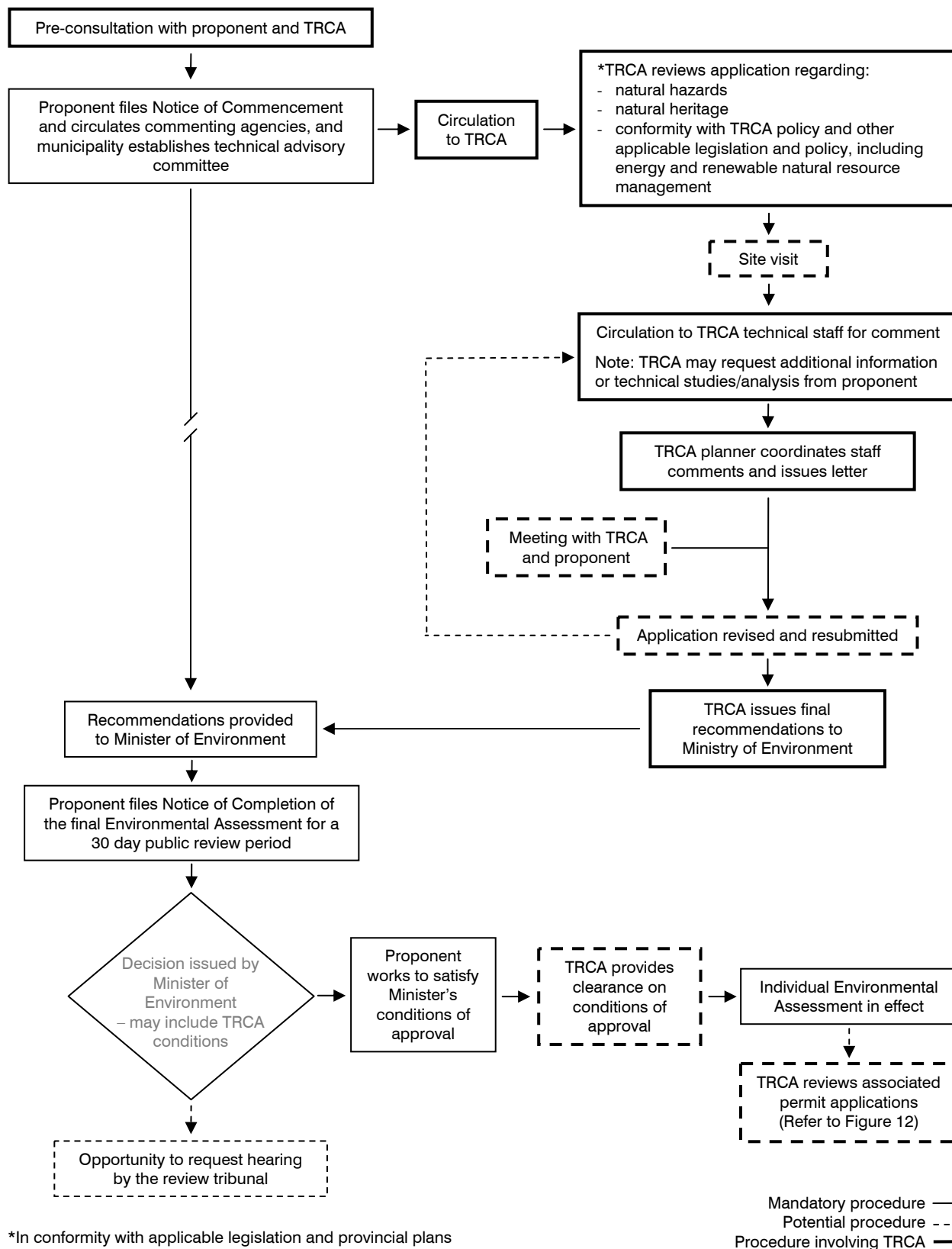
The checklists and technical guidelines produced by TRCA should be consulted in preparation of all Individual EAs and all supporting studies accompanying an application. The checklists and guidelines are found in Section 7.0 of this Manual.

Level of Service

TRCA staff are committed to meeting reasonable review times for all applications that are submitted. Review periods are established on the premise that a level of pre-consultation has been conducted and that the guidelines and most recent policies of the TRCA have been addressed. Commitment to review times also assumes submissions are complete. Applications are reviewed based on the order they are submitted and are generally subject to a 30 to 60 business day review timeline, recognizing that TRCA is required to provide comments on applications within the time frame specified by the circulating agency.

In many cases, re-submissions are required to address outstanding information needs. The review of re-submissions can require significant time depending on the level of information that was added. Re-submission requirements can be minimized through pre-consultation and compliance with TRCA guidelines. Generally 15 business days can be assumed for the review of re-submissions, unless they are identified as complex. An itemization of how the new or revised plans or studies address each of TRCA's comments from the previous submission will help to expedite the review process. Review times cannot be adhered to when submissions are incomplete and information is received in an uncoordinated approach. It should be noted that all review times are targets that may be affected by workload or unexpected occurrences. In special instances, TRCA has separate partnership agreements related to review requirements and receives special funding to facilitate the review and fees are not charged for these EAs.

Figure 7 – Review Procedures for Individual Environmental Assessments



4B Class Environmental Assessments

The *Environmental Assessment Act* allows for two types of Environmental Assessments (EA): Individual EAs and Class EAs. Class EAs are methods for dealing with projects that are recurring, usually similar in nature, often limited in scale, have a predictable range of environmental effects, and are responsive to mitigating measures. Projects that do not display these characteristics must undergo an Individual EA.

Class EA documents are approved by the Minister of the Environment. As outlined below, 11 types of Class EA documents are recognized. Each document establishes a streamlined planning process for proponents to follow in order to fulfill the requirements of the *Environmental Assessment Act*. The Class EA approach allows for the evaluation of the environmental effects of alternatives to an undertaking and alternative methods of carrying out a project, includes requirements for mandatory public consultation, and expedites the assessment of smaller recurring projects with predictable environmental effects. The applicability of the Class EA process for a particular project is determined by the proponent, in consultation with staff of the Ministry of Environment (MOE) – Central Region.

CLASS ENVIRONMENTAL ASSESSMENT DOCUMENTS

- Conservation Ontario Class Environmental Assessment for Remedial Flood and Erosion Control Projects
- Municipal Engineers Association, Municipal Class Environmental Assessment
- Class Environmental Assessment Process for Management Board Secretariat and Ontario Realty Corporation
- Class Environmental Assessment for Small Scale Ministry of Natural Resources Projects
- Class Environmental Assessment for Provincial Parks and Conservation Reserves
- Ontario Power Generation's Class Environmental Assessment for Shoreline and Riverbank Modifications
- Ontario Power Generation's Class Environmental Assessment for Modifications to Hydroelectric Facilities
- Ontario Hydro, Transmission Facilities Parent Class Environmental Assessment
- GO Transit's Class Environment Assessment Document
- MNR's Class Environmental Assessment Approval for Forest Management on Crown Lands in Ontario
- Class Environmental Assessment for Provincial Transportation Facilities

A common feature of the Class EA approval process is a provision that enables any individual, group or agency that has significant environmental concerns with a project to write to the Minister of the Environment and request a Part II Order. All Part II Order requests are reviewed by the MOE – Environmental Assessment and Approvals Branch, and the Minister is ultimately responsible for the decision. The Minister has four options: to deny the request; to deny the request with conditions; to refer the request to mediation; or to grant the request and require the proponent to undergo an Individual EA. Approximately 90 per cent of projects subject to the *Environment Assessment Act* are planned and implemented in accordance with a Class EA.

When TRCA is the proponent of a project under the Conservation Ontario Class Environmental Assessment for Remedial Flood and Erosion Control Projects, the role TRCA staff play in the review of the EA changes. These projects are managed by staff in the Restoration Services Division and the planner forms part of the internal review team, which also includes technical staff. The planner provides advice on project compliance with TRCA policies and programs, but does not coordinate comments from other divisions. The planner will attend public meetings if requested to do so.

Preliminary Consultation

Proponents of an EA should discuss their proposal with TRCA prior to submitting a formal document. This preliminary consultation should be done as early in the process as possible to find out how your proposal is affected by TRCA's programs and policies. Preliminary consultation serves to identify potential issues, constraints and study requirements. TRCA staff can inform you of what lies ahead in our review process, indicate whether your proposal is supported in principle and discuss anticipated processing timelines. Preliminary consultation also allows you to confirm what constitutes a complete application and assess your submission based on TRCA checklists and technical guidelines. The submission of a complete application provides TRCA staff an opportunity to review your application in a comprehensive, efficient and timely manner.

Review Procedures

For applications made pursuant to the *Environmental Assessment Act*, TRCA provides technical clearance on issues related to natural hazards and natural heritage, and technical advice on issues related to energy efficiency, and the use of renewable and non-renewable resources. The policies contained in TRCA's Valley and Stream Corridor Management Program, The Living City Strategic Plan, the Provincial Policy Statement, the Oak Ridges Moraine Conservation Plan, the Niagara Escarpment Plan, and the Greenbelt Plan, along with other applicable legislation, provide the basis for staff review and comment.

When the Notice of Commencement is received, its review is facilitated by a planner in our EA review team. The planner first reviews the submission and confirms TRCA interest in the proposal. A letter detailing these interests, together with digital information on natural features and regulatory limits, is provided to the proponent. This information should be used in determining recommendations in the Class EA.

The following data are available to the proponent for most areas within TRCA watersheds and are provided when projects are initiated:

NATURAL FEATURES AND REGULATION DATA

- Archaeological and Heritage Resources Data
- Baseflow Data
- Engineered Flood Elevation Data
- Engineered Flood Plain Maps
- Environmentally Significant Areas
- Fish Monitoring Data
- Hydrogeological Data
- Natural Cover (forests, successional, etc.)
- Regulation Limits
- Special Policy Areas
- Targeted Terrestrial Natural Heritage System
- TRCA Property
- TRCA Species of Conservation Concern (Flora and Fauna)*
- Vegetation Type (ELC Communities)*
- Watercourses
- Watershed Boundaries

Typically, staff will participate on a technical advisory committee that meets at strategic points throughout the course of the project. The planner is invited to be part of the public consultation process, and will review all information provided at the meeting. Further, staff will attend the meeting if technical support is required.

When the technical background studies or the Class EA are prepared, they should be submitted to TRCA for comment. The planner will circulate the submission to TRCA technical staff for review. Depending upon the proposal, a submission may need to be reviewed by TRCA's water resources engineers, geotechnical engineers, ecologists, hydrogeologists, Conservation Lands and Property Services staff, Archaeology staff, Restoration Services staff, or Watershed Specialist staff. Once a submission is reviewed by technical staff, and all necessary site visits are conducted to determine or stake the limits of natural features or the physical top-of-bank (Appendix B), the planner coordinates the review comments and composes a letter detailing TRCA's issues, concerns or recommendations. These procedures are illustrated in Figure 8.

Submission Requirements

To ensure the interests of TRCA are met, and to appropriately assess the technical aspects of your proposal, we require the submission of a number of information items as part of your Class EA. Please note that not all of the items listed below will apply to your application, and depending on the study there may be additional requirements. Also note that the level of detail required for most of the studies and reports can vary widely depending on the property and the proposal. In some situations, a single-page letter from a qualified expert will be sufficient, while in other cases a major study will be necessary. Meeting with TRCA staff prior to the initiation of the Class EA will determine which of the items must be provided with your submission, and facilitate a timely review.

COMPULSORY REQUIREMENTS

- Application Fee (Appendix I)
- Notice of Commencement, which describes the study area, outlines the proposal and provides contact names

POSSIBLE TECHNICAL REQUIREMENTS

- Archaeological Assessment by TRCA staff on TRCA Property
- Channel Crossings Assessment
- Conformity Reports (Greenbelt, Niagara Escarpment, ORM, Rouge Park/Rouge Park North)
- Environmental Impact Assessment
- Environmental Monitoring and Mitigation Plan
- Floodline Delineation Study/Hydraulics
- Geotechnical/Slope Stability Study
- Hydrogeological Assessment
- Natural Features Assessment
- Stormwater Management Study
- Structural Elevations and Construction Details
- Water Balance Analysis
- Watercourse Erosion Analysis
- Other reports/studies identified through the checklists or staff consultation

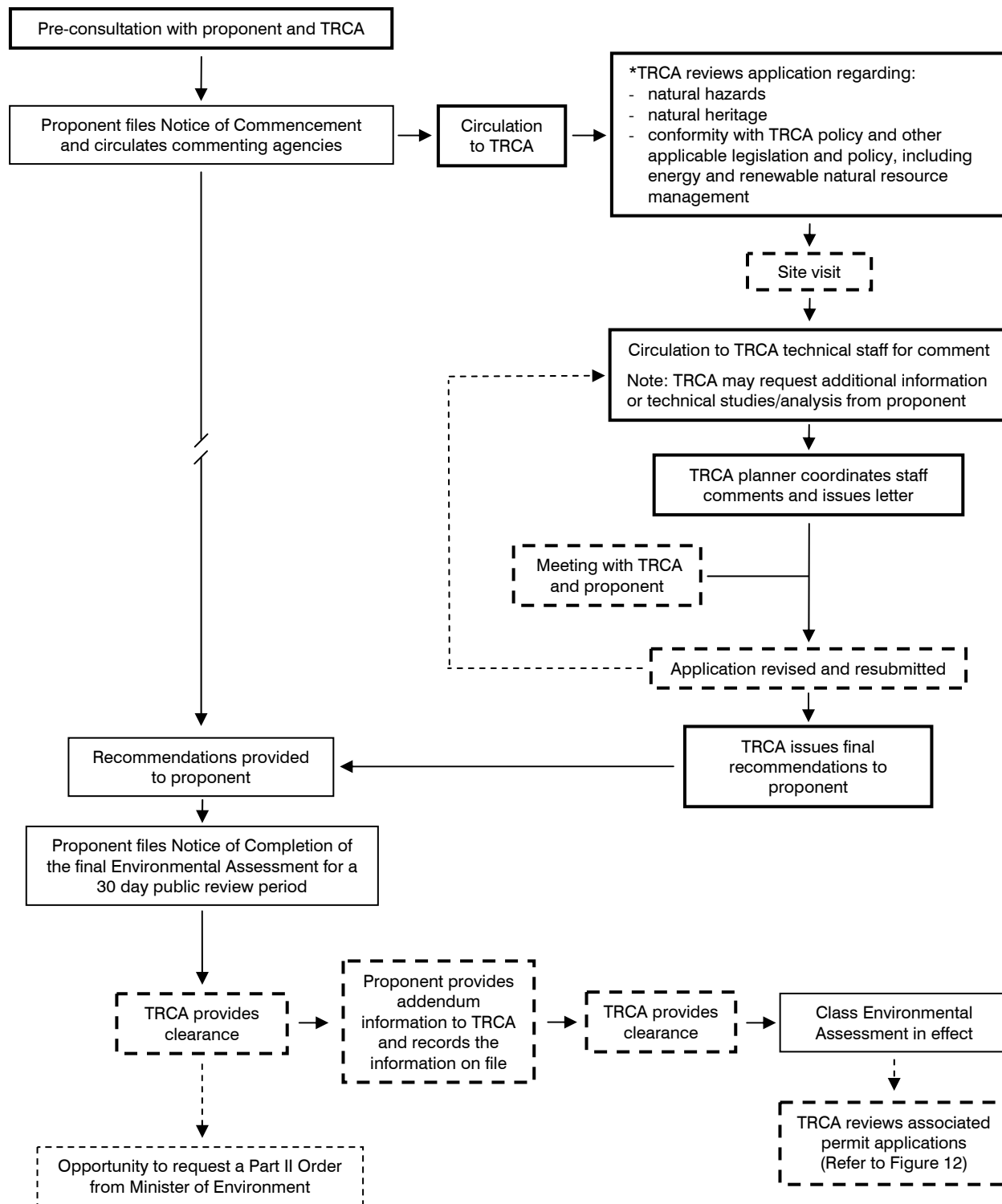
The checklists and technical guidelines produced by TRCA should be consulted in preparation of all Class EAs and all supporting studies accompanying an application. The checklists and guidelines are found in Section 7.0 of this Manual.

Level of Service

TRCA staff are committed to meeting reasonable review times for all applications that are submitted. Review periods are established on the premise that a level of pre-consultation has been conducted and that the guidelines and most recent policies of the TRCA have been addressed. Commitment to review times also assumes submissions are complete. Applications are reviewed based on the order they are submitted and are generally subject to a 30 to 60 business day review timeline, recognizing that TRCA is required to provide comments on applications within the time frame specified by the circulating agency.

In many cases, re-submissions are required to address outstanding information needs. The review of re-submissions can require significant time depending on the level of information that was added. Re-submission requirements can be minimized through pre-consultation and compliance with TRCA guidelines. Generally 15 business days can be assumed for the review of re-submissions, unless they are identified as substantially complex. An itemization of how the new or revised plans or studies address each of TRCA's comments from the previous submission will help to expedite the review process. Review times cannot be adhered to when submissions are incomplete and information is received in an uncoordinated approach. It should be noted that all review times are targets that may be affected by workload or unexpected occurrences. In special instances, TRCA has separate partnership agreements related to review requirements and receives special funding to facilitate the review and fees are not charged for these EAs.

Figure 8 – Review Procedures for Class Environmental Assessments



*In conformity with applicable legislation and provincial plans

Mandatory procedure —
Potential procedure - - -
Procedure involving TRCA —

4C Municipal Class Environmental Assessments

4C – 1 Master Plans

A Master Plan is a long range plan that ties together the various needs of an overall system, such as a water distribution system or a road network. Typically, a Master Plan is comprised of many separate projects that are dispersed geographically over a broad study area and are to be implemented separately over an extended period of time.

Municipal Master Plans are generally prepared as part of the growth management and long range planning process undertaken by a municipality. Municipalities have the option to subject their Master Plans to the rigours of the Municipal Class Environmental Assessment process (phases 1 and 2 at a minimum). If this is done, the work of the Master Plan can be applied when the municipality conducts the Environmental Assessment (EA) for a specific project that is included within the Master Plan. Typically, Master Plans are approved by the municipality following a public and agency consultation process that is outlined in the *Environmental Assessment Act*.

A Master Plan itself cannot be ordered to comply with Part II of the *Environmental Assessment Act*, also known as a Part II Order. However, the individual projects included in the Master Plan are subject to the requirements of the Class EA process at the time that they are to be implemented. Therefore, a request for a Part II Order can be made for the small project when the Municipal Class EA process is applied.

Preliminary Consultation

Proponents of an EA should discuss their proposal with TRCA prior to submitting a formal document. This preliminary consultation should be done as early in the EA process as possible to find out how your proposal is affected by TRCA's programs and policies. Preliminary consultation serves to identify potential issues, constraints and study requirements. TRCA staff can inform you of what lies ahead in our review process, indicate whether your proposal is supported in principle and discuss anticipated processing timelines. Preliminary consultation also allows you to confirm what constitutes a complete application and assess your submission based on TRCA checklists and technical guidelines. The submission of a complete application provides TRCA staff an opportunity to review your application in a comprehensive, efficient and timely manner.

Review Procedures

For applications made pursuant to the *Environmental Assessment Act*, TRCA provides technical clearance on issues related to natural hazards and natural heritage, and technical advice on issues related to energy efficiency, and the use of renewable and non-renewable resources. The policies contained in TRCA's Valley and Stream Corridor Management Program, The Living City Strategic Plan, the Provincial Policy Statement, the Oak Ridges Moraine Conservation Plan, the Niagara Escarpment Plan, and the Greenbelt Plan, along with other applicable legislation, provide the basis for staff review and comment. The technical and scientific expertise provided by TRCA supports the development of the Master Plan.

When the Notice of Commencement is received, its review is facilitated by a planner in our EA review team. The planner first reviews the submission and confirms TRCA interest in the proposal. A letter detailing these interests, together with digital information on natural features and regulatory limits, is provided to the proponent. This information should be used in determining recommendations in the Master Plan.

The following data are available to the proponent for most areas within TRCA watersheds and are provided when projects are initiated:

NATURAL FEATURES AND REGULATION DATA

- Archaeological and Heritage Resources Data
- Baseflow Data
- Engineered Flood Elevation Data
- Engineered Flood Plain Maps
- Environmentally Significant Areas
- Fish Monitoring Data
- Hydrogeological Data
- Natural Cover (forests, successional, etc.)
- Regulation Limits
- Special Policy Areas
- Targeted Terrestrial Natural Heritage System
- TRCA Property
- TRCA Species of Conservation Concern (Flora and Fauna)*
- Vegetation Type (ELC Communities)*
- Watercourses
- Watershed Boundaries

Typically, staff will participate on a technical advisory committee that meets at strategic points throughout the course of the project. The planner is invited to be part of the public consultation process, and will review all information provided at the meeting. Further, staff will attend the meeting if technical support is required.

When the technical background studies or the draft Master Plan report are prepared, they should be submitted to TRCA for comment. The planner will circulate the submission to TRCA technical staff for review. Depending upon the proposal, a submission may need to be reviewed by TRCA's water resources engineers, geotechnical engineers, ecologists, hydrogeologists, Conservation Lands and Property Services staff, Archaeology staff, Restoration Services staff, or Watershed Specialist staff. Once a submission is reviewed by technical staff, and all necessary site visits are conducted to determine or stake the limits of natural features or the physical top-of-bank (Appendix B), the planner coordinates the review comments and composes a letter detailing TRCA's issues, concerns or recommendations. These procedures are illustrated in Figure 9.

Submission Requirements

To ensure the interests of TRCA are met, and to appropriately assess the technical aspects of your proposal, we require the submission of a number of information items. Please note that not all of the items listed below will apply to your Master Plan, and depending on the project, there may be additional requirements. Also note that the level of detail required for most of the studies and reports can vary widely depending on the property and the proposal. In some

situations, a single-page letter from a qualified expert will be sufficient, while in other cases a major study will be necessary. Meeting with TRCA staff prior to the initiation of the Master Plan process will help determine which of the items must be provided with your submission, and facilitate a timely review.

COMPULSORY REQUIREMENTS

- Application Fee (Appendix I)
- Notice of Commencement, which describes the study area, outlines the proposal and provides contact names, if applicable

POSSIBLE TECHNICAL REQUIREMENTS

- Channel Crossings Assessment
- Conformity Reports (Greenbelt, Niagara Escarpment, ORM, Rouge Park/Rouge Park North)
- Environmental Impact Assessment
- Floodline Delineation Study/Hydraulics
- Geotechnical/Slope Stability Study
- Hydrogeological Assessment
- Natural Features Assessment
- Water Balance Analysis
- Watercourse Erosion Analysis
- Other reports/studies identified through the checklists or staff consultation

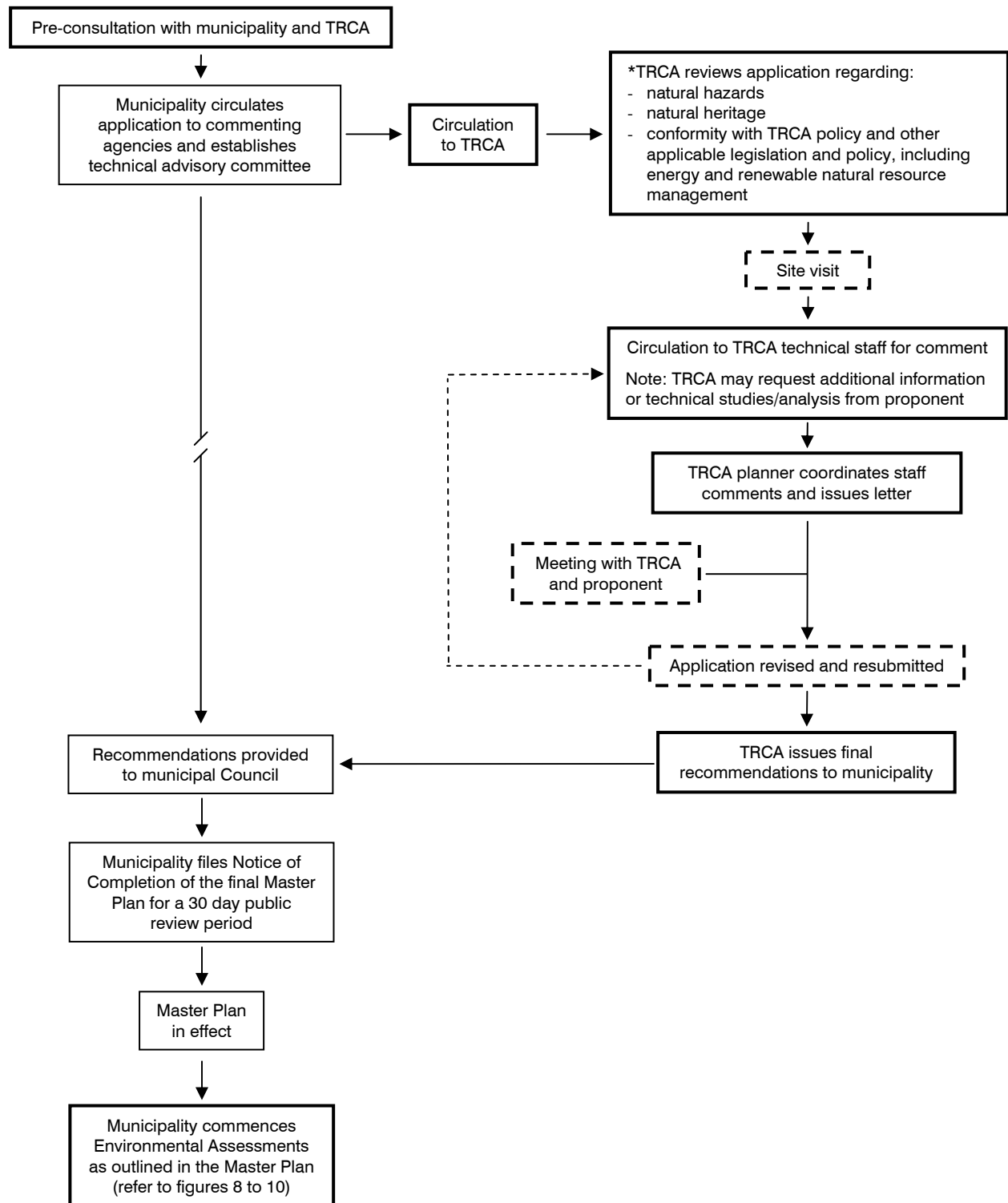
The checklists and technical guidelines produced by TRCA should be consulted in preparation of all Master Plans and all supporting studies accompanying an application. The checklists and guidelines are found in Section 7.0 of this Manual.

Level of Service

TRCA staff are committed to meeting reasonable review times for all applications that are submitted. Review periods are established on the premise that a level of pre-consultation has been conducted and that the guidelines and most recent policies of TRCA have been addressed. Commitment to review times also assumes submissions are complete. Applications are reviewed based on the order they are submitted and are generally subject to a 30 to 60 business day review timeline, recognizing that TRCA is required to provide comments on applications within the time frame specified by the circulating agency.

In many cases, re-submissions are required to address outstanding information needs. The review of re-submissions can require significant time depending on the level of information that was added. Re-submission requirements can be minimized through pre-consultation and compliance with TRCA guidelines. Generally 15 business days can be assumed for the review of re-submissions, unless they are identified as complex. An itemization of how the new or revised plans or studies address each of TRCA's comments from the previous submission will help to expedite the review process. Review times cannot be adhered to when submissions are incomplete and information is received in an uncoordinated approach. It should be noted that all review times are targets that may be affected by workload or unexpected occurrences. In special instances, TRCA has separate partnership agreements related to review requirements and receives special funding to facilitate the review and fees are not charged for these EAs.

Figure 9 – Review Procedures for Master Plans



*In conformity with applicable legislation and provincial plans

Mandatory procedure —
Potential procedure - - -
Procedure involving TRCA —

4C – 2 Municipal Class Environmental Assessments (Schedule A)

Schedule A Environment Assessments (EA) are considered to be pre-approved and therefore do not require public notification or technical clearance. In general, Schedule A EAs are routine maintenance projects. However, from time to time, TRCA staff may be concerned with the level of potential environmental impact with a Schedule A project and request that the municipality confirm the classification with the Ministry of the Environment.

It is important to note that even though the EA is considered pre-approved, permits in accordance with Ontario Regulation 166/06, or approvals under the *Fisheries Act*, are often required prior to the commencement of work, as many projects are within TRCA regulated areas. Permits associated with Schedule A EAs are administered through the EA team, which is part of TRCA's Planning and Development Division. Please refer to Section 5.0 for more information about TRCA's permitting process.

4C – 3 Municipal Class Environmental Assessments (Schedule B and C)

The majority of Environmental Assessment (EA) applications reviewed by TRCA are Municipal Class EAs. The Municipal Class EA document outlines the process that municipalities must follow in order to meet the requirements of the *Environmental Assessment Act*. The class EA approach allows for the evaluation of the environmental effects of alternatives to a project and alternative methods of carrying out a project. It includes mandatory requirements for public input and expedites the assessment of smaller recurring projects. Municipal Class EAs deal with municipal road, water and wastewater projects, including:

- Maintenance and operational activities
- Reconstruction, modification of existing roads and traffic facilities
- Reconstruction and modification of existing sewage, stormwater management, water and transit facilities
- Construction of stormwater management and related erosion, flood and water quality control facilities, and
- Slope stability and related projects.
- Pipelines, including water and sewage

Projects are categorized in the Master Plan according to their environmental significance and their effects on the surrounding environment. Planning methodologies are described within the Class EA and are different depending on whether the project is a Schedule A, B or C. The schedule is defined by the municipality in consultation with staff from the Ministry of the Environment (MOE) – Central Region.

The framework for conducting a Municipal Class EA may be described as follows:

PHASE 1

- Identify the problem or opportunity.

PHASE 2 (Applies to Schedule B and C projects only)

- Identify alternative solutions to the problem by taking into consideration the existing environment.
- Establish the preferred solution taking into account public and agency review and input.
- Determine the appropriate schedule for the undertaking.
- Schedule B projects can be implemented, once approved.

PHASE 3 (Applies to Schedule C projects only)

- Examine alternative methods of implementing the preferred solution, based upon the existing environment, public and government agency input, anticipated environmental effects and methods of minimizing negative effects and maximizing positive effects.

PHASE 4 (Applies to Schedule C projects only)

- Document, in an Environmental Study Report, a summary of the rationale, planning, design and consultation processes of the project
- Make such documentation available for scrutiny by review agencies and the public.

PHASE 5 (Applies to Schedule C projects only)

- Complete contract drawings and documents, and proceed to construction and operation; monitor construction for adherence to environmental provisions and commitments. Where special conditions dictate, also monitor the operation of the complete facilities.

A typical feature of the Class EA approval process is a provision which enables any individual, group or agency that has significant environmental concerns with a project to write to the Minister of the Environment and request a Part II Order. All Part II Order requests are reviewed by MOE – Environmental Assessment and Approvals Branch, and the Minister is ultimately responsible for the decision. The Minister has four options: to deny the request; to deny the request with conditions; to refer the request to mediation; or to grant the request and require the proponent to undergo an Individual EA. Approximately 90 per cent of projects subject to the *Environmental Assessment Act* are planned and implemented in accordance with a Class EA.

Preliminary Consultation

Proponents of an EA should discuss their proposal with TRCA prior to submitting a formal document. This preliminary consultation should be done as early in the process as possible to find out how your proposal is affected by TRCA's programs and policies. Preliminary consultation serves to identify potential issues, constraints and study requirements. TRCA staff can inform you of what lies ahead in our review process, indicate whether your proposal is supported in principle and discuss anticipated processing timelines. Preliminary consultation also allows you to confirm what constitutes a complete application and assess your submission based on TRCA checklists and technical guidelines. The submission of a complete application provides TRCA staff an opportunity to review your application in a comprehensive, efficient and timely manner.

Review Procedures

For applications made pursuant to the *Environmental Assessment Act*, TRCA provides technical clearance on issues related to natural hazards and natural heritage, and technical advice on issues related to energy efficiency, and the use of renewable and non-renewable resources. The policies contained in TRCA's Valley and Stream Corridor Management Program, The Living City Strategic Plan, the Provincial Policy Statement, the Oak Ridges Moraine Conservation Plan, the Niagara Escarpment Plan, and the Greenbelt Plan, along with other applicable legislation, provide the basis for staff review and comment.

When the Notice of Commencement is received, its review is facilitated by a planner in our EA review team. The planner first reviews the submission and confirms TRCA interest in the proposal. A letter detailing these interests, together with digital information on natural features and regulatory limits, is provided to the proponent. This information should be used in determining recommendations in the Class EA.

The following data are available to the proponent for most areas within TRCA watersheds and are provided when projects are initiated:

- NATURAL FEATURES AND REGULATION DATA
- Archaeological and Heritage Resources Data
 - Baseflow Data
 - Engineered Flood Elevation Data
 - Engineered Flood Plain Maps
 - Environmentally Significant Areas
 - Fish Monitoring Data

- Hydrogeological Data
- Natural Cover (forests, successional, etc.)
- Regulation Limits
- Special Policy Areas
- Targeted Terrestrial Natural Heritage System
- TRCA Property
- TRCA Species of Conservation Concern (Flora and Fauna)*
- Vegetation Type (ELC Communities)*
- Watercourses
- Watershed Boundaries

Typically, staff will participate on a technical advisory committee that meets at strategic points throughout the course of the project. The planner is invited to be part of the public consultation process, and will review all information provided at the meeting. Further, staff will attend the meeting if technical support is required.

When the technical background studies or the Class EA are prepared, they should be submitted to TRCA for comment. The planner will circulate the submission to TRCA technical staff for review. Depending upon the proposal, a submission may need to be reviewed by TRCA's water resources engineers, geotechnical engineers, ecologists, hydrogeologists, Conservation Lands and Property Services staff, Archaeology staff, Restoration Services staff, or Watershed Specialist staff. Once a submission is reviewed by technical staff, and all necessary site visits are conducted to determine or stake the limits of natural features or the physical top-of-bank (Appendix B), the planner coordinates the review comments and composes a letter detailing TRCA's issues, concerns or recommendations. These procedures are illustrated in Figure 10.

Submission Requirements

To ensure the interests of TRCA are met, and to appropriately assess the technical aspects of your proposal, we require the submission of a number of information items as part of your Class EA. Please note that not all of the items listed below will apply to your application, and depending on the project, there may be additional requirements. Also note that the level of detail required for most of the studies and reports can vary widely depending on the property and the proposal. In some situations, a single-page letter from a qualified expert will be sufficient, while in other cases a major study will be necessary. Meeting with TRCA staff prior to the initiation of the Master Plan drafted will determine which of the items must be provided with your submission, and facilitate a timely review.

COMPULSORY REQUIREMENTS

- Application Fee (Appendix I)
- Notice of Commencement, which describes the study area, outlines the proposal and provides contact names

POSSIBLE TECHNICAL REQUIREMENTS

- Archaeological Assessment by TRCA staff on TRCA Property
- Channel Crossings Assessment
- Conformity Reports (Greenbelt, Niagara Escarpment, ORM, Rouge Park/Rouge Park North)
- Environmental Impact Assessment
- Environmental Monitoring and Mitigation Plan

- Floodline Delineation Study/Hydraulics
- Geotechnical/Slope Stability Study
- Hydrogeological Assessment
- Natural Features Assessment
- Stormwater Management Study
- Structural Elevations and Construction Details
- Water Balance Analysis
- Watercourse Erosion Analysis
- Other reports/studies identified through the checklists or staff consultation

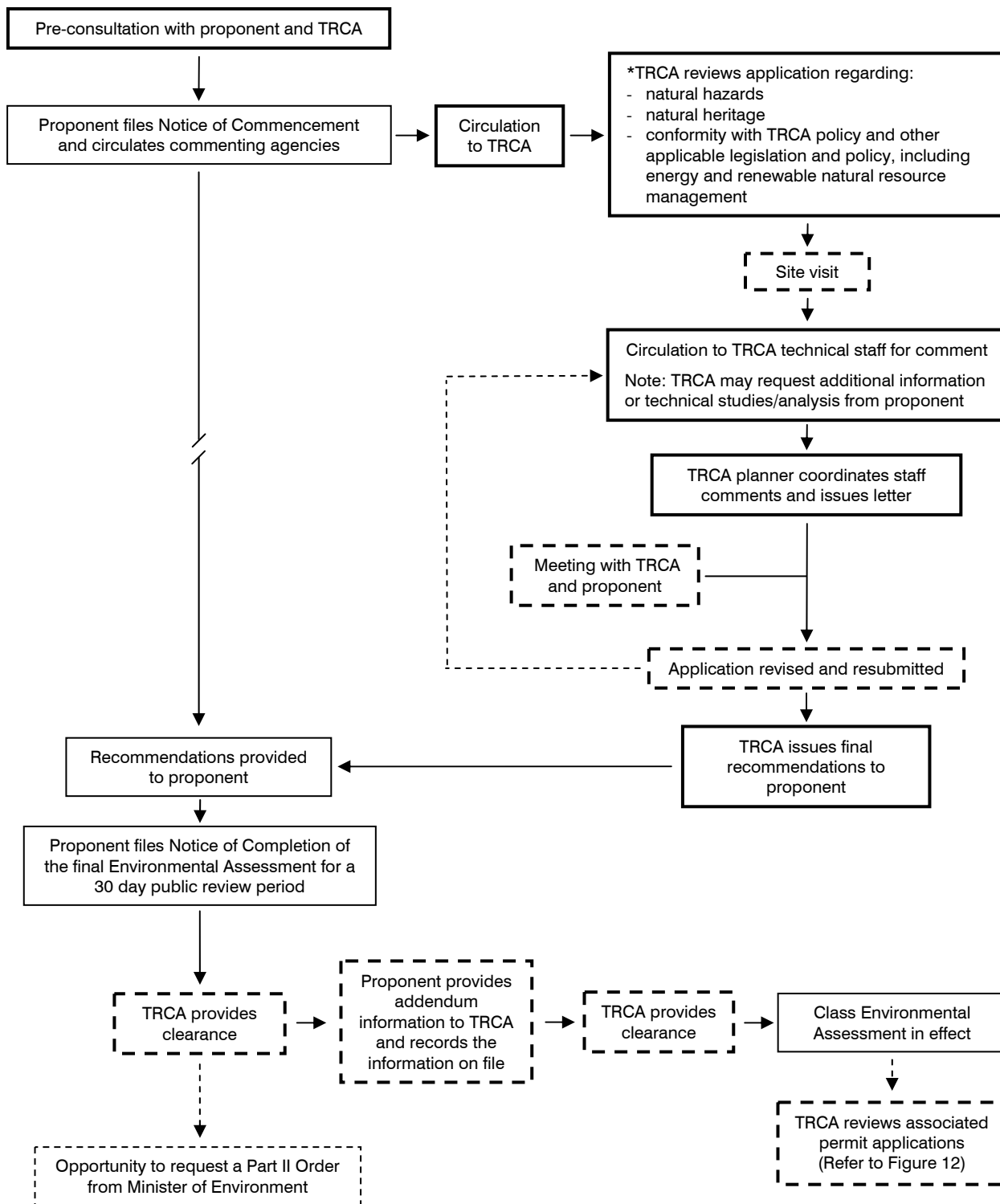
The checklists and technical guidelines produced by TRCA should be consulted in preparation of all Class EAs and all supporting studies accompanying an application. The checklists and guidelines are found in Section 7.0 of this Manual.

Level of Service

TRCA staff are committed to meeting reasonable review times for all planning applications that are submitted. Review periods are established on the premise that a level of pre-consultation has been conducted and that the guidelines and most recent policies of the TRCA have been addressed. Commitment to review times also assumes submissions are complete. Applications are reviewed based on the order they are submitted and are generally subject to a 30 to 60 business day review timeline, recognizing that TRCA is required to provide comments on applications within the time frame specified by the circulating agency.

In many cases, re-submissions are required to address outstanding information needs. The review of re-submissions can require significant time depending on the level of information that was added. Re-submission requirements can be minimized through pre-consultation and compliance with TRCA guidelines. Generally 15 business days can be assumed for the review of re-submissions, unless they are identified as substantially complex. An itemization of how the new or revised plans or studies address each of TRCA's comments from the previous submission will help to expedite the review process. Review times cannot be adhered to when submissions are incomplete and information is received in an uncoordinated approach. It should be noted that all review times are targets that may be affected by workload or unexpected occurrences. In special instances, TRCA has separate partnership agreements related to review requirements and receives special funding to facilitate the review and fees are not charged for these EAs.

**Figure 10 – Review Procedures for Municipal Class Environmental Assessments
(Schedule B and C)**



*In conformity with applicable legislation and provincial plans

Mandatory procedure —
Potential procedure - - -
Procedure involving TRCA —

4D Electricity Generation and Transmission Environmental Assessments

Electricity Generation and Transmission Environmental Assessments (EA) are used for projects that generate or transmit electricity through the use of landfill gas or biogas, natural gas, co-generation, generation for use on site, wind turbines or other new and emerging technologies. In Ontario, two groups are responsible for electricity: the Ministry of Energy and a consortium of independent groups comprised of Ontario Power Generation, Hydro One Inc. and the Ontario Power Authority.

The Ministry of Energy is responsible for ensuring that Ontario's electricity system functions at the highest level of reliability and productivity by ensuring the system remains reliable, efficient and secure. The Ministry of Energy is implementing Ontario's Energy Plan, which proposes closing coal-fired generation stations and securing new generating capacity, including renewable energy generation. The Ontario Energy Board reports to through the Ministry of Energy but carries out its functions and responsibilities independently. It acts as the regulator of Ontario's natural gas and electricity industries and is a crown corporation.

Prior to 1999, Ontario Hydro, a crown corporation, was responsible for generation, transmission, distribution and demand management of electricity in Ontario. However, with the introduction of the *Energy Competition Act*, Ontario Hydro was restructured in 1999 into three separate companies. As reference above and described below, these companies are Ontario Power Generation, Hydro One Inc. and the Ontario Power Authority.

Ontario Power Generation is principally responsible for the generation and sale of electricity in Ontario and to interconnected markets. Their focus is on the risk-managed production and sale of electricity from generation assets, including nuclear, fossil-fueled, hydroelectric and green power stations (hydroelectric and wind).

Hydro One Inc. is a corporate holding company with five subsidiaries: Hydro One Networks Inc., Hydro One Remote Communities Inc., Hydro One Markets Inc., Hydro One Telecom Inc., and Ontario Hydro Energy Inc. Their role is to work with the Ontario Power Authority and the Ontario Energy Board to transmit and distribute wholesale electricity in Ontario.

The Ontario Power Authority is a non-profit corporation that reports to the legislature through the Ontario Energy Board and the Ministry of Energy. It is responsible for ensuring an adequate, long term supply of electricity in Ontario through:

- Power System Planning – Developing and maintaining a long-term plan for coordinating the supply and transmission of electricity in Ontario;
- Generation Development – Contracting for investment in new generation projects and demand management initiatives to reduce the demand-supply gap for electricity;
- Conservation Bureau – Facilitating the management of demand by developing conservation programs for electricity users; and
- Retail Services – Assuring smooth prices to residential and other designated customers, while recovering the full cost of electricity, such as through Hydro One companies.

The Electricity Projects Regulation, Ontario Regulation 116/01 made in April 2001, was put in place to protect the environment in a competitive electricity market place. Private energy

distribution companies or energy generation companies are to comply with the legislation for all electricity generation or transmission projects.

The EA requirements for electricity projects are based on the expected environmental effects of a project, and apply equally to public and private sector proponents. Three categories of electricity projects are recognized in the Electricity Projects Regulation.

1. Category A – Projects that, because of fuel type or small size, have relatively benign environmental effects. These projects have no *Environmental Assessment Act* requirements, but anyone with valid concerns regarding environmental effects of a Category A project may request that the Minister of the Environment make a Category A project subject to the *Environmental Assessment Act* and require an Individual EA. The Minister would then make a decision either to designate the project under the *Environmental Assessment Act* or deny the designation request.
2. Category B – Projects with environmental effects that could likely be mitigated. These projects are exempt from the *Environmental Assessment Act* provided they successfully complete an environmental screening process. The environmental screening process put in place a streamlined, proponent-driven self-assessment process similar to a Class EA process. It sets out minimum requirements for public and agency notification and consultation, and it provides a checklist for assessing environmental impacts. The screening process includes timelines for dealing with outstanding or unresolved concerns. There is also a provision in the screening process for projects with significant environmental impacts to be elevated to an individual EA (Category C).
3. Category C – Projects with known significant environmental effects. These projects must complete an Individual EA (see Subsection 4A under Section 4.0).

A common feature of the Category A and B EA approval process is a provision that enables any individual, group or agency that has significant environmental concerns with a project to write to the Minister of the Environment and request a Part II Order. All Part II Order requests are reviewed by the Ministry of the Environment – Environmental Assessment and Approvals Branch, and the Minister is ultimately responsible for the decision. The Minister has four options: to deny the request; to deny the request with conditions; to refer the request to mediation; or to grant the request and require the proponent to undergo an Individual EA.

4D – 1 Electricity Generation and Transmission Environmental Assessments (Category A)

Category A Electricity Generation and Transmission Environmental Assessments (EA) are considered pre-approved and therefore do not require public notification or technical clearance. In general, Category A EAs are routine projects. However, from time to time, TRCA staff may be concerned with the level of potential environmental impact with a Category A project and request that the municipality confirm the classification with staff from the Ministry of the Environment.

It is important to note that even though the EA is considered to be pre-approved, permits in accordance with Ontario Regulation 166/06, or approvals under the *Fisheries Act*, are often required prior to the commencement of work, as many projects are within TRCA regulated areas. Schedule A permits are administered through the EA review team. TRCA Permit requirements are outlined in Section 5.0.

4D – 2 Electricity Generation and Transmission Environmental Assessments (Category B)

The majority of Environmental Assessment (EA) applications under the Electricity Generation and Transmission EA process are classified as Category B. The Electricity Generation and Transmission EA document outlines the process that companies must follow in order to meet the requirements of the *Environmental Assessment Act*. The Class EA approach allows for the evaluation of the environmental effects of alternatives to a project and alternative methods of carrying out a project. It includes mandatory requirements for public input and expedites the assessment of smaller recurring projects.

Projects are categorized according to their environmental significance and cost. Planning methodologies are described within the EA and are different depending on whether a project is Category A, B or C. The Category is defined by the municipality in consultation with staff from the Ministry of the Environment – Central Region.

A common feature of the Class EA approval process is a provision that enables any individual, group or agency that has significant environmental concerns with a project to write to the Minister of the Environment and request a Part II Order. All Part II Order requests are reviewed by the Ministry of the Environment – Environmental Assessment and Approvals Branch, and the Minister is ultimately responsible for the decision. The Minister has four options: to deny the request; to deny the request with conditions; to refer the request to mediation; or to grant the request and require the proponent to undergo an Individual EA.

Preliminary Consultation

Proponents of an EA should discuss their proposal with TRCA prior to submitting a formal document. This preliminary consultation should be done as early in the process as possible to find out how your proposal is affected by TRCA's programs and policies. Preliminary consultation serves to identify potential issues, constraints and study requirements. TRCA staff can inform you of what lies ahead in our review process, indicate whether your proposal is supported in principle and discuss anticipated processing timelines. Preliminary consultation also allows you to confirm what constitutes a complete application and assess your submission based on TRCA checklists and technical guidelines. The submission of a complete application provides TRCA staff an opportunity to review your application in a comprehensive, efficient and timely manner.

Review Procedures

For applications made pursuant to the *Environmental Assessment Act*, TRCA provides technical clearance on issues related to natural hazards and natural heritage, and technical advice on issues related to energy efficiency, and the use of renewable and non-renewable resources. The policies contained in TRCA's Valley and Stream Corridor Management Program, The Living City Strategic Plan, the Provincial Policy Statement, the Oak Ridges Moraine Conservation Plan, the Niagara Escarpment Plan, and the Greenbelt Plan, along with other applicable legislation, provide the basis for staff review and comment.

When the Notice of Commencement is received, its review is facilitated by a planner in our EA review team. The planner first reviews the submission and confirms TRCA interest in the proposal. A letter detailing these interests, together with digital information on natural features

and regulatory limits, is provided to the proponent. This information should be used in determining recommendations in the EA.

The following data are available to the proponent for most areas within TRCA watersheds and are provided when projects are initiated:

NATURAL FEATURES AND REGULATION DATA

- Archaeological and Heritage Resources Data
- Baseflow Data
- Engineered Flood Elevation Data
- Engineered Flood Plain Maps
- Environmentally Significant Areas
- Fish Monitoring Data
- Hydrogeological Data
- Natural Cover (forests, successional, etc.)
- Regulation Limits
- Special Policy Areas
- Targeted Terrestrial Natural Heritage System
- TRCA Property
- TRCA Species of Conservation Concern (Flora and Fauna)*
- Vegetation Type (ELC Communities)*
- Watercourses
- Watershed Boundaries

Typically, staff will participate on a technical advisory committee that meets at strategic points throughout the course of the project. The planner is invited to be part of the public consultation process, and will review all information provided at the meeting. Further, staff will attend the meeting if technical support is required.

When the technical background studies or the EA are prepared, they should be submitted to TRCA for comment. The planner will circulate the submission to TRCA technical staff for review. Depending upon the proposal, a submission may need to be reviewed by TRCA's water resources engineers, geotechnical engineers, ecologists, hydrogeologists, Conservation Lands and Property Services staff, Archaeology staff, Restoration Services staff, or Watershed Specialist staff. Once a submission is reviewed by technical staff, and all necessary site visits are conducted to determine or stake the limits of natural features or the physical top-of-bank (Appendix B), the planner coordinates the review comments and composes a letter detailing TRCA's issues, concerns or recommendations. These procedures are illustrated in Figure 11.

Submission Requirements

To ensure the interests of TRCA are met, and to appropriately assess the technical aspects of your proposal, we require the submission of a number of information items as part of your EA. Please note that not all of the items listed below will apply to your application, and depending on the study there may be additional requirements. Also note that the level of detail required for most of the studies and reports can vary widely depending on the property and the proposal. In some situations, a single-page letter from a qualified expert will be sufficient, while in other cases a major study will be necessary. Meeting with TRCA staff prior to the initiation of the master plan drafted will determine which of the items must be provided with your submission, and facilitate a timely review.

COMPULSORY REQUIREMENTS

- Application Fee (Appendix I)
- Notice of Commencement, which describes the study area, outlines the proposal and provides contact names

POSSIBLE TECHNICAL REQUIREMENTS

- Archaeological Assessment by TRCA staff on TRCA Property
- Channel Crossings Assessment
- Conformity Reports (Greenbelt, Niagara Escarpment, ORM, Rouge Park/Rouge Park North)
- Environmental Impact Assessment
- Environmental Monitoring and Mitigation Plan
- Floodline Delineation Study/Hydraulics
- Geotechnical/Slope Stability Study
- Hydrogeological Assessment
- Natural Features Assessment
- Stormwater Management Study
- Structural Elevations and Construction Details
- Water Balance Analysis
- Watercourse Erosion Analysis
- Other reports/studies identified through the checklists or staff consultation

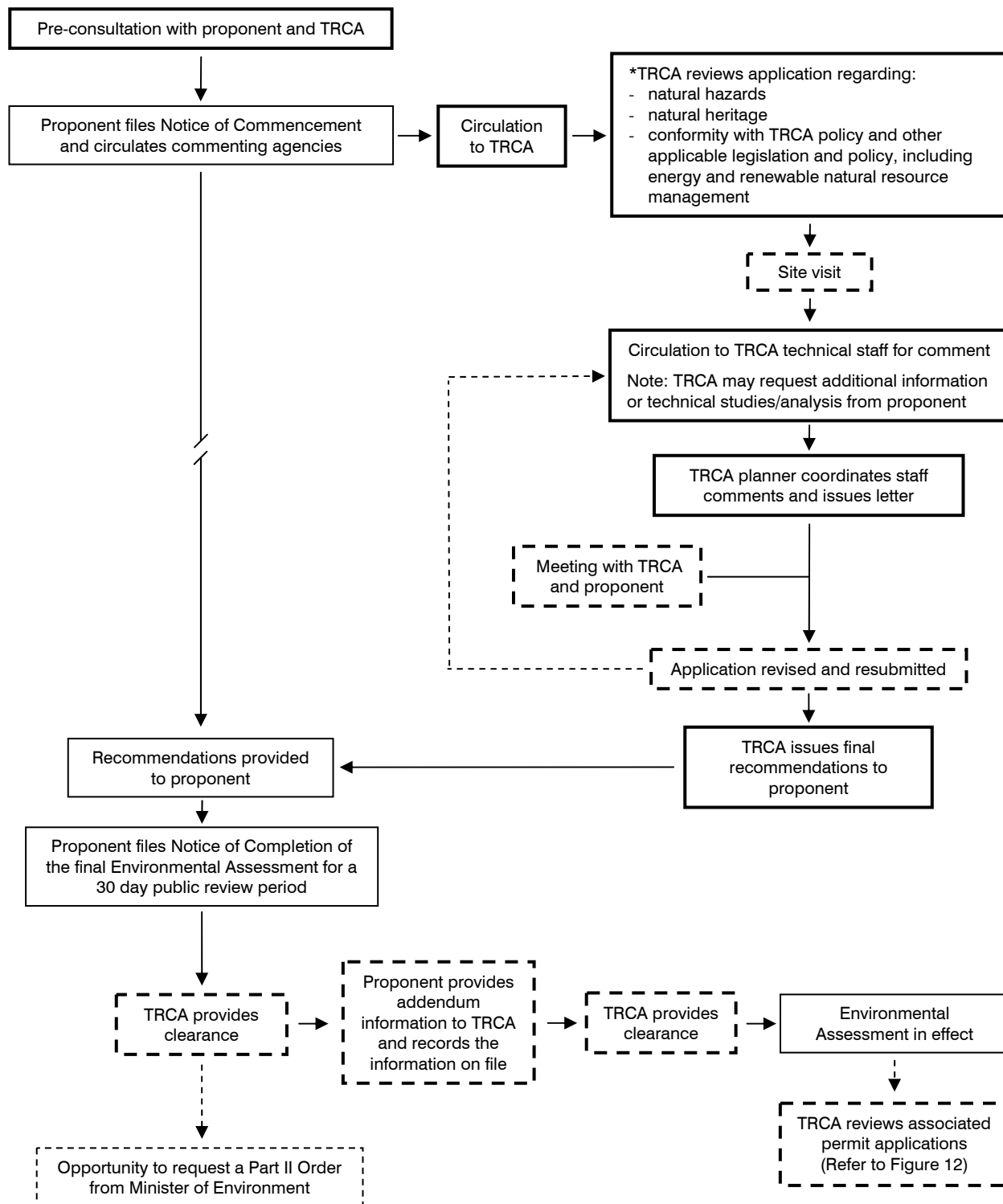
The checklists and technical guidelines produced by TRCA should be consulted in preparation of all Class EAs and all supporting studies accompanying an application. The checklists and guidelines are found in Section 7.0 of this Manual.

Level of Service

TRCA staff are committed to meeting reasonable review times for all planning applications that are submitted. Review periods are established on the premise that a level of pre-consultation has been conducted and that the guidelines and most recent policies of the TRCA have been addressed. Commitment to review times also assumes submissions are complete. Applications are reviewed based on the order they are submitted and are generally subject to a 30 to 60 business day review timeline, recognizing that TRCA is required to provide comments on applications within the time frame specified by the circulating agency.

In many cases, re-submissions are required to address outstanding information needs. The review of re-submissions can require significant time depending on the level of information that was added. Re-submission requirements can be minimized through pre-consultation and compliance with TRCA guidelines. Generally 15 business days can be assumed for the review of re-submissions, unless they are identified as substantially complex. An itemization of how the new or revised plans or studies address each of TRCA's comments from the previous submission will help to expedite the review process. Review times cannot be adhered to when submissions are incomplete and information is received in an uncoordinated approach. It should be noted that all review times are targets that may be affected by workload or unexpected occurrences. In special instances, TRCA has separate partnership agreements related to review requirements and receives special funding to facilitate the review and fees are not charged for these EAs.

**Figure 11 – Review Procedures for Electricity Generation and Transmission
Environmental Assessments (Category B)**



*In conformity with applicable legislation and provincial plans

4D – 3 Electricity Generation and Transmission Environmental Assessments (Category C)

A Category C Electricity Generation and Transmission Environmental Assessment (EA) requires that an Individual EA be completed. Refer to Subsection 4A under Section 4.0 of this Manual for more information on Individual EAs. Further, permits in accordance with Ontario Regulation 166/06, or approvals under the *Fisheries Act*, are often required prior to the commencement of work as many projects are within TRCA regulated areas. Schedule C permits are administered through the EA review team. TRCA Permit requirements are outlined in Section 5.0.

5.0 Permit Applications

A primary objective of the Toronto and Region Conservation Authority (TRCA) is to prevent the loss of life and property due to flooding and erosion. Accordingly, TRCA administers a natural hazard-based Regulation that captures watercourses, river and stream valleys, the Lake Ontario Shoreline, wetlands, and potential areas of interference around wetlands. Any proposed development, interference to wetlands, or alterations to shorelines or watercourses require a permit from TRCA. It is important to note that a permit can only be issued to the property owner, not an agent or contractor, and permits are not transferable. All permits are valid for 2 years. The following section outlines TRCA's permitting process.

5.1 Ontario Regulation 166/06

TRCA's permitting process is mandated under Section 28 of the *Conservation Authorities Act*. The Regulation currently administered by TRCA is Ontario Regulation 166/06: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. Pursuant to this Regulation, a permit is required from TRCA prior to any of the following works taking place:

- a) straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland;
- b) development, if in the opinion of the authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Where development is defined in Section 28 of the *Conservation Authorities Act* as:

- i) the construction, reconstruction, erection or placing of a building or structure of any kind,
- ii) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- iii) site grading,
- iv) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

As described in Section 2.1.4 of this Manual, an extensive mapping exercise was undertaken by TRCA in support of Ontario Regulation 166/06. There are 132 maps that illustrate the regulated area throughout our jurisdiction. The regulated area is delineated by the Regulation Limit and identifies the area of interest, not the development limit. Flooding and erosion hazards associated with riverine systems and the Lake Ontario shoreline are captured in the mapping, along with wetlands and areas of interference around the wetlands.

5.2 Preliminary Consultation

It is important to discuss your proposal with TRCA staff prior to submitting a permit application. This preliminary consultation serves to identify how your proposal is affected by TRCA's programs and policies and identifies potential issues, constraints and study requirements. TRCA staff can inform you of what lies ahead in the permitting process, indicate whether your

proposal is supported in principle and discuss anticipated processing timelines. Preliminary consultation also allows you to confirm what constitutes a complete application and assess your submission based on TRCA's checklists and technical guidelines. Further, the limits of natural features can typically be determined through initial site visits. The submission of a complete application provides TRCA staff an opportunity to review your application in a comprehensive, efficient and timely manner. Incomplete applications are not subject to TRCA's targeted review timelines. Please note that it is the responsibility of an applicant to undertake due diligence to determine all required planning and permitting approvals.

5.3 Submission Requirements

To ensure the interests of TRCA are met, and to appropriately assess the technical aspects of your proposal, we require the submission of a number of information items with your permit application. Please note that the scale and complexity of your proposal will likely dictate which of the items listed below will apply to your application. Further note that the level of detail required for most of the studies and reports can vary widely depending on the property and the proposal. In some situations, a single-page letter from a qualified expert will be sufficient, while in other cases a major study will be necessary. Meeting with TRCA staff prior to submitting your permit application will help determine which of the items must be provided with your submission to consider it a complete application and establish the requirements for, and the scope of, any reports and studies.

COMPULSORY REQUIREMENTS

- Application Form (including Landowner Authorization, if applicable)
- Application Fee (Appendix I)
- Covering Letter, which outlines the proposal, provides contact names and describes all preliminary consultation and submission contents
- Appropriate Plans/Drawings
- Legal Survey

POTENTIAL TECHNICAL REQUIREMENTS

- Archaeological Assessment on TRCA Property
- Channel Crossings Assessment
- Erosion and Sediment Control Plans
- Floodline Delineation Study/Hydraulics
- Functional Servicing Plan
- Geotechnical/Slope Stability Study
- Grading Plans
- Headwater Drainage Feature Evaluation
- Hydrogeological Assessment
- Landscaping/Site Rehabilitation Plan
- Natural Systems Map (natural hazards and natural heritage features with requisite buffers, overlaid with existing site conditions, property boundaries, and proposed development and site alteration)
- Scoped or Full Environmental Impact and Enhancement Study
- Stormwater Management Facility Design
- Stormwater Management Study
- Structural Elevations and Construction Details
- Topsoil Stripping Review
- Water Balance Analysis
- Watercourse Erosion Analysis
- Other reports/studies identified through the checklists or staff consultation

The checklists and technical guidelines produced by TRCA should be consulted in preparation of all permit applications and all supporting studies accompanying an application. The checklists and guidelines are found in Section 7.0 of this Manual. Applicable fees are due when your application is submitted to TRCA.

5.4 Review and Approval Procedures

When a permit application is submitted to TRCA, its review is facilitated by a planner in our Planning and Development Division. The planner first reviews the application to confirm TRCA's interest in the proposal and determine if the submission is complete based on our complete application checklists. If the application is incomplete, the planner will request the required information. If an application is complete, or following the submission of additional information, the planner will conduct a thorough review of the proposal. Permit applications are assessed to determine if proposed works will affect the control of flooding, erosion, dynamic beaches, pollution or the conservation of land, as required by the *Conservation Authorities Act* and Ontario Regulation 166/06, in accordance with TRCA's programs and policies, as well as other applicable legislation and policy.

Following the TRCA planner's review, applications are circulated, if necessary, to TRCA technical staff for review. Depending upon the proposal, an application may need to be reviewed by TRCA's water resources engineers, geotechnical engineers, ecologists, hydrogeologists, Conservation Lands and Property Services staff, or Archaeology staff.

Once an application is reviewed by technical staff, and all necessary site visits are conducted to determine or stake the limits of natural features or the physical top-of-bank (Appendix B), the TRCA planner coordinates the review comments. It is important to note that a site visit may reveal the need for additional technical studies. If there are outstanding questions or concerns, the planner will issue a letter detailing our issues or recommendations. In some instances, a meeting is scheduled with the applicant to discuss these comments. TRCA's comments will typically be directed to the agent and copied to the property owner.

When all concerns have been addressed to the satisfaction of TRCA staff, the planner prepares a report for the consideration of our Executive Committee. It is important to note that all TRCA permit applications must be approved by the Executive Committee. Permit reports provide the rationale and justification for the approval of the proposed works and must be finalized two weeks prior to an Executive Committee meeting, generally scheduled for the first Friday of each month. Once a report is finalized, it is added to the agenda of the Executive Committee meeting. If staff are unable to forward a recommendation of approval to the Executive Committee, the applicant is notified and invited to attend a hearing. Please refer to Section 5.9 for more information on this process.

When a permit application is approved by the Executive Committee, the plans and supporting documents are officially stamped by the TRCA planner. One copy of the approved permit is sent to the applicant, one copy is sent to the municipality, one copy is retained for TRCA's reference, and one copy is provided to TRCA Enforcement staff for use in the field.

Under the legislation, the maximum validity of a permit is 24 months. If the works are not completed within the expiry date of the permit, the applicant must re-apply and delays in

approval may result. Typically, the current policies in place at the time of the re-application will apply.

These review and approval procedures are illustrated in Figure 12. The fee schedule for TRCA's permitting services (Appendix I) identifies and defines the various permit categories.

5.4.1 Fisheries Requirements

As noted in Section 2.4 of this Manual, TRCA has a Level III agreement with Fisheries and Oceans Canada (DFO) that provides us with the authority to review projects on behalf of DFO under Section 35(1) of the *Fisheries Act*, for potential harmful alteration, destruction and disruption (HADD) of fish habitat. Accordingly, during the review of permit applications, TRCA staff must be cognizant of the fisheries timing windows established by the Ministry of Natural Resources (MNR). Fisheries timing windows are periods of time when work in or near a stream can be conducted with reduced risk to fish and fish habitat. Any time that any works come into contact with, or impact fish habitat, is considered to be "in-water works". All in-water works should adhere to the timing windows. Generally, the coldwater timing window begins June 15 and ends September 15, while the warmwater timing window begins July 1 and ends March 31. Timing windows should always be confirmed with TRCA staff.

The application of the fisheries timing windows is just one component of TRCA's fisheries approval process (Appendix D). For any project that could impact fish habitat, TRCA staff must review and evaluate the proposal for its design, potential impacts, and ultimately if it constitutes a HADD, regardless of internal and external permitting requirements. Proponents must therefore submit a number of information items and technical assessments that serve to characterize environmental conditions, assess impacts and issues, devise mitigation measures, and determine the parameters, methods, frequency, and duration of monitoring and reporting requirements.

It should be noted that work that may not require a TRCA permit may still require a fisheries review subject to the Level III agreement. Please refer to Section 2.4 of this Manual for more information on TRCA's agreement with DFO and the procedures associated with identifying a HADD.

5.4.2 Requirements to Access TRCA Property

When works require access to TRCA property, the proponent must obtain permission from TRCA Conservation Lands and Property Services staff to enter the lands. This process is facilitated by TRCA Planning and Development staff.

A "Permission to Enter" is provided by TRCA once staff are satisfied with a proposal. The permission specifies a number of terms and conditions, which may include such items as the period of time that the permission is in effect, indemnification, archaeological investigation, and liability insurance.

In instances where land or a permanent easement is required for a project, approval of the Authority Board is required. Approval of the Minister of Natural Resources and *Planning Act* approvals may also be required. The proponent should anticipate that this process will take between 12 and 18 months from the initial request to TRCA.

5.4.2.1 Archaeological Assessment Requirements on TRCA Property

When any ground disturbance is proposed on TRCA property, the proponent is required to coordinate with TRCA Planning and Development staff to facilitate an archaeological assessment, to be conducted by TRCA Archeology staff, prior to permit issuance and prior to any work commencing on the lands.

The archaeological community has long recognized that the unique riverine association of TRCA property provides an unlimited potential for holding archaeological resources. Recognizing the heritage value of these resources, TRCA, working with the Province, prepared an Archaeological Master Plan that documented archaeological sites and made recommendations for the proper management of these resources. As a result, in 1988, TRCA adopted the Archaeological Heritage Strategy, the intent of which is to present a balanced and integrated program of inventory, management, and interpretation for archaeological heritage resources. The Archaeological Resource Management Program is comprised of two main components: Education and Resource Management. The latter is relevant to TRCA's planning and permit review process.

The goal of the Archaeological Heritage Resource Management Program is to manage the archaeological resources found on TRCA property with respect to legislative requirements and approved technical practices. Archaeological resources on TRCA property are managed as a community resource. Ongoing programs identify new resources and make appropriate recommendations regarding the management of the resource. To this end, TRCA Planning and Development staff and TRCA Archeology staff ensure that an archaeological assessment is conducted on any TRCA property that is proposed for disturbance through a permit application.

Proponents are encouraged to provide early notification of such a proposal, preferably the year before construction is scheduled, in order for TRCA Archeology staff to schedule fieldwork in the appropriate season. In addition, the proponent must provide plans of final, or near-final, alignment to TRCA as early as possible; this obliges the proponent to obtain a "Permission to Enter" from TRCA's Conservation Lands and Property Services staff, as described above in Section 5.4.2. TRCA Archeology staff will conduct the initial Phases 1 and 2 investigations, prepare a report for approval by the Ministry of Culture, and follow up with the proponent regarding any additional studies. A more detailed checklist of all pre- and post-fieldwork requirements is included in a copy of the application form for archaeological review on TRCA property, which is available from TRCA staff.

The last step in this process is for proponents to acquire an easement, or other property interest, from TRCA Conservation Lands and Property Services staff, which would facilitate the proponent's proposed work under their permit on TRCA property, as described above in Section 5.4.2.

5.5 Permission for Minor Works Protocol

The Permission for Minor Works Protocol is an interim initiative designed to streamline the approval process for proposals that are either minor in nature or, due to their size and location, are considered not to impact the control of flooding, erosion, dynamic beaches, pollution or the

conservation of land. The protocol includes a list of eligible minor works and evaluation criteria (Appendix E).

When a permit application is submitted, a TRCA planner screens it for compliance with the protocol and TRCA policy, and if necessary, circulates it to technical staff. Once an application is reviewed and any necessary site visits are conducted to determine the limits of natural hazards or features, the planner will assess the status of the application. If staff has no objections to the proposal, a Letter of Approval is issued. If there are outstanding questions or concerns, the planner will issue a letter detailing our issues or recommendations. TRCA's comments will typically be directed to the agent and copied to the property owner. When the proposal is modified to the satisfaction of TRCA staff, a Letter of Approval is issued by staff to the property owner. Though issued at the staff level, each Letter of Approval granting the Permission for Minor Works is sent to TRCA's Executive Committee for ratification.

Where any works above are considered by staff to be contrary to TRCA policies, or there are significant environmental issues, or where staff are aware of community or third party concerns, a report on the application will be forwarded to the Executive Committee for review and approval, as per our regular permitting procedures.

5.6 Permission for Routine Infrastructure Works Protocol

The Permission for Routine Infrastructure Works Protocol is an interim initiative designed to streamline the approvals process for infrastructure projects that are considered routine in nature that do not adversely affect the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land.

Proponents are required to submit a permit application and associated processing fee. TRCA staff will screen the application for compliance with the protocol and TRCA policy, and if necessary, circulate it to technical staff. Provided the qualification criteria associated with the protocol are satisfied (Appendix E), a Letter of Approval will be issued together with appropriate drawings stamped as being reviewed and approved by TRCA. Though issued at the staff level, each Letter of Approval granting the Permission for Routine Infrastructure Works is sent to TRCA's Executive Committee for ratification.

Projects considered under the protocol include road or pathway resurfacing or reconstruction; structure maintenance; sewer watermain or utility installation or maintenance, or maintenance within an existing roadway; sewer, watermain or utility watercourse crossing by trenchless technology; offline stormwater management pond maintenance; and drainage structure general maintenance. Projects must be classified as a Schedule A in accordance with the Municipal Class Environmental Assessment, or its equivalent under another Class Environment Assessment. The review process associated with the issuance of an approval letter will ensure that TRCA maintains our legal obligations under Ontario Regulation 166/06, while providing an opportunity to expedite the review process and improve service delivery to municipalities and agencies.

5.7 Permission for Emergency Works Protocol

The Permission for Emergency Works Protocol is an interim initiative designed to allow agencies to maintain existing infrastructure that is at immediate risk of failure or other public

safety concerns. Emergency works are defined as situations where there is deemed an imminent threat of injury to persons, loss of life or loss of property and are unexpected occurrences. The proponent must submit a temporary solution that will not impact the control of flooding, erosion, dynamic beaches, pollution or the conservation of land. Municipal road, water and sewer failures are the most common examples of projects requiring emergency action.

When a Permission for Emergency Works application is submitted, a TRCA planner screens it for compliance with the protocol and TRCA policy, consults with senior staff, and if necessary, circulates it to technical staff. Recognizing the urgency for implementing a temporary solution to the problem, staff will expedite the review process. Once an application is reviewed and any necessary site visits are conducted to determine the limits of natural hazards or features, the planner will assess the status of the application.

If staff have no objections to the proposal, a Letter of Authorization is issued by the Director of Planning and Development. If there are outstanding questions or concerns, the planner will issue a letter detailing our issues or recommendations. When the proposal is modified to the satisfaction of TRCA staff, the Letter of Authorization is issued. Though issued at the staff level, each Letter of Authorization granting Permission for Emergency Works is sent to TRCA's Executive Committee for ratification and a permit for these works is issued.

Often, one of the conditions for issuing the Letter of Authorization is a commitment from the proponent that a permanent solution will be sought. This may entail the undertaking of an Environmental Assessment to determine the preferred alternatives or solutions, or it may entail a separate permit application that would follow the regular review process.

Where any works above are considered by staff to be contrary to TRCA policies, or there are significant environmental issues, or where staff are aware of community or third party concerns, staff will seek advice on the application with the Director of Planning and Development or the Chief Administrative Officer.

5.8 Debris Jam Clearance Protocol

TRCA has developed a Debris Jam Clearance Protocol to clearly define the review and approval process associated with removing in-stream blockages (Appendix F). The protocol identifies the information and assessment requirements for the removal of blockages due to debris from fallen or eroded trees or branches, or urban debris or garbage that may be dumped or carried into a watercourse, and for the removal of any natural woody material within a watercourse or waterbody. It is important to note that application of the protocol is not required for the removal of minor urban debris items, such as tires and shopping carts, where removal can be completed by hand and the material is not embedded in the bed or banks of the watercourse.

5.9 Level of Service

TRCA is committed to meeting reasonable review times for all permit applications. Review periods are established on the premise that a level of pre-consultation has been conducted and that the guidelines and most recent policies of TRCA have been addressed. Commitment to review times also assumes submissions are complete. Applications are reviewed based on

the order they are submitted and a 30 to 60 business day review period is targeted for regular permits. For applications subject to TRCA's Permission for Minor Works Protocol, a review period of 2 weeks is targeted. Incomplete applications are not subject to TRCA's targeted timelines.

In many cases, re-submissions are required to address outstanding information needs. The review of re-submissions can require significant time depending on the level of information that is added. Generally 15 business days can be assumed for the review of re-submissions, unless they are identified as complex. Itemizations of how the new or revised plans or studies address each of TRCA's comments from the previous submission will help to expedite the review process.

Please note the use of the word "targeted" in reference to the review periods. Each permit application is different by virtue of the specifics of the property, its location, and the nature of the proposed development. Your application may therefore be resolved in more or less time depending on the combination of these factors. Also, review period targets may be affected by workload or unexpected occurrences.

5.10 Refusal of a Permit

As previously noted, permit applications made under Ontario Regulation 166/06 are assessed to determine if the proposed works will affect the control of flooding, erosion, dynamic beaches, pollution or the conservation of land in accordance with TRCA's programs and policies. Recommendations are forwarded to TRCA's Executive Committee, which decides whether to approve or refuse each application. If staff recommend refusal of an application, then the owner may appeal and the Executive Committee will convene as a Hearing Board to consider the application. The owner will be notified of a hearing date which they or their agent may attend.

Upon hearing about the application from the perspectives of TRCA staff and the owner/agent, the Hearing Board will make a decision. If the application is refused by the Hearing Board, the applicant will be notified of the reasons in writing. Within 30 days of the notification, the applicant may appeal the decision to the Mining and Lands Commissioner. The Mining and Lands Commissioner has been assigned the authority, duties and powers of the Minister of Natural Resources under the *Ministry of Natural Resources Act* to hear appeals from the decisions of conservation authorities regarding a refusal to grant permission to a property owner to undertake development, interfere with a wetland or alter a shoreline or watercourse. The Mining and Lands Commissioner may dismiss the appeal or grant permission at a hearing. This process is illustrated in Figure 12. Please refer to Ontario Regulation 166/06 and the Hearing Guidelines (October 2005) prepared by Conservation Ontario and MNR for the legal details of these procedures.

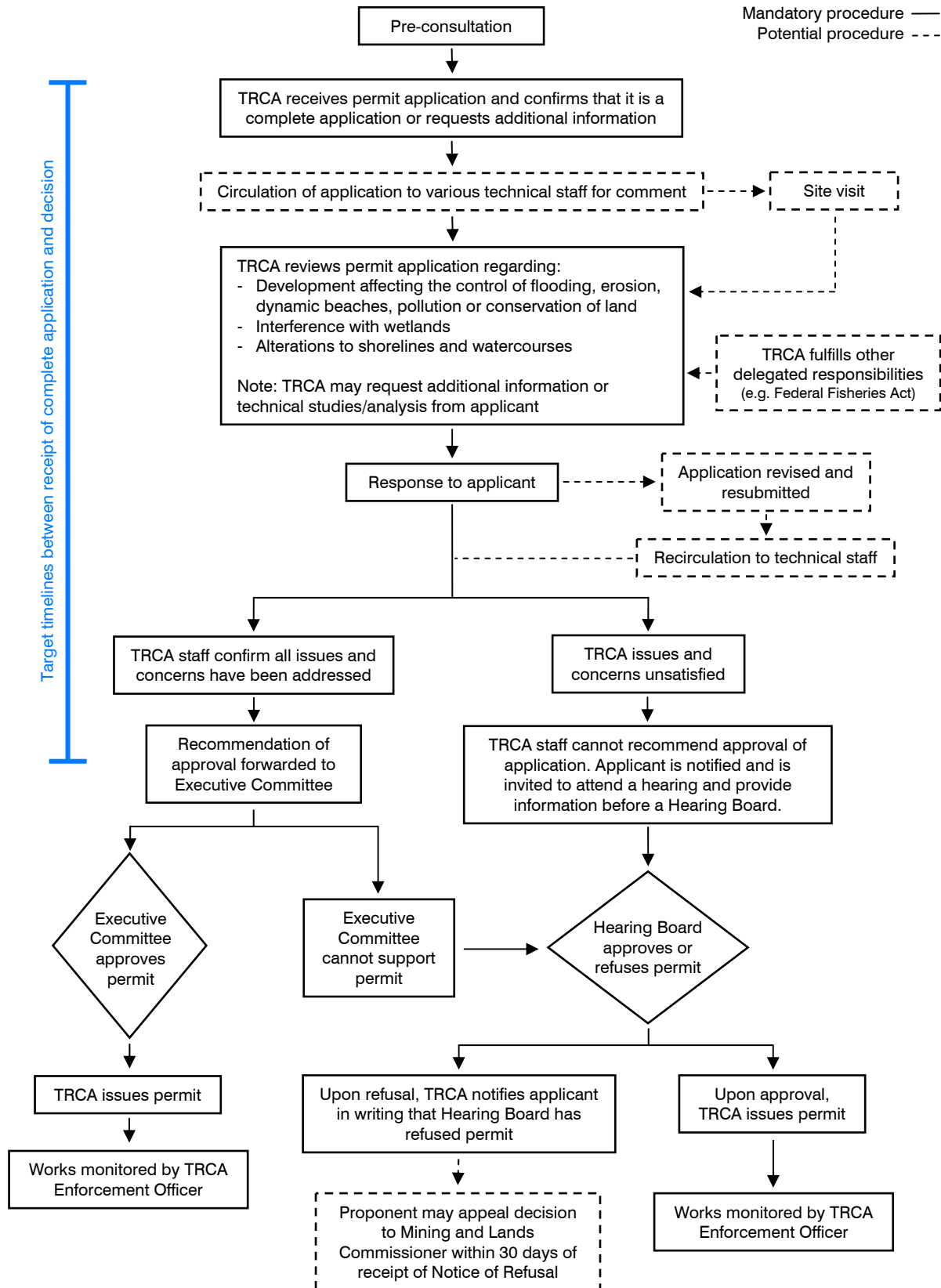
5.11 Enforcement

Enforcement is an important component of the management of natural hazards and features of our watersheds. Accordingly, TRCA has Enforcement Officers who regularly inspect and file reports on works approved under Ontario Regulation 166/06. In cases where works are carried out without proper authorization from TRCA, Enforcement Officers will notify the proponent of the violation and may lay charges. Given that a primary objective of our enforcement staff is to

ensure compliance with Ontario Regulation 166/06 and the policies adopted by TRCA, our Officers undertake the following:

- Provide information (e.g. regulatory requirements and development restrictions);
- Liaise with contractors/excavators on approved work sites;
- Undertake inspections of potential violation sites as a preventative measure;
- Regularly inspect permitted activity sites for compliance with approved permits;
- Resolve minor infractions through landowner cooperation;
- Resolve violations by notice through discussions, removal, restoration or the permit process, where possible; and,
- Process legal proceedings when necessary to ensure compliance.

Figure 12 – Review Procedures for Permit Applications



6.0 Other Review Services

6.1 Solicitor Realty Inquiries

The Toronto and Region Conservation Authority (TRCA) offers a Solicitor Realty Inquiry service to assist potential buyers of property. Through this service, lawyers and real estate agents, acting on behalf of their clients, request information about a property. In response, TRCA issues a letter stating whether a property is affected by TRCA's programs and policies, and if there are any outstanding regulatory violations on the property. This letter serves as a formal record of the inquiry and provides valuable information to the client when making decisions about purchasing a site if they intend to develop, re-develop, or alter the property or its natural features. However, this letter does not constitute a formal position on a planning or permit application nor does it replace the preliminary consultation process.

Solicitor Realty Inquiries are to be made in writing and must include the following:

- **Letter of Inquiry** – The Letter of Inquiry should note the location of the subject property, including street address, lot and concession number, or lot and registered plan number, as well as municipality, and outline what information is being requested (i.e. regulatory control under Ontario Regulation 166/06 and record of any outstanding directives, orders or notices of any unresolved breach of Regulations made under Section 28 of the *Conservation Authorities Act*).
- **Legal Survey** – The Legal Survey should be in its entirety and must depict the geographic location and extent of the property, with the property in question highlighted. In lieu of a survey, a site plan, a Property Index Map, a municipal zoning schedule, or an engineering drawing may be sufficient.
- **Review Fee** (Appendix I)

Inquiries are responded to in the order that they are submitted. A two-week review period is targeted. Incomplete submissions are not subject to TRCA's targeted timelines.

6.2 Property Inquiries

TRCA provides a Property Inquiry service to assist land owners who are considering new development on their property or who are in the preliminary stages of the development process. A Property Inquiry may also be warranted when a development proposal does not require approval under the *Planning Act* or Ontario Regulation 166/06, but clearance from TRCA is required by your municipal Building Department.

Also referred to as a Concept Development, Property Inquires may be submitted by land owners (or potential purchasers) looking to obtain detailed information on the development potential of a property or support for a specific proposal. Through this process, TRCA staff provide a letter stating how a property is affected by TRCA's programs and policies and any comments, concerns or recommendations staff have regarding a specific proposal. Proposals may include, but are not limited to: re-grading; site alteration; building additions; new residential dwellings; swimming pools; or ancillary structures (e.g. sheds and decks). It is

important to note that most Property Inquires require a site visit to ensure TRCA staff have a clear understanding of the proposal and the condition of the site, and how they are affected by natural features or hazards.

Property Inquiries must be made in writing and include a covering letter describing the location of the property and the proposed works. They also must include a legal survey, detailed plans of the proposal, and the requisite fee (Appendix I). Letters or approvals provided in response to a Property Inquiry do not constitute or replace approvals that are required under the *Planning Act* or TRCA's permitting process.

7.0 Checklists and Guidelines

7.1 Checklists

To ensure all of the necessary information is submitted with a planning or permit application, the Toronto and Region Conservation Authority (TRCA) has developed a series of checklists that outline the requirements of a complete submission (Appendix G). A timely review by TRCA staff can only take place when all documentation, calculations, detailed plans and supporting technical studies are submitted at the time the application is filed. The available checklists are listed below:

- TRCA Requirements for Planning and Permit Applications
- Channel Modification Design and Submission Requirements
- Erosion and Sediment Control Design and Submission Requirements
- Functional Servicing Plan Requirements In Support of Draft Plan Approval
- Geotechnical Engineering Design and Submission Requirements
- Master Environmental Servicing Plan Requirements In Support of Secondary Plans
- Stormwater Management Pond Design Brief/Report Requirements
- Watercourse Crossing Design and Submission Requirements
- Watercourse Erosion Analysis Design and Submission Requirements In Support of Secondary Plans

7.2 Guidelines

To assist applicants with fulfilling the technical requirements of TRCA, a number of guideline documents have been prepared (Appendix H). The available guidelines are listed below:

- Erosion and Sediment Control Guideline for Urban Construction
- Evaluation, Classification and Management of Headwater Drainage Features: Interim Guidelines
- Forest Edge Management Plan Guidelines
- Post-Construction Restoration Guidelines
- Seed Mix Guidelines
- Stormwater Management Pond Planting Guidelines
- TRCA Environmental Impact Statement Guidelines

8.0 Fees

8.1 Fees for Planning Services

On January 4, 2008, the Toronto and Region Conservation Authority (TRCA) adopted an updated fee schedule for our planning services (Appendix I). Fees reflect the scale of the proposed development and the complexity of the application. A review fee and a clearance fee are charged for complex applications. Further, fees are graded to reflect minor and major applications where the extent of technical and planning efforts differ. Fees have also been implemented to address incomplete submissions and additional field visits. Applications are subject to additional fees for re-submissions. As noted on the fee schedule, TRCA reserves the right to make adjustments to the fee schedule.

8.2 Fees for Permitting Services

The revised permitting fee schedule that was adopted by the TRCA in January 2008 was structured to distinguish between minor and major permitting requirements and the level of technical support needed for approvals (Appendix I). Similar to the Planning Services fee schedule, TRCA reserves the right to make adjustments to the permitting fee schedule.

Appendix A: Ontario Regulation 166/06

Appendix B: Natural Feature and Top-of-Bank Staking Procedures

Appendix C: Land Dedication Procedures

Appendix D: Fisheries Approval Process

Appendix E: Qualification Criteria for Permission for Minor Works and Permission for Routine Infrastructure Works Protocols

Appendix F: Debris Jam Clearance Protocol

Appendix G: Checklists

Appendix H: Guidelines

Appendix I: Fee Schedules
