



## Committee Report

**To:** Councillor Steve Hammell, Chair and  
Members of the Planning and Development Committee

**From:** Derrick Thomson  
Acting Director of Planning and Development

**Date:** September 15, 2022

**Re:** Grey Sauble Conservation Authority Program Rates and Fees Review

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### Staff Recommendation:

That committee provide direction regarding investigation of options related to Conservation Authority Services.

### Background:

Bruce County is within the jurisdiction of the Grey Sauble Conservation Authority (GSCA), the Saugeen Valley Conservation Authority (SVCA), and the Maitland Valley Conservation Authority (MVCA).

Conservation Authorities (CA) have been delegated to represent the 'Provincial Interest' for natural hazard management encompassed by the Provincial Policy Statement (PPS). This delegated responsibility requires CAs to review and provide comments on municipal policy documents (Official Plans and comprehensive Zoning By-laws) and applications submitted pursuant to the Planning Act as part of the Provincial One-Window Plan Review Service.

The Grey Sauble Conservation Authority supports the planning application review function for lands within the Town of South Bruce Peninsula and portions of the Municipality of Arran-Elderslie which are within its regulatory area, as well as the Municipality of Northern Bruce Peninsula. This function includes natural hazards review as mandated as well as natural heritage review (Section 2.1 of the PPS) and water resources review (Section 2.2 of the PPS).

Elsewhere in Bruce County the SVCA provides natural heritage comments for its watershed plus the MVCA watershed within Bruce County.

The services provided and cost recovery are outlined in a memorandum of understanding which was agreed between Bruce County, GSCA, SVCA, and MVCA in September 2019, to support consistent services and fees. The Municipality of Northern Bruce Peninsula has a separate fee-for-service agreement with the GSCA for application review in relation to natural hazards and natural heritage matters. GSCA also provides similar services in Grey County through a Memorandum of Understanding.

The MOU stipulates that any party may terminate the agreement in writing with a minimum of one-year notice.

The GSCA engaged Watson and Associates to complete a Program Rates and Fees review in 2021 and has been seeking public and stakeholder feedback on this review over the summer of 2022.

The CA has operated its planning review services at below cost recovery for some time, and a full cost accounting approach, with corresponding fees, is proposed to support operations without impact to the levy.

Background information on the review is online [here](#), including a [background report](#) and [proposed fee schedule](#).

The review and proposed fee schedule include additional staffing which is identified as necessary to support the volume associated with the planning functions and to increase quality through engagement of a regulations officer, focused on the GSCA Permitting role, as well as a planning ecologist which would add specific natural heritage expertise and a water resources engineer who would focus on technical reviews of studies including stormwater management, floodplain, watershed management etc.

Discussion with GSCA staff noted the Authority, on average, reviews or processes 970 applications per year including planning act applications and GSCA regulation permits, with a current staff complement of 5, working at approximately 130% of staff capacity.

This volume directly contributed to GSCA issues throughout the pandemic with respect to providing services relative to the volume of applications, as reflected in the service interruption advisory posted on its website:

*\*\*\*SERVICE INTERUPTION ADVISORY\*\*\**

*We are currently operating at a temporarily reduced capacity while also experiencing a high number of applications and inquiries at this time. Please anticipate delays in processing and response times.*

The proposed increases in fees are intended to support cost recovery for GSCA with a resource level where application volume is 95% of staff capacity.

In response to the proposed fee schedule, Council of the Town of South Bruce Peninsula passed the following resolution, related to a [staff report](#) on its August 2, 2022 agenda:

**“R-282-2022**

It was **Moved** by T. Bell, **Seconded** by J. Kirkland and **Carried**

**That** Council directs staff to provide to the Grey Sauble Conservation Authority (GSCA), comments regarding their “Program Rates and Fees Review” currently in its consultation phase;

**And that** the Town of South Bruce Peninsula recognizes the need for and importance of routine rate and fee reviews, however when the proposed fee

increases are as high as 1224%, the Town of South Bruce Peninsula cannot support the GSCA Program Rates and Fees Review;

**And that** alternative options must be considered to prevent significant financial impacts to development in all GSCA represented municipalities;

**And that** the Town of South Bruce Peninsula requests that Bruce County undertake a review of its current agreement with the GSCA and where possible, consider alternative service delivery options pertaining to the environmental and natural heritage planning services provided by the GSCA;

**And further that** this motion is sent to all GSCA member municipalities as well as to Grey County.”

The most significant fee increases, reported as in the range of 1200%, relate to creating “major” subcategories of applications, as in ‘major’ zoning, ‘major’ consent, ‘major’ official plan amendment, etc., which may have additional technical clearances or information requirements, and to clearances of Class ‘C’ Environmental Assessments, which have potential for medium to high negative environmental effects and/or public or agency concern.

GSCA staff has clarified that the ‘major’ application review fees as proposed would include the cost of study reviews, which are currently assessed separately at \$680-\$1500 per study. When factoring in these study review costs, the actual cost increase over the current fee schedule that would be assessed for a comparable application with supporting study review would be considerably lower.

The CA would pass on some of the savings associated with joint applications (for example a minor variance and consent) by reducing the total review fee by 20%. Pre-submission consultation fees would also be deducted from application fees.

### **Analysis and Options:**

The fee schedule has been proposed for consultation and has not moved to implementation at this time.

It is appropriate for the CA to assess fees to support cost recovery including appropriate staffing levels for volume and expertise.

The fee schedule as outlined does not distinguish between municipalities that are member municipalities of the GSCA, and Northern Bruce Peninsula which is not a member Municipality. This is due to the fee schedule being based on full cost recovery from review costs, without reliance upon the levy. GSCA staff noted the exception would be municipality-initiated applications, where review fees are not assessed for member municipalities but would be applicable to non-member municipalities.

Recognition that there can be significant differences in effort required between routine applications and complex proposals is appropriate to support cost recovery and avoid

subsidizing complex projects. The Planning Department addresses this issue through three distinct approaches within the Planning Application fee schedule:

- Fees specific to aggregate projects;
- fees for plan amendment applications that require multiple studies; and
- Per-hour review rates for projects where study review time exceeds five (5) hours.

Staff has suggested that the GSCA consider a base application fee that addresses standard review elements like a site visit, site plan review, letter preparation and review, and attributable overhead costs, and then assess a per-study fee for review of studies outlined in a memorandum of understanding that ties cost recovery directly to the complexity of the application.

Staff has also suggested GSCA consider further the overlap in work for joint applications that are processed concurrently or which build upon recent applications, as these efficiencies may support a greater discount than 20% for joint applications.

In terms of options for the CA role, the CA has a delegated role from the province in respect of natural hazards, and a role by agreement in respect of natural heritage and water resources.

In consideration of the cost recovery proposal by the CA, staff could:

1. Continue to engage with the CA to review options to address the most significant concerns / fee increases related to 'major' subcategories of applications, and opportunities to support efficient implementation and service delivery. The outcome would likely require a renegotiated MOU.
2. Examine the business case for developing internal expertise including additional staff with natural heritage and water expertise to the County planning department to bring this aspect of pre-submission consultation and application review in-house. If the County became confident of this approach, then notice of termination of the MOU agreement would be a consideration. The CA would adopt a fee schedule in respect of cost recovery for its mandated natural hazard functions.
3. Prepare an RFP for engagement of environmental consultants to provide natural heritage and water review. If the County became confident of this approach, then notice of termination of the MOU agreement would be a consideration. The CA would adopt a fee schedule in respect of cost recovery for its mandated natural hazard functions.

#### **Financial/Staffing/Legal/IT Considerations:**

Application review costs are recovered through application fees. Changes to the service model would require analysis and updating of fees.

#### **Interdepartmental Consultation:**

None.

**Link to Strategic Goals and Elements:**

Goal 5: Eliminate our own red tape:

Element E: Focus on the internal and external customer/client needs first

Goal 6: Explore alternate options to improve efficiency, service:

Element A: Explore alternate governance models (Keep It Simple);

Element C: Look for economy of scale or shared services among our departments and our communities.

Element D: Coordinate working with other agencies

**Report Author:**

Jack Van Dorp, Manager of Land Use Planning

**Approved for Submission:**

Derrick Thomson

Chief Administrative Officer