



**Board of Directors**  
**Meeting No. BOD-02-22**  
**Friday, February 25, 2022**  
**9:00 a.m.**

## **Agenda**

**Meeting Location:**

To be held virtually by Zoom  
Minutes and agendas are available at [www.LSRCA.on.ca](http://www.LSRCA.on.ca)

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### **Upcoming Events**

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**Board of Directors' Meeting**

Friday, March 25 at 9:00 a.m.  
To be held virtually by Zoom

A full listing of events can be found at [www.LSRCA.on.ca](http://www.LSRCA.on.ca)

## I. Declarations of Pecuniary Interest and Conflicts of Interest

## II. Approval of Agenda

Pages 1 - 5

**Recommended:** That the content of the Agenda for the February 25, 2022 meeting of the Board of Directors be approved as presented.

## III. Adoption of Minutes

### a) Board of Directors

Pages 6 - 15

Included in the agenda is a copy of the minutes of the Board of Directors 71<sup>st</sup> Annual General Meeting, No. BOD-01-22, held on Friday, January 28, 2022.

**Recommended:** That the minutes of the Board of Directors 71st Annual General Meeting, No. BOD-01-22, held on Friday, January 28, 2022 be approved as circulated.

### b) Conservation Ontario Council

Pages 16 - 21

Included in the agenda is a copy of the minutes of Conservation Ontario's Council Meeting held on Monday, December 13, 2021.

**Recommended:** That the minutes of Conservation Ontario's Council Meeting held on Monday, December 13, 2021 be received for information.

## IV. Announcements

## V. Presentations

### a) 2022 Proposed Capital and Operating Budget

Pages 22 - 50

General Manager, Corporate and Financial Services/CFO Mark Critch, will provide an overview of the Authority's Proposed 2022 Capital and Operating Budget. This presentation will be provided at the meeting and will be available on our website following the meeting.

**Recommended:** That the presentation by General Manager, Corporate and Financial Services/CFO Mark Critch regarding the Authority's Proposed 2022 Capital and Operating Budget be received for information.

Included in the agenda is Staff Report No. 02-22-BOD regarding the Authority's Proposed 2022 Capital and Operating Budget.

**Recommended:** That Staff Report No. 02-22-BOD regarding the Authority's 2022 Proposed Capital and Operating Budget be received: and

**Further that** the 2022 Proposed Capital and Operating Budget and all projects therein be adopted: and

**Further that** staff be authorized to enter into agreements and/or execute documents with private sector organizations, non-governmental organizations or governments and their agencies for the undertaking of projects for the benefit of The Authority and funded by the sponsoring organization or agency, including projects that have not been provided for in the approved budget; and

**Further that** as required by Ontario Regulation 139/96 (formerly O.S. 231/97), this recommendation and the accompanying budget documents, including the schedule of matching and non-matching levies, be approved by weighted vote.

## **VI. Hearings**

There are no Hearings scheduled for this meeting.

## **VII. Deputations**

There are no Deputations scheduled for this meeting.

## **VIII. Determination of Items Requiring Separate Discussion**

(Reference Page 5 of the agenda)

## **IX. Adoption of Items Not Requiring Separate Discussion**

## **X. Consideration of Items Requiring Separate Discussion**

## **XI. Closed Session**

The Board will move to Closed Session to deal with confidential legal and land matters.

**Recommended:** That the Board move to Closed Session to deal with confidential legal and land matters; and

**Further** that the Chief Administrative Officer, members of the Executive Management Team, the Director, Regulations, and the Coordinator BOD/CAO remain in the meeting for the discussion on Items a) and b); and

**Further** that the Chief Administrative Officer, members of the Executive Management Team and the Coordinator BOD/CAO remain in the meeting for the discussion on Item c).

The Board will rise from Closed Session and report findings.

**Recommended:** That the Board rise from Closed Session and report findings.

**a) Confidential Legal Matter**

Confidential Staff Report No. 07-22-BOD will be sent to Board members prior to the meeting.

**Recommended:** That Confidential Staff Report No. 07-22-BOD regarding a confidential legal matter be received for information.

**b) Confidential Legal Matter**

Confidential Staff Report No. 08-22-BOD will be sent to Board members prior to the meeting.

**Recommended:** That Confidential Staff Report No. 08-22-BOD regarding a confidential legal matter be received for information.

**c) Confidential Land Matter**

A presentation regarding a confidential land matter will be provided at the meeting.

**Recommended:** That the presentation regarding a confidential land matter be received for information.

## **XII. Other Business**

### **Next Meeting**

The next meeting of the LSRCA Board of Directors will be held at @ 9:00 a.m. on Friday, March 25, 2022. This meeting will be held via Zoom, access details to be provided prior to the meeting.

## **XIII. Adjournment**

## Agenda Items

### 1. Correspondence

Page 51

- a) January 5, 2022 Ministry of Northern Development, Mines, Natural Resources and Forestry letter of thanks regarding British Columbia's flooding emergency.

**Recommended:** That Correspondence Item a) be received for information.

### 2. Municipal Freedom of Information and Protection of Privacy Act: Annual Statistical Report

Pages 52 - 62

**Recommended:** That Staff Report No. 03-22-BOD regarding the Authority's *Municipal Freedom of Information and Protection of Privacy Act 2021 Annual Statistical Report* be received for information.

### 3. Monitoring Report – Planning and Development Applications for the Period January 1 through December 31, 2021

Pages 63 - 74

**Recommended:** That Staff Report No. 04-22-BOD regarding monitoring of planning and development applications for the period January 1 through December 31, 2021 be received for information.

### 4. Lake Simcoe Region Conservation Authority's Programs and Services Inventory List

Pages 75 - 89

**Recommended:** That Staff Report No. 05-22-BOD regarding the Lake Simcoe Region Conservation Authority's Programs and Services Inventory List be received; and

**Further that** the Programs and Services Inventory List be circulated to Ministry of the Environment, Conservation and Parks, as well as member and specified municipalities.

### 5. Ministry of Environment, Conservation and Parks - Phase 2 Regulatory and Policy Proposal Consultation Guide

Pages 90 - 116

**Recommended That** Staff Report No. 06-22-BOD regarding the update on the Ministry of Environment, Conservation and Parks Phase 2 Regulatory and Policy Proposal Consultation Guide be received for information.

# 71<sup>st</sup> Annual General Meeting

Board of Directors' Meeting No. BOD-01-22

Friday, January 28, 2022

Held virtually via Zoom

## Meeting Minutes

### LSRCA Board Members Present

Regional Chairman W. Emmerson (Chair), Councillor P. Ferragine Councillor (Vice Chair), Councillor K. Aylwin, Mayor D. Barton, Mayor B. Drew, Councillor A. Eek, Councillor K. Ferdinands, Councillor W. Gaertner, Deputy Mayor J. Gough, Councillor R. Greenlaw, Mayor V. Hackson, Councillor S. Harrison-McIntyre, Mayor M. Quirk, Councillor C. Riepma, Regional Councillor T. Vegh, Councillor A. Waters, Councillor E. Yeo

### LSRCA Board Members Absent

Councillor C. Pettingill

### LSRCA Staff Present

D. Andrews, L. Aspden, S. Auger, R. Baldwin, T. Barnett, M. Bessey, B. Bollmann, R. Bolton, A. Brown, M. Brown, C. Byron, D. Campbell, J. Chan, K. Cheney, K. Christensen, C. Connell, S. Cuddy, A. Cullen, M. Critch, C. Currie, P. Davies, M. Dennis, J. Doyley, P. Du, D. Eldon, C. Eves, E. Daechsel, X. Fei, E. Fitzpatrick, T. Fleischaker, S. Fogelman, B. Ginn, M. Grieve, L. Grzywniak, N. Hamley, C. Hawson, K. Hillis, J. Ingoe, S. Ingott, S. Jagminas, J. Jakop, B. Kemp, K. Kennedy, D. Lembcke, V. Lam, J. Lim, B. Longstaff, G. MacMillan, C. Mantega, S. McKinnon, L. McLean, S. Moin, L. Munnoch, K. Nagrani, K. Nesbitt, C. Newton, N. O'Dell, B. Patel, G. Peat, K. Pellerin, B. Piotrowski, M. Quattromini, S. Rawski, M. Rosato, D. Ruggle, E. Sellan, C. Sharp, A. Sprague, T. Stevenson, P. Strong, L. Tafreshi, C. Taylor, R. Tiessen, P. Thase, B. Thompson, K. Toffan, F. Tonto, S. Troan, M. Touw, R. Wilson, A. Yates, K. Yemm, K. Zeppieri, K. Zhao

### Guests in Attendance

C. Best, S. Davidson, C. Elliott, D. Gallagher-Murphy, M. Geist, J. Grant, L. Hanson, O. Jerschow, E. Keith, K. Kelly, T. Krsul, S. Kurtz, I. Lovatt, S. MacDonald, E. Mahoney, J. Mott, J. Powell, B. Rogers, J. Scott, P. Seear, M. Seeley, B. Stiles, J. Taylor, K. Thompson

## I. Chair's Welcome and Introductions

Chair Emmerson welcomed everyone to the 71<sup>st</sup> Annual General meeting of the Lake Simcoe Region Conservation Authority and recognized a number of guests in attendance.

### Roll Call – 2021 Board Members

The 2021 Board Members introduced themselves and stated which municipality they represent.

## II. Declarations of Pecuniary Interest and Conflict of Interest

None noted for the meeting.

## III. Approval of Agenda

Moved by: M. Quirk

Seconded by: C. Riepma

BOD-001-22 **Resolved That** the content of the Agenda for the Lake Simcoe Region Conservation Authority's 71<sup>st</sup> Annual General Meeting held on Friday, January 28, 2022 be approved as presented. **Carried**

## IV. Adoption of Minutes

### a) Board of Directors

Moved by: R. Greenlaw

Seconded by: T. Vegh

BOD-002-22 **Resolved That** the minutes of the Board of Directors Meeting No. BOD-12-21 held on Friday, December 17, 2021 be approved as circulated. **Carried**

## V. Greetings

Chair Emmerson called upon some guests to bring greetings on behalf of their respective organizations. First up was Scot Davidson, Member of Parliament for York-Simcoe, who brought greetings from the shores of Lake Simcoe. Chair Emmerson welcomed the Honourable Christine Elliott, Deputy Premier, Minister of Health, and MPP for Newmarket-Aurora and the Honourable Caroline Mulroney, Minister of Francophone Affairs, Minister of Transportation, and MPP for York-Simcoe, who brought greetings on behalf of the Province of Ontario. Brandon Stiles brought greetings on behalf of the Chippewas of Georgina Island First Nation, and Marvin Geist, President of the Lake Simcoe Conservation Foundation Board of Directors, brought greetings on behalf of the Foundation.

## VI. Presentations

### a) 2021 Year in Review

The Authority's Chief Administrative Officer, Rob Baldwin, reviewed the many accomplishments of 2021, including the progress made on the *Conservation Authorities Act* regulations through the conservation authorities working group; the completion of the Authority's new Strategic Plan - [Transformation 2022-2024](#); improvements made to address requirements of the

*Accessibility for Ontarians with Disabilities Act*; a banner year for restoration projects; the acquisition of ecologically significant lands to our holdings; the successful execution of our virtual conservation awards ceremony; as well continually adapting education programs to ensure opportunities for participation. CAO Baldwin introduced the Authority's Executive Leadership Team and shared a video showcasing the Authority's 2021 highlights and accomplishments. To view this video, please click this link: [2021 Year in Review](#)

#### **b) Climate Change: An Optimistic Outlook**

General Manager, Integrated Watershed Management, Ben Longstaff, provided a presentation regarding actions taken and decisions made around climate change. Climate change and the Authority's vision of a "healthy lake, healthy land, healthy life...for generations to come" do epitomize everything we need to do as a watershed community. Decisions we make today and how seriously we take climate change will impact generations to come. We have choices to make on whether we continue down the path of high emissions or will we make concerted efforts to cut greenhouse gas emissions. The business-as-usual pathway will have significant consequences to the environment, including more frequent and more severe storms leading to increased flooding and more phosphorus leading to Lake Simcoe. Predictions of milder winters and warmer summers will have significant impacts to watershed communities and ecosystems. With all this in mind he explained, a positive pathway to enhance resilience by dedicating resources is needed. Over the years the Authority has completed many projects toward this positive pathway in the areas of watercourse projects, streambank stabilizations projects, barrier removal projects, wetland and grassland projects, tree plantings, working with farmers on agricultural projects, stormwater management projects, and trail management and maintenance projects.

He noted that the Authority's new strategic plan recognizes that climate change cuts across all areas of the organization. With mitigation and adaptation strategies in place, the Authority has a dedicated team always ready to assist and is better positioned than every to bring our municipalities together to help tackle the challenge.

General Manager Longstaff introduced the City of Barrie's Risk Management Official, Katie Thompson, to present on the City's path towards climate resiliency through mitigation and adaptation. Katie noted that with many creeks flowing through the City to Kempenfelt Bay, much of their adaptation efforts have focused on managing stormwater. She described some of the devastating impacts the City has experienced due to some recent weather events, as well as the enormous costs of repair. It was determined that adaptation was needed to curb the financial impacts of climate change, and it is estimated that every dollar spent on adaption can yield anywhere from \$9 to \$38 in avoided damage costs.



A Climate Change adaptation strategy was completed in the City of Barrie, an implementation plan was developed, and budget friendly initiatives were undertaken. The new draft official plan fully embraces sustainability as a key theme to growth management and outlines working with other agencies to fully understand future environmental trends. The plan recognizes the need for reduction of greenhouse gas emissions and incorporates policies guiding infrastructure maintenance and development in a manner that will allow the City to recover to weather events.

Another area of focus for the City is stormwater infrastructure and efforts on enhancing controls, and the City is working with the Authority on a project in the Kidds Creek subwatershed that will greatly reduce flooding and increase water quality.

Ms. Thompson noted that the City participates in the local climate change exchange working group that enables knowledge and resource sharing to assist with capacity building and expand successful action. The group looks to reduce overlapping efforts and use resources efficiently.

She shared information on the City's Community Energy Greenhouse Gas Emission Reduction Plan, noting the draft plan will be posted soon on the City's website for public consultation and provided the following link for information: [www.buildingbarrie.ca/communityenergy](http://www.buildingbarrie.ca/communityenergy)

For more information on the Authority's Climate Change initiatives, please contact Ben Longstaff @ [b.longstaff@lsrca.on.ca](mailto:b.longstaff@lsrca.on.ca) or 905-895-1281 ext 305.

### **c) Top Ten Restoration Projects of 2021**

Manager, Restoration Services, Christa Sharp provided a presentation on the Authority's top ten restoration projects of 2021, noting there were so many great projects that it was difficult for her team to pick just ten. In fact, she noted that 102 restoration projects were completed for a total cost of \$1.88M. The top ten projects included:

- retrofitting a dry stormwater pond in Barrie, which involved the installation of an underground vault chamber that stores and infiltrates stormwater. This project will infiltrate over 16,000 m<sup>3</sup>/year and will reduce phosphorus by over 10 kg/year;
- a low impact development retrofit project in East Gwillimbury implemented to address runoff that would flow across the parking lot picking up pollutants on its way. The parking lot was resurfaced and a bioretention swale installed, which will filter over 400 m<sup>3</sup> of stormwater during major storm events;
- in partnership with private landowners, developing designs for construction for two properties; Bayfield Mall in Barrie and 404 Town Centre in Newmarket, to retrofit the

properties with low impact development features to reduce negative impacts to nearby creeks. These projects will move forward in 2022 and 2023;

- another design project at Scanlon Creek to address erosion along the creeks by stabilizing the banks to reduce sediment. This project also involves continuing work done in 2015 by removing another barrier and connecting 1.7km of watercourse to the West Holland River, securing this creek for flash storms and adding more habitat for fish to spawn in;
- Kettleby Creek Restoration Project at Kettleby Valley Camp, where the removal of a dam and restoration of a portion of the creek allows coldwater fish to migrate through unhindered, also reconnecting endangered redbreasted sunfish to their spawning habitat;
- with prescribed burns being one of the top recommended methods to manage grasslands, the Authority undertook a 9 hectare burn at Innisfree in the Town of Innisfil and a 2.4 hectare burn at the Maple Cross Nature Reserve in King Township;
- increasing biodiversity and creating pollinator habitat by planting native wildflowers;
- working with livestock farmers to restrict livestock from watercourses, manage manure, and manage milkhouse waste. Outcomes included protecting 320m of streambank from erosion, creating 7.7M litres of storage capacity for manure and milkhouse waste, improving conditions for over 150 livestock and preventing 480 kg of phosphorus from entering our waterways;
- continuing work done in 2019 to reduce agricultural runoff at a Beaverton farm, grassed waterways, water and sediment control basins, buffer plantings, windbreaks, and new ditches are among the new features installed to reduce the amount of phosphorus, sediment and other contaminants from reaching Lake Simcoe;
- supported farmers in the Holland Marsh as they completed projects such as: seeding cover crops to help control wind and water erosion, prevent soil loss and reduce weed competition. Some farmers also installed de-dirting equipment and one farmer installed a closed loop wash water treatment system, reducing the amount of water used and preventing discharge into the local drainage ditch; and
- completed 27 community action projects with over 275 volunteers who planted over 6,700 native trees, shrubs, and herbaceous plants, which improve wildlife and pollinator habitat, increase biodiversity, help store carbon, protect streambanks and create shade in urban environments.

To view these restoration projects, please click this link: [Top Ten Restoration Projects of 2021](#)

For more information on the Authority's Restoration Program, please contact Christa Sharp @ [c.sharp@lsrca.on.ca](mailto:c.sharp@lsrca.on.ca) or 905-895-1281 ext 115.

Moved by: B. Drew

Seconded by: J. Gough

BOD-003-22 **Resolved That** the presentations, Items VI. (a-c) be received for information. **Carried**

## VII. 2021 Business is Concluded

Chair Emmerson concluded the business of 2021 and deemed the Chair vacant.

Moved by: R. Greenlaw

Seconded by: S. Harrison-McIntyre

BOD-004-22 **Resolved That** the Board of Directors conclude the business of 2021; and

**Further That** the Chair be declared vacant. **Carried**

## VIII. 2022 Business

The 2022 Business portion of the meeting was called to order by the Authority's Chief Administrative Officer, Rob Baldwin.

### Roll Call – 2022 Board Members

As there is no change in Board members from 2021 to 2022, a roll call was not conducted.

## IX. Election of Officers

CAO Baldwin conducted the election of officers and outlined the general rules for election. He noted that positions are required for Chair and Vice Chair for 2022 and must be appointed members of the Board of Directors.

### A. Election of Officers – 2022

#### i. Chair of the Authority

Regional Chairman and CEO Wayne Emmerson was nominated for the position of Chair by Councillor Ken Ferdinands. Nominations were called for three times. No further nominations were put forward.

Moved by: C. Riepma

Seconded by: J. Gough

BOD-005-22 **Resolved that** the nominations for the position of Chair be closed. **Carried**

Regional Chairman and CEO Wayne Emmerson accepted the nomination for the position of Chair, and CAO Baldwin offered congratulations to Regional Chairman Wayne Emmerson as the 2022 Chair.

#### ii. Vice Chair of the Authority

Councillor Peter Ferragine was nominated for the position of Vice Chair by Mayor Bobbie Drew. Nominations were called for three times and no further nominations were put forward.

Moved by: B. Drew

Seconded by: A. Waters

BOD-006-22 **Resolved that** the nominations for the position of Vice Chair be closed. **Carried**

Councillor Ferragine accepted the nomination, and CAO Baldwin congratulated Councillor Ferragine as the 2022 Vice Chair.

Chair Emmerson chaired the remainder of the meeting.

### B. Appointment of the Regulations Sub-committee for 2022

CAO Baldwin explained that in the event of a Hearing by the Board of Directors, a Regulations Sub-Committee is formed in order to review the circumstances of the Hearing and report to the Board. This sub-committee normally consists of the Chair, the Vice Chair, and the Member representing the local municipality in which the application under Ontario Regulation 179/06 is received.

Moved by: D. Barton

Seconded by: J. Gough

BOD-007-22 **Resolved that** the Chair and Vice Chair, along with the Member representing the local municipality in which the application under Ontario Regulation 179/06 is received, shall be members of the sub-committee to review applications and report to the Board of Directors. **Carried**

### C. Appointment to Conservation Ontario for 2022

CAO Baldwin explained it is the practice for the Chair, or his/her designate, and the Chief Administrative Officer to represent the Authority on Conservation Ontario's Council. Chair Emmerson asked Vice Chair Ferragine, who agreed, to represent the Authority for 2022.

Moved by: D. Barton

Seconded by: K. Aylwin

BOD-008-22 **Resolved that** the 2022 Vice Chair be appointed as the Authority's voting delegate to Conservation Ontario; and

**Further that** the Chief Administrative Officer be the alternate delegate. **Carried**

#### **D. Appointment to the Lake Simcoe Conservation Foundation Board of Directors for 2022**

CAO Baldwin explained that the Chair and Vice Chair typically serve on the Lake Simcoe Conservation Foundation Board of Directors. Chair Emmerson requested that Vice Chair Ferragine and Regional Councillor Tom Vegh serve on the Foundation Board of Directors for 2022.

Moved by: S. Harrison-McIntyre

Seconded by: M. Quirk

BOD-009-22 **Resolved that** the Vice Chair, Councillor Peter Ferragine and Regional Councillor Tom Vegh be appointed to the Lake Simcoe Conservation Foundation for 2022. **Carried**

#### **E. Appointment of Solicitors for 2022**

CAO Baldwin explained that the Authority wishes to continue utilizing the services of five (5) legal firms of: Stiver Vale for general administrative advice and land management; Hicks Morley for employment and labour related matters; HHL Law Firm (formerly Hill Hunter Losell) for floodplain regulation advice; Barriston LLP for general administrative and regulations advice; and Beard Winter for floodplain regulation advice and litigation.

Moved by: K. Ferdinands

Seconded by: A. Eek

BOD-010-22 **Resolved that** Stiver Vale, Hicks Morley, HHL Law Firm, Barriston Law and Beard Winter be appointed as Lake Simcoe Region Conservation Authority's legal firms for 2022. **Carried**

#### **X. Signing Officers for 2022**

CAO Baldwin explained that each year the Authority appoints four signing officers: namely, the Chair and the Vice Chair, along with the Chief Administrative Officer and the General Manager, Corporate and Financial Services.

Moved by: V. Hackson

Seconded by: B. Drew

BOD-011-22 **Resolved that** an account in the name of Lake Simcoe Region Conservation Authority (hereinafter called the "Organization") be kept at the Bank of Nova Scotia (hereinafter called the "Bank"); and

**Further that** the Authority's Chair, Vice Chair, the Chief Administrative Officer/Secretary-Treasurer, and the General Manager, Corporate and Financial Services/CFO, or any two of them are hereby authorized to sign, make, draw, accept, endorse and deliver cheques, promissory notes, bills of exchange, orders for the payment of money and such agreements and instruments as may be necessary or useful in connection with the operation of the said account; and

**Further that** any one of the above-mentioned officers is hereby authorized for and in the name of the Organization to endorse and transfer to the Bank for deposit or discount with or collection by the Bank (but for the credit of the Organization only) cheques, promissory notes, bills of exchange, orders for the payment of money and other instruments, to arrange, settle, balance and certify all books and accounts with the Bank and to sign receipts for vouchers. **Carried**

## XI. Borrowing Resolution

CAO Baldwin noted that the borrowing resolution authorizes the Authority to borrow an amount up to \$500,000.

Moved by: R. Greenlaw

Seconded by: C. Riepma

BOD-012-22 **Resolved that** signing officers for the Lake Simcoe Region Conservation Authority be empowered to borrow up to \$500,000 on an Operating Loan Agreement, as required, for administration and/or capital expenditures. **Carried**

## XII. Meeting Schedule

The Board approved Staff Report No. 01-22-BOD, which outlined the Board of Director's 2022 meeting schedule.

Moved by: W. Gaertner

Seconded by: S. Harrison-McIntyre

BOD-013-22 **Resolved that** Staff Report No. 01-22-BOD regarding the 2022 Board of Directors' meeting schedule be approved. **Carried**

### **XIII. Closing Remarks**

Vice Chair Ferragine and Chair Emmerson thanked the Board of Directors for their trust and confidence in them, and both noted they look forward to serving once again in their respective roles.

### **XIV. Adjournment**

Moved by: D. Barton

Seconded by: S. Harrison-McIntyre

BOD-014-22 **Resolved that** the meeting be adjourned @ 11:15 a.m. **Carried**

Original to be signed by:

\_\_\_\_\_  
Regional Chairman Wayne Emmerson, Chair

Original to be signed by:

\_\_\_\_\_  
Rob Baldwin, Chief Administrative Officer

**CONSERVATION ONTARIO COUNCIL MINUTES**  
**December 13, 2021 (Meeting via Zoom)**

**Voting Delegates Present:**

**Chair: Andy Mitchell, Otonabee**

Brian Horner, Ausable Bayfield  
Alan Revill, Cataraqui Region  
Katrina Furlanetto, Cataraqui Region  
Chris Darling, Central Lake Ontario  
Karen Ras, Credit Valley  
Deb Martin-Downs, Credit Valley  
Quentin Hanchard, Credit Valley  
Catherine Redden, Crowe Valley  
Tim Pidduck, Crowe Valley  
Linda Laliberte, Ganaraska Region  
Chris White, Grand River  
Samantha Lawson, Grand River  
Scott Greig, Grey Sauble  
Tim Lanthier, Grey Sauble  
Moya Johnson, Halton  
Hassaan Basit, Halton  
Lisa Burnside, Hamilton  
Andy Letham, Kawartha  
Mark Majchrowski, Kawartha  
Elizabeth VanHooren, Kettle Creek  
Wayne Emmerson, Lake Simcoe Region  
Rob Baldwin, Lake Simcoe Region  
Tammy Cook, Lakehead Region  
Michael Columbus, Long Point Region  
Judy Maxwell, Long Point Region

Eric Sandford, Lower Trent  
Rhonda Bateman, Lower Trent  
Dave Turton, Maitland Valley  
Janet Mason, Mississippi Valley  
Jeff Atkinson, Mississippi Valley  
Bruce Mackenzie, Niagara Peninsula  
Carl Jorgensen, Nickel District (Con.Sudbury)  
Mariane McLeod, Nottawasaga Valley  
Gail Little, Nottawasaga Valley  
Doug Hevenor, Nottawasaga Valley  
Andy Mitchell, Otonabee Region  
Dan Marinigh, Otonabee Region  
James Flieler, Quinte Region  
Sommer Casgrain-Robertson, Rideau Valley  
Jennifer Stephens, Saugeen Valley  
Corrina Barrett, Sault Ste Marie Region  
George Darouze, South Nation  
Angela Coleman, South Nation  
Lori Scott, St. Clair Region  
Ken Phillips, St. Clair Region  
Jennifer Innis, Toronto and Region  
John Mackenzie, Toronto and Region  
Alan Dale, Upper Thames River  
Tracy Annett, Upper Thames River

**Guests:**

Dusty Underhill, Catfish Creek  
Brad McNevin, Quinte  
Phil Beard, Maitland Valley  
Bill Smirle, South Nation

**Members Absent:**

Essex Region  
Mattagami Region  
Lower Thames Valley

**CO Staff:**

Deborah Balika  
Amber Brant  
Kristin Bristow  
Nicholas Fischer  
Bonnie Fox  
Kim Gavine  
Jane Lewington

Lauren McPherson  
Nekeisha Mohammed  
Patricia Moleirinho  
Leslie Rich  
Jo-Anne Rzaeki  
Rick Wilson



**1. Welcome from the Chair**

Chair Mitchell welcomed everyone in attendance.

**2. Adoption of the Agenda**

**#61/21 Moved by: Alan Dale  
Seconded by: Karen Ras**

***THAT the Agenda be adopted.***

**CARRIED**

**3. Declaration of Conflict of Interest**

There was none declared.

**4. Approval of the Minutes of the Previous Meeting**

**#62/21 Moved by: Karen Ras  
Seconded by: Jeff Atkinson**

***THAT the minutes from the September 2021 meeting be approved.***

**CARRIED**

**5. Business Arising from the Minutes**

There was none.

**6. Motion to move from Full Council to Committee of the Whole**

**#63/21 Moved by: Alan Revill  
Seconded by: Carl Jorgensen**

***THAT the meeting now move from Full Council to Committee of the Whole.***

**CARRIED**

**7. Items for Discussion**

**a. Advancement of CA Collaboration with Indigenous Communities: Update on Current Projects that include Integrated Watershed Management and enhancing Flood Mapping Capacity**

Keri-Anne Charles Norris and Jo-Anne Rzadki provided an update and presentation that is attached to the minutes.

**#64/21 Moved by: Jeff Atkinson  
Seconded by: Eric Sandford**

***THAT Conservation Ontario Council receives this report as information and a means of enhancing our understanding of this initiative's importance.***

**AND THAT in support of Conservation Ontario's 2021-25 Strategic Plan, Conservation Ontario Council continues to support the meaningful pursuit of building Respectful, Reciprocal Relationships with the Indigenous Peoples and Communities within and surrounding the CA watersheds in Ontario.**

**CARRIED**

**b. General Manager's Report**

Kim Gavine presented the report.

**C.W. #65/21 Moved by: Alan Dale  
Seconded by: Hassaan Basit**

***THAT Council receives this report as information.***

**CARRIED**

**c. 2022 Conservation Ontario Council Meeting Dates**

Kim Gavine presented the report.

**C.W. #66/21 Moved by: Mike Columbus  
Seconded by: Lisa Burnside**

***THAT the 2022 Conservation Ontario Council meeting schedule be adopted.***

**CARRIED**

**d. Budget Status Report for the period ending October 31, 2021**

Kim Gavine presented the report on the budget status to October 31, 2021.

**C.W. #67/21 Moved by: Bruce Mackenzie  
Seconded by: Linda Laliberte**

***THAT Council receives this report as information.***

**CARRIED**

**e. Proposed Development of Standard Operating Procedures for Provincial Offences Officers**

Leslie Rich presented the report.

**C.W. #68/21 Moved by: John Mackenzie  
Seconded by: Chris Darling**

***THAT Council receives this report as information.***

**CARRIED**

**f. Phase 1 Regulations under the Conservation Authorities Act and Update on CO Activities**

Bonnie Fox provided an update and presentation which is attached to the minutes.

**C.W. #69/21** Moved by: Eric Sandford  
Seconded by: Catharine Redden

*THAT Council receives this report as information.*

**CARRIED**

**g. Update on the Conservation Ontario Governance Accountability and Transparency Initiative**

Bonnie Fox presented the report.

**C.W. #70/21** Moved by: Andy Letham  
Seconded by: John Mackenzie

*THAT Council receives this report as information.*

**CARRIED**

**h. Update on the Conservation Ontario Client Service and Streamlining Initiative and Proposed 2022 Interim Workplan**

Leslie Rich provided an update and presentation which is attached to the minutes.

There was a recommendation from Council that CO staff highlight key files for 2022 with regard to funding at the AGM in April 2022.

**C.W. #71/21** Moved by: Scott Greig  
Seconded by: Chris Darling

*THAT Council endorse the interim 2022 Workplan for the Conservation Ontario Client Service and Streamlining Initiative.*

**CARRIED**

**Consent Items:**

**C.W. #73/21** Moved by: Mike Columbus  
Seconded by: Eric Sandford

*THAT Council approve the consent agenda and endorse the recommendations accompanying Consent Items 7.i-m and 7.ni-niv.*

**CARRIED**

- i. Conservation Ontario's comments on "Minister's Order for temporary suspension of protection upon the listing of Black Ash under the Endangered Species Act" (ERO#019- 4278) and "Amendments to Ontario Regulation 242/08 (General Regulation – Endangered Species Act, 2007) relating to upcoming changes to the Species at Risk in Ontario List" (ERO#019-4280) THAT Conservation Ontario's comments on "Minister's Order for temporary suspension of protection upon the listing of Black Ash under the Endangered Species Act" (ERO#019-4278) and "Amendments to Ontario Regulation 242/08 (General Regulation – Endangered Species Act) relating to upcoming changes to the Species at Risk in Ontario List" (ERO#019-4280) submitted to the Ministry of the Environment, Conservation and Parks on November 5th, 2021, be endorsed.**

- j. Conservation Ontario’s comments on the “Proposed Additional Delegation of Planning Decisions” (ERO#019-4419)**  
*THAT a letter be sent to the new Minister Environment and Climate Change Canada (ECCC) at the earliest opportunity of their mandate requesting increased funding for Great Lakes protection.*
  
- k. Conservation Ontario’s comments on “Modernization of the Issuance of Licences to Collect Fish for Scientific Purposes”**  
*THAT Conservation Ontario’s comments on “Modernization of the Issuance of Licences to Collect Fish for Scientific Purposes” submitted to the Ministry of Northern Development, Mines, Natural Resources and Forestry on November 25, 2021 be endorsed.*
  
- l. Update on Green Infrastructure Ontario Coalition**  
*THAT CO Council thank Deborah Martin-Downs for her participation as CO representative on the GIO Steering Committee;*  
*AND THAT CO Council endorses Jo-Anne Rzadki (CO) as the new representative for CO on the GIO Steering Committee.*
  
- m. Conservation Ontario Representatives for Lake Ontario and Lake Huron Partnership Management Committees**  
*THAT Chandra Sharma (Niagara Peninsula Conservation Authority) and Doug Hevenor (Nottawasaga Valley Conservation Authority) be endorsed as Conservation Ontario’s representatives on the Lakewide Partnership Management Committees for Lake Ontario and Lake Huron, respectively.*
  
- n. Program Updates**
  - i. Business Development and Partnerships Program Update  
*THAT Council receives this report as information.*
  - ii. Marketing and Communications Program Update  
*THAT Council receives this report as information.*
  - iii. Drinking Water Source Protection Program Update  
*THAT Council receives this report as information.*
  - iv. Information Management Program Update  
*THAT Council receives this report as information.*

**14. Motion to Move from Committee of the Whole to Full Council**

**#74/21**                      **Moved by: Karen Ras**  
**Seconded by: Bruce Mackenzie**

*THAT the meeting now move from Committee of the Whole to Full Council*

**CARRIED**

**15. Council Business – Council Adoption of Recommendations**

**#75/21**                      **Moved by: Mariane McLeod**  
**Seconded by: Alan Dale**

*THAT Conservation Ontario Council adopt Committee of the Whole (C.W.) Recommendations: C.W. #61/21 to C.W. #74/21.*

**CARRIED**

**16. New Business**

Angela Coleman asked about the current protocols for remote meetings of CA Boards with respect to Emergency Orders and suggested that CO staff may want to revisit the Administrative By-law Model and provide an update if necessary.

**18. Adjourn**

**#76/21**

**Moved by: John Mackenzie**

**Seconded by: Hassaan Basit**

***THAT the meeting be adjourned.***

**CARRIED**

## Staff Report

To: Board of Directors

From: Susan McKinnon, Manager Budget, and Business Analysis

Date: February 16, 2022

### **Subject:**

2022 Proposed Capital and Operating Budget

### **Recommendation:**

**That** Staff Report No. 02-22-BOD regarding the Authority's 2022 Proposed Capital and Operating Budget be received: and

**Further that** the 2022 Proposed Capital and Operating Budget and all projects therein be adopted: and

**Further that** staff be authorized to enter into agreements and/or execute documents with private sector organizations, non-governmental organizations or governments and their agencies for the undertaking of projects for the benefit of The Authority and funded by the sponsoring organization or agency, including projects that have not been provided for in the approved budget; and

**Further that** as required by Ontario Regulation 139/96 (formerly O.S. 231/97), this recommendation and the accompanying budget documents, including the schedule of matching and non-matching levies, be approved by weighted vote.

### **Purpose of this Staff Report:**

The purpose of this Staff Report No. 02-22-BOD is to provide the Board of Directors with the 2022 Proposed Capital and Operating Budget for review and approval as required by Ontario Regulation 139/96 (formerly O.S. 231/97). This regulation also requires that the accompanying budget documents, including the schedule of matching and non-matching levies, be approved by weighted vote. The 2022 Proposed Capital and Operating Budget was created using the approved budget estimates/assumptions, and a copy of the budget document is attached (Attachment 2).

### **Background:**

#### **Assumptions**

On June 25, 2021, the Board of Directors reviewed and approved Staff Report No. 31-21-BOD regarding the 2022 budget assumptions. The 2022 budget was then built within those assumptions:

Assumption	Approved Guideline	Actual
Inflation	Up to 2.00%	When applicable
COLA	Up to 2.00%	2.00%
Growth/Strategic Initiatives	0.00%	0.00%
General Levy	1.00%	1.00%
Special Operating	1.00%	1.00%
Special Capital	1.70%	1.55%

### Budget Process for 2021/2022

1. Board of Directors approves the budget assumptions.
2. Review of Base Operating Budget for:
  - a. Efficiencies/Cost Savings
  - b. Additional funding sources
  - c. Changes to program expenditures/funding
3. Development of New Strategic Plan to determine key areas of investment for 2022.
4. Work with municipal funding partners through communication of budget details and highlights, along with presentations to local Councils as required.

### Summary of Progress to Date

Municipal Funding Partner	Approval or Within Envelope
Regional Municipality of York	✓
City of Barrie	✓
Regional Municipality of Durham	To be reviewed on February 23, 2022
Town of Bradford West Gwillimbury	✓
Town of Innisfil	✓
Township of Oro-Medonte	To be reviewed on February 28, 2022
Town of New Tecumseth	✓
City of Kawartha Lakes	✓
Township of Ramara	Pending

### Budget Approval Voting Procedure

The budget vote will be recorded, and each member will be requested in alphabetical order to vote yea or nay on the approval of the attached budget. Further, the vote will be weighted based on the current value assessment of each municipality within the watershed. The Region of York's vote is required to be capped at 50%. The weighted vote will be taken as follows:

Representative	Municipality	CVA
Councillor Keenan Aylwin	City of Barrie	11.91%
Mayor Dave Barton	Durham Region (Uxbridge)	2.76%
Mayor Bobbie Drew	Durham Region (Scugog)	2.76%
Councillor Avia Eek	York Region (King)	7.14%
Regional Chairman Wayne Emmerson (Chair)	York Region (at Large)	7.14%
Councillor Ken Ferdinands	York Region (Whitchurch-Stouffville)	7.14%
Councillor Peter Ferragine (Vice Chair)	Town of Bradford West Gwillimbury	7.44%
Councillor Wendy Gaertner	York Region (Aurora)	7.14%
Deputy Mayor Joe Gough	Township of Ramara	1.30%
Councillor Randy Greenlaw	Township of Oro-Medonte	1.41%
Mayor Virginia Hackson	York Region (East Gwillimbury)	7.14%
Councillor Shira Harrison-McIntyre	Town of New Tecumseth	0.69%
Councillor Cria Pettingill	Durham Region (Brock)	2.76%
Mayor Margaret Quirk	York Region (Georgina)	7.14%
Councillor Clare Riepma	City of Barrie	11.91%
Regional Councillor Tom Vegh	York Region (Newmarket)	7.14%
Councillor Alex Waters	Town of Innisfil	6.55%
Councillor Emmett Yeo	City of Kawartha Lakes	0.51%
		100.00%

### What's New for 2022 Capital and Operating Budget

Staff continue to look for ways to improve the accuracy and transparency of the budget process. In 2022, this included changes to the following areas:

- In Year Budget Improvement, Staff Report No. 54-21-BOD
- Planning and Development Fees Review, Staff Report No. 50-21-BOD
- Purchasing Policy, Staff Report No. 66-21-BOD

#### In-Year Budget Improvement

Restatement of the budget will include new or additional funding/service level agreements, in-year reorganization of staff, changes to budget methodologies or the movement of general capital into capital projects. There are no financial impacts with the recommended changes; however, the policy change will make improvements in reporting and enable a better year-over-year comparison of the budget.

#### Planning and Development Fees Review

The Authority engaged the services of Watson and Associates Economists Ltd. to undertake a full cost user fee review pertaining to the Authority's role in Planning and Development user fees. The review recommended an updated fee schedule, the addition of new full time employees to meet capacity, and an updated overhead charge to planning and development.



### Purchasing Policy

The Authority continues to look for improved business processes to better achieve organizational outcomes. As governance of the Authority’s Offsetting and Restoration committees has changed (internal committee vs external), the Purchasing Policy also needed to be changed. Accordingly, the Board of Directors delegated approval authority to the Chief Administrative Officer for projects up to \$500,000 and purchase order approvals within the projects up to \$200,000. There are no financial impacts with the changes; however, the changes enable improvements in procurement and project awards, enabling staff to better achieve organizational outcomes.

### Budget Highlights

Detailed information is provided in the attached 2022 Proposed Capital and Operating Budget book. Some highlights regarding the 2022 proposed budget are as follows:

	2021	2022	Change
Operating	\$14.3M	\$15.9M	\$1.6M
Capital	\$3.7M	\$7.1M	\$3.4M
<b>Total</b>	<b>\$18.0M</b>	<b>\$23.0M</b>	<b>\$5.0M</b>

### Opportunities

The Planning and Development fee review recognized that the overhead expense charged to this area was not keeping up to full cost recovery. The overhead charges were updated to ensure Planning and Development was paying their fair share of the enabling services support through overhead.

The resulting update to overhead charges allowed an upgrade to network security and asset management obligations while staying within our approved levy increases of 1.0% and 1.7%.

### General Levy and Special Operating Levy

The Authority requested General Levy funding in the amount of \$4,089K and \$498K for Special Operating Levy, representing an increase of 1.00% over 2021. The increase was used to cover COLA increases for existing staff and inflation when applicable for program expenses. This is within the endorsed guidelines provided by the Board of Directors.

### Special Capital Levy

The 2022 proposed Special Capital and Operating base levy increased by 1.55% to \$4,415K and \$493K, respectively. This was also within the Board-endorsed guideline of 1.7%.

### Municipal Partners Funding

In addition to the \$4,913K for base Special Capital and Operating levy from Municipal partners in 2022, an amount of \$3,707K from Special Capital deferred and other Municipal agreements is anticipated.

### Provincial and Federal Funding

The 2022 proposed budget for Provincial and Federal funding (new and deferred) is \$2,009K, which is down 9.3% from \$2,215K in 2021. This change in funding can be attributed primarily to funding opportunities coming forward and being approved post-Budget (Provincial year-end is March 31). The 2022 Proposed Capital and Operating Budget includes a provision for Ministry of Natural Resources and Forestry transfer payments in the amount of \$68,371, which has remained the same for the last three years.

### Revenue Generated by the Authority

The 2022 proposed budget for Revenue Generated by the Authority is \$8.0M, which is up 55.0% from \$5.2M in 2021. This increase is predominately due to the new Board-approved fees and projected fee quantities, as well as increased work with offsetting revenues.

### Lake Simcoe Conservation Foundation Donation

The 2022 proposed Capital and Operating Budget includes donation revenue from the Lake Simcoe Conservation Foundation (Foundation) of \$911K, of which \$763K is supporting the education facility design and build, \$118K is for operational support and the remainder will support various projects throughout the watershed in 2022. Additional funds will become available throughout the year, at which time a second round of requests will take place in the fall.

### Salary/Wages

Staffing Summary:

	2021	2022	Change
Full Time Equivalent (FTE)	100	105	+5
Permanent Part Time (PPTE)	2	2	0

All additional FTE's in 2022 are fully funded through fees and not through tax levy. The new FTE's will be hired throughout 2022, as appropriate, based on actual fees received and projected.

\*Please note the budget includes 23 contracts for seasonal work and additional capacity needed for funded projects.

Historical summary of Increases to COLA:

	COLA
2018	1.85%
2019	1.50%
2020	1.75%
2021	1.00%
<b>Proposed 2022</b>	<b>2.00%</b>

## Issues:

The 2022 Budget was developed with the understanding of the fiscal challenges being faced by our municipal funding partners. Continuing to fund increases below the rate of inflation beyond 2022 is not a sustainable strategy for the Authority.

Ensuring all funding partners pay their fair share of the costs in the operating and capital budget is a legislative requirement and critical for the financial sustainability of the Authority.

Staff developed the 2022 budget with an awareness of possible Ministry of the Environment, Conservation and Parks (Ministry) changes that will impact future budgets; however, it should be noted that changes from the Ministry review will not be reflected until the 2024 budget.

## Relevance to Authority Policy:

The Authority is required to prepare annual budgets as part of the fiscal control and responsibilities of the organization. The budget is used in the audit process for evaluation by the external auditing firm. Annual audits are a requirement of Section 38 of the *Conservation Authorities Act*.

## Impact on Authority Finances:

### Total Expenditures

The total amount of expenditures for the 2022 proposed Capital and Operating Budget is \$22.9M, up \$4.9M from the 2021 Budget. The operating increase of \$1.5M is driven by the addition of five new FTEs that will be fully funded by fees. The capital increase of \$3.4M is driven by several large projects being executed in 2022 in the capital budget. See Appendix 1 for a summary of the 2022 capital investments of \$7.1M.

### Total Revenue

Total Revenue for the 2022 proposed Capital and Operating Budget is \$22.8M, which is up \$4.8M. This is driven by an increase in Revenue Generated by Authority, due to several large offsetting projects and five new FTEs. Provincial and Federal Funding is down slightly, but it is anticipated that additional funding will be granted in 2022.

	2021	2022	Change
General Levy	\$4.0M	\$4.1M	\$0.1M
Special Capital Levy & Municipal Partners	\$6.3M	\$8.6M	\$2.3M
Provincial and Federal Funding	\$2.2M	\$2.0M	(\$0.2M)
Revenue Generated by Authority	\$5.2M	\$8.0M	\$2.8M
Other Revenue	\$0.3M	\$0.1M	(\$0.2M)
<b>Total</b>	<b>\$18.0M</b>	<b>\$22.8M</b>	<b>\$4.8M</b>

### Municipal Levies

The Operating Budget of \$15.8M is supported by levies from our municipal funding partners, Revenue Generated by Authority and Provincial funding.

	2021	2022	Change
General Levy	\$4,049K	\$4,089K	\$40K
Special Capital	\$4,344K	\$4,415K	\$71K
Special Operating	\$493K	\$498K	\$5K
	<b>\$8,886K</b>	<b>\$9,002K</b>	<b>\$116K</b>

### Reserve Draws

The 2022 proposed Capital and Operating Budget includes a net draw of \$171K from reserves for the following expenditures that do not impact future sustainability.

	Opening Balance	Description	2022 Contribution	2022 Draws	Projected Ending Balance
Asset Management	\$719K	Contribution	\$819K		
		Infrastructure		(\$294K)	
		Hardware		(\$131K)	
		Field Vehicles		(\$100K)	
		Equipment		(\$98K)	
		Furniture		(\$8K)	\$907K
Rate Stabilization	\$2,283K	Contribution	\$34K		
		Diversity, Equity, Inclusion & Belonging		(\$50K)	
		OMERS buyback		(\$26K)	
		Timing - Project work		(\$15K)	
		Records Management Legal		(\$10K)	\$2,216K
Working Capital	\$460K	Contribution	\$7K		
		Generator		(\$100K)	
		Access Gate		(\$100K)	
		Sound System		(\$50K)	
		Parking Lot Lights		(\$50K)	\$167K
Restricted	\$34K				\$34K
<b>Total</b>	<b>\$3,496K</b>		<b>\$860K</b>	<b>(\$1,031K)</b>	<b>\$3,324K</b>

## Summary and Recommendations:

The 2022 Proposed Capital and Operating Budget can be summarized into the following key highlights:

- Board approved updated Planning and Development fees;
- Five new FTE's, fully funded by fees;
- The 2022 Capital and Operating Budget was developed within the direction provided by the Board of Directors; and
- Approval has been received from six of the nine funding municipalities and the remaining three are expected.

It is therefore **Recommended That** Staff Report No. 02-22-BOD regarding the Authority's 2022 Proposed Capital and Operating Budget be received; and **Further that** the 2022 Proposed Capital and Operating Budget and all projects therein be adopted: and **Further that** staff be authorized to enter into agreements and/or execute documents with private sector organizations, non-governmental organizations or governments and their agencies for the undertaking of projects for the benefit of The Authority and funded by the sponsoring organization or agency, including projects that have not been provided for in the approved budget; and **Further that** as required by Ontario Regulation 139/96 (formerly O.S. 231/97), this recommendation and the accompanying budget documents, including the schedule of matching and non-matching levies, be approved by weighted vote.

## Pre-Submission Review:

This Staff Report has been reviewed by the General Manager, Corporate and Financial Services/CFO and the Chief Administrative Officer.

Signed by:

Signed by:

Mark Critch  
General Manager, Corporate and Financial  
Services, CFO

Rob Baldwin  
Chief Administrative Officer

## Attachments:

Appendix 1 – Summary of 2022 Projects

Appendix 2 – 2022 Budget Book

<b>2022 Projects</b>	<b>Amount</b>
Kennedy Street Stormwater Pond Maintenance - Aurora	1,047K
Stormwater Retrofit - Barrie	686K
Mouth of Western Creek Restoration - York (Preliminary Costs)	540K
Shoreline Hazard Update, Including Shoreline Flooding, Wave Uprush and Erosion Hazards - Watershed Wide	367K
Water Balance Capital Projects unassigned	300K
Restoration Projects less than \$100K	266K
Ecological Capital Projects unassigned	250K
Kennedy St. Stream and Wetland Creation - Aurora	223K
Phosphorous Capital Projects unassigned	200K
Urban Restoration Designs- Watershed Wide	155K
LID Database - Watershed Wide	138K
Salt Case Studies - Watershed Wide	132K
Rural Restoration Designs- Watershed Wide	131K
Watershed Plan Modernization - Watershed Wide	126K
Park Road and Innisfil Beach Park Wetland - Innisfil	120K
Infrastructure Hazard Monitoring Program - York	113K
Stormwater Coefficient Monitoring	105K
Stormwater Inspection & Maintenance - Aurora	94K
Stormwater Management Optimization - York	88K
Regional Forest Climate Change Vulnerability Assessment, Adaptation and Mitigation Plan - York	82K
LID Monitoring - Aurora	78K
Flow Gauge - Barrie	77K
Decoupling of Phosphorus Loads and Dissolved Oxygen Targets - Watershed Wide	61K
Subtotal	<b>5,379K</b>
<b>2022 Capital Purchases and Projects</b>	<b>Amount</b>
Education Facility Design & Build	800K
Infrastructure & Furniture	502K
Equipment & Vehicles	298K
Hardware	131K
Subtotal	<b>1,731K</b>
<b>Total</b>	<b>7,110K</b>



Proposed  
Budget

2022



**Lake Simcoe Region**  
conservation authority



## At-A-Glance

The Lake Simcoe Region Conservation Authority is a local watershed management organization incorporated under the Conservation Authorities Act (1946).

Since our formation in 1951, we have been dedicated to conserving, restoring, and managing the Lake Simcoe watershed.

Our jurisdiction, which began in the East Holland River with five municipalities, has grown to include the entire Lake Simcoe watershed except for the City of Orillia and the Upper Talbot River subwatershed.

The Authority is governed by an 18-member Board of Directors, appointed within a four-year cycle by its 9 member municipalities. Each year, the Board of Directors elect a Chair and Vice Chair from among its 18 board members.

## Our Watershed

The Lake Simcoe watershed is a 3,400 square kilometre area that sweeps across 20 municipalities, from the Oak Ridges Moraine in the south to the Oro Moraine in the north, through York and Durham Regions, Simcoe County and the cities of Kawartha Lakes, Barrie, and Orillia.

The watershed is delineated by 18 major river systems and many smaller ones that flow through the landscape to the heart of the watershed: Lake Simcoe.







## **Our Vision**

Healthy lake, healthy land,  
healthy life...for generations  
to come.

## **Our Mission**

We collaborate to protect  
and restore the Lake Simcoe  
watershed with innovative  
research, policy and action.

## At the Forefront

Our watershed is one of the fastest growing regions in Canada and is currently home to 513,000\* people. Based on the Province of Ontario's Places to Grow Plan and municipal official plans, it's projected that the urban area within our watershed will increase by approximately 50% by the year 2041 and the population will nearly double.

Defined by our mandate under the Conservation Authorities Act (1946), and shaped by continuous challenges presented by urban growth and climate change, the Authority delivers a number of programs and services to our municipal partners and watershed residents. Our strategic focus includes 26 programs within the following seven service areas - Corporate Services, Ecological Management, Education and Engagement, Greenspace Services, Planning and Development, Water Risk Management and Watershed Studies and Strategies.

As the leading local integrated watershed management agency, our business is built on programs and services that support the ecological, social and economic health of Lake Simcoe and the surrounding environment. While we have a long and accomplished history as expert practitioners, we don't do it alone. We are continually reaffirming and establishing partnerships at every level and within all of our communities to support our ongoing mission.

\*based on 2021 Environics data







## Operations Profile

The Authority's business operation employs over 100 full time, part time, contract, and seasonal staff.

Our science, research and restoration business relies on a vast range of experts in the field of environmental science including specialists in limnology, hydrogeology, hydrology, biology, botany, soil science and more. Additionally, recognized experts in water resource and environmental engineering, urban and community planning, forestry, conservation, and natural resource management, support the numerous activities of the organization.

Our education business depends on accomplished environmental leaders who are Ontario Certified Teachers and Outdoor Education Specialists, trained in delivering formal curriculum-based education programs to school-aged children and youth. Their expanded role includes delivering programs to engage citizens of all ages in making a meaningful and lasting connection with Lake Simcoe and its watershed.

These teams are championed internally by an equally broad range of experts delivering strategic leadership and essential services in several specialized fields including business planning; human resource management; financial planning and management; geographic information systems and information technology; and corporate communications, public and media relations, design, and marketing.

## The Transformation is Real

In nature, things are ever-changing. Our watershed is no different. And like our planet, the Lake Simcoe watershed is undergoing significant change – the natural systems and the societal ones too.

Our strategic plan, Transformation 2022-2024, approved by our Board of Directors in late 2021, represents our strategic direction for the next three years and our call to action. A call out to every level of government, to every resident, business, community group and volunteer. To secure the future and the health of Lake Simcoe and the watershed for many generations to come, we need to collaborate for change.

As we embark on 2022, our new plan reaffirms our vision of watershed health and the mission we aspire to achieve. Guided by the plan, our focus will be on ensuring continuous alignment with the Conservation Authorities Act changes and on delivering the programs and services we know will have the most positive impact in our communities.

With a view to transforming the watershed into a climate-change resilient and healthy place, we are here to help guide and influence the necessary changes to address what's ahead. While we are amid challenging times, we remain optimistic. Through oversight, our expert knowledge and by bringing people together, we will be the catalyst for change.

### 2022 Annual Priorities

1. Implement Conservation Authorities Act Transition plans
2. Continue adapting to COVID-19 impacts
3. Begin Phase 1 development of a Diversity, Equity, Inclusion and Belonging framework
4. Finalize Records Management structure and processes
5. Finalize Asset Management Plan
6. Strengthen corporate network security
7. Begin work on a Scanlon Creek Conservation Area Master Plan
8. Finalize plans for construction of a new Nature Centre
9. Conduct a review of conservation area maintenance and management program
10. Complete final project phase to modernize subwatershed plans
11. Develop a blueprint for municipalities to implement watershed-wide stormwater management
12. Develop a framework for a digital Knowledge Hub to guide watershed management decisions and report on health indicators











## 2022 Budget At-A-Glance

\$15.9 Million - Operating

\$ 7.1 Million - Capital

**\$23.0 Million - Total**

## 2022 Budget Highlights

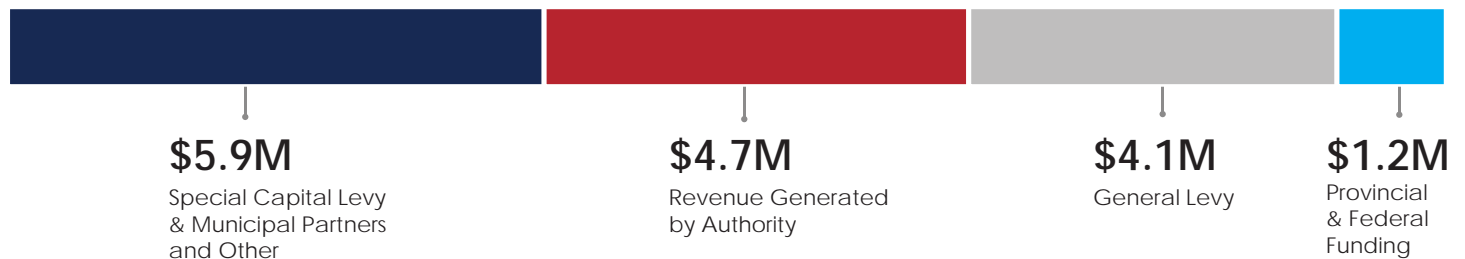
- Respect the taxpayer
- Renewed Vision for 2022-2024
- Exciting New Land Opportunity

The Authority continues to demonstrate respect for the taxpayer by only requesting modest increases in 2022 and not adding any new levy funded FTEs. Our focus in 2022 will be on the implementation of our new strategic plan and responding to any changes from the review of the *Conservation Authorities Act*.

## 2022 Funding Sources

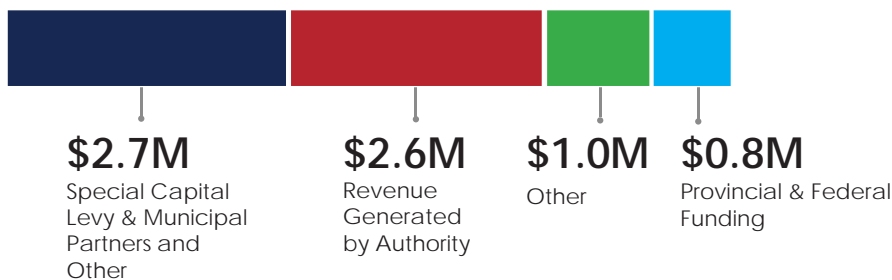
### Operating

\$15.9 Million



### Capital

\$7.1 Million



# 2022 Capital & Operating Budget

## For the period January - December 31, 2022

### Consolidated Summary

Proposed  
Budget 2022  
(in the 000s)

Approved  
Budget 2021  
(in the 000s)

#### Revenue:

General Levy	4,089	4,049
Special Capital Levy & Municipal Partners	8,620	6,311
Provincial and Federal Funding	2,009	2,215
Revenue Generated by Authority	8,027	5,195
Other Revenue	78	239
<b>Total Revenue</b>	<b>22,823</b>	<b>18,009</b>

#### Expenditures:

Corporate Services	3,336	3,832
Ecological Management	2,640	2,669
Education & Engagement	625	655
Greenspace Services	799	879
Planning & Development Services	5,563	3,608
Water Risk Management	2,187	1,838
Watershed Studies & Strategies	734	777
Operating Expenditures	15,884	14,258
Capital and Project Expenditures	7,110	3,738
<b>Total Expenditures</b>	<b>22,994</b>	<b>17,996</b>
<b>Required Draws to/(from) Reserve</b>	<b>(171)</b>	<b>13</b>
<b>Net Revenue (Expenditures)</b>	<b>0</b>	<b>0</b>



# 2022 Operating Budget

## For the period January - December 31, 2022

### Corporate Services

Proposed  
Budget 2022  
(in the 000s)

Approved  
Budget 2021  
(in the 000s)

**Revenue:**

General Levy	2,739	2,703
Special Capital Levy & Municipal Partners	1,098	998
Provincial and Federal Funding	2	2
Revenue Generated by Authority	185	219
Other Revenue	43	30

**Total Revenue**

**4,067**      **3,952**

**Expenditures:**

Corporate Communications	630	671
Facility Management	405	377
Financial Management	375	967
Governance	579	572
Human Resource Management	533	478
Information Management	814	767

**Total Gross Expenditures**

**3,336**      **3,832**

**Required Draws to/(from) Reserve**

**731**      **120**

**Net Revenue (Expenditures)**

**0**      **0**



# 2022 Operating Budget

## For the period January - December 31, 2022

### Ecological Management

Proposed  
Budget 2022  
(in the 000s)

Approved  
Budget 2021  
(in the 000s)

**Revenue:**

General Levy	6	6
Special Capital Levy & Municipal Partners	2,121	1,960
Provincial and Federal Funding	272	347
Revenue Generated by Authority	228	327
Other Revenue	31	56
<b>Total Revenue</b>	<b>2,658</b>	<b>2,696</b>

**Expenditures:**

Ecosystem Science and Monitoring	869	908
Forestry Services	623	740
Restoration and Regeneration	1,148	1,021
<b>Total Gross Expenditures</b>	<b>2,640</b>	<b>2,669</b>
<b>Required Draws to/(from) Reserve</b>	<b>18</b>	<b>27</b>
<b>Net Revenue (Expenditures)</b>	<b>0</b>	<b>0</b>

# 2022 Operating Budget

## For the period January - December 31, 2022

### Education and Engagement

Proposed  
Budget 2022  
(in the 000s)

Approved  
Budget 2021  
(in the 000s)

**Revenue:**

General Levy	340	337
Revenue Generated by Authority	285	312
Other Revenue	0	6
<b>Total Revenue</b>	<b>625</b>	<b>655</b>

**Expenditures:**

Community Programming	109	117
School Programming	516	538
<b>Total Gross Expenditures</b>	<b>625</b>	<b>655</b>
<b>Required Draws to/(from) Reserve</b>	<b>0</b>	<b>0</b>
<b>Net Revenue (Expenditures)</b>	<b>0</b>	<b>0</b>

# 2022 Operating Budget

## For the period January - December 31, 2022

### Greenspace Services

Proposed  
Budget 2022  
(in the 000s)

Approved  
Budget 2021  
(in the 000s)

**Revenue:**

General Levy	372	414
Special Capital Levy & Municipal Partners	395	368
Provincial and Federal Funding	0	11
Revenue Generated by Authority	35	55
Other Revenue	4	26
<b>Total Revenue</b>	<b>806</b>	<b>874</b>

**Expenditures:**

Management	655	758
Property Services	0	0
Securement	144	121
<b>Total Gross Expenditures</b>	<b>799</b>	<b>879</b>
<b>Required Draws to/(from) Reserve</b>	<b>7</b>	<b>(5)</b>
<b>Net Revenue (Expenditures)</b>	<b>0</b>	<b>0</b>

# 2022 Operating Budget

For the period January - December 31, 2022

## Planning and Development

Proposed  
Budget 2022  
(in the 000s)

Approved  
Budget 2021  
(in the 000s)

### Revenue:

General Levy	495	490
Special Capital Levy & Municipal Partners	413	405
Provincial and Federal Funding	22	22
Revenue Generated by Authority	4,607	2,691
<b>Total Revenue</b>	<b>5,537</b>	<b>3,608</b>

### Expenditures:

Development Planning	2,789	1,879
Permitting and Enforcement	2,774	1,729
<b>Total Gross Expenditures</b>	<b>5,563</b>	<b>3,608</b>
<b>Required Draws to/(from) Reserve</b>	<b>(26)</b>	<b>0</b>
<b>Net Revenue (Expenditures)</b>	<b>0</b>	<b>0</b>



# 2022 Operating Budget

## For the period January - December 31, 2022

### Water Risk Management

Proposed  
Budget 2022  
(in the 000s)

Approved  
Budget 2021  
(in the 000s)

Revenue:

General Levy	100	99
Special Capital Levy & Municipal Partners	1,128	954
Provincial and Federal Funding	882	794
Revenue Generated by Authority	95	77
<b>Total Revenue</b>	<b>2,205</b>	<b>1,924</b>

Expenditures:

Flood Management and Warning	486	440
Source Water Protection	840	752
Water Management/Restoration	641	377
Water Science and Monitoring	220	269
<b>Total Gross Expenditures</b>	<b>2,187</b>	<b>1,838</b>
<b>Required Draws to/(from) Reserve</b>	<b>18</b>	<b>86</b>
<b>Net Revenue (Expenditures)</b>	<b>0</b>	<b>0</b>

# 2022 Operating Budget

For the period January - December 31, 2022

**Revenue:**

Special Capital Levy & Municipal Partners	734	856
<b>Total Revenue</b>	<b>734</b>	<b>856</b>

**Expenditures:**

Climate Change Adaptation	196	194
Watershed Subwatershed Planning	318	365
Research and Innovation	220	218
<b>Total Gross Expenditures</b>	<b>734</b>	<b>777</b>
<b>Required Draws to/(from) Reserve</b>	<b>0</b>	<b>79</b>
<b>Net Revenue (Expenditures)</b>	<b>0</b>	<b>0</b>

# 2022 Capital Budget

## For the period January - December 31, 2022

### Consolidated Summary

Proposed  
Budget 2022  
(in the 000s)

Approved  
Budget 2021  
(in the 000s)

#### Expenditures:

Offsetting Projects	1,804	1,116
Stormwater Projects	1,354	286
Asset Management	931	569
Education Facility Project	800	
Infrastructure Hazard Projects	653	
LID Projects	381	256
Shoreline Hazard & Flood Risk Projects	380	
Restoration Projects	306	582
Other Projects	229	763
Salt Case Studies	132	
Watershed Plan Modernization	126	
Land Cover Projects	14	166

#### **Total Gross Expenditures**

**7,110**      **3,738**

#### Revenue:

General Levy	37	
Special Capital Levy & Municipal Partners	2,731	770
Provincial and Federal Funding	831	1,039
Revenue Generated by Authority	2,592	1,514
Other Revenue		121
Reserve	919	294

#### **Total Revenue**

**7,110**      **3,738**

# Overview of 2022 Municipal General & Special Capital Levy Funding

Municipalities	% Apportionment	General Levy (in the 000s)			Special Capital (in the 000s)			Special Operating (in the 000s)		
		2022	2021	2020	2022	2021	2020	2022	2021	2020
<b><u>Region of Durham</u></b>										
Brock	1.67%									
Scugog	0.43%									
Uxbridge	3.64%									
	<b>5.74%</b>	<b>235</b>	<b>233</b>	<b>234</b>	<b>482</b>	<b>480</b>	<b>475</b>	<b>21</b>	<b>21</b>	<b>21</b>
<b><u>Region of York</u></b>										
Aurora	16.32%									
East Gwillimbury	7.90%									
Georgina	7.97%									
King	4.96%									
Newmarket	20.14%									
Richmond Hill	0.63%									
Whitchurch-Stouffville	7.37%									
	<b>65.30%</b>	<b>2,670</b>	<b>2,637</b>	<b>2,596</b>	<b>2,765</b>	<b>2,710</b>	<b>2,683</b>	<b>365</b>	<b>362</b>	<b>356</b>
<b><u>City of</u></b>										
Barrie	16.54%	676	678	685	598	588	582	51	51	51
Kawartha Lakes	0.35%	15	14	15	24	24	24	0	0	0
	<b>16.89%</b>									
<b><u>Municipality of</u></b>										
Bradford-West Gwillimbury	5.16%	211	209	206	250	247	244	31	30	30
Innisfil	4.55%	186	181	176	206	203	201	30	29	29
New Tecumseth	0.48%	20	20	19	17	16	16	0	0	0
Oro-Medonte	0.98%	40	40	40	33	32	32	0	0	0
Ramara	0.90%	37	37	38	38	37	38	0	0	0
	<b>12.08%</b>									
<b>Grand Total</b>	<b>100.00%</b>	<b>4,089</b>	<b>4,049</b>	<b>4,009</b>	<b>4,415</b>	<b>4,337</b>	<b>4,295</b>	<b>498</b>	<b>493</b>	<b>487</b>



# 2022 Reserve Budget

(in the 000s)

## Reserve Budget

	Opening Balance January 1, 2022 (unaudited)	2022 Proposed Appropriations to/from Reserve	Projected Balance as at December 31, 2022
--	---	--	---

Rate Stabilization	2,283	(67)	2,216
Asset Management	719	188	907
Working Capital	460	(293)	167
Restricted	34	0	34
<b>Total</b>	<b>3,496</b>	<b>(171)</b>	<b>3,324</b>

Lake Simcoe Region Conservation Authority (LSRCA) is the leading environmental protection agency in the Lake Simcoe watershed. For over 70 years, we've been collaborating with community, government and other partners to protect and restore the environmental health and quality of Lake Simcoe and its watershed.

• 120 Bayview Parkway. Newmarket, Ontario, L3Y 3W3 •

E	infomail@LSRCA.on.ca	Instagram	lakesimcoeconservation
T	905-895-1281	Twitter	@LSRCA
TF	1-800-465-0437	YouTube	TheLSRCA
W	LSRCA.on.ca	Facebook	lakesimcoeconservation

If you require this document in an alternate format, please contact us at 905-895-1281.



**Ministry of Northern  
Development, Mines,  
Natural Resources and  
Forestry**

Office of the Minister

99 Wellesley Street West  
Room 6630, Whitney Block  
Toronto ON M7A 1W3  
Tel: 416-314-2301

**Ministère du  
Développement du Nord,  
des Mines, des Richesses  
naturelles et des Forêts**

Bureau du ministre

99, rue Wellesley Ouest  
Bureau 6630, Édifice Whitney  
Toronto ON M7A 1W3  
Tél.: 416 314-2301



January 5, 2022

Andy Mitchell  
Chair  
Conservation Ontario  
[amitchell@selwyntownship.ca](mailto:amitchell@selwyntownship.ca)  
and  
Kim Gavine  
General Manager  
Conservation Ontario  
[kgavine@conservationontario.ca](mailto:kgavine@conservationontario.ca)

Dear Andy Mitchell and Kim Gavine:

I am writing to express my sincere appreciation for the support shown by conservation authorities in responding to British Columbia's state of emergency due to flooding. The flooding in British Columbia has devastated people and property and disrupted the flow of goods and services across the country. While the storm event has come to an end, additional rain continues to make recovery a challenge.

The expertise within conservation authorities is well acknowledged across the country, recognized most recently by a call for support from British Columbia with their flood monitoring and response efforts. I am pleased to see this reputation acknowledged and commend conservation authorities for their leadership in responding to this request.

The effects of this significant weather event are a solemn reminder of the widespread flooding that occurred throughout much of southern Ontario in 2019. Ontarians pulled together to support those impacted and identified the important work all levels of government play in flood management, as well as that of water management partners like conservation authorities.

Thank you again for your commitment to supporting British Columbia in their time of need.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Rickford".

The Honourable Greg Rickford  
Minister of Northern Development, Mines, Natural Resources and Forestry

c: The Honourable David Piccini, Minister of the Environment, Conservation and Parks

## Staff Report

To: Board of Directors

From: Mark Critch, General Manager, Corporate & Financial Services/CFO

Date: February 14, 2022

### **Subject:**

*Municipal Freedom of Information and Protection of Privacy Act: Annual Statistical Report*

### **Recommendation:**

**That** Staff Report No. 03-22-BOD regarding the Authority's *Municipal Freedom of Information and Protection of Privacy Act 2021 Annual Statistical Report* be received for information.

### **Purpose of this Staff Report:**

The purpose of this Staff Report No. 03-22-BOD is to provide the Board of Directors with an overview of the number and types of requests made to the Authority under the auspices of the *Municipal Freedom of Information and Protection of Privacy Act* (the Act) over the past year.

### **Background:**

The Act provides private individuals, businesses and/or other government agencies the right to request access to conservation authority records including most general records, as well as their own personal information. For the Authority, this access encompasses but is not limited to land use permits and supporting documentation, financial, environmental, watershed and land use reports, as well as limited access to complaint and violation records. As well, individuals have the right to request access to their own personnel files and may request changes and/or additions be made to those records.

Section 3 of the Act stipulates that "the members of the council of a municipality may by by-law designate from among themselves an individual or committee of the council to act as the head of the municipality for the purposes of this Act." The Authority's policy entitled "Municipal Freedom of Information and Protection of Privacy Act" dated May 2005 states the General Manager, Corporate & Financial Services shall act as the Freedom of Information Coordinator (the Coordinator).

### **Issues:**

There are no issues with this report.

## Relevance to Authority Policy:

The Coordinator ensures that each request is discussed with the staff members most familiar with the requested information and that due diligence is completed to determine what, if any, information may be released. The work is carried out in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* legislation as it pertains to Lake Simcoe Region Conservation Authority and its records.

## 2021 Statistical Report:

The Information and Privacy Commissioner of Ontario requires that a statistical report detailing the number and types of information requests received by a municipality be submitted annually. The Authority's report was completed and filed with the Information and Privacy Commission on February 8, 2022. The Authority processed a total of 30 Freedom of Information requests, the most ever processed, from the public (20), public companies (5), and other government agencies (5) between January 1 and December 31, 2021.

By legislation, the Authority has 30 calendar days in which to respond to each request. In 2021 four requests were sent Time Extension notifications resulting in 30, 45 and 60-day response times, respectively. The extended response times were a result of the continued office closure resulting from COVID-19, as well as staff's limited ability to retrieve required paper files from the office premises and/or the Authority's offsite storage provider. Each of the four extended requests sought records within a period of 20 years or greater. Under Section 17(3) of the Act, two of the requests sought to receive continuous responses, one monthly and one quarterly, between January 1 to December 31, 2021 inclusive. A schedule of reply dates was prepared for each of those requests; all quarterly responses were prepared and forwarded to the requestor in accordance with that schedule; each monthly and quarterly response was delivered to the requestor on time.

Full access to records was granted for 21 of the 30 requests; no records were provided for seven of the requests, either because none existed in Authority files or because the requests were from other government agencies requesting approval from the Authority to release records. The other two requests were abandoned by the requestor.

No appeals of the Authority's responses were made to the Information and Privacy Commissioner.

## Impact on Authority Finances:

A request for access to information must be accompanied by a legislated fee of \$5.00. Section 45 of the Act and Regulation 823 allow for additional fees to be charged to process a request where warranted. Fees can be levied for computer and/or manual searches for responsive files, record preparation including reading the files and/or redacting personal information, the cost

of any invoice(s) issued to the Authority for the purposes of preparing the response (such as copying of large drawings or maps, courier charges, copying CDs, etc.), and photocopying the records for release. In 2021 the Authority received legislated fees of \$135.00 representing 27 completed requests, three requests from other government agencies requesting the Authority's approval to release records (where fee is paid to originating government agency not to the Authority), and the two abandoned files. A total of \$1,544.32 was collected in additional processing fees, and no fees were waived.

### **Summary and Recommendations:**

It is therefore **Recommended that** Staff Report No. 03-22-BOD regarding the Authority's *Municipal Freedom of Information and Protection of Privacy Act* 2021 Annual Statistical Report be received for information.

### **Pre-Submission Review:**

This Staff Report has been reviewed by the Chief Administrative Officer.

Signed by:

Signed by:

Mark Critch  
General Manager, Corporate & Financial  
Services/CFO

Rob Baldwin  
Chief Administrative Officer

### **Attachments:**

Year-End Statistical Report for the Reporting Year 2021 for *Municipal Freedom of Information and Protection of Privacy Act*





The Year-End Statistical Report  
for the  
Information and Privacy Commissioner of Ontario

**Statistical Report of  
Lake Simcoe Region Conservation Authority  
for the Reporting Year 2021  
for  
*Municipal Freedom of Information and Protection of Privacy  
Act***

---



## Section 1: Identification

<b>1.1</b> Organization Name	Lake Simcoe Region Conservation Authority
Head of Institution Name & Title	Robert Baldwin, Chief Administrative Officer
Head of Institution E-mail Address	r.baldwin@LSRCA.on.ca
Management Contact Name & Title	Mark Critch, FOI Coordinator, GM, Services
Management Contact E-mail Address	m.critch@LSRCA.on.ca
Primary Contact Name & Title	Shelley Fogelman Sr. Admin Asst.
Primary Contact Email Address	s.fogelman@lsrca.on.ca
Primary Contact Phone Number	9058951281 ext. 231
Primary Contact Fax Number	9058535881
Primary Contact Mailing Address 1	120 Bayview Parkway
Primary Contact Mailing Address 2	
Primary Contact Mailing Address 3	
Primary Contact City	Newmarket
Primary Contact Postal Code	L3Y3W3
<b>1.2</b> Your institution is:	Conservation Authority

## Section 2: Inconsistent Use of Personal Information

<b>2.1</b> Whenever your institution uses or discloses personal information in a way that differs from the way the information is normally used or disclosed (an inconsistent use), you must attach a record or notice of the inconsistent use to the affected information.	0
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### Your institution received:

- No formal written requests for access or correction
- Formal written requests for access to records
- Requests for correction of records of personal information only

### Section 3: Number of Requests Received and Completed

Enter the number of requests that fall into each category.

	<b>Personal Information</b>	<b>General Records</b>
<b>3.1</b> New Requests received during the reporting year	0	30
<b>3.2</b> Total number of requests completed during the reporting year	0	30

### Section 4: Source of Requests

Enter the number of requests you completed from each source.

	<b>Personal Information</b>	<b>General Records</b>
<b>4.1</b> Individual/Public	0	20
<b>4.2</b> Individual by Agent	0	0
<b>4.3</b> Business	0	5
<b>4.4</b> Academic/Researcher	0	0
<b>4.5</b> Association/Group	0	0
<b>4.6</b> Media	0	0
<b>4.7</b> Government (all levels)	0	5
<b>4.8</b> Other	0	0
<b>4.9</b> Total requests (Add Boxes 4.1 to 4.8 = 4.9)	0	30

BOX 4.9 must equal BOX 3.2

### Section 5: Time to Completion

How long did your institution take to complete all requests for information? Enter the number of requests into the appropriate category. How many requests were completed in:

	<b>Personal Information</b>	<b>General Records</b>
<b>5.1</b> 30 days or less	0	26
<b>5.2</b> 31 - 60 days	0	4
<b>5.3</b> 61 - 90 days	0	0
<b>5.4</b> 91 days or longer	0	0
<b>5.5</b> Total requests (Add Boxes 5.1 to 5.4 = 5.5)	0	30

BOX 5.5 must equal BOX 3.2

### Section 6: Compliance with the Act

In the following charts, please indicate the number of requests completed, within the statutory time limit and in excess of the statutory time limit, under each of the four different situations:

NO notices issued;

BOTH a Notice of Extension (s.27(1)) and a Notice to Affected Person (s.28(1)) issued;

ONLY a Notice of Extension (s.27(1)) issued;

ONLY a Notice to Affected Person (s.28(1)) issued.

Section 6: Compliance with the Act

Please note that the four different situations are mutually exclusive and the number of requests completed in each situation should add up to the total number of requests completed in Section 3.2.(Add Boxes 6.3 + 6.6 + 6.9 + 6.12 = BOX 6.13 and BOX 6.13 must equal BOX 3.2)

**A. No Notices Issued**

	<b>Personal Information</b>	<b>General Records</b>
<b>6.1</b> Number of requests completed within the statutory time limit (30 days) where neither a Notice of Extension (s.27(1)) nor a Notice to Affected Person (s.28(1)) were issued.	0	26
<b>6.2</b> Number of requests completed in excess of the statutory time limit (30 days) where neither a Notice of Extension (s.27(1)) nor a Notice to Affected Person (s.28(1)) were issued.	0	0
<b>6.3</b> Total requests (Add Boxes 6.1 + 6.2 = 6.3)	0	26

**B. Both a Notice of Extension (s.27(1)) and a Notice to Affected Person (s.28(1)) Issued**

	<b>Personal Information</b>	<b>General Records</b>
<b>6.4</b> Number of requests completed within the time limits permitted under both the Notice of Extension (s.27(1)) and a Notice to Affected Person (s.28(1)).	0	4
<b>6.5</b> Number of requests completed in excess of the time limit permitted by the Notice of Extension (s.27(1)) and the time limit permitted by the Notice to Affected Person (s.28(1)).	0	0
<b>6.6</b> Total requests (Add Boxes 6.4 + 6.5 = 6.6)	0	4

**C. Only a Notice of Extension (s.27(1)) Issued**

	<b>Personal Information</b>	<b>General Records</b>
<b>6.7</b> Number of requests completed within the time limits permitted under both the Notice of Extension (s.27(1)).	0	0
<b>6.8</b> Number of requests completed in excess of the time limit permitted by the Notice of Extension (s.27(1)).	0	0
<b>6.9</b> Total requests (Add Boxes 6.7 + 6.8 = 6.9)	0	0

**D. Only a Notice to Affected Person (s.28(1)) Issued**

	<b>Personal Information</b>	<b>General Records</b>
<b>6.10</b> Number of requests completed within the time limits permitted under both the Notice to Affected Person (s.28(1)).	0	0
<b>6.11</b> Number of requests completed in excess of the time limit permitted by the Notice to Affected Person (s.28(1)).	0	0
<b>6.12</b> Total requests (Add Boxes 6.10 + 6.11 = 6.12)	0	0

**E. Total Completed Requests (sections A to D)**

	<b>Personal Information</b>	<b>General Records</b>
<b>6.13</b> Total requests (Add Boxes 6.3 + 6.6 + 6.9 + 6.12 = 6.13)	0	30

BOX 6.13 must equal BOX 3.2

## Section 6a: Contributing Factors

Please outline any factors which may have contributed to your institution not meeting the statutory time limit. If you anticipate circumstances that will improve your ability to comply with the Act in the future, please provide details in the space below.

All four requests were for records dating back over 30 years; these are paper files that are maintained both offsite and in the Authority's office. As the Authority continues to work remotely accessing paper files, especially those offsite, was challenging and some delays were experienced. Further, there were many third party records involved for which approval to release was required.

## Section 7: Disposition of Requests

What course of action was taken with each of the completed requests? Enter the number of requests into the appropriate category.

	<b>Personal Information</b>	<b>General Records</b>
<b>7.1</b> All information disclosed	0	21
<b>7.2</b> Information disclosed in part	0	0
<b>7.3</b> No information disclosed	0	4
<b>7.4</b> No responsive records exists	0	3
<b>7.5</b> Request withdrawn, abandoned or non-jurisdictional	0	2
<b>7.6</b> Total requests (Add Boxes 7.1 to 7.5 = 7.6)	0	30

BOX 7.6 must be greater than or equal to BOX 3.2

## Section 8: Exemptions & Exclusions Applied

For the Total Requests with Exemptions/Exclusions/Frivolous or Vexatious Requests, how many times did your institution apply each of the following? (More than one exemption may be applied to each request)

	<b>Personal Information</b>	<b>General Records</b>
<b>8.1</b> Section 6 — Draft Bylaws, etc.	0	0
<b>8.2</b> Section 7 — Advice or Recommendations	0	0
<b>8.3</b> Section 8 — Law Enforcement <sup>1</sup>	0	0
<b>8.4</b> Section 8(3) — Refusal to Confirm or Deny	0	0
<b>8.5</b> Section 8.1 — Civil Remedies Act, 2001	0	0
<b>8.6</b> Section 8.2 — Prohibiting Profiting from Recounting Crimes Act, 2002	0	0
<b>8.7</b> Section 9 — Relations with Governments	0	0
<b>8.8</b> Section 10 — Third Party Information	0	12
<b>8.9</b> Section 11 — Economic/Other Interests	0	2
<b>8.10</b> Section 12 — Solicitor-Client Privilege	0	0
<b>8.11</b> Section 13 — Danger to Safety or Health	0	0
<b>8.12</b> Section 14 — Personal Privacy (Third Party) <sup>2</sup>	0	19
<b>8.13</b> Section 14(5) — Refusal to Confirm or Deny	0	0

## Section 8: Exemptions & Exclusions Applied

<b>8.14</b>	Section 15 — Information soon to be published	0	2
<b>8.15</b>	Section 20.1 Frivolous or Vexatious	0	0
<b>8.16</b>	Section 38 — Personal Information (Requester)	0	0
<b>8.17</b>	Section 52(2) — Act Does Not Apply <sup>3</sup>	0	0
<b>8.18</b>	Section 52(3) — Labour Relations & Employment Related Records	0	0
<b>8.19</b>	Section 53 — Other Acts	0	0
<b>8.20</b>	PHIPA Section 8(1) Applies	0	0
<b>8.21</b>	Total Exemptions & Exclusions Add Boxes 8.1 to 8.20 = 8.21	0	35

0	2
0	0
0	0
0	0
0	0
0	0
0	0
0	0
0	35

<sup>1</sup> not including Section 8(3)

<sup>2</sup> not including Section 14(5)

<sup>3</sup> not including Section 52(3)

## Section 9: Fees

Did your institution collect fees related to request for access to records?

	Personal Information	General Records	Total	
<b>9.1</b>	Number of REQUESTS where fees other than application fees were collected	0	8	8
<b>9.2.1</b>	Total dollar amount of application fees collected	\$0.00	\$135.00	\$135.00
<b>9.2.2</b>	Total dollar amount of additional fees collected	\$0.00	\$1544.32	\$1544.32
<b>9.2.3</b>	Total dollar amount of fees collected (Add Boxes 9.2.1 + 9.2.2 = 9.2.3)	\$0.00	\$1679.32	\$1679.32
<b>9.3</b>	Total dollar amount of fees waived	\$0.00	\$0.00	\$0.00

	Personal Information	General Records	Total
0	8	8	
\$0.00	\$135.00	\$135.00	
\$0.00	\$1544.32	\$1544.32	
\$0.00	\$1679.32	\$1679.32	
\$0.00	\$0.00	\$0.00	

## Section 10: Reasons for Additional Fee Collection

Enter the number of REQUESTS for which your institution collected fees other than application fees that apply to each category.

	Personal Information	General Records	Total	
<b>10.1</b>	Search time	0	9	9
<b>10.2</b>	Reproduction	0	9	9
<b>10.3</b>	Preparation	0	9	9
<b>10.4</b>	Shipping	0	1	1
<b>10.5</b>	Computer costs	0	0	0
<b>10.6</b>	Invoice costs(and other as permitted by regulation)	0	3	3
<b>10.7</b>	Total (Add Boxes 10.1 to 10.6 = 10.7)	0	31	31

	Personal Information	General Records	Total
0	9	9	
0	9	9	
0	9	9	
0	1	1	
0	0	0	
0	3	3	
0	31	31	

## Section 11: Correction and Statements of Disagreement

Did your institution receive any requests to correct personal information?

Section 11: Correction and Statements of Disagreement

<b>11.1</b> Number of correction requests received	0
<b>11.2</b> Correction requests carried forward from the previous year	0
<b>11.3</b> Correction requests carried over to next year	0
<b>11.4</b> Total Corrections Completed [(11.1 + 11.2) - 11.3 = 11.4]	0

BOX 11.4 must equal BOX 11.9

What course of action did your institution take regarding the requests that were received to correct personal information?

	<b>Personal Information</b>
<b>11.5</b> Correction(s) made in whole	0
<b>11.6</b> Correction(s) made in part	0
<b>11.7</b> Correction refused	0
<b>11.8</b> Correction requests withdrawn by requester	0
<b>11.9</b> Total requests (Add Boxes 11.5 to 11.8 = 11.9)	0

BOX 11.9 must equal BOX 11.4

In cases where correction requests were denied, in part or in full, were any statements of disagreement attached to the affected personal information?

	<b>Personal Information</b>
<b>11.10</b> Number of statements of disagreement attached:	0

If your institution received any requests to correct personal information, the Act requires that you send any person(s) or body who had access to the information in the previous year notification of either the correction or the statement of disagreement. Enter the number of notifications sent, if applicable.

	<b>Personal Information</b>
<b>11.11</b> Number of notifications sent:	0

**Note:**

This report is for your records only and should not be faxed or mailed to the Information and Privacy Commissioner of Ontario in lieu of online submission. Faxed or mailed copies of this report will NOT be accepted. Please submit your report online at: <https://statistics.ipc.on.ca>.

**Thank You for your cooperation!**

**Declaration:**

I, Mark Critch, FOI Coordinator, GM, Services, confirm that all the information provided in this report, furnished by me to the Information and Privacy Commissioner of Ontario, is true, accurate and complete in all respects.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*



## Staff Report

To: Board of Directors

From: Melinda Bessey, Director, Planning and Ashlea Brown, Director, Regulations

Date: February 16, 2022

### Subject:

Monitoring Report – Planning and Development Applications for the Period January 1 through December 31, 2021

### Recommendation:

**That** Staff Report No. 04-22-BOD regarding monitoring of planning and development applications for the period January 1 through December 31, 2021 be received for information.

### Purpose of this Staff Report:

The purpose of this Staff Report No. 04-22-BOD is to update the Board of Directors on the progress of planning and development applications made under the *Planning Act* (Planning Approvals), the *Conservation Authorities Act* (Permits), and the *Ontario Water Resources Act* (Environmental Compliance Approvals for Stormwater Management) submitted to the Lake Simcoe Region Conservation Authority for the period January 1 through December 31, 2021.

### Background

A summary of the total number of applications for this period is shown in the attached Tables 1, 2, 3 and 4. These tables summarize the number of applications received by application type and by municipality, as well as the number of pre-consultations, non-application technical reviews, and general inquiries. The type of applications reviewed and processed are statutory requirements under the following legislation:

#### *Planning Act* (Table 1)

- Official Plans, Secondary Plans, Community Plans and Amendments
- Comprehensive Zoning By-Laws and Amendments
- Consent and Minor Variance Applications
- Plans of Subdivision and Condominium
- Site Plan Applications

### *Conservation Authorities Act* (Tables 2 and 3)

- Section 28 Permit Applications
- Public Information Requests (PIR)
- Site Clearances
- Solicitor Inquiries

### Other Legislation (Table 2)

- Undertakings in accordance with the *Environmental Assessment Act*

### Environmental Compliance Approvals (Table 4)

- Environmental Compliance Approval Applications in accordance with the Authority's Transfer of Review Agreements with York Region, Durham Region, and the Town of Bradford West Gwillimbury.

To provide a comparison, the attached Tables 5, 6, 7 and 8 summarize the total number of planning and development applications and inquiries for the period January 1 through December 31, 2020, as well as the number of Environmental Compliance Approval Applications reviewed. Tables 1 and 5 also provide the number of non-application technical reviews, peer reviews and pre-consultation reviews which were carried out in 2021 and 2020.

### **Planning Act and Environmental Compliance Approval Applications**

In general, the total number of applications reviewed under the *Planning Act* as of December 31, 2021 was 10% higher than the total number of applications reviewed in 2020. In focusing on the application types that saw the greatest increase, subdivision applications increased by 6%, Site Plan Applications increased by 12%, Minor Variance applications increased by 23%, and the number of pre-consultation reviews completed by Planning staff increased by 42%. The only type of application type that decreased in 2021 was Environmental Compliance Approvals.

There are a few important elements to look at in this review, including:

1. As noted above, there was a 61% decrease in Environmental Compliance applications. Many applications were received in 2020, which can be attributed to an uptake of linear Environmental Compliance Approval applications. It is anticipated that this was due to a focus on public infrastructure projects and capital works projects to provide employment opportunities during the pandemic. In 2021, Environmental Compliance Approval applications seemed to normalize as the industry focused more on the private subdivision developments. It is important to note that the Authority currently has transfer of review agreements for this service with York Region, Durham Region, and the Town of Bradford West Gwillimbury. Transfer of review agreements are not in place with Innisfil or the City of Barrie who have been experiencing higher rates of growth through Plan of Subdivision in

2021. This significantly impacts the number of Environmental Compliance Approval applications submitted to the Authority.
2. In 2020, there was a 15% increase in applications for Site Plan Approval. This increase continued through 2021, where there was a further 12% increase in applications for Site Plan Approval. This is reflective of the continued support for infill development within existing urban built boundaries and the promotion of transit-oriented development along existing transit corridors.
  3. The high number of pre-consultation reviews provides confirmation that the development industry is not expected to slow down soon. Through the pandemic, more people have been looking to move further from the urban centre of Toronto. The Authority's location on the fringe of some of Ontario's major urban centres has resulted in the focus of growth being within the Lake Simcoe Watershed and along the major transit corridors of Highway 400 and 404, as well as the Barrie Go Transit Line.
  4. The increase in Minor Variance applications is reflective of the home renovation trend that has occurred during the pandemic. Building additions, installation of pools, or development of accessory buildings often trigger a requirement to apply for a minor variance from the applicable zoning provisions for a property. These applications often require a permit under the *Conservation Authorities Act*, which is reflected in the increase in numbers noted below.

#### ***Conservation Authorities Act (Permits)***

The Authority also experienced a significant increase in the number of permit applications received under the *Conservation Authorities Act*. The total number of applications submitted under Section 28 (including legal inquiries) in 2021 was 1,458. This is a 45% increase over 2020. The Authority does not anticipate a significant decrease in the volume of permit applications in 2022 given the number of legal and property inquiries received and the forecasted Municipal infrastructure projects.

Tables 3 and 7 summarize the general inquiries regarding the Regulation and/or permitting for 2021 and 2020 respectively. Regulations staff responded to 3,782 inquiries, a 47% increase from 2020. The Regulations analysts have been providing responses to all inquiries through email, telephone, or video conferencing.

In accordance with the Authority's Client Service Strategy, permit timelines are tracked and reported on annually through two standards. The first is the Ministry of Northern Development, Mines, Natural Resources and Forestry's 'Policies and Procedures for Conservation Authority Plan Review and Permitting timelines, and the second is the Conservation Ontario's Client Service Standards timelines. Timelines for permit issuance range from 14 days to 28 days in

accordance with the Client Service Standards, and 30 to 90 days in accordance with the Conservation Authority Plan Review and Permitting timelines.

The Authority met 92% of the Ministry's timelines for permit issuance, and 89% of Conservation Ontario's timelines. The average number of days to issue a permit was 22 days. Timelines not met can be attributed to a few factors including the increase in volume of files, the complexity of files and the need for multiple technical reviews. In the cases where minor timelines were missed, it was by a few days and was attributed to staff vacation schedules. Attachment 2 provides a summary of the timelines.

## **Issues**

The statistics presented in the attached tables do not provide any indication of the complexity of applications. It has been reported in the past that many of the new development applications are being proposed on lands that have previously been overlooked due to the constraints that are associated with them. Authority staff continue to highlight this as it has been identified as an increasing challenge every year. Additionally, the increasing pressures of shorter review and approval timelines, coupled with the changes resulting from Bill 229 (Schedule 6), have added layers of intricacy to many of larger development applications that are reviewed.

## **Relevance to Authority Policy**

Client service and satisfaction was identified as an important guiding principle in the Authority's Strategic Plan 2016-2020 and continues through Transformation 2022-2024, the Authority's new Strategic Plan. Senior Authority staff have continued to work with Conservation Ontario, as well as industry partners, to identify opportunities to further streamline plan and permit review processes to facilitate more timely approvals. Monitoring the number of applications processed by the Authority is an important step in ensuring customer service targets are able to be met.

## **Impact on Authority Finances**

As Plan Review and Permit Review are carried out on a fee for service principle, the increase in applications has positively affected the budget. This has allowed additional staffing opportunities in 2022 to ensure that customer service commitments to municipal and industry partners, as well as private landowners within the watershed, will be met. Continued monitoring of application numbers is important to understand staffing requirements of the departments and to assess revenue generation against the approved budget.

## Summary and Recommendations

It is therefore **recommended that** Staff Report No. 04-22-BOD regarding monitoring of planning and development applications for the period January 1 through December 31, 2021 be received for information.

## Pre-Submission Review

This Staff Report has been reviewed by the General Manager, Planning, Development and Restoration and the Chief Administrative Officer.

Signed by:

Signed by:

Glenn MacMillan  
General Manager, Planning, Development  
and Restoration

Rob Baldwin  
Chief Administrative Officer

## Attachments:

1. Tables 1, 2,3 and 4 – Summary of Planning, Regulations and ECA Program Statistics – January 1 – December 31, 2021 and Tables 5, 6, 7 and 8 – Summary of Planning, Regulations and ECA Program Statistics – January 1 – December 31, 2020
2. Permit Timelines Report

Table 1

## Summary of Planning Program Statistics January 1-December 31, 2021 - Review of Applications under the Planning Act

Application Type	City of Kawartha Lakes	City of Orillia	City of Barrie	Bradford West Gwillimbury	Innisfil	New Tecumseth	Oro-Medonte	Ramara	Brock	Scugog	Uxbridge	Region of Durham	Aurora	East Gwillimbury	Georgina	King	Newmarket	Whitchurch- Stouffville	Region of York	Region of Peel (Incl Caledon)	General	Total Number of Applications by Type
Official Plans, Official Plan Amendments	0	0	2	3	0	0	0	0	1	1	2	1	7	0	2	0	6	6	1	2	0	<b>34</b>
Zoning By-laws, Zoning By-law Amendments	1	0	20	9	10	1	1	0	3	0	9	0	8	7	13	5	12	4	0	3	0	<b>106</b>
Plans of Subdivision, Plans of Condominium	0	0	10	2	2	0	0	1	2	0	3	0	4	5	4	1	1	1	0	0	0	<b>36</b>
Site Plans	0	0	28	14	11	0	10	2	6	0	1	0	23	19	13	22	14	19	0	0	0	<b>182</b>
Consents	1	0	5	2	9	2	12	3	9	0	10	0	5	0	11	4	1	3	0	0	0	<b>77</b>
Minor Variances	5	1	5	9	9	0	34	12	7	0	3	0	17	14	30	3	6	15	0	0	0	<b>170</b>
Peer Review	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	<b>1</b>
Tech Review/ Special Studies	0	0	10	2	2	0	0	0	0	0	1	0	2	1	0	0	1	0	0	0	0	<b>19</b>
Pre-Consultation	8	0	86	29	39	2	14	3	17	2	13	0	44	35	60	18	40	51	0	0	1	<b>462</b>
<b>Total Number of Applications by Municipality</b>	<b>15</b>	<b>1</b>	<b>166</b>	<b>70</b>	<b>82</b>	<b>5</b>	<b>71</b>	<b>21</b>	<b>45</b>	<b>3</b>	<b>42</b>	<b>1</b>	<b>110</b>	<b>81</b>	<b>133</b>	<b>53</b>	<b>82</b>	<b>99</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>1,087</b>



Table 2

Summary of Regulations Program Statistics January 1-December 31, 2021 - Review of Applications under the Conservation Authorities Act and Environmental Assessment Act

Application Type	City of Kawartha Lakes	City of Orillia	City of Barrie	Bradford West Gwillimbury	Innisfil	New Tecumseth	Oro-Medonte	Ramara	Brock	Scugog	Uxbridge	Region of Durham	Aurora	East Gwillimbury	Georgina	King	Newmarket	Whitchurch-Stouffville	Region of York	Peel (Incl Caledon)	Total Number of Applications by Type
Section 28 Applications	7	0	75	28	205	1	100	122	51	1	40	0	45	72	197	69	37	24		0	1074
Legal Inquiries	2	0	40	16	44	2	1	8	3	0	10	0	19	17	19	18	19	5	0	0	223
Site Clearances	1	0	22	8	21	2	3	6	1	1	4	0	6	28	20	12	7	1	0	0	143
Environmental Assessment Undertakings	0	1	4	1	5	0	0	0	0	0	0	0	2	1	0	2	1	1	1		19
<b>Total Number of Applications by Municipality</b>	<b>10</b>	<b>1</b>	<b>141</b>	<b>53</b>	<b>275</b>	<b>5</b>	<b>104</b>	<b>136</b>	<b>55</b>	<b>2</b>	<b>54</b>	<b>0</b>	<b>72</b>	<b>118</b>	<b>236</b>	<b>101</b>	<b>64</b>	<b>31</b>	<b>1</b>	<b>0</b>	<b>1459</b>

Table 3

Summary of Regulations Program Customer Service Statistics January 1 - December 31, 2021

Inquiry Type	Kawartha Lakes	City of Orillia	City of Barrie	Bradford West	Innisfil	New Tecumseth	Oro-Medonte	Ramara	Brock	Scugog	Uxbridge	Region of Durham	Aurora	East Gwillimbury	Georgina	King	Newmarket	Whitchurch-Stouffville	Region of York	Peel (Incl Caledon)	General	Total Number of Applications by Type	
Calls / Emails	64	88	162	116	521	31	158	250	180	11	304	0	107	269	1000	231	115	100	0	1	74	3,782	
Counter Visits	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total Number of Applications by Municipality</b>	<b>64</b>	<b>88</b>	<b>162</b>	<b>116</b>	<b>521</b>	<b>31</b>	<b>158</b>	<b>250</b>	<b>180</b>	<b>11</b>	<b>304</b>	<b>0</b>	<b>107</b>	<b>269</b>	<b>1000</b>	<b>231</b>	<b>115</b>	<b>100</b>	<b>0</b>	<b>1</b>	<b>74</b>	<b>3,782</b>	

Table 4

Summary of Environmental Compliance Approval Program Statistics January 1-December 31, 2021 - Transfer of Review - Applications under the Ontario Water Resources Act

Application Type	City of Kawartha Lakes	City of Orillia	City of Barrie	Bradford West Gwillimbury	Innisfil	New Tecumseth	Oro-Medonte	Ramara	Brock	Scugog	Uxbridge	Region of Durham	Aurora	East Gwillimbury	Georgina	King	Newmarket	Whitchurch-Stouffville	Region of York	Region of Peel (Incl Caledon)	Total Number of Applications by Type
Major ECA Stormwater Works >5ha	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0	3
Major Stormwater Conveyance System	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Minor Stormwater <2h and Conveyance System	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	1	0	0	0	3
Moderate ECA Stormwater Works 2ha to 5ha	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
<b>Total Number of Applications by Municipality</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7</b>

Table 5

## Summary of Planning Program Statistics January 1 - December 31, 2020 - Review of Applications under the Planning Act

Application Type	City of Kawartha Lakes	City of Orillia	City of Barrie	Bradford West	Innisfil	New Tecumseth	Oro-Medonte	Ramara	Brock	Scugog	Uxbridge	Region of Durham	Aurora	East Gwillimbury	Georgina	King	Newmarket	Whitchurch-Stouffville	Region of York	Peel (incl Caledon)	Total Number of Applications by Type
Official Plans, Official Plan Amendments	0	0	9	1	3	0	1	0	3	0	0	1	8	4	3	0	6	1	0	0	40
Secondary Plan Review	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	2
Zoning By-laws, Zoning By-law Amendments	1	0	20	14	4	3	6	1	4	0	3	0	12	7	15	1	8	2	0	0	101
Plans of Subdivision, Plans of Condominium	0	0	8	4	6	0	2	0	2	0	1	0	5	2	0	0	1	3	0	0	34
Site Plans	0	1	28	18	11	1	5	1	0	0	4	0	34	10	10	14	13	12	0	0	162
Consents	1	0	3	4	11	0	8	1	12	0	7	0	6	5	3	6	0	1	0	0	68
Minor Variances	1	0	8	10	17	1	23	7	7	0	6	0	13	14	12	6	4	9	0	0	138
Peer Review	1	0	1	0	2	0	0	0	1	1	0	0	1	0	0	1	0	0	0	0	8
Tech Review/ Special Studies	0	0	3	1	5	0	1	0	2	0	1	0	2	3	1	0	2	1	0	0	22
Pre-Consultation	5	0	71	28	23	0	12	2	10	7	14	0	32	23	17	20	24	38	0	0	326
<b>Total Number of Applications by Municipality</b>	<b>9</b>	<b>1</b>	<b>152</b>	<b>80</b>	<b>82</b>	<b>5</b>	<b>58</b>	<b>12</b>	<b>41</b>	<b>8</b>	<b>36</b>	<b>1</b>	<b>113</b>	<b>68</b>	<b>62</b>	<b>48</b>	<b>58</b>	<b>67</b>	<b>0</b>	<b>0</b>	<b>901</b>

Table 6

Summary of Regulations Program Statistics January 1-December 31, 2020 - Review of Applications under the Conservation Authorities Act and Environmental Assessment Act

Application Type	City of Kawartha Lakes	City of Orillia	City of Barrie	Bradford West Gwillimbury	Innisfil	New Tecumseth	Oro-Medonte	Ramara	Brock	Scugog	Uxbridge	Region of Durham	Aurora	East Gwillimbury	Georgina	King	Newmarket	Whitchurch-Stouffville	Region of York	Region of Peel (Incl Caledon)	Total Number of Applications by Type
Section 28 Applications	5	0	62	36	141	2	90	97	39	0	42	1	34	56	158	41	26	16	2	0	848
Legal Inquiries	0	0	23	11	11	0	7	6	3	0	1	0	20	9	20	8	3	5	0	0	127
Site Clearances	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Environmental Assessment Undertakings	0	0	3	1	2	0	1	0	1	0	1	0	10	5	2	0	2	0	0	0	28
<b>Total Number of Applications by Municipality</b>	<b>5</b>	<b>0</b>	<b>88</b>	<b>49</b>	<b>154</b>	<b>2</b>	<b>98</b>	<b>103</b>	<b>43</b>	<b>0</b>	<b>44</b>	<b>1</b>	<b>64</b>	<b>70</b>	<b>180</b>	<b>49</b>	<b>31</b>	<b>21</b>	<b>2</b>	<b>0</b>	<b>1004</b>

Table 7

Summary of Regulations Program Customer Service Statistics January 1 - December 31, 2020

Inquiry Type	City of Kawartha Lakes	City of Orillia	City of Barrie	Bradford West Gwillimbury	Innisfil	New Tecumseth	Oro-Medonte	Ramara	Brock	Scugog	Uxbridge	Region of Durham	Aurora	East Gwillimbury	Georgina	King	Newmarket	Whitchurch-Stouffville	Region of York	Region of Peel (Incl Caledon)	Total Number of Inquiry Type
Calls / Emails	24	33	78	72	334	8	184	230	125	9	161	0	83	222	629	164	90	71	4	0	2,521
Counter Visits	1	0	2	3	5	0	3	4	3	0	2	0	0	6	12	9	3	3	0	0	56
<b>Total Number of Applications by Municipality</b>	<b>25</b>	<b>33</b>	<b>80</b>	<b>75</b>	<b>339</b>	<b>8</b>	<b>187</b>	<b>234</b>	<b>128</b>	<b>9</b>	<b>163</b>	<b>0</b>	<b>83</b>	<b>228</b>	<b>641</b>	<b>173</b>	<b>93</b>	<b>74</b>	<b>4</b>	<b>0</b>	<b>2,577</b>

Table 8

Summary of Environmental Compliance Approval Program Statistics January 1-December 31, 2020 - Transfer of Review - Applications under the Ontario Water Resources Act

Application Type	City of Kawartha Lakes	City of Orillia	City of Barrie	Bradford West Gwillimbury	Innisfil	New Tecumseth	Oro-Medonte	Ramara	Brock	Scugog	Uxbridge	Region of Durham	Aurora	East Gwillimbury	Georgina	King	Newmarket	Whitchurch-Stouffville	Region of York	Region of Peel (Incl Caledon)	Total Number of Applications by Type
Major ECA Stormwater Works >5ha	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0	1	0	0	0	4
Major Stormwater Conveyance System	0	0	0	0	0	0	0	0	0	0	0	0	2	0	1	0	0	0	0	0	3
Minor Stormwater <2h and Conveyance System	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	1	0	0	0	3
Moderate ECA Stormwater Works 2ha to 5ha	0	0	0	1	0	0	0	0	0	0	1	0	3	3	0	0	0	0	0	0	8
<b>Total Number of Applications by Municipality</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>8</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>18</b>

**Lake Simcoe Region Conservation Authority**  
**Permit Timelines Report 2021 Full Year**

**Ministry of Northern Development, Mines, Natural Resources and Forestry**  
**Policies and Procedures for Conservation Authority Plan Review and Permitting**

Permit Type	Major	Minor
Number of permits issued within the timeline	536	369
Number of permits issued outside the timeline	69	7

**Conservation Ontario Client Service Standards**

Permit type	Major	Minor	Routine
Number of permits issued within the timeline	524	179	179
Number of permits issued outside the timeline	78	10	11



## Staff Report

To: Board of Directors

From: Rob Baldwin, Chief Administrative Officer

Date: February 15, 2022

### **Subject:**

Lake Simcoe Region Conservation Authority's Programs and Services Inventory List

### **Recommendation:**

**That** Staff Report No. 05-22-BOD regarding the Lake Simcoe Region Conservation Authority's Programs and Services Inventory List be received; and

**Further that** the Programs and Services Inventory List be circulated to Ministry of the Environment, Conservation and Parks, as well as member and specified municipalities.

### **Purpose of this Staff Report:**

The purpose of this Staff Report No. 05-22-BOD is to provide the Board information regarding the Authority's Programs and Services Inventory List, which is to be circulated to member and specified municipalities and provided to the Ministry of the Environment, Conservation and Parks (Ministry) by the end of February 2022.

### **Background:**

As a requirement under Ontario Regulation 687/21, the Lake Simcoe Region Conservation Authority (Authority) has developed a Programs and Services Inventory list based on the three categories identified in the Regulation. These categories include: (1) Mandatory, (2) Municipally requested, and (3) Other (those that the Authority determines are advisable).

The regulation requires that the Inventory be submitted to the Ministry of the Environment, Conservation and Parks and circulated to all circulated to member and specified municipalities by February 28, 2022.

The Phase 2 Regulations have now been released by the Province. This phase includes a review of the two current levies regulations (O. Reg. 670/00 "Conservation Authority Levies"; O. Reg. 139/96 "Municipal Levies") and the Conservation Authority Fee Policy. It is anticipated that these updates to the regulations and policy will have an impact on the financial component of the Inventory.

Attached to this report is the Authority's inventory list that provides information related to Programs and Services as required under Ontario Regulations 6871/21-Section 6 "Inventory of Programs and Services". This information includes estimates and assumptions related to costs, cost allocations and revenue distribution and is subject to change as cost figures are refined and further direction is provided via the release of Phase 2 regulations.

Preliminary analysis suggests that the programs and services can be delivered without a significant change in total municipal financial support required compared with the current levy and special capital funding model.

### **Issues:**

On October 4, 2021 the Ministry released the Phase 1 regulations to implement amendments to the *Conservation Authorities Act*. Report GM-21-10-75: Conservation Authorities Act Amendments- Phase 1 Regulation and Timelines provides an overview of the Phase 1 Regulations and associated deliverables and timelines.

The following regulations were included in the Phase 1 release:

- *Ontario Regulation 686/21*: Mandatory Programs and Services
- *Ontario Regulation 687/21*: Transition Plans and Agreements for Programs and Services
- *Ontario Regulation 688/21*: Rules of Conduct in Conservation Areas.

Under *Ontario Regulation 687/21*: Transition Plans and Agreements for Programs and Services, the regulation requires each conservation authority to create a Transition Plan that outlines:

- the steps to develop an inventory of programs and services (categories 1-3)
- the process to enter into agreements with participating municipalities to fund category 2: Municipal programs and services.

The Authority approved its Transition Plan in December 2021 and submitted it to the Ministry, circulated it to participating municipalities and posted it on the Authority's website.

The next item required under the regulation is to develop an inventory of Authority's programs and services. The inventory will list all the programs and services that the Authority is providing as of February 28, 2022 and those that it intends to provide after that date. The inventory will include information about the sources of funding and categorize all programs and services based on the following:

**Category 1: Mandatory programs and services as identified in *Ontario Regulation 686/21***

These programs will be funded through municipal levy and fee for service.

**Category 2: Municipal programs and services that are provided at the request of the municipality**

These programs can be funded through government and other agency grants and/or municipal funding under a memorandum of understanding or agreement with the municipality. Fee for service can also be considered.

**Category 3: Other programs and services that an Authority (Board) determines are advisable**

These programs can be funded through self-generated revenue, user fees, government and other agency grants, donations, etc. Any use of municipal funding will require an agreement and would be subject to cost apportioning.

The Inventory of Programs and Services (February 28, 2022) will be an evolving document as the Authority moves through the transition period. It is anticipated that refinements will be incorporated as negotiations with municipalities proceed and further discussions evolve within program areas.

The attached table (Lake Simcoe Region Conservation Authority Inventory of Programs and Services) provides a draft of the Authority's Inventory of Programs and Services and information required under *Ontario Regulation 687/21* Section 6.

**Relevance to Authority Policy:**

There is no direct relevance to Authority policy as this staff report only addresses an inventory of the Authority's programs and services.

**Impact on Authority Finances:**

Based on the draft Inventory and corresponding financial requirements for Category 1 and 2 programs and services, there does not appear to be a significant change in municipal financial support required compared to the current levy and special capital funding model. Detailed assessment of any impacts to Authority finances, both positive and negative, will occur over the transition period as the budget is prepared for the 2024 fiscal.

### **Summary and Recommendations:**

The Authority's inventory list of Programs and Services has been categorized as directed by the Ministry and is attached for information for the Board of Directors.

It is therefore **Recommended That** Staff Report 05-22-BOD regarding the Lake Simcoe Region Conservation Authority's Programs and Services Inventory List be received; and **Further that** the Programs and Services Inventory List be circulated to Ministry of the Environment, Conservation and Parks, as well as member and specified municipalities.

Signed by:

Rob Baldwin  
Chief Administrative Officer

### **Attachments:**

- i. Programs and Services Supporting Information
- ii. Lake Simcoe Region Conservation Authority's Programs and Services Inventory List

## **Lake Simcoe Region Conservation Authority**

### **Programs and Services Inventory – Supporting Information**

#### **Lake Simcoe Protection Plan**

The province has included activities under the Lake Simcoe Protection Plan (Plan) delivered fully, in partnership with the province, in partnership with municipalities and/or in support of the Plan as Category 1 (Mandatory) Programs for the Lake Simcoe Region Conservation Authority (Authority). Traditionally many of these activities are supported through transfer agreements with Ministry of Environment, Conservation and Parks (Ministry) and through direct municipal funding for activities such as subwatershed planning and monitoring.

All applicable activities regarding the Plan have been included in a summary category providing the estimate of full Plan program delivery. Further review and refinement of Authority activities as they relate to Plan mandatory programs will continue over the next 12-18 months as part of the transition process. Applicable activities include core areas such as:

- Nearshore and lake monitoring and research
- Tributary biological and water quality and quantity monitoring
- Stormwater performance monitoring, research, and management options
- Climate change
- Subwatershed planning
- Contaminant reduction with focus on salt

#### **Source Protection Program**

The included budget information for the Source Protection Program only includes the direct budget/s expended by the Authority. The amount does not include the transfer of funds as the lead to our partner organizations of the Nottawasaga Valley Conservation Authority and the Severn Sound Environmental Association. These funds are provided 100% by the province through transfer payment and agreement with Ministry. The Authority does not provide any services on behalf of our municipal partners, such as Risk Management Officer.

#### **Assumptions used for Enabling Program Services**

- a. Overhead costs have been removed from the direct program costs and left under the enabling services to ensure they are not double counted.
- b. All capital budget dollars have been removed this exercise as they would skew the 5-year average numbers with irregular expenditures.

- c. As this exercise used budget numbers, many projects have a budget that spans multiple years. If budgeted work was not completed in one year, it is added to the next year. Caution should be exercised before adding all the years together.
- d. Lake Simcoe Conservation Foundation is a separate entity, and therefore the program was excluded from the Authority's list of programs and services.
- e. The 2022 Budget numbers were included to provide context into the most recent expenditure levels for each program and service.
- f. The best estimate of the funding percentage is based on the 2022 Budget, which is still be finalized.

### **Core Watershed-based Resource Management Strategy**

The Authority has several decades' involvement in leading and developing subwatershed and basin wide plans and strategies. The Core Watershed-based Resource Management Strategy is a new Category 1 (mandatory) program required through the amendments to the *Conservation Authorities Act* and subsequent regulations. No historic or current budget values are contained within the Programs and Services Inventory as a result. Over the next 12-18 months the Authority will scope out the requirements to complete this strategy building off the extensive work completed over the past decades. The scope of work will determine the required levy funding to implement strategy development beginning in 2024.



## Lake Simcoe Region Conservation Authority

### Programs and Services Inventory List – February 2022

Program/Service	Description	Legislated Relevance	Category (1,2,3)	Source of Funding	Average Budget (2018-2022)	2022 Budget
<b>Natural Hazard Management</b>						
Section 28.1 Permit Administration	Reviewing and processing permit applications, associated technical reports, site inspections, communication with applicants, agents, and consultants.	Reg. 686/21 s.8	1, 2	Levy (16%) Fees (75%) Municipal support for enforcement (1%) Service level agreements with municipalities (8%)	\$1,338,000	\$1,591,000
Review under Other Legislation	Input to the review and approval processes under other applicable law, with comments principally related to natural hazards, wetlands, watercourses and Section 28 permit requirements.	Reg. 686/21 s.6	1	General Levy (100%)	\$56,000	\$66,000
Municipal Plan Input and Review	Technical information and advice to municipalities on circulated municipal land use planning applications (Official Plan and Zoning By-law Amendments, Subdivisions, Consents, Minor Variances). Input to municipal land-use planning documents (Official Plans, Comprehensive Zoning Bylaw, Secondary plans) related to natural	Reg. 686/21 s.7  CAA s.21.1.1	1, 2	Levy (2%) Fees (91%) Service level agreements with municipalities (7%)	\$1,703,000	\$2,025,000

Program/Service	Description	Legislated Relevance	Category (1,2,3)	Source of Funding	Average Budget (2018-2022)	2022 Budget
	hazards, on behalf of Ministry of Natural Resources and Forestry (delegated to conservation authorities in 1983)					
Flood Forecasting and Warning (Includes low water response)	Daily data collection and monitoring of weather forecasts, provincial & local water level forecasts and watershed conditions. Flood event forecasting. Flood warning and communications. Maintenance of equipment.	Reg. 686/21 s.2  Reg. 686/21 s.3	1	Levy (16%) Provincial funding (5%) Special Capital (77%) Other (2%)	\$311,000	\$367,000
Natural Hazards Technical Studies, Communications, Outreach, Education and Information Management	Data collection and study of designs to mitigate natural hazards. Development and use of systems to collect and store data and to provide spatial geographical representations of data. Promoting public awareness. Public events. Social media. Media relations.	Reg. 686/21 s.5(1)1  Reg. 686/21 s.9(1)2	1, 2	General Levy (3%) Provincial Funding (7%) Special Capital (81%) Fees (9%)	\$103,000	\$123,000
Natural Heritage	Natural heritage monitoring, plans/strategies, and system design	Reg. 686/21 s.8  CAA s.21.1.1	1 2	General Levy (5%) Special Capital (93%) Provincial Funding (2%)	\$103,000	\$123,000
Stormwater Environmental Compliance Approval Review	Undertake review on behalf of requesting municipalities (through agreement)	CAA s.21.1.1	2	Fees (100%)	\$52,000	\$61,000

Program/Service	Description	Legislated Relevance	Category (1,2,3)	Source of Funding	Average Budget (2018-2022)	2022 Budget
<b>Conservation Authority Lands</b>						
Strategies and Management Plans for conservation authority owned and/or managed lands	<p>Development and implementation of land acquisition and disposition strategies.</p> <p>Acquisition of priority lands as per Authority Board approved Land Acquisition Strategy - focusing on lands for protection and restoration opportunities.</p> <p>Development and implementation of management plans that provide conservation area specific guiding principles, goals, and objectives.</p> <p>Development and implementation of conservation area visitor experience initiatives including signage strategy, parking and access enhancements, amenity upgrades, etc.</p>	<p>Reg. 686/21 s.9</p> <p>CAA s.21.1.2</p>	1, 2, 3	<p>General Levy (51%)</p> <p>Special Capital (41%)</p> <p>Self-Generated Revenue (1%)</p> <p>Municipal Request/Support (7%)</p> <p>Corporate Grants (as occur)</p> <p>Foundation Support (as occur)</p>	\$388,000	\$435,000
Management, operation and maintenance of conservation authority owned and/or managed lands including Section 29 Minister's regulation for Conservation Areas	Day-to-day management, operation and maintenance of conservation authority owned lands - includes property maintenance and upkeep, conservation area enforcement/compliance, trail development and upkeep, hazard tree inspections and mitigation,	<p>Reg. 686/21 s.9</p> <p>CAA s.21.1.2</p>	1, 2, 3	<p>General Levy (23%)</p> <p>Special Capital (37%)</p> <p>Municipal Request/Support (36%)</p> <p>Fees (4%)</p>	\$542,000	\$537,000

Program/Service	Description	Legislated Relevance	Category (1,2,3)	Source of Funding	Average Budget (2018-2022)	2022 Budget
	seasonal park closures, stewardship and restoration, ecological monitoring, etc.					
Management, operation and maintenance of the Authority owned and/or managed facilities and assets	Day-to-day management, operations and maintenance of all the Authority owned and/or managed facilities and assets (vehicles, equipment, etc.). This includes facility renovations, vehicle/equipment acquisitions, health and safety enhancements, etc.	Reg. 686/21 s.9  CAA s.21.1.2	Enabling Service 1, 3	General Levy (36%) Special Capital (25%) Self-Generated Revenue (8%) Overhead (31%)	\$668,000	\$640,000
Afforestation	Planting of trees and shrubs across the watershed to increase forest and canopy cover to address flood protection, climate change and natural heritage objectives.	CAA s.21.1.1  CAA s.21.1.2	2, 3	Municipal Request/Support (18%) Self-Generated Revenue (82%) Corporate Grants Private landowners	\$172,000	\$205,000
Forest Management	Implementation of best forest management practices that contribute to watershed and community health and protect and enhance forest cover.	CAA s.21.1.1	2	Municipal Request/Support (100%)	\$140,000	\$128,000
Forest Research	In partnership with municipal and other partners, assessment of forest and canopy cover and development of plans and strategies to inform forest management activities	CAA s.21.1.1	2	Municipal Request/Support – typically one off projects	\$45,000	\$82,000

<b>Program/Service</b>	<b>Description</b>	<b>Legislated Relevance</b>	<b>Category (1,2,3)</b>	<b>Source of Funding</b>	<b>Average Budget (2018-2022)</b>	<b>2022 Budget</b>
<b>Lake Simcoe Protection Plan</b>						
Lake Simcoe Protection Plan delivery and support where the Authority identified as lead, supporting and/or collaborating body.	Lead and support Plan policies directing science and research, ecosystem monitoring, watershed planning, climate change, land use mapping, improved management practices, including stormwater management and winter salt management and other required monitoring, management, and research activities.	Reg. 686/21 s.13	1,2	Levy (70%) Provincial funding (23%) Other funding (7%)	\$2,309,000	\$2,747,000
<b>Water Quality &amp; Quantity Monitoring</b>						
Provincial Water Quality Monitoring Network	A long-standing (50+ year) conservation authority/Provincial Ministry partnership for stream water quality monitoring. conservation authority takes water samples; Ministry does lab analysis and data management.	Reg. 686/21 s.12	1	Municipal (levy) (100%) and Provincial in-kind	\$29,000	\$34,000
Provincial Groundwater Monitoring Network	A long-standing (20+ year) conservation authority/Provincial Ministry partnership for groundwater level and quality monitoring. conservation authority	Reg. 686/21 s.12	1	Municipal (levy) (100%) and Provincial in-kind	\$44,000	\$50,000

Program/Service	Description	Legislated Relevance	Category (1,2,3)	Source of Funding	Average Budget (2018-2022)	2022 Budget
	maintains equipment, data transfer to the Ministry, water sampling; Ministry provides equipment, standards, data management.					
Municipal services - infrastructure protection, stormwater management performances, environmental monitoring	Assessing level of risk to York Region infrastructure due to stream erosion processes. Performance, inspection and prioritization, monitoring, maintenance and linear Environmental Compliance Approval support. Additional flow and receiver monitoring on behalf of municipalities	CAA s.21.1.1	2	Municipal Memorandum of Understanding (85%), Special Capital (15%)	\$273,000	\$419,000
<b>Core Watershed-based Resource Management Strategy</b>						
Strategy Development	Collate/compile existing resource management plans, watershed plans, studies and data. Strategy development, Implementation and annual reporting	Reg. 686/21 s.12(4)	1	N/A	N/A	N/A



Program/Service	Description	Legislated Relevance	Category (1,2,3)	Source of Funding	Average Budget (2018-2022)	2022 Budget
<b>Watershed Stewardship and Restoration</b>						
Watershed Stewardship and Restoration (Urban, rural & Agriculture)	Manage external funding, promote private land stewardship, outreach, provide advice and design assistance to property owners. Delivery of restoration, infrastructure protection and stormwater management projects, implement offsetting projects and other related restoration projects.	Reg. 686/21 s.8  CAA s.21.1.1  CAA s.21.1.1	1, 2, 3	Offsetting revenue (7%) Special Capital (62%) Foundation (31%) Provincial (as occurs) Federal (as occurs)	\$1,600,000	\$1,902,000
<b>Enabling Program Services</b>						
Corporate Services includes Human Resources, Legal and Financial Services	Administrative, Human Resources, financial operating and capital costs which are not directly related to the delivery of any specific program or service but are the overhead and support costs of a conservation authority. Accounting and payroll	Enabling Service	1, 2, 3	General Levy (46%) Special Capital (7%) Self-Generated Revenue (11%) Overhead for staff in Fee-based programs (35%)	\$1,802,000	\$2,084,000
Communications and Marketing	Provides strategic corporate and program communications and marketing oversight, develops and implements a broad range of	Enabling Service	1, 2, 3	General Levy (55%) Special Capital (18%) Overhead for staff in Fee-based programs (27%)	\$767,000	\$860,000

Program/Service	Description	Legislated Relevance	Category (1,2,3)	Source of Funding	Average Budget (2018-2022)	2022 Budget
	initiatives to inform, influence, and motivate partners and the public to support the work of the Authority, drives participation in programs and promotes products and services	CAA s.21.1.1  CAA s.21.1.2				
Governance	Supporting conservation authority Boards, Advisory Committees, Office of Chief Administrative Officer and Senior Management	Enabling Service	1	General Levy (78%) Special Capital (9%) Overhead for staff in Fee-based programs (13%)	\$381,000	\$388,000
Asset Management	Asset management planning, facilities & property management	Enabling Service	1	General Levy (100%)	\$265,000	\$500,000
Information Technology Management and / GIS	Data management, records retention. Development and use of systems to collect and store data and to provide spatial geographical representations of data.	Enabling Service  CAA s.21.1.1  CAA s.21.1.2	1, 2, 3	General Levy (42%) Special Capital (18%) Self-Generated Revenue (1%) Overhead for staff in Fee-based programs (39%)	\$1,240,000	\$1,332,000
<b>Source Water Protection</b>						
Administer South Georgian Bay/Lake Simcoe Source Water Protection program	Following activities identified in draft consultation document. 1) Administration of the prescribed composition of the source protection committee and administrative support to source protection committees;	Reg. 686/21 s.13	1	Provincial funding (100%)	\$322,000	\$492,000

Program/Service	Description	Legislated Relevance	Category (1,2,3)	Source of Funding	Average Budget (2018-2022)	2022 Budget
	2) Preparing amendments to assessment reports and source protection plans; 3) Implementing source protection plan policies 4) Tracking and reporting on the progress of source protection plan implementation 5) Maintaining and providing access to source protection data and information					
<b>Education</b>						
School and Community Programming	Provincial curriculum-connected, experiential and engaging programs and services for students and teachers from kindergarten to grade 12. Programmed learning opportunities for children, youth and adults, enhancing participants' connections to the health of the Lake Simcoe watershed in areas where they live, learn, work and play.	CAA s.21.1.2	3	General Levy (49%) Self-Generated Revenue - Contractual Obligations with School Boards (24%) Self-Generated - Overhead (9%) Foundation Support & Other External Grants (17%)	\$603,000	\$614,000

## Staff Report

To: Board of Directors

From: Rob Baldwin, Chief Administrative Officer

Date: February 16, 2022

### **Subject:**

Ministry of Environment, Conservation and Parks - Phase 2 Regulatory and Policy Proposal Consultation Guide

### **Recommendation**

**That** Staff Report No. 06-22-BOD regarding the update on the Ministry of Environment, Conservation and Parks Phase 2 Regulatory and Policy Proposal Consultation Guide be received for information.

### **Purpose of this Staff Report:**

The purpose of this Staff Report No. 06-22-BOD is to update to the Board of Directors on the ongoing *Conservation Authorities Act* transition with the release of the Phase 2 Regulatory and Policy Proposal Consultation Guide.

### **Background:**

The Ministry of Environment, Conservation and Parks (Ministry) has released a consultation guide describing the second phase of regulatory proposals under the *Conservation Authorities Act* (the Act).

The consultation guide is posted on the Environmental Registry of Ontario (notice number 019-4610) with a public comment period until February 25, 2022. The Ministry hosted webinars for municipalities and conservation authorities in early February to provide an overview of the proposals.

### **Part 1. Proposed Municipal Levies Regulation**

Proposed regulations will govern the apportionment of Authority municipal levies (operating expenses and capital costs), as well as budgetary matters in general.

A new municipal levies regulation will consolidate the two current levies regulations and adapt the three current methods of apportioning Authority expenses/costs through municipal levy into the new categories of Authority programs and services:

- modified current property value assessment method
- by agreement between the Authority and a municipality
- as determined by the total benefit afforded to all the municipalities and the proportion of the benefit afforded to each of the municipalities

The new regulation will carry forward existing voting methods (i.e. the 'one member, one vote' and 'weighted vote'). A new requirement for the Authority will be a vote on the levy for activities under the *Lake Simcoe Protection Act* as these costs include both member and specified municipalities. Provisions will also govern Authority budget matters including the process conservation authorities must follow when preparing a budget, the consultations required, and the rules and procedures governing budget meetings including quorum and voting on the budget.

### **Part 2. Proposed Minister's Regulation for Determining Amounts Owed by Specified Municipalities**

Provisions in the Act will be proclaimed to allow the Authority to levy participating municipalities and specified municipalities for mandatory programs and services related to the Authority's responsibilities under the *Clean Water Act, 2006* and the *Lake Simcoe Protection Act*. A specified municipality is a municipality designated by regulation but is outside a conservation authority's area of jurisdiction (i.e., City of Orillia).

A new regulation will identify the specified municipalities and identify methods available to the Authority to determine the costs specified municipalities may need to pay. The process for engaging specified municipalities on levies under the *Lake Simcoe Protection Act* is proposed to be like the current levy process and budget process for participating municipalities under the *Conservation Authorities Act* using the modified current value assessment method.

### **Part 3. Proposal for Minister's List of Classes of Programs and Services for which a Conservation Authority May Charge a Fee**

The Authority may only charge fees for services approved by the Minister. The current list is set out in the provincial Policies and Procedures for the Charging of Conservation Authority Fees (June 13, 1997).

Provisions of the Act will be proclaimed allowing the Minister to determine a list of 'classes of programs and services' an authority may charge a fee for, publish the list, and distribute it to each authority. Authorities would be permitted to charge a fee for a program or service only if it is set out in the Minister's list of classes of programs and services. Once an authority is granted the power to charge a fee for a program and service, the conservation authority may determine the fee amount to charge. These provisions will also require authorities to publish a

fee policy and schedule, as well as a maintain a policy to reconsider a fee at the request of an applicant.

The Minister's classes of programs and services will capture 'user' fees. This includes use of a public resource (e.g. park use permit) or the privilege to do something (e.g. permission to develop in a regulated area).

#### **Part 4. Complementary Proposals to Increase Transparency of Authority Operations**

A proposed regulation will require conservation authorities to maintain a governance section on their website where the following information is consolidated:

- Conservation authority members with contact information;
- Administrative by-laws;
- Draft and final budgets;
- Agreements with municipalities; and
- Board of Directors' meeting schedule.

#### **Issues:**

The Authority's Chief Administrative Officer is a member of the Minister's Conservation Authorities Working Group and continues to represent both the Authority and conservation authorities in general. As a member any concerns, recommendations, and support have been and continue to be identified through the process.

Minor recommendations regarding process and timing have been raised as part of the consultation and will be discussed further. These focused on two areas:

- No more than a 30-day period of posting the draft budget for approval as any longer requirement could push budget approval well into spring or late spring.
- Clarity regarding what scale of agreements should be required for public posting on the Authority's website. The Authority has a wide range of minor agreements, many with no financial component and are operational or reciprocal use in nature.

Conservation Ontario will be providing collective input as part of the consultation and are aware of the above-mentioned items.

#### **Relevance to Authority Policy:**

Authority policy will be amended when appropriate with the approval of the forthcoming Ontario Regulation. Staff anticipate a suite of by-law and policy amendments in the upcoming year to incorporate the required elements described in legislation, regulation and ensuring best practice.



### **Impact on Authority Finances:**

The forthcoming regulation will include specific key mechanisms for funding Authority programs as of January 1, 2024. Staff will ensure that all requirements are addressed during this transition phase. There are no immediate impacts to Authority finances.

### **Summary and Recommendations:**

Authority staff will continue with the transition process over the next two years and bring updates as required. It is therefore **Recommended That** Staff Report No. 06-22-BOD regarding the update on the Ministry of Environment, Conservation and Parks Phase 2 Regulatory and Policy Proposal Consultation Guide be received for information.

Signed by:

Rob Baldwin

Chief Administrative Officer

### **Attachments:**

1. Regulatory and Policy Proposal Consultation Guide: Regulations regarding Municipal Levies, Conservation Authority Budget Process, Transparency, and Provincial Policy for the Charging of Fees by Conservation Authorities, Ministry of Environment, Conservation and Parks - January 26, 2022

**MINISTRY OF THE ENVIRONMENT, CONSERVATION AND PARKS**

**REGULATORY AND POLICY PROPOSAL CONSULTATION GUIDE:  
Regulations regarding Municipal Levies, Conservation Authority  
Budget Process, Transparency, and Provincial Policy for the Charging  
of Fees by Conservation Authorities**

**Date: January 26, 2022**

# Contents

<b>Purpose</b> .....	<b>1</b>
<b>Introduction</b> .....	<b>1</b>
REGULATORY AND POLICY PROPOSALS FOR CONSULTATION .....	2
<b>Part 1: Proposed Municipal Levies Regulation</b> .....	<b>3</b>
BACKGROUND .....	3
<i>Municipal Levy Framework</i> .....	3
<i>New Legislative And Regulatory Framework</i> .....	4
PROPOSAL .....	5
<i>Municipal Levy</i> .....	5
<i>Conservation Authority Budgeting</i> .....	7
<i>Apportionment Methods For Conservation Authority Programs And Services Costs</i> .....	9
<b>Part 2: Proposed Minister’s Regulation For Determining Amounts Owed By Specified Municipalities</b> .....	<b>11</b>
BACKGROUND .....	11
PROPOSAL .....	12
<b>Part 3: Proposal For Minister’s Published List Of Classes Of Programs And Services For Which A Conservation Authority May Charge A Fee</b> .....	<b>13</b>
BACKGROUND .....	13
PROPOSAL .....	14
<b>Part 4: Complementary Proposals To Increase Transparency Of Authority Operations</b> .....	<b>17</b>
PROPOSAL .....	17
<b>Appendix</b> .....	<b>18</b>
CURRENT MUNICIPAL LEVY FRAMEWORK.....	18
<i>Current Authority Budget And Municipal Levy Approval Process</i> .....	18
<i>Current Annual Authority Budget And Municipal Levy Voting Methods</i> .....	18
<i>Current Approach To Apportionment Of Conservation Authority Costs</i> .....	19

## PURPOSE

The Ministry of the Environment, Conservation and Parks (the “ministry”) is consulting on a second phase of provincial regulatory and policy proposals that would be made under the *Conservation Authorities Act* to ensure that conservation authorities focus and deliver on their core mandate including helping protect people and property from the risk of natural hazards, the conservation and management of conservation authority-owned lands, and their roles in drinking water source protection and to improve governance and oversight in conservation authority operations.

The purpose of this Consultation Guide (guide) is to provide a description of the proposed Phase 2 levy and budget regulations (Lieutenant-Governor-in-Council (LGIC) and Minister’s regulation), provincial policy to be made under the *Conservation Authorities Act*, and complementary regulatory proposals, in order for the ministry to obtain feedback on the proposals. The guide describes the proposals that would inform the drafting of the regulations and associated policy document and is not intended to convey the precise language that would be used in regulation or policy.

Comments on the proposals may be submitted before the date indicated through either the Environmental Registry of Ontario or can be emailed directly to the ministry at [ca.office@ontario.ca](mailto:ca.office@ontario.ca). Comments received will be considered by the ministry when developing the final regulations and policy.

## INTRODUCTION

In 2018, the government made a commitment in its environment plan to collaborate with municipalities and other stakeholders to ensure that conservation authorities focus and deliver on their core mandate.

As part of that commitment, the government made amendments to the *Conservation Authorities Act* through the *More Homes, More Choice Act, 2019* which received Royal Assent on June 6, 2019. Beginning in late 2019, the ministry undertook extensive consultations with municipalities, the public, landowners, development, agricultural, environmental and conservation organizations as well as conservation authorities, about the core role of conservation authorities.

Based on the extensive and valuable feedback received, legislative amendments to the *Conservation Authorities Act* were made through [Bill 229, Protect, Support and Recover from COVID-19 Act \(Budget Measures\), 2020](#) which received Royal Assent on December 8, 2020.

The government is proclaiming unproclaimed provisions in the *Conservation Authorities Act* (stemming from amendments made in 2017, 2019, and 2020) through a staged process enabling a staggered rollout of regulations and policies in two phases.

The first stage of proclamations occurred on February 2, 2021 and included housekeeping amendments as well as provisions related to conservation authority governance, government requirements and the Minister of the Environment, Conservation and Parks powers. These were followed by the first phase of regulatory proposals posted to the Environmental Registry of Ontario and Ontario's Regulatory Registry for comment for 45-days from May 13 to June 27, 2021.

Following extensive consultation, the final regulations were filed on October 1, 2021 when the enabling provisions in the *Conservation Authorities Act* were proclaimed.

More information on the recently proclaimed provisions and approved regulations can be found via <https://ero.ontario.ca/notice/019-2986>.

## REGULATORY AND POLICY PROPOSALS FOR CONSULTATION

The proposals in this guide for consultation are to support development of the following:

1. LGIC regulation governing the apportionment by conservation authorities of their capital costs and operating expenses to be paid by their participating municipalities through municipal levies, as well as related conservation authority budgetary matters, including requirements that conservation authorities distribute their draft and final budgets to relevant municipalities and make them publicly available – i.e. “Municipal Levies Regulation”.
2. Minister's regulation governing the determination by a conservation authority of costs owed by specified municipalities for the authority's mandatory programs and services under the *Clean Water Act, 2006*, and the *Lake Simcoe Protection Act, 2008* – i.e. “Minister's regulation for determining amounts owed by specified municipalities”.
3. Minister's published list of classes of programs and services in respect of which a conservation authority may charge a user fee.
4. Complementary regulations to increase transparency of authority operations.

Until the levy regulations and policy proposals noted above are finalized and in effect and the associated legislative provisions proclaimed into force, conservation authorities and municipalities would continue to follow current levy and budgeting processes, as well as the current list of eligible user fees set out in provincial policy. The schedule of timing for the effective date of these proposed regulations and provincial policy is proposed to align with municipal and conservation authority calendar year budget cycles, beginning January 1, 2023. This would ensure that conservation authority 2024 budgets and levy processes would follow the updated regulations, and conservation authorities would have the necessary time to satisfy the legislative requirements following the Minister's publication of the list of classes of programs and services for which an authority may charge a user fee.

# PART 1: PROPOSED MUNICIPAL LEVIES REGULATION

## BACKGROUND

### MUNICIPAL LEVY FRAMEWORK

The province established conservation authorities through the *Conservation Authorities Act* based on resolutions by municipalities within a common watershed to address provincial and cross-municipal boundary interests in resource management, principally for water and natural hazard management.

The participating municipalities who petitioned for or later joined a conservation authority were agreeing to appoint their share of representative members to the authority, with the collective membership being the authority.

Municipalities also were agreeing to finance the conservation authority which, under the *Conservation Authorities Act*, must be done through the levy provisions. This Act enabled municipalities to take advantage of cost sharing through joint municipal funding of the conservation authority and its programs, services and projects (e.g., flood control infrastructure) that provide economic benefits, including through the protection of people and property.

A 'levy' is a compulsory financial charge on participating municipalities. Under the *Conservation Authorities Act*, an authority has the power to charge the participating municipalities for its operating expenses and capital costs if not funded by other revenue sources. The municipal levy provisions under the Act provide that the authority can determine the amount of levy required for expenses/costs and can apportion an amount of the total to each participating municipality as prescribed in the regulation. The levy under the Act is a debt due by the participating or specified municipalities to the authority and may be enforced by the authority as such.

Un-proclaimed provisions under the Act will, once proclaimed, continue to provide participating municipalities with the ability to appeal to the Ontario Land Tribunal regarding levy apportionments. Participating municipalities also have an opportunity to provide direct input into the authority annual municipal levy and authority budget.

Current legislation, regulations and provincial policy provide direction to the authorities and municipalities on the annual conservation authority budget process. The budget process also determines the total municipal levy required to be paid and how each type of authority cost can be apportioned among the participating municipalities based on the benefit each such municipality receives (or derives) from the costs. The *Conservation Authorities Act* provides that a conservation authority can determine the total benefit afforded to all the participating municipalities and the proportion of the benefit afforded to each of the participating municipalities (clause 21(1)(h)).



In 2019, participating municipalities provided over \$231 million to their conservation authorities through municipal levies (general and special project levies) under the *Conservation Authorities Act*. Municipal levies, the principal source of conservation authority funding, accounted for 56.6% of total authority revenue in 2019 with authority self-generated revenue accounting for 33.6%. Self-generated revenue could include cash raised through fees, such as user fees for park admissions, permitting fees, nature centre programs or stewardship services. Other revenue sources included provincial grants (6%) and federal grants (3.8%) (Conservation Ontario 2019 statistics).

Given the varying scope of programs and services each of the 36 conservation authorities provide and the size of their annual budgets to support those programs and services, each has a different makeup of revenue sources to finance their operations. For example, one authority may finance up to 81% of its annual operations through the municipal levy while another may only rely on the municipal levy for 28% of their budget, with the rest covered through other sources including self-generated revenue or provincial and federal grants (2019 conservation authority statistics).

Please see the Appendix for more information on the current municipal levy framework.

## NEW LEGISLATIVE AND REGULATORY FRAMEWORK

With the proclamation of recent amendments made to the *Conservation Authorities Act* and newly approved regulations (Environmental Registry of Ontario notice number [019-2986](#)) made under this Act, the ministry is reviewing the current municipal levy context. Unproclaimed amendments to the *Conservation Authorities Act* would replace the existing municipal levy provisions with new levy provisions, once proclaimed, and would be supported by proposed regulations intended to bring the municipal levy framework into alignment with the new legislative and regulatory framework.

The new legislative amendments and corresponding regulations now require the categorization of conservation authority programs and services into three categories: category 1 (those programs and services every conservation authority is required to provide), category 2 (programs and services a municipality requests the conservation authority to undertake pursuant to a memorandum of understanding or agreement) and category 3 (programs and services the authority decides to adopt to further the purposes of the Act).

Category 1 mandatory programs and services that conservation authorities must now deliver pursuant to [O. Reg. 686/21: "Mandatory Programs and Services,"](#) may be funded by provincial grants and, in some cases, conservation authority self-generated revenue (e.g., user fees, resource development). Where such revenue sources cannot finance the entire cost of these programs and services, under the unproclaimed levy provisions, a conservation authority will have the authority to levy their participating municipalities to finance these mandatory programs and services without any separate agreement. Most of the mandatory programs and services reflect long-standing programs and services that all 36 CAs have provided within their areas of jurisdiction.

Category 2 programs and services are those that a conservation authority delivers at the request of and on behalf of one or more municipalities (i.e., are municipally requested). Under the *Conservation Authorities Act*, a memorandum of understanding or service level agreement (or other similar agreement) between the parties is required and would describe the program(s) or service(s) to be delivered and will include provisions for how it is funded, where appropriate. Funding for such programs and services could be through special project levy and/or combined with user fees, or by other means as may be specified in the agreement if the municipality is not a participating or specified municipality. The ability for municipalities to request programs and services to be delivered by authorities on behalf of the municipalities is fundamental in the *Conservation Authorities Act* and long standing in authority budgets.

Category 3 programs and services are those a conservation authority determines are advisable to deliver in their area of jurisdiction (authority determined). For a conservation authority to levy for these programs and services, the authority must have cost apportioning agreements in place with the participating municipalities who have individually agreed to fund the programs and services. This requirement for participating municipalities to decide on funding category 3 programs and services and then enter into a cost apportioning agreement where the municipal levy is proposed to be used, is new to the funding and programming relationship between conservation authorities and participating municipalities. Cost apportioning agreements need to be in place as of January 1, 2024, for authorities to be able to levy for these category 3 programs and services as per the recently approved [O. Reg. 687/21 “Transition Plans and Agreements Regulation”](#).

## PROPOSAL

### MUNICIPAL LEVY

Unproclaimed provisions of the *Conservation Authorities Act* provide for legislative changes to the current levy provisions to reflect the changes stemming from the new categorization of programs and services and provide for an enhanced LGIC “Municipal Levies” Regulation to replace existing LGIC levy regulations (O. Reg. 670/00 “Conservation Authority Levies”; Ontario Regulation 139/96 “Municipal Levies”).

We are proposing to proclaim unproclaimed provisions of the *Conservation Authorities Act* that provide expanded regulatory authority for the LGIC to develop regulations which will govern the apportionment of the authority ‘operating expenses’ and ‘capital costs’ and conservation authority budgetary matters in general. ‘Operating expenses’ are defined in the *Conservation Authorities Act* and includes salaries of authority staff, per diems of authority members, rent and other office costs, program expenses, and costs related to the operation or maintenance of a project, and authority budgets break down these types of costs.

In order to safeguard the effective and timely transition of conservation authority operations to the new funding framework, we are proposing as part of this new Municipal Levies Regulation to apply the long practised municipal levy processes to the changed municipal levy context by:

- Maintaining consistency with current budget and municipal levy processes (i.e., budget, voting and apportionment methods as described in this guide).
- Using and adapting existing voting and apportionment methods and practices set out in current regulations or provincial policy.

Please see the Appendix for more details on the current municipal levy voting and apportionment methods.

The overall proposed approach in general is to provide direction as well as clarification where required while ensuring conservation authorities and municipalities have the necessary flexibility to respond to local circumstances. For example, for category 3 programs and services where an authority and participating municipalities are entering into cost apportioning agreements, these agreements could be with one, some or all municipalities and could use different apportioning methods on a case by case basis.

As a result, we propose that the Municipal Levies Regulation would:

- Incorporate the two current levies regulations (O. Reg. 670/00 “Conservation Authority Levies”; O. Reg. 139/96 “Municipal Levies”) and update as appropriate, including terminology such as ‘general levy’, ‘special project levy’, and removing ‘matching’, and ‘non-matching’ levy (see appendix for definitions).
- Incorporate the standards and policy for the authority budget process as currently set out in regulation and provincial policy. This is summarized in Table 1 below.

The intent is to ensure clear, consistent and transparent practice by the authorities and municipalities in the annual budget and municipal levy process and approval, and in the authority apportionment of project capital costs and operating expenses, including corporate administrative costs, to participating municipalities.

Additionally, we propose that the Municipal Levies Regulation would include:

- The two existing voting methods (i.e., the ‘one member, one vote’ and ‘weighted vote’, as set out in current legislation and regulation).
- The three current methods of apportioning expenses/costs (i.e., modified current property value assessment, agreement of the authority and participating municipalities, and as decided by the authority), while adapting the appropriate use of the apportionment and voting methods to the categories of programs and services where costs may be apportioned among all participating municipalities or to one or some.

See the Appendix for a summary of the current voting methods and methods for apportioning expenses/costs.

## CONSERVATION AUTHORITY BUDGETING

The total annual municipal levy amount is confirmed with the approval of the annual authority budget by the authority (the members) at the annual budget meeting.

Unproclaimed provisions provide the LGIC with regulatory authority to develop regulations that govern conservation authority budget matters including the process authorities must follow when preparing a budget, the consultations required, and the rules and procedures governing budget meetings including quorum for these meetings and voting on the budget.

Current budget processes that the authorities and participating municipalities have developed at the local level are based on a mix of legislation, regulation, policy and guidance, and appears generally to function well and often leads to unanimous approval of the authority budget.

We propose to update and consolidate current regulation, policy and guidance for the budget, where relevant, into the proposed Municipal Levies Regulation. We propose to leave the working relationship for authorities and municipalities to develop, and they can coordinate and communicate their fiscal and budgetary timelines and expectations. The proposed regulation would include what is in the current O. Reg. 139/96 "Municipal Levies", such as the items provided in Table 1 (i.e., methods of voting and notice).

In addition, it is proposed that as part of the consultation process on the budget with the participating municipalities, conservation authorities would be required to provide a summary of how the authority considered opportunities for self-generated revenue. We know that many conservation authorities provide valuable programs and services that are important to their local communities. These may be funded in whole or in part by self-generated revenue including from contracts with other organizations and user-generated fees or through other means. A greater reliance on self-generated revenue can reduce demands on the overall municipal levy and respect taxpayer dollars. Self-generated revenue can also come from resource development (e.g. logging, hydroelectric generation), fundraising and donations, services such as weddings and other events, as well as other rental / leasing opportunities such as for movie productions.

To enable full transparency in the conservation authority budget process, we are also proposing that the LGIC regulation would require each conservation authority to:

- 1) Publicly post its full draft budget, including the details related to operating and capital costs, on its website, irrespective of sources of revenue. This shall be done upon circulation to the municipality a minimum of 30 days prior to the meeting to decide any municipal levy component of the budget.
- 2) Distribute a copy of the final approved conservation authority budget to the Minister and its participating municipalities; and, make the final budget available

to the public by posting on its website and any other means the authority deems appropriate.

**Table 1. Elements of the proposed conservation authority budget process to be included in the proposed Municipal Levies Regulation.**

Conservation Authority Budget	Description
<p><b>1. Draft Annual Budget</b></p>	<p>Process:</p> <ul style="list-style-type: none"> <li>• Conservation authority staff prepare draft budgets each year including proposed municipal levy amounts (general and special project levies) and apportionments. The overall budget addresses all anticipated revenues and expenditures for the core mandatory programs and services and local priorities (category 2 and 3) as well as corporate costs.</li> <li>• Budgets are set based on the experience from the previous year, staff recommendations to address current priorities, and authority member input and direction.</li> <li>• An authority and participating municipalities coordinate and communicate with each other their fiscal and budgetary timelines and expectations for the municipal levy and for the budget.</li> <li>• The draft preliminary authority budget is circulated to participating municipalities and upon circulation, the authority would be required to publicly post the draft budget to its website a minimum of 30 days before a vote on the final budget by the municipally appointed members.</li> <li>• NOTE: this proposal aligns with current provincial policy.</li> </ul> <p>Vote:</p> <ul style="list-style-type: none"> <li>• The authority (i.e. the members) vote to approve the draft preliminary budget for circulation to the participating municipalities by one member/one vote (i.e., each member is entitled to one vote per subsection 16(1) of the <i>Conservation Authorities Act</i>).</li> </ul>
<p><b>2. Notification of Meeting</b></p>	<ul style="list-style-type: none"> <li>• Minimum 30 days' notice given to participating municipalities of the conservation authority meeting to decide on the municipal levy component of the annual budget (generally held at the meeting to approve the annual budget).</li> <li>• Notice must contain the amount of the municipal levy to be voted on and be accompanied by the financial information used to determine the levy, including the full draft authority budget which includes all operating and capital costs.</li> <li>• NOTE: this proposal aligns with requirements set out in the current Municipal Levies Regulation and provincial policy.</li> <li>• In addition, it is proposed that the conservation authority must provide a summary of how the authority considered opportunities</li> </ul>

	for self-generated revenue as part of the consultation process with participating municipalities on the budget and the levy.
<b>3. Municipal Levy Vote</b>	<ul style="list-style-type: none"> <li>• The municipal levy part of the authority budget includes both the general and special project levies, and would continue to be approved by a ‘weighted’ majority vote of 51% of all the members present at the meeting for the levy vote (generally also the meeting for the budget vote), as set out in current regulations.</li> <li>• Member votes are ‘weighted’ by the percentage of municipal levy their appointing municipality pays to the authority (‘pay for say’ principle).</li> <li>• A municipality cannot have a weighted vote of its members exceeding 50% of all the weighted votes unless that municipality has more than 50% of the members in the authority.</li> <li>• When a member represents more than one municipality, each of their weighted votes would be based on the respective municipal weighting.</li> <li>• Municipal levy vote is a recorded vote. No proxy vote.</li> <li>• NOTE: this proposal aligns with requirements set out in the current Municipal Levies Regulation and provincial policy.</li> </ul>
<b>4. Budget Vote</b>	<ul style="list-style-type: none"> <li>• Proposal is to provide the two voting options: <ul style="list-style-type: none"> <li>○ Each member is entitled to one vote.</li> <li>○ The member vote is ‘weighted’ (as noted above).</li> </ul> </li> <li>• The budget vote is a recorded vote. No proxy vote.</li> <li>• NOTE: this proposal aligns with current practices, where some authorities use the one member/one vote while others use the ‘weighted vote’.</li> </ul>
<b>5. Final Budget</b>	<ul style="list-style-type: none"> <li>• The conservation authority would distribute a copy of the final approved conservation authority budget to the Minister and its participating municipalities and would be required to make the final budget publicly available by posting it on their website in a timely manner and by any other means the authority considers advisable.</li> <li>• NOTE: this proposal aligns with current practices of many conservation authorities.</li> </ul>

## APPORTIONMENT METHODS FOR CONSERVATION AUTHORITY PROGRAMS AND SERVICES COSTS

Conservation authorities will be able to levy for all category 1 mandatory programs and services, and only levy for category 2 and 3 programs and services with memorandums of understanding or service level agreements (or other similar agreement) or cost apportioning agreements in place. It would be required that the conservation authority budget clearly show these programs and services categories and detailed associated cost apportionment method for the municipal levy among the participating municipalities for each going forward.

As noted above, we are proposing to provide direction on the methods available to conservation authorities to apportion 'capital costs' and 'operating expenses' while enabling flexibility in determining which method meets local needs.

### Category 1 Mandatory Programs and Services

Apportionment of 'operating expenses' and 'capital costs' of mandatory programs and services and the voting on the municipal levies for these programs and services is not proposed to change significantly from the current levy requirements. For the most part, the prescribed mandatory programs and services have been delivered by conservation authorities for many years, paid for (in whole or part) through the municipal levy.

'Operating expenses' for mandatory programs and services are proposed to be apportioned against all the participating municipalities using the modified current property value assessment method as set out in the current O. Reg. 670/00 "Conservation Authority Levies." However, where there may be operating expenses that do not apply to all participating municipalities (e.g., ice management, certain types of infrastructure operation and maintenance costs) it is proposed that those operating expenses may be apportioned by agreement of the authority and participating municipalities, or as decided by the authority, rather than the modified current property value assessment method.

Currently maintenance costs may be apportioned using two of the methods (i.e., modified current property value assessment or agreement of the authority and participating municipalities). It is proposed that capital costs would still be apportioned by any of the three of the current apportionment methods.

### Category 2 and 3 Programs and Services

We propose that the apportionment method(s) used for costs/expenses related to category 2 and 3 programs and services would provide flexibility, allowing the conservation authority and its participating municipalities to decide the method to use, which must be set out in an agreement (e.g., memorandum of understanding or service level agreement (or other such agreement) for category 2, or cost apportioning agreement for category 3). This would likely be dependent on the benefit afforded or derived by a municipality from the program or service relative to other participating municipalities funding the program or service and how many participating municipalities may be involved.

### Conservation Authority Corporate Administrative Costs (costs not directly related to the delivery of programs and services)

In order to successfully deliver all categories of programs and services, conservation authorities have ongoing 'operating expenses' and 'capital costs' to function effectively as an organization and ensure they can best deliver their programs and services. These



on-going 'corporate administrative' costs are not directly related to the delivery of any specific program or service and are costs to maintain the organization itself.

These costs could include for example: staffing and expenses for the authority members (governance costs), general management, clerical, financial (e.g., accounting, payroll), general asset management planning, IT staff, senior management costs, legal costs (e.g. 'back office functions'), office equipment and supplies including IT, vehicles and machinery, workshop space, main office occupancy costs (e.g., heating, utilities, potentially rent), depreciation on owned buildings and equipment, main office maintenance, repair as well as insurance and property taxes.

These corporate administrative costs do not require a memorandum of understanding or service level agreement (or other similar agreement) or cost apportioning agreement with a participating municipality for an authority to levy for these costs. We are proposing that these costs be included in the Municipal Levies Regulation and accounted for in a transparent, detailed and stand-alone manner in the authority's draft and approved budgets.

Unproclaimed provisions in the *Conservation Authorities Act* would also continue, once proclaimed, to enable a conservation authority to apportion a minimum levy for operating expenses to a participating municipality. The unproclaimed term 'operating expenses' under the Act includes corporate administrative costs as well operating costs of programs and services.

## PART 2: PROPOSED MINISTER'S REGULATION FOR DETERMINING AMOUNTS OWED BY SPECIFIED MUNICIPALITIES

### BACKGROUND

Recent changes to the *Conservation Authorities Act* include unproclaimed provisions that, once proclaimed, would allow conservation authorities to levy participating municipalities and 'specified municipalities' for the mandatory programs and services related to authority responsibilities under the *Clean Water Act, 2006* and for the Lake Simcoe Region Conservation Authority mandatory policy implementation under the *Lake Simcoe Protection Act, 2008*.

A 'specified municipality' is a municipality designated by regulation for a source protection authority/area under the *Clean Water Act, 2006* or designated under a regulation of the *Lake Simcoe Protection Act, 2008* as a municipality in the Lake Simcoe Region Conservation Authority; however, a specified municipality is not a participating municipality of a conservation authority under the *Conservation Authorities Act*. In other words, a specified municipality is a municipality or part of a municipality that did not join a conservation authority under the *Conservation Authorities Act* and is geographically

outside of any conservation authority area of jurisdiction under the *Conservation Authorities Act*.

The *Conservation Authorities Act* provides the Minister of the Environment, Conservation and Parks with regulatory authority to govern the determination of amounts owed by any of the specified municipalities for the programs and services an authority provides in respect of the *Clean Water Act, 2006* and the *Lake Simcoe Protection Act, 2008*.

We are proposing to proclaim the unproclaimed provisions in the *Conservation Authorities Act* related to the municipal levy and those related specifically to these other Acts.

No change is anticipated to the provincial funding for the drinking water source protection program under the *Clean Water Act, 2006* or *Lake Simcoe Protection Act, 2008*.

The unproclaimed provision (subsection 27.2(2)) of the *Conservation Authorities Act* would enable, once proclaimed, conservation authorities to determine amounts owed by any of its specified municipalities in connection with the mandatory programs and services the authority provides in respect of the *Clean Water Act, 2006* and *Lake Simcoe Protection Act, 2008* as set out in O. Reg. 686/21 "Mandatory Programs and Services Regulation."

## PROPOSAL

For the proposed Minister's regulation with respect to determining amounts owed by specified municipalities related to the programs and services under the *Clean Water Act 2006* and the *Lake Simcoe Protection Act, 2008*, as set out in the Mandatory Programs and Services Regulation, we propose to:

- clearly identify the specified municipalities for each of these Acts; and
- identify the methods available for conservation authorities to determine the costs that the specified municipalities may need to pay, including a process of engagement with and integration of the specified municipalities with the participating municipalities into the levy and budget process for the costs associated with these two mandatory programs and services, as set out in the LGIC regulation.

For the levy of participating and 'specified' municipalities under the *Lake Simcoe Protection Act, 2008*, the ministry is proposing that the modified current property value assessment method be the method for apportionment. It is anticipated that this would primarily cover operating expenses for the implementation of the mandatory Lake Simcoe Protection Plan policies by the Lake Simcoe Region Conservation Authority.

For the levy of participating and 'specified' municipalities for programs and services provided by a conservation authority in respect of the *Clean Water Act, 2006*, all three

apportionment methods are being proposed (i.e., modified current property value assessment, agreement of the authority and municipalities, and as decided by the authority). This is intended to enable flexibility for the local circumstances in each source protection area, with apportionment, if needed, taking into consideration the extent of risk to sources of drinking water in each municipality. The consideration of risk may involve assessing different agreed upon criteria (e.g., number of municipal drinking water systems, extent of wellhead protection areas and intake protection zones with significant drinking water threats).

The process for engaging specified municipalities on levies under the *Lake Simcoe Protection Act, 2008* and *Clean Water Act, 2006* is proposed to be similar to the levy process and budget process for participating municipalities under the *Conservation Authorities Act* (see Table 1, including the requirement for a minimum of 30 days' notice of the levy vote, distribution of the draft budget to the specified municipalities and public posting of the draft budget to the authority's website upon circulation of it to the specified municipalities). Voting on these levies is proposed to occur with both appointed members from the participating and specified municipalities together and the member vote on the municipal levy for these programs and services is "weighted" by the amount of levy for these mandatory programs and services the municipality pays to the authority. In addition, it is proposed that a copy of the final conservation authority budget be distributed to the specified municipalities, in addition to the Minister and the participating municipalities.

## PART 3: PROPOSAL FOR MINISTER'S PUBLISHED LIST OF CLASSES OF PROGRAMS AND SERVICES FOR WHICH A CONSERVATION AUTHORITY MAY CHARGE A FEE

### BACKGROUND

The current clause 21(1)(m.1) of the *Conservation Authorities Act* provides conservation authorities with the ability to charge fees for services that are approved by the Minister. The Minister approved list of services that conservation authorities may charge a fee for that is currently in effect is set out in the provincial *Policies and Procedures for the Charging of Conservation Authority Fees* (June 13, 1997) and includes section 28 permit fees, plan review, response to legal, real estate and public inquiries, extension services (e.g., technical advice / implementation of erosion control measures, forest management / tree planting), information and education services, and sale of products.

Also, in addition to the services the Minister approved for the charging of fees, under *Conservation Authorities Act* clause 21(1)(m), conservation authorities may charge admission for the use of lands that they own or control and to their building and facilities on that land for recreational purposes.

## PROPOSAL

We are proposing to proclaim s. 21.2 of the *Conservation Authorities Act*, which provides that the Minister may determine a list of 'classes of programs and services' that a conservation authority may charge a fee for, publish this list and distribute it to each conservation authority. An authority would be permitted to charge a fee for a program or service only if it is set out in the Minister's list of classes of programs and services. Once a conservation authority is granted the power to charge a fee for a program and service, the authority may determine the fee amount to charge.

The proclamation of s. 21.2 would ensure that a conservation authority administers fees in a transparent and accountable manner. For example, it would require a conservation authority to adopt and publish a written fee policy and fee schedule that lists the programs and services for which it charges a fee and the amount to be charged. If an authority makes changes to its fee schedule, it would be required to notify the public. The section also requires a conservation authority to set out the frequency with which the authority will conduct a review of its fee policy, including its fee schedule, the process for carrying out a review of the policy, including giving notice of the review and how the policy will be changed as a result of a review, and the circumstances and procedures under which any person may request the authority to reconsider a fee that was charged to the person.

In addition, a conservation authority would be required to reconsider a fee at the request of any person who finds that a fee the authority has charged is contrary to their fee schedule or excessive in relation to the program or service for which it was charged. After being requested to reconsider a fee, the authority may either vary the amount of the fee to be charged to an amount the authority considers appropriate, order that no fee be charged or confirm the original amount of the fee.

The Minister's classes of programs and services for which conservation authorities may charge fees captures 'user' fees - i.e., fees paid by a person or organization who requests a service they specifically benefit from. This includes use of a public resource (e.g., park access or facility rental) or the privilege to do something (e.g., receive an approval through a permit or an approval to undertake a regulated activity). The 'user' pay principle is considered appropriate when a program or service is delivered by a conservation authority to a requestor that is the primary beneficiary of the program or service. Conversely, the principle holds that those who do not benefit from the delivery of a program or service should not be obliged to pay. For these types of programs and services, such as the delivery of programs and services by the conservation authority that generate a public good or service, the municipal levy is the primary mechanism to fund conservation authorities.

The Minister's list of classes of programs and services is not however meant to capture fees for programs and services that are already enabled under other legislation. For example, North Bay-Mattawa Conservation Authority may charge a fee to administer on-site sewage systems approvals as prescribed in the *Building Code Act, 1992*. Since the

ability to charge this fee is already enabled through another statute, it is not proposed to be listed in the published list of classes of programs and services for which a conservation authority may charge a fee under the unproclaimed s. 21.2 of the *Conservation Authorities Act*. Similarly, where conservation authorities have been delegated by municipalities the role of a risk management official under the *Clean Water Act, 2006*, they may charge a fee for this role as set out by that Act; this fee will not be listed in the proposed Minister’s list of classes for which a conservation authority may charge a fee.

Once subsection 29(1) of the *Conservation Authorities Act* is proclaimed and [O. Reg. 688/21 “Rules of Conduct in Conservation Authorities”](#) is in effect, the current authority for conservation authorities to charge fees under subsection 29(1) would be repealed and a conservation authority’s ability to make such regulations would be transferred to the Minister. However, since the new Minister’s section 29 regulation does not prescribe any fees, the power to impose fees will depend on the Minister’s list of classes of programs and services that conservation authorities can charge a fee for, in amounts that the conservation authority may determine, under section 21.2 of the Act. This would affect the charging of fees by authorities for permits required to engage in activities on conservation authority owned or controlled lands, such as camping permits, and for the use (i.e. rental) of conservation authority property including vehicles, boats, recreational facilities and services.

It is recognized that continuing to enable user fees can increase opportunities for a conservation authority to generate their own revenue as well as reduce the overall municipal levy, respecting taxpayer dollars. We are proposing to continue to enable conservation authorities to charge fees where the user-pay principle applies and that the following be the published list of classes of programs and services that conservation authorities may charge fees for:

**Table 2. Proposed classes of programs and services for which a conservation authority may charge a fee.**

List of Classes	Qualifications
Category 1 Mandatory programs and services	<p>All mandatory programs and services where the following requirement is met:</p> <ul style="list-style-type: none"> <li>• Where the ‘user’ pay principle is appropriate such as:               <ul style="list-style-type: none"> <li>– Administration of s. 28 permits (current s. 28 and proposed s. 28.1, including technical advice and studies)</li> <li>– Responses to legal, real estate and public inquiries regarding a s. 28 permit</li> <li>– s. 29 regulation activities</li> <li>– Review of applications under other legislation</li> <li>– Access to authority owned or controlled land for passive recreation</li> </ul> </li> </ul>

<p>Category 2 programs and services – i.e. those requested by municipalities and requiring a memorandum of understanding or service level agreement (or other similar agreement).</p>	<p>All Category 2 programs and services where the following requirements are met:</p> <ul style="list-style-type: none"> <li>• Where the ‘user’ pay principle is appropriate <b>and</b></li> <li>• Provisions for the charging of fees are set out in the memorandum of understanding or service level agreement (or other similar agreement) between the authority and municipality(ies) for these programs and services.</li> </ul> <p>Examples may include commenting on <i>Planning Act</i> applications for matters other than natural hazards, such as for consistency with natural heritage policies.</p>
<p>Category 3 authority determined programs and services <u>with</u> cost apportioning agreement with participating municipalities</p>	<p>All Category 3 programs and services requiring a cost apportioning agreement where the following requirements are met:</p> <ul style="list-style-type: none"> <li>• Where the ‘user’ pay principle is appropriate <b>and</b></li> <li>• Provisions for the charging of fees are set out in the cost apportioning agreement<sup>1</sup> between the authority and the participating municipality(ies) for the program and service.</li> </ul> <p>Examples may include stewardship extension services that are partially funded by municipal levy.</p> <p>Exception to the requirement for provisions to charge fees in the agreement is where the cost apportioning agreement is to fund: i) category 3 park or non-passive recreational programs and services offered by conservation authorities on authority owned or controlled land that are funded in part by the municipal levy (for example, for public access and use (rental) of authority land, facilities and services such as active recreation and equipment rentals) or, ii) community relations, information and education as well as product sales. An authority would be able to charge a fee as appropriate in this case.</p>
<p>Category 3 authority determined programs and services <u>without</u> cost apportioning agreement</p>	<p>All Category 3 programs and services with no cost apportioning municipal agreement (i.e., no levy required), where the ‘user’ pay principle is appropriate, such as:</p> <ul style="list-style-type: none"> <li>• Programs and services offered by conservation authorities on authority owned or controlled land (for</li> </ul>

<sup>1</sup> To support this proposed fee class, amendments to [O. Reg. 687/21 “Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act”](#) are proposed to allow a participating municipality and conservation authority to determine where user fees can be established for those programs and services.

	<p>example, public access and use (rental) of authority land, facilities and services such as active recreation).</p> <ul style="list-style-type: none"> <li>• Sale of products from on or off authority owned land.</li> <li>• Provision of community relations / information / education services when on or not on conservation authority owned land.</li> </ul>
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## PART 4: COMPLEMENTARY PROPOSALS TO INCREASE TRANSPARENCY OF AUTHORITY OPERATIONS

### PROPOSAL

Complementary regulations are proposed to increase transparency of conservation authority operations. Specifically, the proposed Minister’s list of fee classes would enable fees for category 3 programs and services where a cost apportioning agreement is in place for a program or service if the ‘user’ pay principle is appropriate and provisions for the charging of fees are set out in the cost apportioning agreement between the authority and the participating municipality as noted in the Table above, including the proposed exception. To support this proposed Minister’s fee class, amendments to [O. Reg. 687/21 “Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act”](#) are proposed to allow a participating municipality and conservation authority to determine, through agreement, if user fees can be established for those programs and services. Requiring conservation authorities and participating municipalities to include provisions in the cost apportioning agreements increases transparency of user fees.

We are proposing through a Minister’s regulation that conservation authorities be required to maintain a *Governance* section on their website in a conspicuous and easily accessible location for the public to access key information. This section must include the conservation authority membership with email and phone contact information; authority bylaws; draft and final budgets; category 2 and 3 agreements between conservation authorities and municipalities; meeting schedule and could include other relevant governance documents (e.g. strategic plans). Noting that the *Conservation Authorities Act* already requires the following to be posted on the authority website: financial statements, meeting agendas and meeting minutes.

We are also proposing the authority would be required to include a notice on the website when it amends or enters into a new memorandum of understanding or other agreement with municipalities and ensure the most up to date version of the agreements are available on the authority’s website. The regulation would provide an exception for agreements that relate to the authority participating in a procurement process or portions of agreements that contain commercially sensitive information.



## APPENDIX

### CURRENT MUNICIPAL LEVY FRAMEWORK

There are two current LGIC regulations governing the nature and amount of the municipal levies:

- Municipal Levies regulation (O. Reg. 139/96) – provides the procedure for the ‘weighted’ votes for ‘non-matching’ levies and the requirement for notice to participating municipalities when the levy would be approved by a weighted vote. Also, it provides that levies cannot exceed the total cost of the project.
- Conservation Authority Levies regulation (O. Reg. 670/00) – provides the process to ‘apportion’ costs among all the participating municipalities using the modified current property value assessments. Also, it provides that an authority may establish a minimum sum to levied against a participating municipality.

Guidance materials are in place which support authorities and municipalities on the development of the annual authority budget and municipal levy, the voting method on the levies and the accountability of authority members to their appointing municipalities for the authority budget and municipal levy.

### CURRENT AUTHORITY BUDGET AND MUNICIPAL LEVY APPROVAL PROCESS

The total municipal levy amount is confirmed by the approval of the authority’s annual budget by the authority. Once the budget is approved, the levy for each participating municipality is automatically apportioned.

The amount of levy required from each municipality is sent in a notice of apportionment. Single-tier and regional municipalities are the ‘participating municipality’ in an authority and the levy would be apportioned to them. The levy is a debt due by the participating municipality to the authority and may be enforced by the authority as such.

The levy amount sent out in the notice to a municipality includes the municipality’s portion of the shared costs that are apportioned among all the participating municipalities, referred to as ‘general’ levy, and the costs specific to that municipality (or shared among a few) for specific authority programs or services, generally referred to as ‘special project levy’.

### CURRENT ANNUAL AUTHORITY BUDGET AND MUNICIPAL LEVY VOTING METHODS

For the authority’s current voting process on the municipal levy and the annual authority budget, there are two different voting methods: the ‘weighted vote’ in the Municipal Levies regulation, and ‘one member/one vote’ set out in the Act.

A ‘weighted’ vote occurs in a manner prescribed by the current Conservation Authority Levies regulation which is based on the ‘pay for say’ principle, where the ‘weighting’

reflects the percentage of municipal levy the appointing municipality pays to the authority. This levy vote is carried by a 'weighted majority'; each authority member's vote is 'weighted' by the percent of levy the member's appointing municipality pays to the authority. For example, if a municipality has 10 members in an authority that has a total of 15 members and that municipality has 89% of the levy to pay, the vote for each member of that municipality would 'weigh' 8.9% of the total 'weighted' vote.

The Conservation Authority Levies regulation stipulates however that a municipality cannot have a 'weighted' vote that exceeds 50% of the overall vote unless that municipality has more than 50% of the actual authority members. This ensures that unless that municipality has more than half the members in the authority, the municipality would need to have at least one other municipality's member(s) vote to pass the 'non-matching' levy. For example, if a municipality has 4 appointed members of a total of 10 authority members and that municipality provides 75% of the levy to the authority, the total weighted vote of its four members would not exceed 50% of the total weighted vote. Each member's weighted vote would then be 12.5%; the total of all four members' weighted vote equals 50% of the total weighted vote. Without the 'weighing', each member's vote would have been 18.75% for a total of 75% of the vote. Neither the Act nor current regulations specify when a 'weighted' vote should be used or for what sections of the Act.

Methods for authority voting on the annual budget is also variable among conservation authorities: some vote on the whole budget using the weighted vote, others may use the one member, one vote, with the levy portion of the budget voted by 'weighted vote'.

For approval of the levy associated with certain eligible provincial grant 'projects' (i.e., flood forecasting and warning) that require the authority to match or cost share with matching municipal levy, authority members use the one-member/one vote method.

## CURRENT APPROACH TO APPORTIONMENT OF CONSERVATION AUTHORITY COSTS

How the authority's current costs (administration, maintenance, and capital) under the Act are apportioned among the participating municipalities, is determined in different ways for the different types of costs.

### 1. Modified Current Property Value Assessment

This long-standing apportionment method set out in O. Reg. 670/00 Conservation Authority Levies is based on two principles:

- a. 'Municipal Ability to Pay': determined through the relative value of a municipality's total property tax base to the other property tax bases of the other municipalities in an authority; and

- b. 'Benefit derived' by a municipality from being in the authority: determined through the percentage of a municipality physically in an authority's jurisdiction (which can be in whole or in part) relative to the percentages of all the other municipalities' jurisdictions in an authority's jurisdiction.

The combination of relative modified current property value assessment dollars and the relative percentage of municipal jurisdiction in the authority's jurisdiction creates a percentage of what each municipality is to pay of the total levy amount the authority determines for its annual budget. While the method is complex, basically municipalities with relatively high property tax value pay a larger proportion of authority costs than municipalities with relatively low property tax value, tempered by how much of the geographic area of the participating municipality (the municipal jurisdiction in whole or in part) is located within the authority's area of jurisdiction.

This apportionment approach currently must be used when apportioning administration costs (as currently defined under the Act) as all the participating municipalities would be paying for these costs. This method may also be used for apportioning maintenance and capital costs of a project, again when all participating municipalities are to share these costs. The Conservation Authority Levies regulation describes this apportionment method.

This current levy apportionment method uses municipal property tax assessments at the single and lower tier municipal levels; however, the notice of apportionment (payment) from the authority goes to the 'participating' municipality which would include regional municipalities.

## 2. Agreement among the Authority and Participating Municipalities

A second method for authorities to apportion costs among all the participating municipalities is also enabled by the Conservation Authority Levies regulation. As an alternative to apportioning based on the modified current property assessment-based method, maintenance costs can be apportioned by agreement among the authority and participating municipalities on what the 'benefit derived' is for each participating municipality related to these maintenance costs where the modified current property assessment value based method is not considered appropriate. Capital costs may also be apportioned by this method.

## 3. As Determined by the Authority

A third method for an authority to apportion costs is for the authority (the members) to decide among themselves. This is the method often used for capital projects. The authority decides which participating municipalities should pay and how much each should pay ('benefit derived'). Dividing capital costs on the basis of 'benefit' is intended to ensure that costs paid by individual participating municipalities in support of project capital costs are proportionate to the benefits they receive (i.e., those who receive the greatest benefit pay the greatest share of costs).

**Table 3. Summary of current apportionment methods and authority costs.**

Current Conservation Authority Project Costs	Apportion by Modified Current Property Value Assessment	Apportion by Authority / Municipal Agreement	Apportion by the Authority
Capital	Yes	Yes	Yes
Maintenance	Yes	Yes	No
Administration	Yes	No	No

**Table 4. Summary of the current municipal levy framework.**

<i>Conservation Authorities Act</i>	Capital Costs for a Project	Maintenance and Administration Costs
Rules for administering	s. 25, s. 26, Municipal Levies regulation and provincial policy	s. 27, Municipal Levies and Conservation Authority Levies regulations and provincial policy
Voting	'Weighted Vote' method under the current Municipal Levies Regulation and provincial policy is required for capital costs unless there are specific provincial natural hazard grants for the authorities, in which case the one vote per member method applies. However, for capital costs, there are no provincial grants to be matched under the <i>Conservation Authorities Act</i> therefore the vote for capital costs has been by weighted vote.	One vote per member method for maintenance and administration costs funded by a specific provincial grant, and 'Weighted Vote' method under Municipal Levies regulation and provincial policy for costs <u>not</u> associated with activities or projects funded by the province.
Apportionment	Authority determines apportionment by benefit derived.	Authority determines apportionment of benefit derived using the modified current property value assessment method for administration costs.  Maintenance costs portion may use alternative system to the modified current property value assessment method if agreed upon by the participating municipalities and the authority.
Minimum levy	Not available.	Authority may set a minimum for administration costs.