



THAT the Executive Committee Meeting minutes of September 28, 2023 be approved as circulated.

## **Resolution Carried**

### **6.0 Fee Reconsideration Request**

Sommer Casgrain-Robertson, General Manager, provided background information on Mr. Hauraney's planning application, RVCA's role in plan review, and RVCA's fee policy, fee schedule and fee reconsideration process. She indicated that Mr. Hauraney had requested that the five hundred dollar fee for a consent to sever application be reduced by half based on the nature of his application, and that upon review, she had denied the request at a staff level for the reasons outlined in her response letter.

Mr. Hauraney expressed gratitude to Ms. Casgrain-Robertson and the Executive Committee for their time and attention to this matter. He conveyed that he was informed by a staff member at the County of Lanark when he paid his fee that he may receive a partial refund if his file was not overly complex. Mr. Hauraney further explained that he felt that the service he received was not worth five hundred dollars and that two hundred and fifty dollars would better reflect the costs and level of effort expended by the RVCA in reviewing his file.

Ms. Casgrain-Robertson also thanked Mr. Hauraney for his time and for being a pleasure to work with throughout the fee reconsideration process. She clarified that the messaging Mr. Hauraney received from the County of Lanark was unfortunate and incorrect as the conservation authorities do not issue partial refunds based on the complexity of files. Ms. Casgrain-Robertson indicated that staff would contact the County of Lanark to ensure their staff communicate accurate information to applicants regarding fees. She also explained that like most levels of government, conservation authorities have fee schedules based on project type rather than billable hours per file and that the fees are reviewed annually and are based on the typical level of effort required for each project type seen in previous years.

Chair Strackerjan thanked Ms. Casgrain-Robertson and Mr. Hauraney for their presentations and opened the floor to questions.

Mr. Waterfield asked Ms. Casgrain-Robertson if granting a fee reduction would set a precedent. Ms. Casgrain-Robertson responded that while Mr. Hauraney's application was very straightforward, if the fee was reduced, it could result in future applicants questioning fees in relation to the level of complexity involved with their particular application. She expanded that the fee schedule is intended to set a base fee for each project type as additional fees can be charged for applications that are found to be more complex. Project types are also split into major and minor on the fee schedule where it has been found that there is a significant range in the types of applications received to ensure an appropriate fee is charged.

Ms. Barr asked the applicant if he was informed of the full cost of the fee prior to submitting his application. Mr. Hauraney confirmed that he was informed of the full cost of the fee.

Mr. Dowdall inquired about the general policy of staff making notes during the process, such as how much time was spent on each file. Ms. Casgrain-Robertson replied that staff generally do not track time per file but rather by geography and file type. This information is used when the fee schedule is reviewed annually to make adjustments to try and set fees that are as close to cost recovery as possible. Ms. Casgrain-Robertson noted that the planning program is currently 75% cost recovery.

Ms. Robinson inquired about the alignment of RVCA's fees with those of other conservation authorities. Ms. Casgrain-Robertson responded that the RVCA aligns its fees with the Mississippi Valley Conservation Authority and South Nation Conservation, especially on plan review fees as these are often collected by municipalities including the City of Ottawa. Ms. Robinson posed a second question, asking if there had been previous requests of a similar nature, particularly regarding severance costs. Ms. Casgrain-Robertson indicated that there had only been one other fee reconsideration request under this process and that it did not pertain to a severance.

Chair Strackerjan noted the presence of two fees related to consents to sever and asked for clarification on the distinction between the two. Ms. Casgrain-Robertson explained that the consent to sever fee is five hundred dollars which covers the RVCA's review of the planning file. There is then an additional fee of two hundred and thirty-five dollars if the RVCA is required to clear conditions following the granting of a severance which was not required in the case of Mr. Hauraney.

With no further questions, Ms. Casgrain-Robertson asked if Mr. Hauraney had any additional comments he wished to make. He emphasized that no site visit was necessary for his application to be reviewed and regarding the concern about setting a precedent, he questioned the purpose of having a fee reconsideration process if fees cannot be reconsidered due to potential precedent setting. Ms. Casgrain-Robertson acknowledged that no site visit was required and again agreed that Mr. Hauraney's application was straightforward. However, she clarified that the fee reconsideration process is in place as a legislative requirement and to accommodate circumstances where the Executive Committee may want to reconsider a fee.

Chair Strackerjan inquired about the annual review of the fee schedule, asking if it comes back to the RVCA Board of Directors for review. Ms. Casgrain-Robertson confirmed that the fee schedules are reviewed annually and presented to the Board for consideration and approval, usually in October of each year.

Ms. Robinson raised a question about the consistent reduction of funding to conservation authorities and how fees factor into the response. She asked if the Authority has increased fees beyond the annual rate of inflation. Ms. Casgrain-Robertson clarified that over the last ten years, the RVCA has only

increased fees by two percent each year while a three percent increase has been proposed for 2024. She highlighted the difference in approach compared to some conservation authorities who have hired consultants to undertake formal and comprehensive assessments of costs associated with development review resulting in substantial fee increases to achieve full cost-recovery, sometimes ten percent or more every five to ten years. Instead of full cost-recovery, the RVCA has taken a more conservative approach to dealing with reduced funding, and like most conservation authorities in eastern Ontario use levy funding to cover some costs as directed by the Board.

Mr. Dowdall suggested that the absence of a site visit might be due to a lot addition. In response, Mr. Hauraney explained that various surveys had been conducted on the property before his purchase. However, he was unaware of the exact location of all property pins and wanted to sever a piece for sale while also updating the property lines. The severance was intended for selling purposes and to refresh the understanding of property boundaries.

Mr. Hauraney inquired about his options for next steps. Ms. Casgrain-Robertson explained that under the *Conservation Authorities Act*, there are no further appeal mechanisms beyond the Executive Committee for fee reconsideration requests.

**Resolution 3A-231214**

**Moved by:**

Gary Waterfield

**Seconded by:**

Anne Barr

That the Executive Committee of the Rideau Valley Conservation Authority order the applicant to pay the amount originally charged which was \$500.00

**Resolution Carried**

## **7.0 Adjournment**

The meeting adjourned at 6:01 p.m. on a motion by Brian Dowdall that was seconded by Anne Robinson.

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**Kristin Strackerjan**  
Chair

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**Marissa Grondin**  
Recording Secretary