

To: The Chairperson and Members of the Board of Directors,
North Bay-Mattawa Conservation Authority

Origin: Hannah Wolfram, Regulations Officer
Githan Kattera, Regulations Officer / Water Resources Coordinator

Date: January 2, 2025

Subject: Report on Ontario Regulation 41/24 and Ontario Regulation 686/21

Background

On April 1, 2024, the *Conservation Authorities Act* was amended, and Ontario Regulation 41/24 (Prohibited Activities, Exemptions and Permits) was enacted. Within this regulation, a CA may issue a permit to a person to engage in an activity specified in the permit that would otherwise be prohibited by Section 28 if, in the opinion of the authority, the activity is not likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock and that the activity is not likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property.

Ontario Regulation 686/21 (Mandatory Programs and Services) was amended on April 1, 2024 to include annual reporting requirements for CAs. Further to section 8.1 of the regulation, NBMCA is required to prepare and publish (on the NBMCA website) an annual report outlining statistics on Section 28.1 permits, including reporting on its level of compliance with the requirements of O. Reg. 41/24, respecting the application for and issuance of permits, including any associated timelines.

NBMCA staff are committed to providing positive and transparent client service and undertaking efficient reviews of permit applications in accordance with legislated timelines and service standards. In 2024, the timelines outlined by O. Reg. 41/24 for Section 28.1 permits were met or exceeded by NBMCA staff for 100% of applications. Some key statistics from 2024 include:

- average permit processing time of 8 calendar days (from the time an application was deemed complete to the permit being issued)
- 40% of all permits were issued in 5 calendar days or less and 70% were issued in 10 calendar days or less
- The median processing time for a permit in 2024 was 7 days

The table included in the *Analysis* subsection of this report outlines the annual mandatory reporting requirements to be published to the 'Governance' and 'Section 28 Permits' sections of the NBMCA website in early 2025.

Analysis

Since the approval of the previous minutes, NBMCA has issued one (1) new permit to The City of North Bay for a major project. In 2024, NBMCA issued 80 Section 28.1 permits, as follows:

Annual Reporting – Permit Statistics		
January 1 – December 31, 2024		
Total Permits Issued	Overall	80
	Major	5
	Minor	75
April 1 – December 31, 2024		
Total Permits Issued	Overall	62
	Major	4
	Minor	58
Total Applications Subject to Minister’s Order (Minister’s Review) – O. Reg. 474/24		0
Annual Reporting – Permit Timelines (January 1 to December 31, 2024)		
Total complete application reviews completed in 21 days		80
Permits and Timelines	Total Major Permits Issued <u>Within</u> Decision Timeline (90 Days)	5
	Total Major Permits Issued <u>Outside</u> Decision Timeline (90 Days)	0
	Total Minor Permits Issued <u>Within</u> Decision Timeline (30 Days)	75
	Total Minor Permits Issued <u>Outside</u> Decision Timeline (30 Days)	0
Reason for Variance from Timelines:	N/A	
Average Permit Timelines (Days)	Overall Average Permit Review Time	8
	Average Major Permit Review Timeline (90 days)	9
	Average Minor Permit Review Timeline (30 days)	8
Annual Reporting – Compliance with O. Reg. 41/24		
Mapping	Maps of regulated areas available on the website (ss. 4(1))	Yes
	Annual review of the mapping and necessary updates made (ss. 4(2))	Yes
Administrative Reviews	Total requests for administrative reviews made to the Authority	0
	Total administrative reviews completed within 30 days	N/A

Recommendation

THAT the members receive and approve the Prohibited Activities, Exemptions and Permits report as presented.

Recommended Resolution

THAT the Prohibited Activities, Exemptions and Permits report is received and appended to the minutes of this meeting.

Submitted By: Hannah Wolfram. Regulations Officer

Reviewed By: Robin Allen, Interim CAO Secretary Treasurer