MUNICIPAL PARTNERSHIP AND SERVICE MEMORANDUM

- between -

THE CORPORATION OF THE TOWN OF COLLINGWOOD

- and the -

NOTTAWASAGA VALLEY CONSERVATION AUTHORITY

July 2025

WHEREAS the Nottawasaga Valley Conservation Authority ("NVCA") provides scoped development review and regulatory functions under its authority as provided by the Planning Act, the Conservation Authorities Act, or other applicable legislation;

AND WHEREAS the Town of Collingwood ("Town") is the approval authority under the Ontario Building Code and the Planning Act, except for Official Plans and Official Plan Amendments, where the approval authority currently rests with upper levels of government, unless otherwise delegated to the Town;

AND WHEREAS the NVCA is the approval authority under the Conservation Authorities Act;

AND WHEREAS the Town and the NVCA desire a partnership intended to promote efficiency, effectiveness and clarity in the development review process including enhanced communications and issue resolution;

AND WHEREAS subsection 21(1)(n) of the Conservation Authorities Act, R.S.0.1990, c. C. 27 permits an authority to collaborate and enter into a memorandum with a municipal council;

THEREFORE THIS MEMORANDUM WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the Town and NVCA ("the Parties") hereto agree as follows:

1. Purpose

The purpose of this Memorandum is:

(a) To clarify the roles that the Town and the NVCA perform in the development review process including the NVCA's regulation program;

(b) To outline when the NVCA is to review Planning Act applications and provide its expertise to the Town as mandated under the Conservation Authorities Act;

(c) To assist with streamlining and increasing the transparency of the local development review process;

(d) To develop a protocol between the Town and the NVCA for communication and dispute resolution; and

(e) To outline roles and responsibilities for the Town and NVCA in policy review and higher order studies to ensure that an up to date and consistent framework is in place to inform the review of Planning Act applications.

2. Schedules

The following schedules attached hereto form part of this Memorandum:

(a) Schedule "A" being a description of the procedures;

(b) Schedule "B" being a list of definitions;

(c) Schedule "C" being a description of the issue resolution procedures; and

(d) Schedule "D" outlining the scope of the NVCA role in development review under the Planning Act.

3. Roles and Responsibilities

The roles and responsibilities are to be as follows:

Building Permits:

(a) The Town and NVCA shall address Ontario Building Code applications in accordance with the procedures as set out in Schedule "A";

(b) The Chief Building Official for the Town shall not issue any building permit for a property located wholly or partially within a NVCA regulated area that will contravene applicable law as defined in the Ontario Building Code, until such time as any requisite NVCA permit has been issued or confirmation that a permit is not required has been provided;

(c) The NVCA shall advise the Town on any non-compliance matters for works approved under a NVCA Permit as appropriate within the confines of existing legislation and within a *reasonable timeframe*. The same shall apply where NVCA discovers work being completed without a NVCA permit where a permit would be required. This arrangement shall be reciprocal with the Town, insofar as it relates to the jurisdiction of the NVCA.

Development Review:

(d) The Town and NVCA shall address Planning Act applications in accordance with the procedures set out in Schedule "A";

(e) The NVCA shall, within a *reasonable timeframe*, provide the Town with plan review, commentary and technical clearance services, as defined in Schedule "B", in accordance with the any applicable Provincial, Municipal and NVCA legislation, regulation, policies, plans, procedures, standards, and/or guidelines, by fulfilling the functions below:

(i) During the Town's pre-consultation stage, or at any other time identified as appropriate during the development review process, the NVCA shall define or assist with determining the need for, and scope of, specific studies required for the NVCA to fulfill its mandate under the Conservation Authorities Act. These studies may assess impacts and propose appropriate development limits defined through policy, mitigation, restoration, or enhancement measures related to matters set out as within the NVCA's scope per Schedule "D";

(ii) Review the development application and submitted studies as identified through the process outlined in this Memorandum for conformity to or consistency with current legislation, regulation, policies, plans, procedures, standards, and/or guidelines to support the NVCA in fulfilling its mandate under the Conservation Authorities Act and shall provide the Town with commentary and technical clearance related to such studies and the overall development proposal as it relates to matters outlined as within the NVCA's scope per Schedule "D";

(iii) Assist in the technical aspects of applying alternative development standards as a best management practice for stormwater management purposes consistent with Provincial and municipal legislation, regulation, policies, plans, procedures, standards, and/or guidelines, if any within the jurisdiction parameters outlined in Schedule D; and

(iv) Assist, where appropriate in the general implementation of the Source Water Protection Plan, with Risk Management Officer and Inspector roles, responsibilities, and costs subject to a separate Memorandum.

Policy Review and Higher-Order Studies:

(f) The NVCA shall, within a reasonable timeframe, provide the Town with plan review, commentary and technical clearance services, as defined in Schedule "B", in accordance with the any applicable Provincial, Municipal and NVCA legislation, regulation, policies, plans, procedures, standards, and/or guidelines, by fulfilling the functions below:

(i) Coordinate with municipal staff to provide input and support on a wide range of matters, (beyond those only related to natural hazard management). This includes wetland and water resource protection where the activity is not directly related to an application submitted under a prescribed act (pursuant to Ontario Regulation 596/22). This may include municipal strategic and master planning exercises, watershed planning and subwatershed study activities (and supporting documents), development of watershed planning implementation tools (e.g., technical guidelines, protocols and GIS tools), and training and knowledge transfer;

(ii) Where information, mapping or other data is required to support Town policy reviews or higher order studies and is within the NVCA's jurisdiction as outlined in Schedule" D", such information shall be provided to the Town at no cost; and

(iii) Where the NVCA is responsible for policy reviews or higher order studies that are required as a framework for the Town's land use planning or engineering standards (e.g. wave uprush studies, flood limits, assess management for lands or structure in Collingwood), such work shall be appropriately resourced and completed in a timely manner, in collaboration with the Town.

General:

(g) Both Parties shall indicate to prospective applicants where a proposed development may be subject to regulations and approvals under the jurisdiction of the other Party, and encourage them to consult directly with that Party;

(h) When providing commentary, the NVCA shall clearly indicate which comments fall under which of its roles in accordance with Schedule "D" attached hereto. If providing comments regarding engineering matters, the NVCA shall take into consideration any applicable engineering design guidelines and/or standards of the Town;

(i) The NVCA shall have regard for comments previously provided by the NVCA. Any change in comments based on updated legislation, new information or other matters will be discussed with the Town and justified with supporting evidence in advance of any new formal comments being provided to the Town;

(j) The NVCA may attend Ontario Land Tribunal without prejudice meetings and/or hearing events with Town representatives or separately, with respect to its plan review and technical advice or clearance services provided under this Memorandum. Where the Town is attending a meeting or hearing in which matters of mutual interest are at issue, the Town may, upon mutual consent of the Parties, represent both Parties' interests, otherwise the NVCA will represent, defend, or otherwise provide evidence related to its jurisdiction, with the same applying to the Town. Despite the above, the NVCA is not precluded from independently appealing a decision of the Town to the Ontario Land Tribunal, where permitted by legislation.

4. Terms and Implementation

The following terms and implementation mechanisms shall apply:

(a) The term of this Memorandum shall be for a period of five years from the date of execution by both Parties. This Memorandum may be automatically extended for additional three-year terms, on the same terms and conditions as contained herein, at the discretion of both Parties unless terminated or otherwise amended by the Parties;

(b) Both Parties shall monitor this Memorandum for its efficiency and effectiveness;

(c) Both Parties shall target a review of this Memorandum every two years, or upon request by one or both Parties, to consider changes in programs/services/resources of the Parties or in applicable legislation, regulation, policies, plans, procedures, standards, and/or guidelines, or for any other purpose identified by one or both Parties, acting reasonably;

(d) Both Parties shall share any and all necessary information required to implement this Memorandum, unless restricted under third party licensing or privacy legislation, including information or data sources generated through outside governmental or other watershed studies or source water protection work;

(e) The establishment and collection of fees and charges for services referenced in this Memorandum will be the sole responsibility of each Party, within their jurisdiction, consulting the other Party as required. Any approved revised fee schedules will be provided to the other Party, as necessary;

(f) Either Party may terminate this Memorandum at any time upon delivering 12 months written notice of termination, by prepaid regular mail or electronic mail to the other Party, which notice shall be deemed to be received on the third business day from the date of the mailing;

(g) None of the provisions of this Memorandum is intended to operate, nor shall have the effect of operating, in any way to fetter either Party in the exercise of any their legislative duties; and

(h) If any provision of this Memorandum is determined to be invalid or unenforceable in whole or in part, including contradiction with any legislation or regulation in effect, such invalidity or unenforceability shall attach only to such provision and all other provisions hereof shall continue in full force and effect.

5. Statement of Principles

Despite the purposes and other provisions of this Memorandum the following principles shall apply:

(a) Nothing precludes the NVCA from exercising its authority under the Planning Act, the Conservation Authorities Act, or any other applicable legislation;

(b) Nothing precludes the Town from exercising its authority under the Planning Act, Ontario Building Code Act, or any other applicable legislation;

(c) Nothing precludes the Town from obtaining independent peer review comments from qualified professionals for any application that has been circulated to and/or commented on by the NVCA; and

(d) For all development applications and building permits not within NVCA regulated areas, the Town will be solely responsible for the review, approval, inspection, and enforcement of related approvals including, but not limited to erosion and sediment control measures during the construction period.

6. Notice

Notice for the purposes of administration of this Memorandum shall be as follows:

(a) If any notice is required to be given to the NVCA, it shall be mailed, delivered, or sent by email to Nottawasaga Valley Conservation Authority Attention: Chief Administrative Officer 8195 8th Line Utopia, Ontario LOM 1TO, planning@nvca.on.ca

(b) If any notice is required to be given to the Town, it shall be mailed, delivered or sent by email to The Corporation of the Town of Collingwood Attention: Chief Administrative Officer 97 Hurontario Street, P.O. Box 157 Collingwood, Ontario L9Y 2L9, sskinner@collingwood.ca

or such other addresses of which the Parties have notified the other Parties, in writing, and any such notice mailed, delivered, or sent by email shall be deemed good and sufficient notice under the terms of this Memorandum.

The Corporation of the Town of Collingwood

Summer Valentine

Digitally signed by Summer Valentine
DN: C=CA, E=svalentine@collingwood.ca, O=Town of Collingwood, OU=Director Growth and Development, CN=Summer Valentine
Date: 2025.09.18 13:15:29-04'00'

Summer Valentine, BSc, MPL, RPP, MCIP

Director, Planning, Building & Economic Development

The Corporation of the Town of Collingwood

Signed on: September 18, 2025

Sonya Skinner

Digitally signed by Sonya Skinner
Date: 2025.09.19 11:31:09 -04'00'

Sonya G. Skinner, P. Eng. McSc. Eng.

Chief Administrative Officer

The Corporation of the Town of Collingwood

Signed on: September 19, 2025

We have the authority to bind the

corporation

Nottawasaga Valley Conservation Authority

Jennifer Vincent

Digitally signed by Jennifer Vincent
Date: 2025.09.16 08:40:47 -04'00'

Jennifer Vincent

Chief Administrative Officer

Nottawasaga Valley Conservation Authority

Signed on 2025-09-15

Jonathan Scott

NVCA Chair, Board of Directors

Nottawasaga Valley Conservation Authority

Signed on: 09-16-2025

We have the authority to bind the corporation

SCHEDULE"A'
PROCEDURES

l. For Ontario Building Code applications within areas subject to NVCA regulations that are considered applicable law under the Ontario Building Code, the Town will advise the applicants that they are required to contact the NVCA to obtain a permit.

2. All policy documents that may affect watershed and/or natural hazard issues and/or NVCA-owned lands shall be circulated by the Town to the NVCA for comment, including but not limited to new Official Plans, Official Plan Amendments and Secondary Plan Amendments, new Zoning By-laws and Zoning By-law Amendments, background Municipal studies, sub-watershed studies, environmental assessments and other hydrological or otherwise applicable studies. NVCA shall circulate, including but not limited to comprehensive regulation mapping updates and Planning and Regulation Guidelines updates including updates to the Procedural Guidelines for the implementation of O. Reg. 41/24. Any policy documents prepared by either Party which may impact the interests of the other Party shall be circulated to the Parties for comment.

3. The Town shall circulate all development applications and supporting materials it receives under the Planning Act to the NVCA and the NVCA shall determine which applications impact their jurisdiction or as requested by the Town.

4. The Town shall circulate all pre-consultation applications and supporting materials it receives to the NVCA, and the NVCA shall determine which applications impact their jurisdiction.

5. The NVCA may require review of, and/or request additional studies in support of Planning Act applications related to NVCA's jurisdiction and/or to address other specific requests from the Town.

6. The NVCA shall provide the Town with any comments, technical advice, or technical clearance services within a reasonable timeframe. While the Town will make best efforts to delay applications until the above noted correspondence is received, the Town has legislative requirements to adhere to and is at risk of appeals to the Ontario Land Tribunal for lack of decision within Planning Act timeframes and will therefore consider a lack of response to mean that the NVCA has no comments and/or interest in the application or, if the application is on lands within or partially within the NVCA regulated area, the Town will impose a general condition requiring NVCA matters to be satisfied prior to final approval.

SCHEDULE "B"

DEFINITIONS

"NVCA jurisdiction" shall mean:
(a) NVCA regulated areas including watercourses, river and stream valleys, shorelines, natural hazards (i.e. flooding, erosion, dynamic beaches, and unstable soils/bedrock), wetlands and associated allowances.

"Development/Plan Review" in the context of the NVCA jurisdiction shall mean the following:
(a) The review of and provision of comments for a pre-consultation application or an application under the Planning Act within a reasonable timeframe as defined in this Memorandum;
(b) Delineation and/or assisting with the delineation of the limits of natural hazards;
(c) Identification of the need for technical reports;
(d) The provision of recommendations for conditions of approval;
(e) The provision of technical clearance services related to NVCA jurisdiction; and
(f) The review of and provision of comments for policy documents or other municipally-directed studies impacting the watershed(s) within a reasonable timeframe as defined in this Memorandum.

"Reasonable Timeframe" shall mean:

(a) Within those timeframes provided in the Planning Act and the Province's Policies and Procedures for Conservation Authority Plan Review and Permitting Activities. For greater clarity, reasonable time for development applications review would ensure that any preliminary comments from the NVCA are received within 15 working days from circulation to allow time for the Town to incorporate feedback into staff reports prior to a decision being required under the Planning Act. Where no response or positive preliminary comments are received within Planning Act timeframes, the NVCA consents to a generalized condition(s) of approval or other specific conditions as deemed appropriate by the NVCA being applied to cover its jurisdiction, which would require clearance from the NVCA before final approval. Where preliminary comments are provided on large-scale or complex development applications within the 15 working day timeframe, the NVCA will make every effort to undertake a detailed review of the submissions within 25 working days.

Where no legislative timeline applies, such as for pre-consultation applications, large-scale policy documents, and/or municipally-directed studies, the NVCA will make every effort to review circulated materials within 25 working days from the time of NVCA's receipt of the submissions.

"Technical Clearance Services" shall mean:
(a) Assessing submitted technical reports to determine if the reports satisfy any conditions specified; and
(b) Clearing conditions associated with a development.

"Clearance" shall mean:

Preparation of required clearance letters to the "approval authority" (I.e., Town of Collingwood).

"General Condition(s)" shall mean:

- *Resolution of all outstanding technical comments to the satisfaction of NVCA staff.*

- *Issuance of all required permits by the Nottawasaga Valley Conservation Authority.*

SCHEDULE "C”
ISSUE RESOLUTION PROTOCOL

1. All disputes shall be resolved in a collaborative manner between both Parties at the staff level;

2. An affected or interested applicant, property owner, peer reviewer, or their designated agents may be invited to participate in discussions if it is determined that their input would be of assistance in resolving the matter;

3. Each Party shall clearly articulate their expectations with documented communication and respect for each Party's interests, mandates, and authority; and,

4. Before proceeding to any formal dispute resolution mechanisms involving the NVCA Board of Directors or Town Council, the NVCA and Town staff shall use best efforts to jointly develop a written issue statement, describing the acts and events leading to the dispute and potential resolution options. The steps in the issue resolution process shall be as follows:

i. Town staff directly responsible for the file, application or project are to discuss the matter with the applicable NVCA staff in attempt to resolve the matter;

ii. If 4 i. proves unsuccessful, the Town Department Head(s) are to discuss the matter with the NVCA staff-level Director(s) in attempt to resolve the matter;

iii. If 4 ii. proves unsuccessful, the Town CAO to discuss the matter with the NVCA CAO in attempt to resolve matter;

iv. If 4 iii. proves unsuccessful, the matter shall be referred to the NVCA Board of Directors and Town Council in attempt to resolve the matter. And then after this step, if the issue is still unresolved, the matter shall be referred to an outside mediator, selected and paid for equally and jointly by both Parties.

SCHEDULE "D"

NVCA PLAN REVIEW SCOPE

NVCA Plan Review Scope Under the Planning Act - Effective January 1, 2023

On January 1, 2023, a new Minister's regulation (Ontario Regulation 596/22: Prescribed Acts – Subsections 21.1.1 (1.1) and 21.1.2 (1.1) of the *Conservation Authorities Act*) came into effect which provides that Conservation Authorities (CAs) may not provide a municipal (Category 2) or other (Category 3) program or service related to reviewing and commenting on proposals, applications, or other matters under a prescribed Act, including the *Planning Act*. As a result, impacted technical review services that CAs formerly provided under Memorandums of Understanding with municipalities (e.g., technical reviews related to natural heritage and select aspects of stormwater management) will no longer be provided for affected development and land use planning applications effective January 1, 2023.

Ontario Regulation 596/22 does not affect CAs provision of mandatory or Category 1 programs or services (i.e., natural hazards and wetlands) related to reviewing and commenting on a proposal, application, or other matter made under those Acts. Municipalities are still required to circulate planning applications and technical reports to CAs to review and comment on natural hazard and wetland matters per Ontario Regulation 686/21: Mandatory Programs and Services). Comments provided will reflect a watershed-based approach to the provision of mandatory programs and services.

The table below outlines the plan review components that CAs continue to be responsible for, and where they may continue to provide comments moving forward.

Plan Review* Component	Within Scope	Outside of Scope
Watercourses	✓	
Flood Hazard	✓	
Erosion Hazard (slope stability and stream erosion)	✓	
Great Lakes – St. Lawrence River System Shoreline Hazards (flooding, erosion or dynamic beaches)	✓	
Unstable Soils/Bedrock	✓	
Groundwater (CA regulatory requirements/natural hazard related functions)	✓	

Plan Review* Component	Within Scope	Outside of Scope
Wetlands (CA regulatory requirements/natural hazard related functions)	✓	
Valleylands (CA regulatory requirements/natural hazard related functions)	✓	
Hazardous Lands	✓	
Inland Lakes	✓	
Hazardous Sites	✓	
Wildlife Habitat		✗
Threatened/Endangered Species		✗
Area of Natural and Scientific Interest		✗
Environmental Sensitive/Significant Area (ESA)		✗
Woodlands		✗
Natural Heritage Systems		✗
Fish Habitat		✗
Stormwater (Natural hazards related)	✓	
Stormwater (non-natural hazard related)		✗
Feature Based Water Balance (CA regulatory requirements/natural hazard related functions)	✓	
Erosion and Sediment Control (CA regulatory requirements/natural hazard related functions)	✓	
Buffer/Setback to identified Plan Review Component (CA regulatory requirements/natural hazard related functions)	✓	
Source Protection Authority under the *Clean Water Act,* 2006	✓	

Plan Review* Component	Within Scope	Outside of Scope
Climate Change (as it relates to natural hazards)	✓	
Two Zone/Special Policy Areas (as applicable)	✓	

*Review and comment for development and land use planning applications associated with Prescribed Acts as per O. Reg 596/22

Notes: Where there is a plan review component (e.g. woodland or other natural vegetation etc.) within a NVCA regulated area that is also located within a natural heritage feature or area as described by the Provincial Planning Statement or other municipal or provincial plan, the NVCA will continue to provide plan review comments related to natural hazard functions and CA regulatory requirements.