

**Full Authority**  
**28 November 2024**  
**Agenda Item: 11**

**Hearing Amendment Request**

**Background**

**Please reference Watershed Advisory Board Hearing 19 September 2024.**

The CVCA received a request on the 6<sup>th</sup> of November 2024 regarding the hearing decision made by the Watershed Advisory Board on the 19<sup>th</sup> of September 2024. This request addresses two issues brought forward by the applicant:

1. There was an error in the calculation of the square footage of the development proposal, which needs to be corrected.
2. The applicant would like to amend the development to substantially increase the size of the home.

**Staff Review of Request**

There are no provisions in the *Conservation Authorities Act*, Ontario Regulation 41/24, the CVCA Watershed Planning and Regulation Policy Manual or the Hearing Guidelines to provide direction for the above noted request. Therefore, staff have taken the following steps:

1. Staff have initiated an investigation to determine what course of action should be followed to address the request and includes the following:
2. Contacted Conservation Ontario for their interpretation/guidance.
3. Reached out to the network of 35 Conservation Authorities to determine if a precedent has been set elsewhere.
4. May require a new application to be submitted, which begins the entire process of application review, staff decision, etcetera.
5. May be required to contact the Ministry of Natural Resources for direction.
6. May require a legal opinion if none of the above provide clear direction.

Staff have responded to the applicant indicating there is no process to address this scenario in the Hearing setting. Staff also informed the applicant the issue will be brought forward to the CVCA Board for information, however, the Watershed Advisory Board may have to convene to endorse the newly adopted process.

Staff have contacted the applicant and advised him the investigation will take some time and without a special Watershed Advisory Board or CVCA Board meeting, the next opportunity to render a decision regarding the request would take place at the January Board Meeting at the earliest.

**Board Discussion**

**TP**