



LAKE SIMCOE REGION CONSERVATION AUTHORITY
MEETING NO. BOD-11-08
Friday, November 28, 2008

Lake Simcoe Region Conservation Authority
Newmarket, ON

MINUTES

Board Members Present:

V. Hackson, Chair
Councillor B. Drew, Vice-Chair
Councillor S. Agnew
Councillor G. Campbell
Councillor K. Ferdinands
Regional Councillor J. Grant
Mayor R. Grossi
Regional Councillor H. Herrema
Councillor B. Huson
Councillor E. MacEachern
Councillor J. McCallum
Councillor A. Nuttall
Councillor J. O'Donnell
Councillor J. Rupke
Deputy Mayor G. Wauchope
Mayor J. Young

Staff Present:

D. Gayle Wood, C.A.O./Secretary-Treasurer
B. Kemp, Director, Conservation Lands
M. Valcic, Director, Corporate Services
M. Walters, Director, Watershed Management
B. Booth, A/Manager, Planning
T. Hogenbirk, Manager, Engineering & Technical Services
G. Casey, Coordinator, Board/CAO, Projects & Services

Guests:

Mr. D. Dabis, D & G Dabis Farm
Ms. C. Kaiser-Reid, Point of Mara Resort & Trailer Park
Ms. G. Rosen, York Region Community Fund
Mr. E. Crossland, Crossland Family Foundation
Ms. K. McKenzie, Lake Simcoe Conservation Foundation

Regrets:

Mr. E. Bull
Regional Councillor J. Taylor
Mayor R. Stevens

I DECLARATIONS OF PECUNIARY INTEREST

None indicated for the record of this meeting.

II APPROVAL OF AGENDA

At the request of the presenters Items VII (a) and (c) of the agenda will be deferred to the December 2008 meeting.

Moved by: E. MacEachern

Seconded by: J. O'Donnell

BOD-08-129 RESOLVED THAT the content of the Agenda for the November 28th, 2008 meeting of the Board of Directors be approved as amended to defer agenda items VII (a) and (c) to the December 2008 Board meeting.

CARRIED



III ***ADOPTION OF MINUTES***

(a) Board of Directors

Moved by: J. Grant

Seconded by: B. Drew

BOD-08-130 **RESOLVED THAT the minutes of Board of Directors Meeting No. BOD-10-08, held on November 14, 2008, be adopted and approved as printed and circulated.**

CARRIED

(b) Conservation Ontario

Moved by: H. Herrema

Seconded by: G. Wauchope

BOD-08-131 **RESOLVED THAT the minutes of the Conservation Ontario Council meeting held on October 6, 2008, be received.**

CARRIED

IV ***ANNOUNCEMENTS***

(a) Association of Fundraising Professionals(AFP)

Chair Hackson, Vice Chair Bobbie Drew and Councillor John McCallum attended the 2008 AFP Philanthropy Awards Luncheon on November 26, 2008, at which the Lake Simcoe Conservation Foundation received the award for the **2008 Outstanding Small Organization for Excellence in Fundraising**. Chair Hackson, with Mrs. Debby Beatty, accepted the award on behalf of the Foundation.

Chair Hackson, on behalf of the Authority's Board extended congratulations to the Lake Simcoe Conservation Foundation on this achievement.

(b) Santa Clause Parade – East Gwillimbury

Chair Hackson advised that the LSRCA participated in the 2008 East Gwillimbury Santa Clause Parade on November 22nd, using the Authority's research boat for the parade float. Chair Hackson received very favourable comments from those in attendance.

The Authority will also be participating in the Sutton Parade on December 6, 2008.

(c) Annual General Meeting

The CAO reminded the Board of Directors that the Authority's Annual General Meeting will be held on Friday, January 23rd, 2009. Location to be confirmed.



(d) Proposed Lake Simcoe Protection Act

The CAO provided an update on the proposed Lake Simcoe Protection Act which included Chair Hackson's presentation before the Standing Committee on General Government. The CAO advised that the proposed Act has been revised and includes two of the three recommendations put forward by the LSRCA. The proposed Act is now submitted for Third Reading.

It is expected that the proposed Lake Simcoe Protection Plan will be released for public comment in early January, 2009.

V **HEARINGS**

There were no Hearings scheduled for this meeting.

VI **DELEGATIONS**

(a) McNabb Drain

The Board dealt with Staff Report 53-08-BOD regarding the McNabb Drain. This report was deferred from the November 14th, 2008, meeting in order to provide Mr. Dabis the opportunity to address the Board on this matter.

Mr. Dabis provided his comments to the Board regarding the content of Staff Report No. 53-08-BOD advising that, in his opinion, the Report contained inaccurate information and is bias. Mr. Dabis criticized the LSRCA for their apparent lack of concern and the appearance that the CA prefers to ignore the situation with the McNabb Drain rather than electing to work with the Ministry to resolve the problem.

Mr. Dabis further advised that he appeared before the Standing Committee on General Government regarding the proposed Lake Simcoe Protection Act and presented information regarding the McNabb Drain. The Standing Committee took notice that this is a serious problem which needs to be addressed and they will likely use this situation when making their decision on who should lead this process.

Mr. Dabis referenced the comment made at the Authority's September Board Meeting regarding the *Drainage Act*. The comment reference that the municipality is responsible for the maintenance of the drain. Mr. Dabis commented that there is nothing in the *Drainage Act* referencing environmental matters however the municipality is responsible for preventive and corrective maintenance.

Mr. Dabis advised of a recommendation put forward by Mayor Duffy which indicated that Township of Ramara staff would be responsible to monitor the flow of water at this Dam and further advised that this recommendation was never implemented.



In response to Mr. Dabis' presentation, Councillor Gord Wauchope advised that the comments made regarding the Staff Report, in that it was poorly written, contained inaccurate information and was bias are offensive and insulting. Councillor Wauchope added that it is not appreciated when anyone comes into a meeting of the Authority's Board and makes insulting comments to both staff and the Members of the Board.

Further, Councillor Wauchope reminded Mr. Dabis that there is in fact currently litigation underway with regard to the McNabb Drain and, while it is not that the LSRCA does not want to react to the McNabb Drain situation, neither the Board nor staff can get involved until such time as the litigation is resolved.

Councillor O'Donnell commented that he has recently walked the area in question and although he noted that the water is high, and the water coming downstream to Ramara Road 47 appeared to be fairly clean. Councillor O'Donnell acknowledged the photos provided by Mr. Dabis and referenced that a contributing factor to the condition of the water is the erosion on properties downstream from Ramara Road 47.

Councillor O'Donnell referenced that the culvert at the railway track and advised that while the culvert has been cleaned, it has never been changed and can only handle a limited amount of water. If there is more water rushing through then the culvert can handle, the water will go over the tracks which, Councillor O'Donnell advised, he cannot recall ever happening.

Councillor O'Donnell advised that staff of the Township of Ramara have been working with the Courts on this matter and have been completing work at the direction of the Drainage Engineer.

Chair Hackson thanked Mr. Dabis for his presentation and advised that staff have worked very hard with him for a number of years on this issue dealing with all concerns in a very timely manner. Further, the Board and staff have provided him the opportunity to make comments as requested.

Moved by: J. Young

Seconded by: B. Huson

BOD-08-132 RESOLVED THAT Staff Report No. 53-08-BOD which is in response to the deputation provided by Mr. Diether Dabis regarding the McNabb Drain in the Township of Ramara, be received for information; and FURTHER THAT the deputation provided by Mr. Diether Dabis on November 28, 2008, be received.

CARRIED



VII ***PRESENTATIONS***

(b) York Region Community Fund

Ms. Gina Rosen presented an overview on the York Region Community Fund which administers The Crossland Family Environmental Scholarship Fund .

Mr. Crossland presented to the Board information regarding The Crossland Family Environmental Scholarship Fund advising that the purpose of this Fund is to provide scholarships to students pursuing a post-secondary education in environmental studies. Mr. Crossland has a vision of providing a scholarship for more than one year and in order to accomplish this he needs to acquire more donations for his Foundation.

Mr. Crossland requested that the LSRCA Board Members share the information provided to them today with their respective municipal and regional councils to consider making a donation to The Crossland Family Environmental Scholarship Fund .

Chair Hackson reminded the Board that the Lake Simcoe Conservation Foundation, in partnership with the Town of Newmarket, held a dinner in honour of The Crossland Family Environmental Scholarship Fund and raised \$25,000.

Moved by: J. O'Donnell

Seconded by: G. Campbell

BOD-08-133 RESOLVED THAT the presentation provided by Ms. Gina Rosen, York Community Fund and Mr. Ernie Crossland, The Crossland Family Environmental Scholarship Fund , be received.

CARRIED

VIII ***DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION***

Items 1, 4, 6, and 7 were identified for separate discussion.

IX ***ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION***

Moved by: G. Wauchope

Seconded by: J. Rupke

BOD-08-134 RESOLVED THAT the following recommendations respecting the matters listed as "Items Not Requiring Separate Discussion" be adopted as submitted to the Board and staff be authorized to take all necessary action required to give effect to same.

CARRIED



2. Correspondence

BOD-08-135 **RESOLVED THAT** the correspondence listed in the November 28th, 2008 agenda as item 2 (a) through (f) be received for information.

3. Monthly Communications Update

BOD-08-136 **RESOLVED THAT** the Monthly Communications Update, for the period October 1 to 31, 2008 be received for information.

5. Quarterly Planning Update

BOD-08-137 **RESOLVED THAT** Staff Report No. 61-08-BOD regarding the monitoring of planning and development applications for the period January 1, 2008, to September 30, 2008, be received for information.

X CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

1. Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation 179/06

Moved by: G. Wauchope

Seconded by: G. Campbell

BOD-08-138 **RESOLVED THAT** applications under Section 28 of the Conservation Authorities Act and Ontario Regulation 179/06 be received for information.

CARRIED

4. Budget Status Report

The Director, Corporate Services advised that staff are projecting a balanced budget for year end and further advised that the Auditors will begin preparing the interim audit in the next week. The Director anticipates that the next budget report to the Board will be in February 2009 with the final audited budget figures available in April 2009.

Moved by: B. Drew

Seconded by: J. McCallum

BOD-08-139 **RESOLVED THAT** Staff Report No. 60-08-BOD regarding the Authority Budget Status for the ten month period ending October 31, 2008, be received.

CARRIED



6. Proposed Changes to the LSRCA Watershed Development Policies

The Board dealt with Staff Report No.62-08-BOD regarding proposed changes to the Authority's Watershed Development Policies. The proposed changes are in relation to the "**Wetlands Policy Statement for the Lake Simcoe Watershed for the Implementation of Ontario Regulation 179/06**" which was included with the report.

Staff responded to various questions from the Board and advised that the purpose of the revised Policy is to make the process more transparent and understandable in relation to development in a wetland. The content of the Policy does not differ from what is currently being done regarding the implementation of Ontario Regulation 179/06.

Staff further advised that there is some expectation that these Policies may be further revised to bring them in compliance with the proposed Lake Simcoe Protection Act and Plan if required.

Moved by: G. Wauchope

Seconded by: E. MacEachern

BOD-08-140 RESOLVED THAT Staff Report No. 62-08-BOD regarding the proposed changes to the LSRCA Watershed Development Policies be received; and THAT the proposed changes to the Watershed Development Policies contained herein be approved; and FURTHER THAT a copy of the revised Watershed Development Policies be circulated to all watershed municipalities.

CARRIED

7. Flood Events - 2008

The Board dealt with Staff Report No. 63-08-BOD which provides information regarding 2008 Flood Events in the Lake Simcoe watershed.

Councillor's O'Donnell and McCallum extended their thanks to the Authority's Board and staff for the assistance provided during the flood events in their respective municipalities.

The Board commended staff on the process used in 2008 to communicate the water levels to the Board Members and municipalities and recommended that this same process be implemented again for the 2009 season.



Moved by: J. O'Donnell

Seconded by: B. Drew

BOD-08-141 **RESOLVED THAT** the Staff Report No. 63-08-BOD Entitled "Flood Events - 2008" be received for information; and **FURTHER THAT** the existing Communications Protocol established in 2008, regarding high lake levels be continued in 2009.

CARRIED

XI **OTHER BUSINESS**

(a) Proposed Changes to the Drainage Act

Regional Councillor John Grant asked for clarification regarding some proposed changes to the *Drainage Act* as it relates to the *Endangered Species Act* and the potential requirement to complete fisheries related Environmental Impact Statements.

Staff responded that there has been some discussion in this regard and a report will be forthcoming to the Board that will include potential financial implications of recommended changes.

(b) Charity Cookbook

Councillor John O'Donnell advised that the staff of the Township of Ramara have put together a Cookbook and are selling it for \$10.00, proceeds going to charity. If interested in purchasing a cookbook, contact John O'Donnell or the Township directly.

XII **CLOSED SESSION**

There were no agenda items for Closed Session discussion.

XIII **ADJOURNMENT**

Meeting adjourned at 11:00 a.m. on a motion by R. Grossi

Councillor Virginia Hackson
Chair

D. Gayle Wood, CMM III
Chief Administrative Officer