



Lake Simcoe Region
conservation authority

BOARD OF DIRECTORS
Meeting No. BOD-02-20

Friday, February 28, 2020
9:30 A.M.

AGENDA

Meeting Location:
120 Bayview Parkway
Newmarket, ON

Minutes and agendas are available on our website: <http://lsrca.on.ca/>

Upcoming Events
2020

Friday, March 27th
9:00 a.m.

Board of Directors' Meeting
120 Bayview Parkway,
Newmarket, ON

Wednesday, June 10th
6:00 p.m.

Lake Simcoe Conservation Foundation
32nd Annual Conservation Dinner
Manor at Carrying Place Golf and Country Club
16750 Weston Road, Kettleby

Events are also listed on our Events Page on our website: <http://lsrca.on.ca/events/>

I. DECLARATIONS OF PECUNIARY INTEREST

II. APPROVAL OF AGENDA

Pages 1-5

RECOMMENDED: THAT the content of the Agenda for the February 28, 2020 meeting of the LSRCA Board of Directors be approved as presented.

III. ADOPTION OF MINUTES

a) Board of Directors

Pages 6-13

Included in the agenda is a copy of the minutes of the Board of Directors' Annual General Meeting No. BOD-01-20 held on Friday, January 24, 2020.

RECOMMENDED: THAT the minutes of the Board of Directors' Annual General Meeting No. BOD-01-20 held on Friday, January 24, 2020 be approved as circulated.

b) Conservation Ontario Council

Pages 14-24

Included in the agenda is a copy of the minutes of Conservation Ontario Council Meeting #4/19 held on Monday, December 9, 2019.

RECOMMENDED: THAT the minutes of Conservation Ontario Council Meeting #4/19 held on Monday, December 9, 2019 be received for information.

IV. ANNOUNCEMENTS

V. PRESENTATIONS

a) Climate Change Adaptation Strategy

Pages 25-36

Integrated Watershed Management Specialist, Kaitlyn Read, will provide an overview of the Climate Change Adaptation Strategy for the Lake Simcoe Region Conservation Authority. This presentation will be provided at the meeting.

RECOMMENDED: THAT the presentation by Integrated Watershed Management Specialist, Kaitlyn Read, regarding the Climate Change Adaptation Strategy for the Lake Simcoe Region Conservation Authority be received for information.

Included in the agenda is Staff Report No. 02-20-BOD regarding the Climate Change Adaptation Strategy for the Lake Simcoe Region Conservation Authority.

RECOMMENDED: THAT Staff Report No. 02-20-BOD regarding Climate Change Adaptation Strategy for the Lake Simcoe Region Conservation Authority be received; and

FURTHER THAT the Climate Change Adaptation Strategy for the Lake Simcoe Region Conservation Authority be approved.

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 Pages 4 and 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 matters.

RECOMMENDED: THAT the Board move to Closed Session to deal with confidential legal and human resources matters; and

FURTHER THAT the Chief Administrative Officer, members of the Executive Management Team, the Acting Director, Regulations, and the Coordinator BOD/CAO remain in the meeting for the discussion.

The Board will rise from to Closed Session and report findings.

RECOMMENDED: THAT the Board rise from Closed Session and report findings.

1. Human Resources Matter

Confidential Staff Report No. 08-20-BOD regarding a human resources matter will be provided to Board members prior to the meeting.

2. Legal Matter

Confidential Staff Report No. 09-20-BOD regarding a legal matter will be provided to Board members prior to the meeting.

3. Legal Matter

Confidential Staff Report No. 10-20-BOD regarding a legal matter will be provided to Board members prior to the meeting.

4. Legal Matter

A verbal update regarding a confidential legal matter will be provided at the meeting.

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 27, 2019. This meeting will be held at LSRCA's offices located at 120 Bayview Parkway in Newmarket.

XIII. ADJOURNMENT

AGENDA ITEMS

1. Correspondence

Pages 37-40

Correspondence items included in this agenda are as follows:

- a) Township of Uxbridge letter of January 30, 2020, regarding support for the continuation of programs and services delivered by conservation authorities.
- b) Town of New Tecumseth letter of February 14, 2020, regarding support for the continuation of programs and services delivered by conservation authorities.

RECOMMENDED: THAT correspondence listed in the agenda as Item 1a) be received for information.

2. Board Member Appointment to Lake Simcoe Conservation Foundation

Pages 41-42

RECOMMENDED: THAT Staff Report No. 03-20-BOD regarding appointing a designate member to represent LSRCA on the Lake Simcoe Conservation Foundation Board of Directors on behalf of the Chair be received; and

FURTHER THAT _____ be appointed to the Lake Simcoe Conservation Foundation Board of Directors for 2020.

3. Municipal Freedom of Information and Protection of Privacy Act: Annual Statistical Report for 2019 Pages 43-53

RECOMMENDED: THAT Staff Report No. 04-20-BOD regarding the Municipal Freedom of Information and Protection of Privacy Act – 2019 Annual Statistical Report be received for information.

4. Monitoring Report – Planning and Development Applications for the period January 1 to December 31, 2019 Pages 54-58

RECOMMENDED: THAT Staff Report No. 05-20-BOD regarding monitoring of planning and development applications for the period January 1 through December 31, 2019 be received for information.

5. LSRCA’s Land Disposition Policy for Municipal Infrastructure and Other Project Considerations Pages 59-97

RECOMMENDED: THAT Staff Report No. 06-20-BOD regarding LSRCA’s Draft Land Disposition Policy for Municipal Infrastructure and Other Project Considerations be received for information; and

FURTHER THAT the recommendations and policies contained within this report be approved.

6. Update on Pre-qualification of Restoration Consultants and Contractors Pages 98-101

RECOMMENDED: THAT Staff Report No. 07-20-BOD regarding pre-qualification of Consultant and Construction Services for Low Impact Development Retrofit Projects, and for Natural Heritage Restoration Projects – Grasslands, Wetlands and Streams be approved; and

FURTHER THAT staff be directed to re-issue the Request for Expression of Interest for Consultant and Construction Services for Low Impact Development Retrofit Projects and Natural Heritage Restoration Projects – Wetlands, Stream and Grassland Restoration every two years; and

FURTHER THAT the current prequalified vendors remain on the list for a one-time four-year term.



69th ANNUAL GENERAL MEETING

Board of Directors' Meeting No. BOD-01-20

Friday, January 24, 2020

Old Town Hall Newmarket
460 Botsford Street, Newmarket, ON

MINUTES

2019 Board Members Present

Councillor K. Aylwin
Mayor D. Barton
Mayor B. Drew
Councillor A. Eek
Regional Chairman W. Emmerson
Councillor P. Ferragine
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

2019 Board Members Absent:

Mayor D. Bath-Hadden
Councillor K. Ferdinands
Councillor W. Gaertner
Township of Ramara

LSRCA Staff Present:

L. Aspen	P. Du
R. Baldwin	D. Eldon
T. Barnett	S. Filson
M. Bessey	B. Ginn
K. Biddie	L. Grzywniak
R. Bolton	N. Hamley
A. Brown	T. Harvey
D. Campbell	C. Hawson
M. Critch	S. Ingott
P. Davies	S. Jagminas
J. Doyley	B. Kemp

2020 Board of Directors Present

Councillor K. Aylwin
Mayor D. Barton
Mayor B. Drew
Councillor A. Eek
Regional Chairman W. Emmerson
Councillor P. Ferragine
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

2020 Board Members Absent:

Mayor D. Bath-Hadden
Councillor K. Ferdinands
Councillor W. Gaertner
Township of Ramara

K. Kennedy	L. Spinks
N. Knight	T. Stanford
K. Lillie	C. Taylor
S. McKinnon	P. Thase
K. Nesbitt	B. Thompson
E. O'Connor	K. Toffan
N. O'Dell	M. Walters
G. Peat	K. Yemm
G. Pizzuto	K. Zeppieri
K. Read	
M. Rosato	



CAO Mike Walters welcomed guests and introduced LSRCA's Executive Management Team and staff thanking them for their dedication and hard work that contributed to making 2019 such a success. CAO Walters also thanked Trish Barnett and Sandra Ingott for organizing the meeting and Communications staff Susan Jagminas, Nancie Knight, Natasha O'Dell, Melissa Rosato, Kristen Yemm, and Katarina Zeppieri for producing the Annual Report, Video and presentation materials.

VI. PRESENTATIONS

a) The State of the Lake Simcoe Watershed

LSRCA Manager, Environmental Science and Monitoring, David Lembcke unfortunately was ill, but fortunately LSRCA's Limnologist, Dr. Brian Ginn was able to deliver the presentation on the recent phosphorus loads 2015-2017 update report. He noted that for the 2015-16 hydrologic (June 1-May 31) year, the phosphorus load was 87 tonnes, 2016-17 was 73 tonnes, and 2017-18 was 131 tonnes. In these years, much of this load was from tributary and polder sources, which are driven by precipitation and surface run-off. LSRCA's monitoring has shown that while phosphorus concentrations in tributaries have mostly shown no trend, there has been changes in tributary flow, which also increases the annual phosphorus load. In the 2017 hydrologic year, a greater tributary flow was controlled not by the total amount of annual precipitation, but the intensity and timing of some rainstorm events fell on wet-saturated or frozen ground that prevented infiltration of rainwater. June and February accounted for 40% of the 131 tonne load, including 11% of the phosphorus load being from a single 60 mm, overnight, rain event that occurred on June 23rd with rain falling on ground already soaked from five previous days of precipitation.

Dr. Ginn noted that these precipitation events are becoming more frequent, as predicted by modelled climate change scenarios. It is recommended that LSRCA not only continue to monitor phosphorus concentrations in tributaries to check the progress of LSPP strategies, but also look for ways to reduce stormwater volume in order to stabilize phosphorus loads to Lake Simcoe.

To view this presentation, please click on the following link: [The State of the Lake Simcoe Watershed](#)

b) The Health of Lake Simcoe

LSRCA's Limnologist, Dr. Brian Ginn presented some current environmental trends in Lake Simcoe as they relate to the newest phosphorus loading report, noting that although there has been variability in phosphorus loads, actual in-lake concentrations of phosphorus and dissolved oxygen continue to improve, relative to the 1980s, despite theories that they should fluctuate in proportion to phosphorus loading. In light of this unusual scenario, LSRCA will start to investigate reasons why Lake Simcoe has not responded to changing loads. Building on research from other parts of the Great Lakes Region, LSRCA will study if the recent change from invasive zebra to quagga mussels has impacted how phosphorus is being used and cycled in the lake, and also if the rapid spread of an invasive aquatic plant species (starry stonewort) is also impacting phosphorus availability in the lake.

To view this presentation, please click on the following link: [The Health of Lake Simcoe](#)



c) LSRCA 2019 Year in Review and Looking Forward into 2020

Chair Emmerson congratulated LSRCA staff and Board of Directors for an incredible year filled with many accomplishments. He then shared a video presentation that summed up this year's successes: [2019 Highlights Video](#) and noted that LSRCA's 2019 Annual Report is now available online. Please click this link to view LSRCA's 2019 Annual Report: [2019 Annual Report](#). To obtain a hard copy, please contact Katarina Zeppieri at k.zeppieri@lsrca.on.ca or 905-895-1281 ext 116.

LSRCA's CAO Mike Walters presented the 2020 Annual Operating Priorities, noting the focus for 2020 will be to complete the remaining priority actions outlined in LSRCA's [2016-2020 Strategic Plan: Vision to Action, Action to Results](#); namely:

1. Floodplain emergency mapping/flood relief program
2. Climate change adaptation and mitigation strategies
3. Asset management plan
4. Enhance service delivery – plan review and regulation
5. Scanlon Creek Operations Centre – renovation project
6. Continue fundraising for a new Nature Centre to house LSRCA's education programs
7. Community engagement strategy
8. Lead the salt reduction strategies
9. Land disposition policies and strategy
10. Continue restoration efforts
11. Continue to implement the Lake Simcoe Protection Plan (LSPP)
12. Draft the 2021-2026 Strategic Plan

To view this presentation, please click on the following link: [LSRCA's 2020 Annual Operating Priorities](#)

Moved by: S. Harrison-McIntyre

Seconded by: B. Drew

BOD-003-20 **RESOLVED THAT the three presentations provided by LSRCA's Manager, Environmental Science and Monitoring, David Lembcke, Limnologist, Dr. Brian Ginn, and Chief Administrative Officer, Mike Walters be received for information. CARRIED**

VII. 2019 BUSINESS IS CONCLUDED - CHAIR VACATES POSITION OF CHAIR

Chair Emmerson concluded the Year 2019 business and deemed the Chair vacant.

Moved by: K. Aylwin

Seconded by: C. Riepma

BOD-004-20 **RESOLVED THAT the Board of Directors conclude the business of 2019; and FURTHER THAT the Chair be declared vacant. CARRIED**



(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: M. Quirk

Seconded by: S. Harrison-McIntyre

BOD-007-20 **RESOLVED THAT the nominations for the position of Vice Chair be closed.**
CARRIED

Councillor Ferragine accepted the nomination, and CAO Walters congratulated Councillor Ferragine as the 2020 Vice Chair.

Chair Emmerson chaired the meeting from this point onward, thanking members for their confidence in him as Chair of the Board of Directors.

C. APPOINTMENT OF THE REGULATIONS SUB-COMMITTEE FOR 2020

CAO Walters 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: C. Riepma

BOD-008-20 **RESOLVED THAT the Chair and Vice Chair of the Conservation Authority, 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

D. APPOINTMENT TO CONSERVATION ONTARIO FOR 2020

CAO Walters explained it is the practice of LSRCA to request the Chair, or his/her designate, and the Chief Administrative Officer to represent LSRCA on Conservation Ontario's Committees and Council.

Moved by: V. Hackson

Seconded by: E. Yeo

BOD-009-20 **RESOLVED THAT the 2020 Authority Chair, or his/her designate, be appointed as the Authority's voting delegate to Conservation Ontario; and**

FURTHER THAT the Chief Administrative Officer be the alternate delegate.
CARRIED

E. APPOINTMENT TO THE LAKE SIMCOE CONSERVATION FOUNDATION FOR 2020

CAO Walters explained that the responsibilities of the Chair and Vice Chair include serving on the Lake Simcoe Conservation Foundation or appointing a designate.



XI. BORROWING RESOLUTION – 2020

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

Moved by: D. Barton

Seconded by: V. Hackson

BOD-013-20 **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 – 2020

The Board approved Staff Report No. 01-20-BOD, which outlined a proposed schedule (below) of 2020 meeting dates for the LSRCA's Board of Directors.

Friday, February 28th
Friday, March 27th
Friday, April 24th
Friday, May 22nd

Friday, June 26th
Friday, July 24th
No meeting in August
Friday, September 25th

Friday, October 23rd
Friday, November 27th
Friday, December 18th

Moved by: T. Vegh

Seconded by: S. Harrison-McIntyre

BOD-014-20 **RESOLVED THAT Staff Report No. 01-20-BOD regarding the 2020 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 in their respective roles.

XIV. ADJOURNMENT

Moved by: C. Riepma

Seconded by: T. Vegh

BOD-015-20 **RESOLVED THAT the meeting be adjourned at 12:00 p.m. local time. CARRIED**

Original to be signed by:

Regional Chairman Wayne Emmerson
Chair

Original to be signed by:

Michael Walters
Chief Administrative Officer

COUNCIL MEETING

Minutes from Meeting #4/19

December 9, 2019

Sheraton Parkway Toronto North

Voting Delegates Present:

Chair: Wayne Emmerson, Lake Simcoe

Brian Horner, Ausable Bayfield

Alan Revill, Cataraqui Region

Katrina Furlnetto, Cataraqui Region

RicK Cerna, Catfish Creek

Chris Wilkinson, Catfish Creek

Chris Darling, Central Lake Ontario

Karen Ras, Credit Valley

Deb Martin-Downs, Credit Valley

Tim Pidduck, Crowe Valley

Richard Wyma, Essex Region

Linda Laliberte, Ganaraska Region

Samantha Lawson, Grand River

Cathy Little, Grey Sauble

Hassaan Basit, Halton

Lloyd Ferguson, Hamilton

Lisa Burnside, Hamilton

Mark Majchrowski, Kawartha

Elizabeth VanHooren, Kettle Creek

Mike Walters, Lake Simcoe Region

Donna Blunt, Lakehead

Tammy Cook, Lakehead

Michael Columbus, Long Point Region

Judy Maxwell, Long Point Region

Mark Peacock, Lower Thames

Jim Alyea, Lower Trent

Rhonda Bateman, Lower Trent

Janet Mason, Mississippi

Jeff Atkinson, Mississippi

Sally McIntyre, Mississippi

Diana Huson, Niagara Peninsula

Gayle Wood, Niagara Peninsula

Lin Gibson, Nickel District (Con.Sudbury)

Carl Jorgensen, Nickel District (Con.Sudbury)

Brian Taylor, North Bay-Mattawa

George Watson, Nottawasaga Valley

Doug Hevenor, Nottawasaga Valley

Andy Mitchell, Otonabee

Dan Marinigh, Otonabee

John Wise, Quinte

Frank Prevost, Raisin Region

Richard Pilon, Raisin Region

Sommer Casgrain-Robertson, Rideau Valley

Dan Gieruszak, Saugeen

Dick Hibma, Saugeen

Corrina Barrett, Sault Ste Marie Region

Joe Faas, St. Clair Region

Larry Gordon, St. Clair Region

Brian McDougall, St. Clair Region

John Mackenzie, Toronto and Region

Sandy Levin, Upper Thames River

Ian Wilcox, Upper Thames River

Members Absent:

Mattagami

Guests:

Phil Beard, Maitland Valley

Darren MacKenzie, Niagara Peninsula

Brad McNevin, Quinte

Angela Coleman, South Nation

CO Staff:

Kim Gavine

Kristin Bristow

Nicholas Fischer

Bonnie Fox

Chitra Gowda

Jane Lewington

Nekeisha Mohammed

Leslie Rich

Jo-Anne Rzadki

Rick Wilson

1. Welcome from the Chair

Members were welcomed by Chair Wayne Emmerson and an Indigenous recognition provided. Chair Emmerson noted that the Deputy Minister would be attending in Minister Yurek's stead.

2. Adoption of the Agenda

It was requested that the following items be moved from Consent Items to Discussion:

8 d. Conservation Ontario's Comments on "Transforming and modernizing the delivery of Ontario's Building Code services" (ERO #019-0422)

8 f. Update on the Memorandum of Understanding between Conservation Ontario and Hydro One

8 g. Interagency Park Pass Project

8 i. Budget Status Report

8 j. Program Updates – i) Marketing & Communications Program Update

**#29/19 Moved by: Mike Walters
Seconded by: Alan Revill**

THAT the Agenda be adopted as amended.

CARRIED

3. Declaration of Conflict of Interest

There was none.

4. Approval of the Minutes of the Previous Meeting

Two corrections have been made to the minutes from the September 30, 2019 Council Meeting:
Voting Delegates Present: include Pieter Leenhouts (Rideau Valley)

General Managers Report: include action item stating that CAs would share information following each of their respective meetings with the Minister of Environment, Conservation and Parks.

**#30/19 Moved by: Lin Gibson
Seconded by: Stephen Harvey**

THAT the minutes from the meeting September 30, 2019 be approved as amended.

CARRIED

5. Business Arising from the Minutes

None

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

#31/19 **Moved by: Karen Ras**
Seconded by: Stephen Harvey

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

CARRIED

7. Discussion Items

a. General Manager's Report

Kim Gavine's presentation is attached to the minutes of the meeting.
Action Items from the report and discussion:

Uncertainty and concern was expressed regarding the use of self-generated revenue after a CA's meeting with Minister Yurek. Others provided their understanding that the Minister's letter was not intended to indicate that those programs would not be permitted to use self-generated revenue. It was noted that Minister Yurek needed clarification that CAs were not taking Section 39 payments and using those funds to offer community events and programming, and also needed clarification that funding for these community events and programming were not buried in the CAs' municipal levies.. It was suggested holding a breakfast reception at ROMA to facilitate discussions with municipalities, and also suggested that speaking with sub-regional groups (Southeastern and Soutwestern Warden's Caucus) would be a good opportunity. It was recommended that CAs send a letter to every Mayor and Council in their regions to share positive messaging with their municipal partners. There was no further conclusive direction provided on this suggestion by CO Council. It was noted the importance of having the Ministry's retraction letter (vis-à-vis email to Kim Gavine) when discussing levy increases with the municipalities. Kim Gavine also noted that the Ministry's second letter of retraction was not received by all municipalities and Bonnie Fox noted that the AMO letter that was circulated suggesting that they should approach levy negotiations as "business as usual" could be used in this case. Strategically we should be moving with business as usual and driving the agenda on core mandate. Leslie Rich noted the importance of the Client Services and Streamlining Initiative with the Province, development community and municipalities. It was identified that some sectors see CAs as an impediment around plan review particularly natural heritage. The MECP seems to consider the hazard work is a direct benefit to people and property and that natural heritage is a "nice to have" about environmental protection. It was noted that the municipalities for their watershed made it clear to the Ministry that if water quality is affected there is a chain reaction leading to loss of tourism and water quality issues which results in the public calling MPAC for reassessment every time there is an algae bloom. The message was natural heritage speaks directly to the health of the tax base; healthy watershed, healthy economy and that heritage work mitigates the hazards. It was noted the importance of proposing the economic link between heritage and hazard work, and the need for an integrated watershed management approach.

C.W. # 28/19 **Moved by: Cathy Little**
Seconded by: Alan Revill

THAT Conservation Ontario Council receives this report as information

CARRIED

b. CO Strategic Plan 2021-2025

Jane Lewington's presentation is attached to the minutes of the meeting.

C.W. #29/19 **Moved by: Lin Gibson**
Seconded by: Stephen Harvey

THAT Conservation Ontario Council approve the proposed timeline and workplan for Conservation Ontario's 2021 – 2025 Strategic Plan.

CARRIED

c. Council Meeting Dates 2020

The request was made to consider moving the June meeting to June 15th from June 22nd.

Meeting Dates Confirmed:

April 6, 2020

June 15th, 2020

September 28, 2020

December 14, 2020

C.W. #30/19 **Moved by: Frank Prevost**
Seconded by: George Watson

THAT the 2020 Conservation Ontario Council meeting schedule be adopted.

CARRIED

d. Development of a Conservation Ontario Training and Professional Development Strategy

Bonnie Fox and Nicholas Fischer's presentation is attached to the minutes of the meeting.
Action Items from the report and discussion:

John Mackenzie noted that there are not enough technical training opportunities readily available, and that he would like TRCA to work with this group on modifying their STEP programming for the 2020 year and beyond as they have capacity to deliver some of this training. Bonnie noted that the STEP program had come up as a key partner.

C.W. #31/19 **Moved by: Karen Ras**
Seconded by: Dianna Huson

THAT the Conservation Ontario "Training and Professional Development Strategy" be endorsed.

CARRIED

e. CO Client Service and Streamlining Initiative: Update to the Three Streamlining Guidelines

Leslie Rich and Nicholas Fischer's presentation is attached to the minutes of this meeting. Chris Darling noted that CLOCA was one of the CAs that proposed the amendments covered and requested to make a motion to approve the two amendments.

C.W. #32/19 Moved by: Chris Darling
Seconded by: John Mackenzie

THAT the draft Annual Reporting on Timelines Template, dated November 28th be endorsed for use by conservation authorities;

THAT the updates to the CA-Municipality MOU Template for Planning and Development Reviews, the Client Service Standards for Conservation Authority Plan and Permit Review, and the Guideline for CA Fee Administration Policies for Plan Review and Permitting be endorsed.

CARRIED

Presentation:

Jennifer Keyes, Manager of Water Resources, Great Lakes and Water Policy Branch at MNRF provided a presentation on the Flood Advisor's report. It is attached to the minutes of the meeting.

f. ESRI Canada Enterprise License Agreement

Rick Wilson's presentation is attached to the minutes of this meeting.

John Mackenzie expressed his appreciation for CO's efforts on behalf of the collective and for working closely with Toronto and Region Conservation Authority's Chief Information Officer Chris [J. Moore] on this file.

C.W. #33/19 Moved by: John Mackenzie
Seconded by: Alan Reville

THAT Conservation Ontario Council provide approval for Conservation Ontario to enter into an agreement with Esri Canada on behalf of the CA collective for a period of up to three years provided

the agreement meets the following conditions:

- ***Cost is equal to or less than 2019 annual maintenance cost of \$270,000;***
- ***Annual cost does not increase for the agreed-upon term; and***
- ***Access to software, training and services is equal to or greater than that currently offered***

CARRIED

(Moved from Consent):

(formerly Consent 8 a.)

Conservation Ontario's comments on the "Provincial Policy Statement Review – Proposed Policies" (ERO#019-0279)

Leslie Rich noted that the original PPS comments provided to the Flood Advisor and these PPS comments provided to MMAH both requested that CAs be involved and consulted with prior to any changes to Section 3.1 of the PPS.

It was discussed that Conservation Ontario should pursue more aggressively a meeting with the Province regarding CO comments on the PPS and any changes the Province may be proposing to Section 3.1 of the PPS. It was noted that the Province might be coming out with a revised PPS early in the new year.

C.W. #34/19 Moved by: John Mackenzie
Seconded by: Karen Ras

THAT Conservation Ontario's Comments on the "Provincial Policy Statement Review – Proposed Policies" submitted to the Ministry of Municipal Affairs and Housing on October 21, 2019 be endorsed.

CARRIED

(formerly Consent 8 d.)

Conservation Ontario's Comments on "Transforming and modernizing the delivery of Ontario's Building Code services" (ERO #019-0422)

Further to the support of the Province for administrative penalties in the context of this proposal, it was raised that Council should consider whether they wanted to revive a June 2016 Council resolution for CAs to be able to use administrative penalties under Section 28 of the CAA.

C.W. #36/19 Moved by: John Mackenzie
Seconded by: Sally MacIntyre

THAT Council endorse Conservation Ontario's Comments on "Transforming and modernizing the delivery of Ontario's Building Code services" (ERO #019-0422) submitted to the Ministry of Municipal Affairs and Housing on November 25, 2019.

CARRIED

(formerly Consent 8 f.)

Update on the Memorandum of Understanding between Conservation Ontario and Hydro One

Action Items from the report and discussion:

John Mackenzie noted TRCA's initiative called the Meadoway Project and noted that CAs could be involved more in stewardship activities within hydro corridors with Hydro One. The request was made for CO Council to consider looking at the MOU update and CA opportunities to work with stewardship activities in these hydro corridors. Leslie noted that it would be better for this to be brought back in a future report to the next Council meeting. Sally McIntyre agreed with this approach and that CAs should be looking at this as a collective.

C.W. #37/19 Moved by: John Mackenzie
Seconded by: Diana Huson

THAT Council receives this report as information.

CARRIED

(formerly Consent 8 g.)

Interagency Park Pass Project

Action Items from the report and discussion:

John Mackenzie noted that Parkbus doesn't seem to have a lot of infrastructure and had questions about the proposal. Jane Lewington noted that Parkbus is working with the Province and funded by Ministry of Tourism Culture and Sport to provide a research project. Currently Parkbus offers passes to State and National parks in the United States and thought that the model might work with National Parks, Ontario's Provincial Parks and Conservation Areas. Some CAs already have contacts with Parkbus and there is a small committee of CA staff (UTRCA, CVC, and LSRCA) working with Parkbus on an exploratory project to see if this initiative is something that the CAs may be interested in. A report to CO Council will be brought forward in the future. John Mackenzie asked to have a TRCA representative on this initiative and Jane Lewington noted this could be done. Doug Hevenor noted his past experience with Parkbus in the Parks department in the United States and noted that parks with gate admissions were charged and fees were charged for activities on those sites there was an increase in revenue, but for parks with only gate admission or parking passes, there was a loss of revenue at those sites; there may be similar challenges here.

C.W. #38/19 Moved by: Frank Prevost

Seconded by: Lin Gibson

THAT Conservation Ontario Council receives this report for information.

CARRIED

(formerly Consent 8 i.)

Budget Status Report to October 31, 2019

John Mackenzie had questions about the Government review and CAA review. Kim Gavine noted that the CAA was a transfer payment from MNRF and that CO no longer has that funding which entailed Indigenous training, CAU, and Information Management work on WECA and the CA statistical survey. John Mackenzie asked for clarification on the funding for Latonnell. Jane Lewington noted that it is a cost recovery system, and any revenue generation pays for Latonnell. Any reserve is used for years with low revenue generated. John Mackenzie asked about the information listed regarding accounting and audit fees. Kim Gavine noted that the audit was approved by CO Council in 2015 with incremental increases on an annual basis; the audit fee for 2019 is \$9,000 and next year the audit will go out to market. Kim Gavine indicated that accounting fees were higher than usual due to a medical leave and the need for additional support. Wayne Emmerson noted that perhaps the budget should not be a consent item going forward and rather part of the discussion agenda.

C.W. #39/19 Moved by: Michael Columbus

Seconded by: Mike Walters

THAT Conservation Ontario Council receives this report for information.

CARRIED

(formerly Consent 8 j. –i)

Program Updates

i. Marketing & Communications Program Update

John Mackenzie had questions about Latornell keynote speakers., Jane Lewington noted with examples that there is group that focuses on this and that the programed is tailored to CA business areas (watershed management, natural heritage, flooding, SWP). It was noted that Latornell does a survey after the event every year and typically the keynote speakers rate excellent or very good., John Mackenzie noted that the TRCA staff noted that they are looking for more skill related speakers. Jane Lewington noted that the Latornell program is under review this year for going forward, and noted that the survey had been circulated to CA GMs for feedback. John Mackenzie suggested partnering with Ontario Professional Planners Institute (OPPI) and that providing credits may help with drawing attendance. Deb Martin-Downs noted that CA staff help with partnering by providing the content through abstract submissions, and that it is incumbent on all of us to provide the quality information and content to meet everyone's needs.

**C.W. #40/19 Moved by: Karen Ras
Seconded by: John Mackenzie**

THAT Conservation Ontario Council receives this report as information.

CARRIED

8. Consent Items

**C.W. # 41/19 Moved by: John Wise
Seconded by: Sandy Levin**

THAT Council approve a consent agenda and endorse the recommendations accompanying Items 8c, 8e 8h, 8j (ii-iv) and 8k.

CARRIED

- a. Conservation Ontario's comments on the "Provincial Policy Statement Review – Proposed Policies" (ERO#019-0279)

THAT Conservation Ontario's Comments on the "Provincial Policy Statement Review – Proposed Policies" submitted to the Ministry of Municipal Affairs and Housing on October 21, 2019 be endorsed.

- b. Conservation Ontario's comments on the "Proposed amendments to the Aggregate Resources Act" (ERO#019-0556) and Schedule 16 of Bill 132, Better for People, Smarter for Business Act, 2019

THAT Conservation Ontario's comments on the "Proposed amendments to the Aggregate Resources Act" (ERO#019-0556) and Schedule 16 of Bill 132, Better for People, Smarter for Business Act, 2019 submitted to the Ministry of Natural Resources and Forestry on November 1, 2019 be endorsed.

- c. Conservation Ontario's comments on the "Waterpower Exemption from Permits To Take Water" (ERO#019-0545) and the "Amendments to Three Statutes administered by the Ministry of Natural Resources and Forestry to support the proposed Better for People, Smarter for Business Act, 2019 and a proposal for a new regulation under the Lakes and Rivers Improvement Act" (ERO#019-0732)

THAT Conservation Ontario's comments on the "Waterpower Exemption from Permits To Take Water" (ERO#019-0545) and the "Amendments to Three Statutes administered by the Ministry of Natural Resources and Forestry to support the proposed Better for People, Smarter for Business Act, 2019 and a proposal for a new regulation under the Lakes and Rivers Improvement Act" (ERO#019-0732)

submitted to the Ministry of the Environment, Conservation and Parks and the Ministry of Natural Resources and Forestry on November 27, 2019 be endorsed.

- d. Update to the CO Section 28 Regulations Committee Terms of Reference

THAT the draft Terms of Reference for the Conservation Ontario Section 28 Regulations Committee, dated November 25, 2019, be endorsed.

- e. EcoHealth Ontario Year End Review

THAT Conservation Ontario Council receives this report as information.

- f. Program Updates

- ii. Business Development & Partnerships Report

THAT Conservation Ontario Council receives this report as information.

- iii. Information Management (IM) Program Update

THAT Conservation Ontario Council receives this report as information.

- iv. Drinking Water Source Protection Program Update

THAT Conservation Ontario Council receives this report as information.

- g. Correspondence

Update from the Weather Network

9. Motion to Move from Committee of the Whole to Full Council

#31/19 **Moved by: Alan Revill**
Seconded by: John Mackenzie

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

CARRIED

10. Council Business – Council Adoption of Recommendations

#32/19 **Moved by: Dan Gieruszak**
Seconded by: Richard Wyma

THAT Conservation Ontario Council adopt Committee of the Whole (C.W.) Recommendations: C.W. #28/19 to C.W. #41/19.

CARRIED

Deputy Minister of MECP, Serge Imbrogno was present to speak with CO Council. The presentation prepared originally for Minister Yurek was delivered by the Deputy Minister.

Kim Gavine asked about the broader consultations that the Ministry has planned for the New Year. Deputy Minister Imbrogno noted that once the pre-consultations with the CAs have concluded there will be stakeholder sessions including CAs, municipalities, and other stakeholders. John Mackenzie noted that workshops with good facilitation teams can be very helpful in the process; a regional workshop format would be helpful. Deputy was not sure how far they would travel. He invited CAs to suggest facilitators if they had any in mind.

Kim Gavine asked if the Ministry would entertain the idea of a CO/AMO working group to help with the development of the regulations in support of the recent changes to the CAA. Deputy Minister Imbrogno noted that the Ministry is frequently involved in discussions with AMO and that this request would likely be considered by the Government.

Kim Gavine asked what more CAs could do to assist with the Government's Healthy Parks Healthy People Consultations. Deputy Minister Imbrogno noted that the EcoHealth work has been very impressive and hopes that the CAs will continue to work with the Ministry on this initiative.

Kim Gavine noted that the CAs are eager to assist with the Climate Change Advisory Panel. Deputy Minister Imbrogno noted that the Ministry has put out an RFP for consultants to submit for a climate impact assessment and the committee will reach out to Conservation Authorities. They should be ready to present to them at that point.

CO Chair Wayne Emmerson asked about direction regarding non-core/core programs., Deputy Minister Imbrogno noted that the Government's direction was that the core programs would be funded by the municipal levy and that non-core programs would be negotiated with the municipality through an MOU for funding. CAs were not expected to stop non-core programs, but they could not levy the municipalities for that funding, unless through agreement, and that only core programs would be funded through municipal levy. Lloyd Ferguson asked about CA programs that are fully funded by user fees and if CAs can continue those programs; Deputy Minister Imbrogno responded that yes that was the case.

Hassaan Basit recommended that the narrative around the message with core vs. non-core programs should change after the consultations with CAs to be more positive in nature. Deputy Minister Imbrogno said he would take that suggestion back to Minister Yurek.

Michael Columbus asked if there was any thought at the Ministry about returning to the MNRF model of having a Conservation Authorities Division Deputy Minister Imbrogno noted that this was a common question in the meetings between CAs and the Minister and that he thinks Minister Yurek is actively considering creating a branch to work with the CAs.

Doug Hevenor asked about transparency and ways the Province thinks they need to be improved. Deputy Minister Imbrogno noted that consistency for regulatory processes and best practices with the development community that other CAs can adopt would be helpful. Gayle Wood noted the Niagara Peninsula CA audit with the Auditor General and noted that NPCA is committed to making sure that transparency and improvements are exemplified.

Dan Marinigh noted the *Made in Ontario Plan* and the reference to conserving Ontario's natural resources is part of the mandate of CAs. Is there any conversation at the Province about what the scope of conserving the natural resources is? Deputy Minister Imbrogno noted that the Government is looking at

a number of things; conservation reserves, the Federal Government's Canada 101 Challenge to which the Ontario Government has submitted a proposal to see more land conserved, and part of this could be working with CAs on this if the proposal is successful. It was noted that any ideas the CAs have might be helpful as well.

Wayne Emmerson noted that there is funding needed for flood mapping work undertaken by CAs.

Sandy Levin asked about the SAR list and if it will stay as is or after the re-write if species at risk in other jurisdictions will be counted. Is that going forward or retroactive? Deputy Minister Imbrogno noted that there is no retroactive list; the changes would be a SAR trust which is currently in development.. Developers can pay into the trust and the Government can tap into those funds to replant trees, etc.

John Mackenzie asked for insights on how the inter-ministerial coordination will come up with a cohesive approach and understanding when the PPS is released in the spring? Deputy Minister Imbrogno noted that there is a formal structure in place to keep the different Ministries up to speed on what each other is undertaking, and informal structures like the PERL committee which meets twice a month helps MECF and MNRF remain up to speed on what they are each working on. It was noted that there is also a "multi-corner" approach within the framework when an initiative is moving forward, and all Ministries impacted are asked for feedback.

CO Chair Wayne Emmerson thanked the Deputy Minister for his time and the visit.

11. New Business

Special mention was made of Gayle Wood's work and accomplishments as this is her last meeting for CO Council.

Survey will be sent out to the CO Council for the location of future council meetings.

12. Adjournment of Meeting

#33/19 Moved by: John Mackenzie

THAT the meeting be adjourned.

CARRIED

TO: Board of Directors

FROM: Kaitlyn Read, EP, H.BSc., MSc.
Integrated Watershed Management Specialist

DATE: February 18, 2020

SUBJECT: Climate Change Adaptation Strategy for the Lake Simcoe Region Conservation Authority

RECOMMENDATION: THAT Staff Report No. 02-20-BOD regarding Climate Change Adaptation Strategy for the Lake Simcoe Region Conservation Authority be received; and

FURTHER THAT the Climate Change Adaptation Strategy for the Lake Simcoe Region Conservation Authority be approved.

Purpose of this Staff Report:

The purpose of this Staff Report No. 02-20-BOD is to provide the Board of Directors with an overview and to seek approval of the Climate Change Adaptation Strategy for the Lake Simcoe Region Conservation Authority. A summary of the strategy is attached for information and the entire strategy is available on LSRCA's website and through this link: [Climate Change Adaptation Strategy for LSRCA](#)

Background:

There is no doubt that our climate is changing. We have the data to show it and we know that people are feeling its impact. To ensure that LSRCA's approach to climate change adaptation is strategic and targeted, the development of a Climate Change Adaptation Strategy was identified as a priority action to achieve Goal 2 of LSRCA's 2016-2020 Strategic Plan – to improve knowledge and increase certainty through excellence in research and scientific knowledge. The Climate Change Adaptation Strategy for the Lake Simcoe Region Conservation Authority forms part of a larger LSRCA initiative to address climate change, including a corporate Carbon Reduction Strategy and a Climate Change Mitigation Strategy for the watershed.

The Climate Change Adaptation Strategy was initiated in 2016 and involved a series of steps; including, downscaling the global climate projections to the Lake Simcoe watershed; reviewing LSRCA's monitoring data and technical reports to determine the vulnerability of the watershed to projected future climate; and identifying recommendations for action. All this material was compiled into the technical chapters in the Strategy. At the outset of the project, an internal working group was formed to guide the overall direction of the strategy, as well as to review technical content and assist in developing recommendations. This working group consisted of representatives from LSRCA's Planning and Development, Environmental Science and Monitoring, Watershed Plans and Strategies, Communications, Watershed Restoration Services, and Forestry and Greenspace Services departments. External stakeholders were also consulted during the process and included Chippewas of Georgina Island First Nation, Ministry of Environment Conservation and Parks (MECP), Ministry of Natural Resources and Forestry (MNRF), Simcoe Muskoka District and York Region public health agencies, watershed municipalities, and neighbouring conservation authorities.

The overall objective of the strategy was to assess the potential impacts of a changing climate on watershed function and to recommend ways that LSRCA programs and services can adapt to ensure that they remain effective at protecting the Lake Simcoe watershed in projected future climates. To achieve this, a total of 36 recommendations were developed, which fall under four goals:

1. Ensure that people, properties and communities remain sufficiently protected as climate conditions change;
2. Increase watershed resistance and resilience to climate change through conservation, restoration, and improvement of natural ecosystems;
3. Enhance knowledge of the watershed's natural environment and its response to a changing climate through science and monitoring for informed and adaptive decision-making; and,
4. Facilitate partnerships and connect people to the watershed in order to build awareness and capacity to adapt to a changing climate in the Lake Simcoe watershed.

Implementation of the Climate Change Adaptation Strategy will be achieved through the development of an implementation plan, which will identify actions, responsibilities and timelines. Adaptive management will also be applied to track the progress and effectiveness of recommendations and to modify as required.

Issues:

There are no issues identified with this project.

Relevance to Authority Policy:

The Climate Change Adaptation Strategy was identified as a priority action to support Goal Two of LSRCA’s Strategic Plan - to improve knowledge and increase certainty through excellence in research and scientific knowledge.

Impact on Authority Finances:

It is not expected that the implementation of the Climate Change Adaptation Strategy will have any immediate impact on Authority finances; however, there is potential for the re-allocation of existing funds. External funding opportunities will be pursued to assist in the implementation of strategy recommendations.

Summary and Recommendations:

It is therefore RECOMMENDED THAT Staff Report No. 02-20-BOD regarding Climate Change Adaptation Strategy for the Lake Simcoe Region Conservation Authority be received; and FURTHER THAT the Climate Change Adaptation Strategy for the Lake Simcoe Region Conservation Authority be approved.

Pre-Submission Review:

This Staff Report has been reviewed by the General Manager, Integrated Watershed Management and the Chief Administrative Officer.

Signed by:

Ben Longstaff
General Manager, Integrated Watershed
Management

Signed by:

Mike Walters
Chief Administrative Officer

Attachments:

- 1) A Summary of the Climate Change Adaptation Strategy for the Lake Simcoe Region Conservation Authority



Lake Simcoe Region
conservation authority

A Summary of the

Climate Change Adaptation Strategy

for the Lake Simcoe Region Conservation Authority



Overview and Purpose

There is no doubt that our climate is changing. We have the data to show it and we know that people are feeling its impact. At the Lake Simcoe Region Conservation Authority (LSRCA), we know that our approach to climate change adaptation needs to be strategic. That's why one of our strategic priorities for 2016-2020 was to develop a Climate Change Adaptation Strategy. This strategy reviews the potential impacts of a changing climate on watershed function and recommends changes to our programs and services to ensure they remain effective at protecting the Lake Simcoe watershed in projected future climates.

To do this, we first down-scaled global climate projections to the local level. In other words, we took data about what is happening at the global scale and localized it to our watershed. We also focused our attention and efforts on water quality and quantity, tributary ecosystems (rivers and streams), terrestrial natural heritage (land) and the lake ecosystem. We completed a full assessment of each area, then identified watershed functions that have a 'high' or 'very high' vulnerability to climate change and developed recommended actions to increase or maintain their resilience.

This document provides a high level summary of our Climate Change Adaptation Strategy. The full document can be found on our website at [LSRCA.on.ca/adaptationstrategy](https://www.lsrca.on.ca/adaptationstrategy).

Vision

To enhance the resilience of communities, water resources and natural heritage systems within the Lake Simcoe watershed to climate change.

Goals

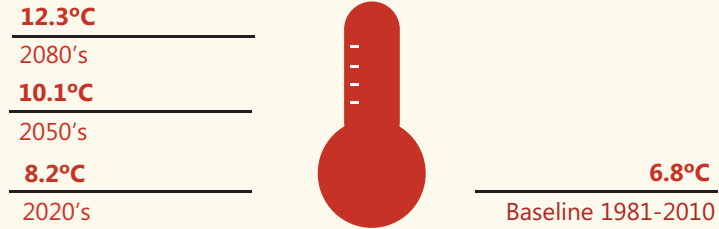
- 1** To ensure that people, properties and communities remain sufficiently protected as climate conditions change.
- 2** To increase watershed resistance and resilience to climate change through conservation, restoration, and improvement of natural ecosystems.
- 3** To enhance our knowledge of our watershed's natural environment and its response to a changing climate through science and monitoring for informed and adaptive decision-making.
- 4** To facilitate partnerships and connect people to the watershed in order to build awareness and capacity to adapt to a changing climate in the Lake Simcoe watershed.

Climate Projections for the Lake Simcoe Watershed

By downscaling global climate models to the Lake Simcoe watershed, we gained a better understanding of how the local climate is expected to change in the coming century.

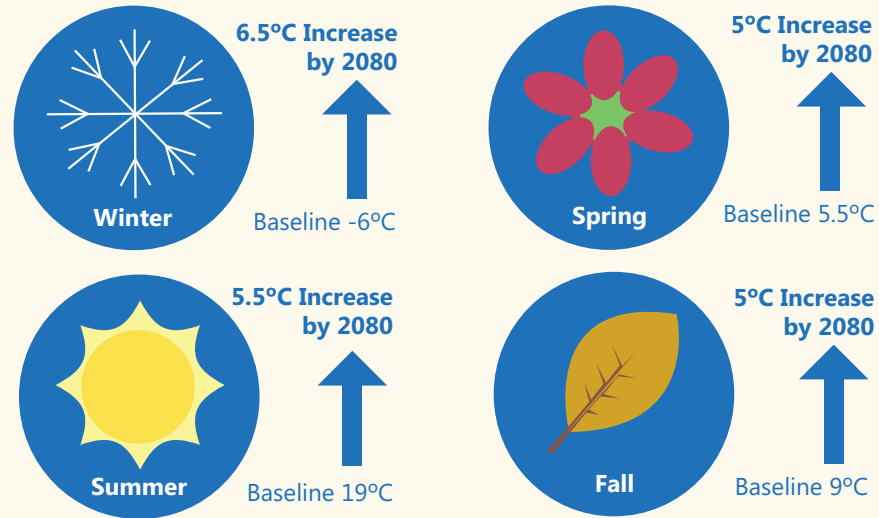
Data for this exercise was provided by the Climate Change Hazards Information Portal and the Climate Atlas of Canada. These online resources provided climate projections from 25-37 General Circulation Models, downscaled to the Shanty Bay weather station, which has the longest uninterrupted climate data series in the watershed. Two emission scenarios, as identified by the International Panel on Climate Change were used in these models: a high carbon scenario (i.e. RCP 8.5); and a mid-carbon scenario (i.e. RCP 4.5). While the projections were developed based on best-available science, there are always uncertainties. We will ensure an adaptive management approach to monitor and assess the effectiveness of the recommendations and modify as necessary.

Watershed Trends and Projections



ANNUAL MEAN TEMPERATURES

Annual temperatures are expected to increase by up to 5.5°C.



SEASONAL MEAN TEMPERATURES

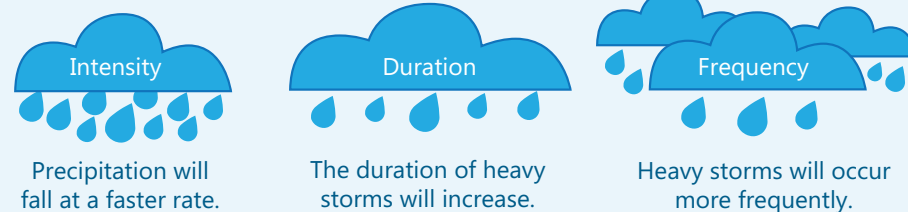
Daily temperatures are projected to significantly increase in every season.



TEMPERATURE EXTREMES

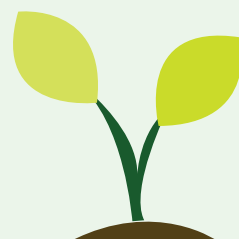
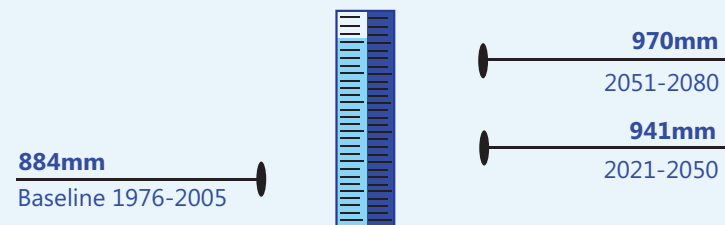
More hot days, fewer cold days.

PRECIPITATION EVENTS



ANNUAL MEAN PRECIPITATION

Annual precipitation is expected to increase. Winter and spring are projected to be significantly wetter.



GROWING SEASON

Last frost days will be earlier, and first frost days will be later.



Water Quality in our Rivers and Streams



In the Lake Simcoe watershed, the greatest impacts to water quality will be in changes to phosphorus, chloride, and total suspended solids.

Phosphorus

Although phosphorus is an essential nutrient for plants, at high concentrations it encourages excessive plant growth, which in turn decreases oxygen levels and disrupts ecosystems. The total amount of phosphorus (phosphorus load) flowing into Lake Simcoe comes from several sources but is generally highest in the most urbanized subwatersheds. **As extreme rain events become more frequent, they will lead to increased phosphorus loading, perhaps dominated by large "pulse" events.**

Chloride

Chloride is a naturally occurring element essential for the health of all organisms, but too much chloride has a negative impact on our aquatic ecosystems. Most chloride in the watershed comes from winter road salt application, which has resulted in concentrations being above the chronic guidelines, established by the Canadian government, in urban catchments or near major highways. **With varying winter temperatures and more freeze-thaw cycles, our need for road salt increases, leading to increased concentrations of chloride.**

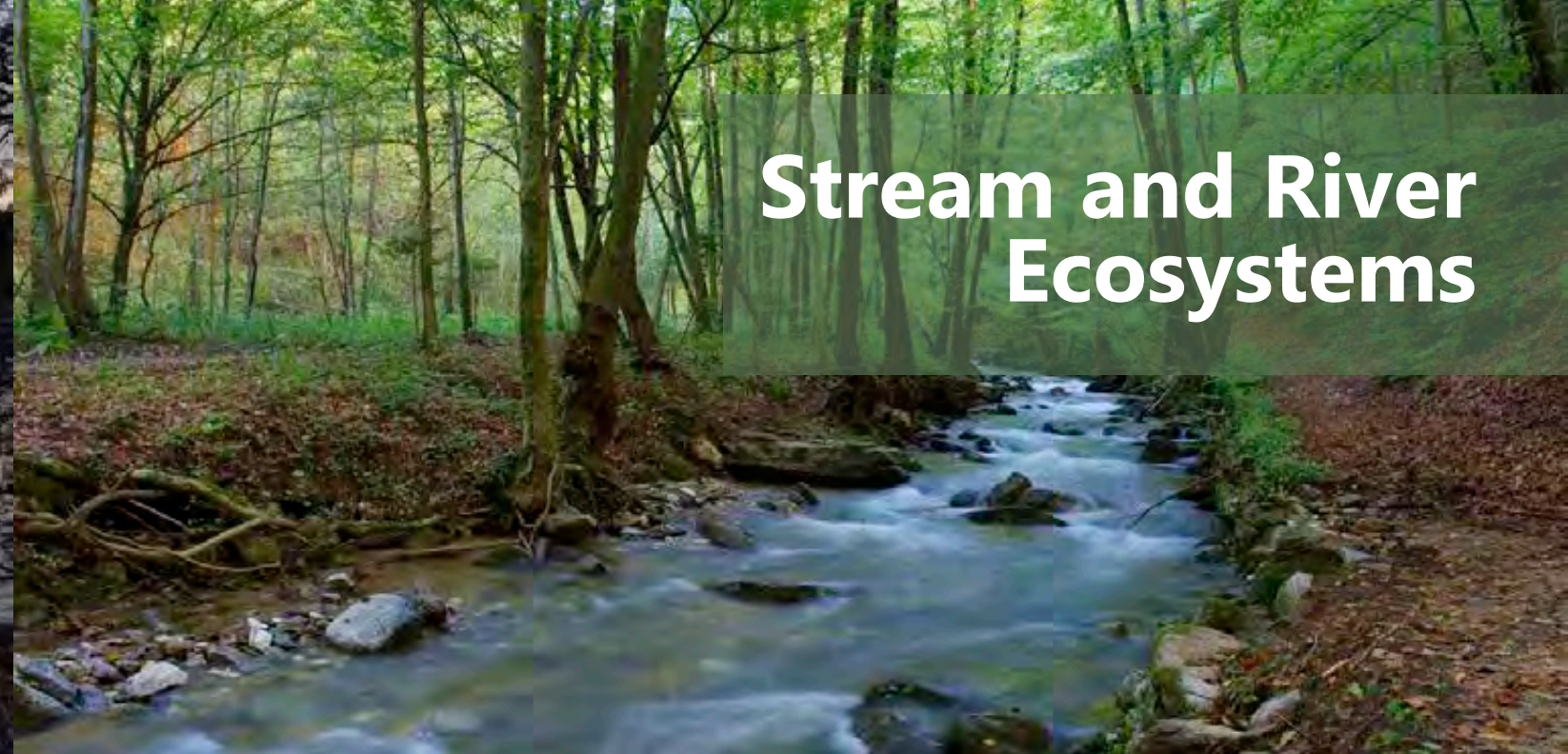
Total Suspended Solids

Total suspended solids (TSS) includes things like silt, sand, microorganisms, plant or animal matter, and industrial wastes that remain suspended in the water column. Excessive amounts of TSS can negatively impact streams and rivers as it can transport phosphorus, decrease light penetration, and alter aquatic habitats. Most monitoring stations in our watershed have shown concentrations exceeding the Canadian guidelines during low water or storm conditions. **As rain events have become more intense, urban subwatersheds have been particularly at risk for increased TSS which can transport contaminants into aquatic ecosystems.**

Water Quantity



Stream and River Ecosystems



Increased frequency and intensity of rain events, or more frequent snow melt events, can affect all aspects of the water cycle and water movement through the watershed.

Groundwater Recharge

“Significant groundwater recharge areas” are important areas on the landscape that replenish our underground aquifers (which are sources of drinking water for many), and support the eventual discharge of groundwater to wetlands and coldwater streams. **Warming winter temperatures may allow more rain or snowmelt to seep into the ground and recharge the aquifers. Conversely, drier summers may reduce groundwater recharge.** Although impacts to groundwater may not be experienced for many years to come, it’s important to protect these recharge areas now to minimize any impacts.

Streamflow

Changes in precipitation patterns are already leading to changes in streamflow, including both low-flow periods getting longer and high-flow periods becoming more intense. When low-flow periods get longer it can lead to increased water temperatures, degraded water quality, and reduced stream habitats and connectivity. At the other end of the spectrum, extreme flooding isn’t much better. It can increase erosion and flush nutrients and pollution into streams, increasing the water’s turbidity (murkiness). **As climate change continues, both low-flow and flooding conditions are expected to increase.**

Flooding

Climate projections forecast an increase in winter and spring precipitation, as well as an increase in the frequency, intensity and duration of storms. This means **the potential for more frequent flooding events will increase, especially in the winter season**, which can damage infrastructure, personal property and endanger lives.



Warming water temperatures, reduced snowpack, more frequent drought, and more extreme precipitation patterns will alter habitats for local aquatic species. Since individual species have specific habitat requirements, some species may be able to cope with or even thrive under new conditions, while others may struggle.

Loss of Coldwater Fish Habitat

Coldwater streams have always been managed as the most sensitive features on the landscape. **Under future climate change conditions it is expected that only 12% of the watershed’s streams will remain cold by 2065.** In response to warming streams with less dissolved oxygen, coldwater fish will seek refuge in these few remaining cooler groundwater-fed streams. Crowded into ever-shrinking habitat, populations of coldwater species such as brook trout may become stressed, increasing their susceptibility to disease, competition for resources and risk of predation for juveniles.

Fish Reproduction

Since both water temperature and streamflow changes are cues for fish to spawn, climate change is expected to affect spawning success. For example, an earlier spring thaw or erosion from extreme weather events is likely to reduce reproductive success and survival of young fish. **Overall, a changing climate is expected to have negative impacts that may reduce reproductive success, meaning fewer fish in the tributaries.**

Other Indicator Species

Aquatic insects, worms and mollusks that live on the bottom of streams are excellent indicators of water quality. The changes in stream flow, temperature, and water quality described above may lead to changes in these communities, including a **shift towards more generalist species** with higher thermal tolerances, at the expense of more sensitive species and **overall species diversity may decrease.**

The Lake Ecosystem



Lake Simcoe provides watershed residents with many valuable socioeconomic and ecosystem services, including drinking water and wastewater assimilation, tourism, recreation, and irrigation, contributing an estimated \$922.7 million annually to Ontario's economy. Unfortunately, climate change is impacting significant aspects of the lake ecosystem, and these important services will be impacted as a result.



Lake Ice

Lake ice cover is not only critical to ecosystem functions in the lake but also to the winter recreational economy, cultural heritage, and winter transportation. Ice record data indicates that the period of ice cover on Lake Simcoe has been decreasing, and in recent years, open water has even remained throughout the winter. Lake ice is highly vulnerable to climate change. Climate modelling predicts that this will only continue and that **the duration of open water may extend by up to 47 days (from 257 days in the baseline period [1971-2000] to 304 days by 2100).** This can impact lake processes as thin ice or open water allows sunlight to enter the water column in the winter.

Stratification

Lake stratification is the separation of the water in a lake into distinct layers, based on water temperature and density, with the warmest (less dense) layer near the top and the coldest (most dense) layer at the bottom of the lake. Stratification is a natural process and occurs on an annual basis, with intervening periods of mixing as seasonal air temperatures change. Measurements of the timing and duration of water column stratification in Lake Simcoe since the 1980s show that stratification is occurring earlier in spring and ending later in fall. As this period of stratification extends, **deep waters in the lake may become more depleted in oxygen, impacting the coldwater fishery.**

Dissolved Oxygen

During summer, dissolved oxygen in deep water decreases primarily because of the decomposition of organic matter. This has the potential for negative impacts to fish and other organisms in the lake, particularly those coldwater loving species that return to the colder deeper waters of the lake during the summer. Since stratification is expected to extend under climate change, **the end-of-summer dissolved oxygen level in Lake Simcoe may decrease by up to 1 mg/L by 2100.** However, the amount of dissolved oxygen may actually increase in winter, as decreasing lake ice allows light into the water and photosynthesis can occur, producing oxygen.

Phosphorus

Phosphorus is an important element in the lake ecosystem, but in high concentrations can lead to eutrophication, where excessive nutrients can stimulate the growth of aquatic plant life, resulting in decreased oxygen levels. Excess nutrients can also cause harmful algal blooms. Although phosphorus loading from human activities is the main source in Lake Simcoe, low oxygen conditions can also result from the release of stored phosphorus from lake-bottom sediment. **With climate change contributing to an extended period of stratification, this re-release of phosphorus from lake sediments will likely become an ever-growing challenge.**

Algae

Algae is valuable to the lake. It forms the basis of the aquatic food chain, supporting organisms like invertebrates and fish. Climate change is projected to alter the size structure of algal communities as warmer, more stable water bodies favour smaller, lighter species over heavier forms that need frequent water column mixing to remain in the sunlit areas.

Warming temperature and earlier ice-off timing also results in earlier spring algae blooms, which is expected to negatively impact young fish growth and survival, and reduce recreational enjoyment of the lake. **A trend toward warmer surface waters, and a longer period of water column stratification, may also give a competitive advantage to more harmful cyanobacteria (i.e. blue-green algal blooms).**

Aquatic Plants

Aquatic plants are an important part of the lake ecosystem. They provide habitat for fish and invertebrates, reduce shoreline erosion, and contribute to nutrient cycling and primary production. **As water temperatures warm and the growing season lengthens, increased plant growth in the lake is expected. Unfortunately, non-native species from warmer climates may be the ones that benefit the most.**

Pathogens

Climate change projections for the watershed forecast warmer temperatures and more frequent and intense precipitation events, combined with extended dry periods, which indicate that **pathogen outbreaks (e.g. E. coli) and beach closures may become more common in the future.**

Fish Communities

Projected increases in water temperature and **decreased dissolved oxygen levels due to climate change are likely to impair coldwater fish species (e.g. lake trout)** in the lake, impacting their spawning, growth and survival rates. On the other hand, **warmer water conditions will allow warmwater species such as smallmouth bass to thrive.** Additionally, warmer waters will allow more southern species to move into the lake if migration routes exist.





Terrestrial Natural Heritage



When natural communities are healthy, resilient, and connected, they form a robust natural heritage system that provides the functions and services upon which we depend. These systems are vital for creating habitat, enabling the movement of species for survival, and maintaining natural diversity. These ecological functions provide valuable ecosystem services that contribute to human well-being such as shade, clean air and recreational activities.

Wetlands

Wetlands, which cover 18% of the watershed, are particularly vulnerable to changes in water quantity and quality. Changes in streamflow and groundwater discharge, along with changes in temperature and atmospheric carbon dioxide, will likely alter the distribution and abundance of vegetation found within wetlands and increase their vulnerability to drying.

In the Lake Simcoe watershed, **90% of the swamps, 84% of the marshes, 50% of the fens and 100% of the bogs are vulnerable to drying up by 2100.** Vernal ponds and ephemeral pools (seasonal pools of water that provide habitat for distinctive plants and animals) are likely to be early victims of climate change due to their sensitive nature and can therefore be used as early climate change indicators (a type of "canary in the coal mine" if you will). **Wetlands within the watershed provide flood protection services valued at \$169 million, which is very likely to be reduced as wetlands become degraded or lost as a result of climate change.**

Woodlands

Woodlands, which cover 35% of the watershed, provide vital habitat to a range of species. Many of the tree species within the watershed will be impacted by changing temperature and rain/snow patterns. **Communities with a poor ability to adapt (e.g. boreal forests) are likely to experience impaired growth and reproduction, increasing their susceptibility to pests and disease.**

More frequent **extreme weather events such as drought, sustained high winds, and ice storms, associated with climate change have the potential to damage trees** and cause hazards from falling limbs. Increased freeze thaw cycles and drought events can stress trees and decrease the average age of trees within a forest.

Timing of Life Cycle Events

For many species, seasonal and cyclic changes in temperature trigger transitions in life cycle events. For example, the timing of bud and leaf emergence, as well as wildlife breeding, migration and stages of development occur, at least partly, in response to temperature. **As the climate continues to change, there will be mismatches in the timing of these important life cycle events** such as migratory birds arriving before their food sources emerge.

Species Range Shifts

As air temperatures warm, populations of species at the northern limit of their range may become more abundant or colonize new habitat, whereas those species at the southern limit of their range may be threatened. As current habitats become unsuitable for some species, it is important to maintain habitat connectivity to facilitate movement between climate refuges to allow them to colonize new areas. **Protecting and enhancing ecological connectivity will become increasingly important as the climate continues to change.**

Invasive Species

As both terrestrial and aquatic habitats shift under a new climate, the potential spreading of new or existing invasive species will increase. These invaders, such as the round goby or dog-strangling vine, often lack predators and out-compete local native species, allowing them to quickly grow and alter community dynamics.

After we are long gone and our 7th generation descendants walk this earth, we need to decide what kind of life they will inherit. The decisions we make today will be what our future generations will inherit from us. Let us ensure that our Mother, the Earth, is still healthy enough to sustain them.

James L. Porte, Chippewas of Georgina Island First Nation

Recommendations

Goal 1 - Ensure that people, properties and communities remain sufficiently protected as climate conditions change

- 1 Complete a corporate risk scan to identify LSRCA functional areas, operations, and assets that are vulnerable to extreme weather events
- 2 Convene a meeting of partners of the Low Water Response Program to determine how to improve the program in light of climate change
- 3 Undertake research to map potential impacts of climate change on groundwater levels
- 4 Screen for risks to municipal surface water intakes from contamination as a result of extreme events under climate change conditions
- 5 Work with the Province and local municipalities to develop / update intensity-duration-frequency (IDF) curves that consider climate change
- 6 Create regulatory floodplain mapping as well as design storm or event-based floodplain mapping based on updated IDF curves
- 7 Develop design storm or event-based inundation mapping to consider future climate change impacts
- 8 Explore options to increase coordination and collaboration with partners on existing early detection and rapid response programs to water quality threats
- 9 Work with the Province to review water balance policies for developments to ensure that they consider climate impacts

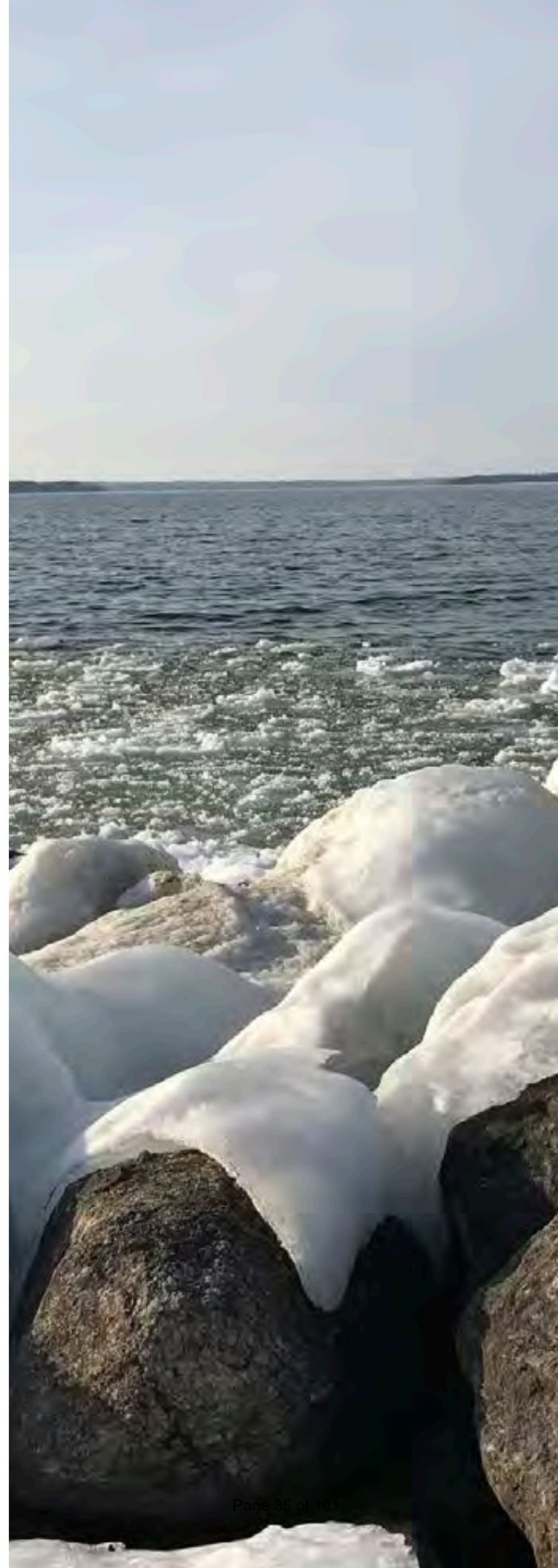


Goal 2 - Increase watershed resistance and resilience to climate change through conservation, restoration, and improvement of natural ecosystems

- 10 Investigate the need to develop guidelines for natural channel design to consider climate change
- 11 Work with partners to increase forest resilience to climate change through the implementation of recommendations from the 'Adapting Forestry Programs to Climate Change' report
- 12 Collect data on the success of plants and trees established through our programs
- 13 Review the Minimum Planting Requirements to ensure they use climate-resilient plantings
- 14 Use models/tools to identify and prioritize areas where groundwater recharge is necessary and will be most useful to protect areas vulnerable to climate change
- 15 Work with partners to increase the biodiversity of urban wildlife habitats to adapt to shifts in the timing of life cycle events and other climate impacts
- 16 Collaborate with partners to develop an Invasive Species Strategy that considers climate change
- 17 Design restoration projects based on design guidelines, modelling, prioritized opportunities, long-term monitoring and watershed plans which consider the influence of climate change
- 18 Give preference to restoration projects that also address climate change impacts.
- 19 Review restoration best management practices to ensure that they are capable of addressing emerging climate impacts

Goal 3 - Enhance knowledge of the watershed's natural environment and its response to a changing climate through science and monitoring for informed and adaptive decision-making

- 20 Support LSRCA departments in incorporating climate impacts into their programs, services, and products
- 21 Model in-stream processes to further understand the vulnerability to erosion, infrastructure damage, and phosphorous transport under future climate conditions
- 22 Use the results of watershed-scale stormwater optimization modeling to assist planning of stormwater infrastructure (grey and green) under climate change conditions
- 23 Investigate whether the 90th percentile storm event will change significantly under climate change
- 24 Conduct a stream vulnerability assessment to identify thermal refugia
- 25 Incorporate climate change adaptation into LSRCA's Natural Heritage System Restoration Strategy
- 26 Undertake research to further understand the impacts of climate change on aquatic communities
- 27 Review current monitoring programs to ensure data collection and analysis of climate, groundwater, and surface water systems are fully integrated
- 28 Develop a robust terrestrial natural heritage monitoring program for the watershed



Goal 4 - Facilitate partnerships and connect people to the watershed in order to build awareness and capacity to adapt to a changing climate in the Lake Simcoe watershed

- 29 Coordinate with MECP to ensure that updates to the Lake Simcoe Protection Plan and Lake Simcoe Phosphorous Reduction Strategy incorporate climate change
- 30 Engage citizens on their role in keeping the watershed healthy in the context of a changing climate
- 31 Work with municipal partners to undertake climate change risk assessments of urban street trees, and associated risks to public safety or public infrastructure
- 32 Enhance LSRCA erosion and sediment control initiatives to consider climate impacts
- 33 Inspire watershed landowners to increase the resilience of coldwater habitats on their properties
- 34 Engage farmers, farming associations and OMAFRA through knowledge exchange meetings to learn how they are adapting to climate change
- 35 Engage the Trent-Severn Waterway as they update their watershed plan or rating curve to consider climate change impacts
- 36 Work collaboratively with partners to maximize efficiencies and ensure a comprehensive watershed scale approach to climate change adaptation



This document provides a high level summary of the Climate Change Adaptation Strategy for LSRCA. For the full strategy, more information and resources related to climate change, please visit [LSRCA.on.ca/adaptationstrategy](https://www.lsrca.on.ca/adaptationstrategy)

We wish to thank all those involved in the development of this strategy for their valuable input.



The Corporation of the
**Township
of
Uxbridge**

In The Regional Municipality of Durham

Rec'd by LSRCA

FEB 04 2020

IMS #: _____

Town Hall
51 Toronto Street South
P.O. Box 190
Uxbridge, ON L9D 1T1
Telephone: (905) 852-9181
Facsimile: (905) 852-9674
Web: www.uxbridge.ca

January 30, 2020

Lake Simcoe Region Conservation Authority
120 Bayview Parkway
Newmarket, ON
L3Y 3W3

**RE: CONTINUATION OF PROGRAMS AND SERVICES BY
CONSERVATION AUTHORITIES
TOWNSHIP FILE: A-00 G**

Please be advised that during the regular meeting of the Regular meeting of Council of January 27, 2020 the following motion was carried:

WHEREAS the Township of Uxbridge has been well served by Lake Simcoe Region, Central Lake Ontario, and Toronto Region Conservation Authorities;

AND WHEREAS the Township of Uxbridge and Durham Region rely on the expert advice of Conservation Authorities regarding land use planning proposals, source water protection and watershed integrity;

AND WHEREAS Conservation Authorities provide expert information, knowledge and advice regarding flood management and water quality monitoring;

AND WHEREAS Conservation Authorities provide programs to residents that include recreation, education, preservation and restoration projects that protect natural vegetation, species at risk and soil erosion;

AND WHEREAS the Provincial Government is reviewing mandated programs, core services and potential funding of Conservation Authorities;

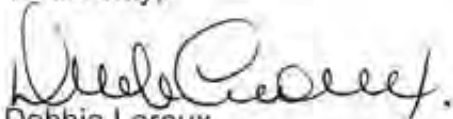
THEREFORE BE IT RESOLVED ;

1. THAT the Township of Uxbridge supports the continuation of the programs and services provided by Conservation Authorities to municipalities and requests that the Provincial Government provide clear direction to maintain core services and provide stable funding to Conservation Authorities in order to provide these services.

2. THAT this resolution be forwarded to the Minister of Environment, Conservation & Parks; the Minister of Natural Resources and Forestry; Premier Ford; all Durham Region MPP's; Lake Simcoe Region Conservation Authority; Central Lake Ontario Conservation Authority; Toronto Region Conservation Authority; the Association of Municipalities of Ontario; all Durham Region and Greater Toronto Area municipalities.

I trust you will find the above to be satisfactory.

Yours truly,



Debbie Leroux
Director of Legislative Services/Clerk
/ljr

[REDACTED]
[REDACTED]

February 14, 2020

Lake Simcoe Region Conservation Authority
20 Bayview Pkwy.
Newmarket, ON
L3Y 3W3

Dear Sir/Madam:

Re: Conservation Authorities

Please be advised that the Town of New Tecumseth Council passed the following resolution at their meeting of January 27, 2020:

Whereas a motion was received from the City of Quinte West supporting Conservation Authorities;

And Whereas the Town of New Tecumseth values the efforts of the Conservation Authorities to monitor floods, to manage source water protection and to ensure the integrity of the watersheds within the Town and to conserve the natural environment;

And Whereas the current Provincial government is reviewing the mandate and potential funding to Conservation Authorities;


Now Therefore Be It Resolved That the Town of New Tecumseth requests that the Provincial Government improve their funding of Conservation Authorities to provide a more stable funding base that would prevent any downloading of costs to municipalities;

And Further That the Provincial Government maintain and not diminish the core mandate of Conservation Authorities;

And Further That this motion be forwarded to the Minister of Environment, Conservation and Parks, the Minister of Natural Resources, the Premier, the City of

Quinte West, the Conservation Authorities associated with the County of Simcoe, the other municipalities in the County of Simcoe and AMO.

Yours truly,

A handwritten signature in black ink, appearing to read "B. Kane".

Barbara Kane
Deputy Clerk



TO: Board of Directors
FROM: Mike Walters
Chief Administrative Officer/Secretary Treasurer
DATE: February 19, 2020

SUBJECT: Board Member Appointment - Lake Simcoe Conservation Foundation

RECOMMENDATION: THAT Staff Report No. 03-20-BOD regarding appointing a designate member to represent LSRCA on the Lake Simcoe Conservation Foundation Board of Directors on behalf of the Chair be received; and

FURTHER THAT _____ be appointed to the Lake Simcoe Conservation Foundation Board of Directors for 2020.

Purpose of this Staff Report:

The purpose of this Staff Report No. 03-20-BOD is to appoint a designate representative from the Board of Directors to serve on the Lake Simcoe Conservation Foundation’s Board of Directors for 2020.

Background:

Each year at LSRCA’s Annual General Meeting (AGM), among the various appointments of Board members to committees, two members are appointed to represent LSRCA on the Lake Simcoe Conservation Foundation (LSCF) Board of Directors for the ensuing year. LSCF’s mission is to raise money to support a cleaner and healthier Lake Simcoe watershed through the funding of specific projects of the Lake Simcoe Region Conservation Authority. Typically, LSRCA’s Chair and Vice Chair are the two appointed members.

Accordingly, at the January 24, 2020 AGM, the following resolution was passed:

Moved by: S. Harrison-McIntyre
Seconded by: R. Greenlaw

BOD-010-20 **RESOLVED THAT the Chair, Regional Chairman Wayne Emmerson and the Vice Chair, Councillor Peter Ferragine be appointed to the Lake Simcoe Conservation Foundation for 2020. CARRIED**

Issues

The LSCF Board of Directors meet six times per year from 8:30 a.m. to 11:30 a.m. in LSRCA's Newmarket offices. The first meeting took place on January 29th and the remaining 2020 meetings are scheduled for:

- Wednesday, March 25th
- Wednesday, May 27th (AGM)
- Wednesday, July 22nd
- Wednesday, September 23rd
- Wednesday, November 25th

Chair Emmerson has advised that upon reviewing his schedule for 2020, the above meeting dates conflict with another Board that he serves on. He would like to appoint a designate serve on the LSCF Board of Directors in his place, and accordingly a volunteer will be sought at the February 28th Board of Directors' meeting.

Relevance to Authority Policy:

In keeping with Authority policy, the Chair may elect to appoint a designate member to represent LSRCA on the Lake Simcoe Conservation Foundation Board of Directors.

Impact on Authority Finances:

There are no impacts on the Authority finances.

Summary and Recommendations:

It is therefore RECOMMENDED THAT Staff Report No. 03-20-BOD regarding appointing a designate member to represent LSRCA on the Lake Simcoe Conservation Foundation Board of Directors on behalf of the Chair be received; and FURTHER THAT _____ be appointed to the Lake Simcoe Conservation Foundation Board of Directors for 2020.

Original signed by:

Mike Walters
Chief Administrative Officer



TO: Board of Directors

FROM: Mark Critch, General Manager, Corporate & Financial Services

DATE: February 19, 2020

SUBJECT: Municipal Freedom of Information and Protection of Privacy Act: Annual Statistical Report for 2019

RECOMMENDATION: THAT Staff Report No. 04-20-BOD regarding the *Municipal Freedom of Information and Protection of Privacy Act – 2019 Annual Statistical Report* be received for information.

Purpose of this Staff Report:

The purpose of this Staff Report No. 04-20-BOD is to provide the Board with an overview of the number and types of requests made to LSRCA under the auspices of the *Municipal Freedom of Information and Protection of Privacy Act* over the past year.

Background:

The *Municipal Freedom of Information and Protection of Privacy Act* (the *Act*) provides private individuals with the right to request access to conservation authority information, including most general records, as well as their own personal information. At LSRCA this access encompasses, but is not limited to, land use permits and supporting documentation, environmental, watershed and land use reports as well as limited access to complaint and violation files. As well, individuals may request access to their own personnel files and may request changes/additions be made to those files.

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”. LSRCA policy entitled “Municipal Freedom of Information and Protection of Privacy Act”, dated May 2005, states that the General Manager, Corporate & Financial Services shall act as the Freedom of Information (FOI) Coordinator.

Issues

There are no issues to report at this time.

Relevance to Authority Policy:

The FOI 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.

2019 Statistical Report:

The Information and Privacy Commissioner of Ontario requires that an annual statistical report detailing the number and types of received by a municipality be submitted. LSRCA's report was completed and filed with the Information and Privacy Commission on February 3, 2020. In 2019 LSRCA processed a total of 25 Freedom of Information requests from the general public, public companies, and other government agencies. This compares to a total of 23 requests processed in 2018. By legislation the Authority has 30 calendar days in which to respond to each request; with the exception of an ongoing request throughout the year, all files were completed and closed within the specified time frame. As well, under Section 17(3) of the Act, one of the requests included continuous monthly responses up to and including December 31, 2019. A schedule of reply dates was prepared and all monthly responses were prepared and forwarded to the requestors on time.

Full access to records was granted for 17 of the 25 requests. Of the others, four requests were abandoned by the requestor, and no responsive records were held in LSRCA's files for the other four requests.

There was one appeal made to the Information & Privacy Commission (IPC) against the Authority. A third party to the request asked that their records be withheld; the FOI Coordinator determined the records did not fit the criteria of the Act to be withheld and made the decision to release the records to the requestor. The third party appealed. The requestor gave consent to IPC to reveal their identity and the reason for the request to the third party, who then abandoned the appeal and gave their consent to release the records.

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 the request where warranted. Fees can be levied for computer and/or manual searches for requisite files, record preparation including reading the files and/or redacting personal information, the cost of any invoice(s) issued to LSRCA 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 2019 the Authority received legislated fees of \$125.00 (25 requests @ \$5.00 each, including withdrawn and/or abandoned requests) and \$876.47 in additional processing fees. No fees were waived.

Summary and Recommendations:

It is therefore RECOMMENDED THAT THAT Staff Report No. 04-20-BOD regarding the Municipal Freedom of Information and Protection of Privacy Act – 2019 Annual Statistical Report be received for information.

Pre-Submission Review:

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

Prepared by: R. Shelley Fogelman, Senior Administrative Assistant
Corporate & Financial Services

Signed by:

Mark Critch
General Manager, Corporate & Financial Services

Signed by:

Mike Walters
Chief Administrative Officer

Attachment: The Year End Statistical Report (2019)

#

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 2019**

for

Municipal Freedom of Information and Protection of Privacy Act

Section 1: Identification

1.1 Organization Name	Lake Simcoe Region Conservation Authority
Head of Institution Name & Title	Michael Walters, Chief Administrative Officer
Head of Institution E-mail Address	m.walters@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
1.2 Your institution is:	Conservation Authority

Section 2: Inconsistent Use of Personal Information

2.1 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
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---

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.

- 3.1** New Requests received during the reporting year
- 3.2** Total number of requests completed during the reporting year

Personal Information	General Records
0	25
0	25

Section 4: Source of Requests

Enter the number of requests you completed from each source.

- 4.1** Individual/Public
- 4.2** Individual by Agent
- 4.3** Business
- 4.4** Academic/Researcher
- 4.5** Association/Group
- 4.6** Media
- 4.7** Government (all levels)
- 4.8** Other
- 4.9** Total requests (Add Boxes 4.1 to 4.8 = 4.9)

Personal Information	General Records
0	20
0	0
0	3
0	0
0	0
0	0
0	2
0	0
0	25

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:

- 5.1** 30 days or less
- 5.2** 31 - 60 days
- 5.3** 61 - 90 days
- 5.4** 91 days or longer
- 5.5** Total requests (Add Boxes 5.1 to 5.4 = 5.5)

Personal Information	General Records
0	25
0	0
0	0
0	0
0	25

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

	Personal Information	General Records
6.1 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	25
6.2 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
6.3 Total requests (Add Boxes 6.1 + 6.2 = 6.3)	0	25

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

	Personal Information	General Records
6.4 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	0
6.5 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
6.6 Total requests (Add Boxes 6.4 + 6.5 = 6.6)	0	0

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

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

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

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

E. Total Completed Requests (sections A to D)

	Personal Information	General Records
6.13 Total requests (Add Boxes 6.3 + 6.6 + 6.9 + 6.12 = 6.13)	0	25

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.

Not applicable. All requests were completed within the statutory timeline limit permitted.

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.

	Personal Information	General Records
7.1 All information disclosed	0	17
7.2 Information disclosed in part	0	0
7.3 No information disclosed	0	0
7.4 No responsive records exists	0	4
7.5 Request withdrawn, abandoned or non-jurisdictional	0	4
7.6 Total requests (Add Boxes 7.1 to 7.5 = 7.6)	0	25

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)

	Personal Information	General Records
8.1 Section 6 – Draft Bylaws, etc.	0	0
8.2 Section 7 – Advice or Recommendations	0	0
8.3 Section 8 – Law Enforcement ¹	0	0
8.4 Section 8(3) – Refusal to Confirm or Deny	0	0
8.5 Section 8.1 – Civil Remedies Act, 2001	0	0
8.6 Section 8.2 – Prohibiting Profiting from Recounting Crimes Act, 2002	0	0
8.7 Section 9 – Relations with Governments	0	0
8.8 Section 10 – Third Party Information	0	7
8.9 Section 11 – Economic/Other Interests	0	0
8.10 Section 12 – Solicitor-Client Privilege	0	0
8.11 Section 13 – Danger to Safety or Health	0	0
8.12 Section 14 – Personal Privacy (Third Party) ²	0	14
8.13 Section 14(5) – Refusal to Confirm or Deny	0	0
8.14 Section 15 – Information soon to be published	0	0
8.15 Section 20.1 Frivolous or Vexatious	0	0

Section 8: Exemptions & Exclusions Applied

- 8.16** Section 38 — Personal Information (Requester)
- 8.17** Section 52(2) — Act Does Not Apply¹
- 8.18** Section 52(3) — Labour Relations & Employment Related Records
- 8.19** Section 53 — Other Acts
- 8.20** PHIPA Section 8(1) Applies
- 8.21** Total Exemptions & Exclusions
Add Boxes 8.1 to 8.20 = 8.21
¹ not including Section 8(3)
² not including Section 14(5)
³ not including Section 52(3)

2	0
0	0
0	0
0	0
0	0
2	21

Section 9: Fees

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

- 9.1** Number of REQUESTS where fees other than application fees were collected
- 9.2.1** Total dollar amount of application fees collected
- 9.2.2** Total dollar amount of additional fees collected
- 9.2.3** Total dollar amount of fees collected (Add Boxes 9.2.1 + 9.2.2 = 9.2.3)
- 9.3** Total dollar amount of fees waived

Personal Information	General Records	Total
0	7	7
\$0.00	\$125.00	\$125.00
\$0.00	\$876.47	\$876.47
\$0.00	\$1001.47	\$1001.47
\$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.

- 10.1** Search time
- 10.2** Reproduction
- 10.3** Preparation
- 10.4** Shipping
- 10.5** Computer costs
- 10.6** Invoice costs (and other as permitted by regulation)
- 10.7** Total (Add Boxes 10.1 to 10.6 = 10.7)

Personal Information	General Records	Total
0	7	7
0	7	7
0	7	7
0	0	0
0	0	0
0	1	1
0	22	22

Section 11: Correction and Statements of Disagreement

Did your institution receive any requests to correct personal information?

- 11.1** Number of correction requests received
- 11.2** Correction requests carried forward from the previous year

Personal Information
0
0

Section 11: Correction and Statements of Disagreement

11.3 Correction requests carried over to next year

0

11.4 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?

Personal Information

11.5 Correction(s) made in whole

0

11.6 Correction(s) made in part

0

11.7 Correction refused

0

11.8 Correction requests withdrawn by requester

0

11.9 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?

Personal Information

11.10 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.

Personal Information

11.11 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

Feb 3rd / 2010

Date



TO: Board of Directors

FROM: Ashlea Brown
Acting Director, Regulations

Melinda Bessey, MSc, MCIP, RPP
Acting Director, Planning

DATE: February 20, 2020

SUBJECT: Monitoring Report – Planning and Development Applications for the Period January 1 through December 31, 2019.

RECOMMENDATION: THAT Staff Report No. 05-20-BOD regarding monitoring of planning and development applications for the period January 1 through December 31, 2019 be received for information.

Purpose of this Staff Report:

The purpose of this Staff Report No. 05-20-BOD is to provide the Board of Directors with an update on the progress of planning and development applications submitted to the Lake Simcoe Region Conservation Authority for the period January 1 through December 31, 2019.

Background and Consideration:

A summary of the total number of applications for this period is shown in Tables 1, 2 and 3 attached. These tables summarize the number of applications received by application type and by municipality, as well as the number of pre-consultations 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*

Tables 4, 5 and 6 summarize the total number of planning and development applications and inquiries for the period January 1 through December 31, 2018.

In general, the total number of applications reviewed under the *Planning Act* as of December 31, 2019 was 9% higher than the total number of applications reviewed in 2018. It is important to note that with the implementation of our new Information Management System (SharePoint) in 2019 that were able to build in the ability to formally record pre-consultation circulations. In an effort to reduce approval timing, LSRCA promotes the value of pre-submission consultation and encourages all applicants to engage with our staff during the pre-submission design phase. The tracking of pre-consultations commenced mid-way through 2019, and 188 were completed during the second half of the year. It is estimated that a similar number were reviewed in the first half of the year as well.

The number of applications received as of December 31, 2019 under the *Conservation Authorities Act* was 23% lower than the number of applications received for the entire year in 2018. The reduction in numbers is partially a result of a reduction in wetland adjacent lands permits. Ontario Regulation 179/06 specifies the jurisdiction of the Authority as those areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands. As such, staff assess the potential impacts of certain development to wetlands and have discontinued issuing permits in scenarios where development is minor and there is a significant gap between the development and wetland. Examples include those areas where a road or other development is between the proposed development and the wetland. In addition, approvals are no longer issued where decks or pools in subdivisions where the overall limits of development were recently approved by the Authority through the planning process. Instead, a letter of comment is issued outlining why no approval is required. While this has impacted permit numbers, it has created efficiencies and shown our commitment to customer service and streamlining approvals.

In addition, the East Gwillimbury zoning by-law appeal has reduced permit applications for that Municipality by approximately 55% since June 2018 when the by-law was appealed.

Issues:

The statistics presented in the attached tables do not provide any indication of the complexity of the applications. 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.

Relevance to Authority Policy:

Client service and satisfaction has been identified as an important guiding principle in LSRCA's Strategic Plan 2016-2020. Additionally, in response to Bill 108, Conservation Ontario has engaged senior conservation authority staff in a streamlining initiative that provides a commitment to improve plan and permitting review through improving client service and accountability, increasing the speed of approvals, and reducing red tape and regulatory burden. Monitoring the number of applications processed is important to ensure customer service targets are met.

Impact on Authority Finances:

LSRCA Planning and Development department operates on a cost recovery rate of 100% for the review and processing of planning and permit applications. Therefore, any reduction or increase to application numbers could impact the department's budget. 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. 05-20-BOD regarding monitoring of planning and development applications for the period January 1 through December 31, 2019 be received for information.

Pre-Submission Review:

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

Signed by:

Rob Baldwin
General Manager,
Planning & Development

Signed by:

Michael Walters
Chief Administrative Officer

Attachments:

Tables 1 2 and 3– Summary of Planning Program Statistics – January 1 – December 31, 2019
Tables 4, 5 and 6 – Summary of Planning Program Statistics – January 1 – December 31, 2018

Table 1 -- Summary of Planning Program Statistics January 1 - December 31, 2019 ~ Review of Applications Under the Planning Act



Application Type	City of Kawartha Lakes	City of Barrie	County of Simcoe						Region of Durham					Region of York						Region of Peel	Total Number of Applications by Type	
	City of Kawartha Lakes	Barrie	Bradford West Gwillimbury	Innisfil	New Tecumseth	Oro-Medonte	Ramara	City of Orillia	Brock	Scugog	Uxbridge	Town of Caledon	Region of Durham	Aurora	East Gwillimbury	Georgina	King	Newmarket	Whitchurch-Stouffville			Region of York
Official Plans, Official Plan Amendments	1	3	2	3	1	0	1	0	4	0	2	0	1	3	3	2	1	7	1	1	1	37
Secondary Plan Review	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1
Zoning By-laws, Zoning By-law Amendments	3	25	11	9	1	4	1	0	8	0	8	1	0	9	2	21	1	10	3	0	1	118
Plans of Subdivision, Plans of Condominium	1	11	9	10	0	2	1	0	2	0	2	0	0	9	5	16	0	5	2	0	0	75
Site Plans	0	23	12	16	0	3	1	0	1	0	7	0	0	13	8	8	25	11	11	0	0	139
Consents	4	7	3	11	0	6	1	0	14	1	11	0	0	6	5	18	1	5	3	0	0	96
Minor Variances	1	3	8	25	0	23	11	0	11	0	7	0	0	13	11	24	9	3	12	0	0	161
Peer Review	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	2
Tech Review/ Special Studies	0	0	0	0	0	0	0	0	0	0	0	0	0	2	1	0	1	1	0	0	0	5
Pre Cons	8	58	25	7	2	7	3	0	4	1	7	0	0	16	7	14	4	6	19	0	0	188
Total Number of Apps by Municipality	10	72	45	74	2	38	16	0	40	1	37	1	1	53	34	89	37	41	32	2	2	822

Table 2 -- Summary of Regulations Program Statistics January 1 - December 31, 2019 ~ Review of Applications Under the Conservation Authorities Act & the Environmental Assessment Act

Application Type	City of Kawartha Lakes	City of Barrie	County of Simcoe						Region of Durham					Region of York						Region of Peel	Total Number of Applications by Type	
	City of Kawartha Lakes	Barrie	Bradford West Gwillimbury	Innisfil	New Tecumseth	Oro-Medonte	Ramara	City of Orillia	Brock	Scugog	Uxbridge	Town of Caledon	Region of Durham	Aurora	East Gwillimbury	Georgina	King	Newmarket	Whitchurch-Stouffville			Region of York
Section 28 Applications	12	53	49	148	0	78	113	0	49	3	41	0	0	29	56	172	65	29	18	0	915	
Violation Notices	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Legal Inquiries	3	21	15	12	0	4	6	1	7	0	6	0	0	11	7	15	6	8	1	0	123	
Site Clearances	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	
Environmental Assessment Undertakings	1	7	3	3	0	0	0	1	0	0	0	0	0	4	0	1	0	4	1	0	25	
Total Number of Apps by Municipality	16	81	67	163	0	83	119	2	56	3	47	0	0	44	63	188	71	41	20	0	1064	

Table 3 -- Summary of Customer Service Statistics January 1 - December 31, 2019

Application Type	City of Kawartha Lakes	City of Barrie	County of Simcoe						Region of Durham				Region of York						Region of Peel	Total Number of Applications by Type
	City of Kawartha Lakes	Barrie	Bradford West Gwillimbury	Innisfil	New Tecumseth	Oro-Medonte	Ramara	General	Brock	Scugog	Uxbridge	Outside	Aurora	East Gwillimbury	Georgina	King	Newmarket	Whitchurch-Stouffville		
Calls/Emails	59	175	135	224	13	187	263	89	160	8	23	3	78	168	737	172	101	111	0	3033
Counter Visits	4	12	33	32	3	12	24	15	17	0	23	3	15	62	112	38	28	34	0	467
Total	63	187	168	256	16	199	287	104	177	8	318	61	93	230	849	210	129	145	0	3500

Table 4 -- Summary of Planning Program Statistics January 1 - December 31, 2018 ~ Review of Applications Under the Planning Act



Application Type	City of Kawartha Lakes	City of Barrie	County of Simcoe						Region of Durham				Region of York						Total Number of Applications by Type	
	City of Kawartha Lakes	Barrie	Bradford West Gwillimbury	Innisfil	New Tecumseth	Oro-Medonte	Ramara	County of Simcoe	Brock	Scugog	Uxbridge	Region of Durham	Aurora	East Gwillimbury	Georgina	King	Newmarket	Whitchurch-Stouffville		Region of York
Official Plans, Official Plan Amendments	0	4	1	9	1	1	0	0	0	2	2	2	2	1	2	4	3	0	0	34
Secondary Plan Review	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Zoning By-laws, Zoning By-law Amendments	0	11	13	14	1	5	1	0	3	3	8	0	8	10	8	4	6	0	0	95
Plans of Subdivision, Plans of Condominium	0	7	2	8	0	1	0	0	2	0	8	0	8	6	3	2	4	0	1	52
Site Plans	1	13	3	58	0	3	0	0	0	0	2	0	10	10	13	31	15	2	0	161
Consents	2	3	9	4	0	8	1	0	5	0	1	0	1	10	11	0	1	9	0	65
Minor Variances	0	8	6	40	0	15	4	0	9	0	6	0	12	10	39	6	0	20	0	175
Total Number of Applications by Municipality	3	46	34	133	2	33	6	0	19	5	27	2	41	47	76	47	29	31	1	582

Table 5 -- Summary of Regulations Program Statistics January 1 - December 31, 2018 ~ Review of Applications Under the Conservation Authorities Act & the Environmental Assessment Act

Application Type	City of Kawartha Lakes	City of Barrie	County of Simcoe						Region of Durham				Region of York						Total Number of Applications by Type	
	City of Kawartha Lakes	Barrie	Bradford West Gwillimbury	Innisfil	New Tecumseth	Oro-Medonte	Ramara	County of Simcoe	Brock	Scugog	Uxbridge	Region of Durham	Aurora	East Gwillimbury	Georgina	King	Newmarket	Whitchurch-Stouffville		Region of York
Section 28 Applications	9	53	35	143	1	97	128	0	55	1	47	0	39	81	194	53	24	17	0	977
Violation Notices	1	2	3	17	0	5	24	0	8	2	11	0	1	28	38	21	0	1	0	162
Legal Inquiries	0	26	33	28	1	8	8	0	11	0	12	0	26	27	23	8	8	5	0	224
Site Clearances	0	3	0	0	0	0	0	0	0	0	0	0	0	4	13	0	0	0	0	20
Environmental Assessment Undertakings	0	2	0	6	0	0	0	0	1	0	1	0	0	2	0	1	0	0	0	13
Total Number of Applications by Municipality	10	86	71	194	2	110	160	0	75	3	71	0	66	142	268	83	32	23	0	1396

Table 6 -- Summary of Customer Service Statistics January 1 - December 31, 2018

Application Type	City of Kawartha Lakes	City of Barrie	County of Simcoe						Region of Durham				Region of York						Total Number of Applications by Type	
	City of Kawartha Lakes	Barrie	Bradford West Gwillimbury	Innisfil	New Tecumseth	Oro-Medonte	Ramara	General	Brock	Scugog	Uxbridge	Outside	Aurora	East Gwillimbury	Georgina	King	Newmarket	Whitchurch-Stouffville		Region of York
Calls/Emails	73	195	117	483	6	185	387	204	266	6	49	110	113	311	859	237	149	107	0	4076
Counter Visits	6	10	29	55	0	26	34	3	28	6	28	5	24	150	243	58	57	33	0	816
Total	79	205	146	538	6	211	421	207	294	15	314	115	137	461	1102	295	206	140	0	4892



TO: Board of Directors
FROM: Kevin Kennedy, Land Securement Officer
DATE: February 12, 2020

SUBJECT: Lake Simcoe Region Conservation Authority Land Disposition Policy for Municipal Infrastructure and Other Project Considerations

RECOMMENDATION: THAT Staff Report No. 06-20-BOD regarding LSRCA’s Draft Land Disposition Policy for Municipal Infrastructure and Other Project Considerations be received; and

FURTHER THAT the recommendations and policies contained within this report be approved.

Purpose of this Staff Report:

The purpose of this Staff Report No. 06-20-BOD is to provide the Board with an update and seek approval on LSRCA’s Land Disposition Policies for Municipal Infrastructure and Other Project Considerations as a standalone policy.

Background:

LSRCA over many decades has acquired lands for park development and ecological protection; however, on occasion situations have arisen where provincial, regional, county or local municipal project requirements identify a need to acquire portions of LSRCA land. These transfers are typically carried out through purchase or easement for projects including roads and road widenings, sewer and water mains, hydro lines, etc. This could also include requests from non-government agencies, utilities (private/public) or private landowners.

Generally, LSRCA does not endorse the sale of lands containing provincially significant features or portions of LSRCA’s Conservation Areas. However, in instances where specific projects are approved through or supported by an Environmental Assessment Process (Individual EA or Class EA), LSRCA will consider requests from municipalities, provincial agencies, utilities or private landowners for the transfer of property rights including; permanent (fee simple or easement) and temporary working easements to accommodate the project requirements.

This policy replaces LSRCA's Land Disposition Policy previously updated in February 2011 and described within LSRCA's Natural Heritage System Land Securement Project 2011-2015, December 2010. This updated standalone policy outlines the land disposition approval process and technical requirements for the disposition of LSRCA land.

Issues:

Over the past 15 years LSRCA staff has been involved in several land dispositions associated with the transfer of property rights requested by public agencies (including fee simple and permanent easements and temporary/working easements). Through these projects, new and expanded issues have arisen, necessitating the development of additional requirements not captured in the existing policy. This policy update expands on the previous LSRCA policy to provide additional detail and expanded requirements when staff evaluates requests for the disposition of LSRCA lands from proponents typically associated with infrastructure projects.

The Draft Land Disposition Policy for Municipal Infrastructure and Other Project Considerations is provided in Attachment 1 and outlines LSRCA's Land Disposition Process, Board Approval Process, Ministry of the Environment, Conservation and Parks Approval Process, LSRCA's Technical Requirements and Purchase and Sale / Offer to Grant an Easement conditions.

The proceeds from the sale of LSRCA land or interest in land will be directed to LSRCA's Conservation Lands Program for future land acquisitions and the operations/management of LSRCA lands as outlined Attachment 1.

The scope of this policy enhances what LSRCA staff has already been doing, the expanded text will help proponents and LSRCA staff involved in the review and approval of disposition matters. This updated policy will allow proponents to build the formal transfer of property rights for infrastructure projects into their project scope, budget, and schedule.

Relevance to Authority Policy:

This land disposition policy replaces the current Land Disposition Policy as adopted by the Board on February 25, 2011 as part of the 2011-2015 Land Securement Project update. This policy addresses situations where a municipality, public agency, utility or private interest requests the disposition of LSRCA lands. Staff will apply these new policies in the review of future land disposition requests.

Impact on Authority Finances:

The costs associated with the preparation of reports/documents including legal and transfer costs will be the sole responsibility of the proponent/agency. Proceeds from the sale of LSRCA

land or interest in land will be directed to LSRCA’s Conservation Lands Program for future land acquisitions and the operations/management of LSRCA lands. The apportionment may be split in the following ways; 50/50 between land acquisition and operations/management considerations, based on the terms of the original acquisition or provincial funding allocations set out in the respective Conservation Area Provincial Order-In-Council (i.e., 50% or 75% towards land acquisition). The apportionment of funds will be provided by staff recommendation on a case by case basis.

The review of land disposition requests is implemented through the Conservation Lands Division with technical support from other LSRCA divisions including: Integrated Watershed Management, Corporate Services (GIS), Watershed Restoration Services, Environmental Science and Monitoring, and Planning and Development Services. These supports have not been budgeted as part of the land securement program but will be addressed through regular budget support subject to departmental approval in consultation with Conservation Lands’ staff.

Summary and Recommendations:

It is therefore RECOMMENDED THAT Staff Report No. 06-20-BOD regarding LSRCA’s Draft Land Disposition Policy for Municipal Infrastructure and Other Project Considerations be received; and FURTHER THAT the recommendations and policies contained within this report be approved.

Pre-Submission Review:

This Staff Report has been reviewed by the General Manager, Conservation Lands and the Chief Administrative Officer.

Prepared by Kevin Kennedy, Land Securement Officer

Signed by:

Brian Kemp
General Manager, Conservation Lands

Signed by:

Michael Walters
Chief Administrative Officer

Attachments:

1. Land Disposition Policy for Municipal Infrastructure and Other Project Considerations – Draft February 2020

Land Disposition Policy for Municipal Infrastructure and Other Project Considerations - *DRAFT*



February 2020

Conservation Authority Resolution

At the LSRCA Board of Director's meeting _____, 2020, the Land Disposition Policy for Municipal Infrastructure and Other Project Considerations was approved by the Board of Directors through the following resolution:

BOD-___-20 **RESOLVED THAT Staff Report No. 06-20-BOD regarding LSRCA's Draft Land Disposition Policy for Municipal Infrastructure and Other Project Considerations be received; and**

FURTHER THAT the recommendations and policies contained within this report be approved.

DRAFT

Table of Contents

1.0	Introduction	4
2.0	Land Disposition Process	5
3.0	Board Approval Process	6
4.0	Ministry of the Environment, Conservation and Parks Approval Process.....	6
5.0	Technical Requirements	8
5.1	Property Requirements / Survey Plans.....	8
5.2	Appraisal Report	8
5.3	Environmental Site Assessment Report.....	9
5.4	Design and Engineering Reports / Drawings	9
5.5	Construction Monitoring	9
5.6	Trail / Site Closure Plans	11
5.7	Public Communication Plan	11
5.8	Project and Construction Signage.....	11
5.9	Landowner/Conservation Lands Matters	12
6.0	Purchase and Sale / Offer to Grant an Easement Agreement	12
7.0	Proceeds from Property Disposition	13

List of Figures

Figure 1: LSRCA Land Disposition Process	7
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List of Appendices

APPENDIX A: Policies and Procedures for the Disposition of Conservation Authority Property (MECP formerly MNRF Policy)

APPENDIX B: Information Sheet - Disposition of Conservation Authority Property (MECP formerly MNRF Policy)

APPENDIX C: Notification of Land Disposition for Provincial Infrastructure and Utility Purposes under Conservation Authorities Act Subsection 21(2) (MECP formerly MNRF Policy)

APPENDIX D : LSRCA Land Management, Use and Access Fees (LSRCA FEES POLICY, 2019)

1.0 Introduction

The Lake Simcoe Region Conservation Authority (LSRCA) over many decades has acquired lands for park development and ecological protection however, on occasion situations arise where provincial, regional, county or local municipal project requirements identify a need to acquire portions of LSRCA land through purchase or easement for various municipal infrastructure or other public projects (e.g., roads and road widenings, sewer and water mains, hydro lines etc.). This could also include requests from non-government agencies, utilities (private/public) or private landowners.

Generally, the LSRCA does not endorse the sale of lands containing provincially significant features or portions of LSRCA's Conservation Areas. However, in instances where specific projects are approved through an Environmental Assessment Process (Individual EA or Class EA) or are supported by an environmental assessment process, the LSRCA will consider requests from municipalities, provincial agencies, utilities or private landowners for the transfer of property rights including; permanent (fee simple or easement) and temporary working easements to accommodate the proposed works.

This new standalone policy replaces LSRCA's Land Disposition Policy previously updated in February 2011 and described within LSRCA's Natural Heritage System Land Securement Project 2011-2015, December 2010. The policy outlines the land disposition approval process and technical requirements for the disposition of LSRCA land. Through the land disposition review LSRCA staff will also assess ways in which proposed infrastructure projects could contribute to meeting the objectives of existing Conservation Area Management Plans, Watershed and Sub-Watershed Plans, and LSRCA's Ecological Offsetting Policy (EOP, 2017).

The LSRCA will work with its member municipalities in good faith to transfer property rights as needed for public initiatives; however, it is important to note that the LSRCA is exempt from expropriations of land under the *Expropriations Act* for municipally initiated land dispositions (County, Region, Local). This is based on the fact that LSRCA is also an expropriating agency.

Where the sale or provision of easements to regional or local governments or the province is necessary, LSRCA Board approval is required. Through the review LSRCA staff will ensure that the proposed development meets the requirements of the *Conservation Authorities Act*, the *Lake Simcoe Protection Plan*, and other relevant legislation. Further, that appropriate mitigation and restoration measures are provided to mitigate the predicted impacts to the natural heritage features, operations and values of the respective conservation area associated with the construction and operation of the project.

When the disposition involves a request from a provincial agency (i.e. Ministry of Transportation, Metrolinx) they do have the power to expropriate lands from the LSRCA. The LSRCA will conduct negotiations in good faith to ensure to the best of LSRCA's ability that the appropriate mitigation and restoration measures are provided to mitigate the predicted impacts on the natural heritage features, operations and values of the respective conservation area. The LSRCA understands that while its comments and concerns will be submitted that the provincial agency does have the prerogative to proceed in its interest for the public good.

For dispositions where the funding for the acquisition of the subject land was provided by the provincial government through an Order-In-Council, the LSRCA is also required to obtain approval from the Minister of the Ministry of the Environment, Conservation and Parks (MECP) (As outlined in the former Ministry of Natural Resources and Forestry's (MNR) Policies and Procedures for the Disposition of Conservation Authority Lands, Appendix A) unless it is exempt under Section 21 (2) of the *Conservation Authorities Act* as amended (2019), in which case the Minister will be informed of the disposition in accordance with MECP policy.

The proceeds from the sale of LSRCA land or interest in land will be directed to LSRCA's Conservation Lands Program for future land acquisitions and the operations/management of LSRCA lands as outlined in Section 7.0.

2.0 Land Disposition Process

When the need for permanent and/or temporary property rights has been identified, the proponent is required to submit a specific request to the LSRCA identifying the requisite lands/rights for transfer. LSRCA staff will then determine the process to be followed to obtain the appropriate approvals from LSRCA, its Board and in some cases the MECP (formerly the Ministry of Natural Resources and Forestry).

Typically, the process involves an initial report to LSRCA's Board advising of the disposition request. The Board will direct staff to work with the proponent and their consultants to determine the value of the property rights and assess the environmental and operational impacts of the project on LSRCA lands. Various technical reports (as noted below) are required and will be reviewed by various LSRCA technical staff. This will involve; meetings, site investigations, and responses from the proponent based on LSRCA's review of the technical reports. Once all technical issues have been addressed, staff will present a final report to LSRCA's Board for approval along with the draft agreement of Purchase and Sale or Offer to Grant an Easement. If the acquisition of the land by the LSRCA was obtained through a Provincial "Order-in-Council", approval of the MECP or the Minister will be required.

Following approval of the Board and MECP (if required), LSRCA staff will direct LSRCA's legal counsel to complete the transfer of property rights to the proponent through their legal counsel. Prior to the commencement of works the proponent must obtain the requisite permits including; LSRCA Permits/Clearances and Permits/Clearance from any other Authority having jurisdiction (See Figure 1 – Land Disposition Process).

All costs associated with the transfer of title or easement (i.e., legal, appraisal, survey, environmental reports, etc.) will be the responsibility of the requesting municipality/agency. For projects initiated after May 2017 LSRCA's EOP will apply to the loss of ecological features. Depending on the location, scale and nature of the project works LSRCA's Phosphorus Offsetting and Water Budget Policies may apply. The scope of these assessments will be determined in consultation with LSRCA staff, agency staff and/or their consultants prior to approval of the disposition.

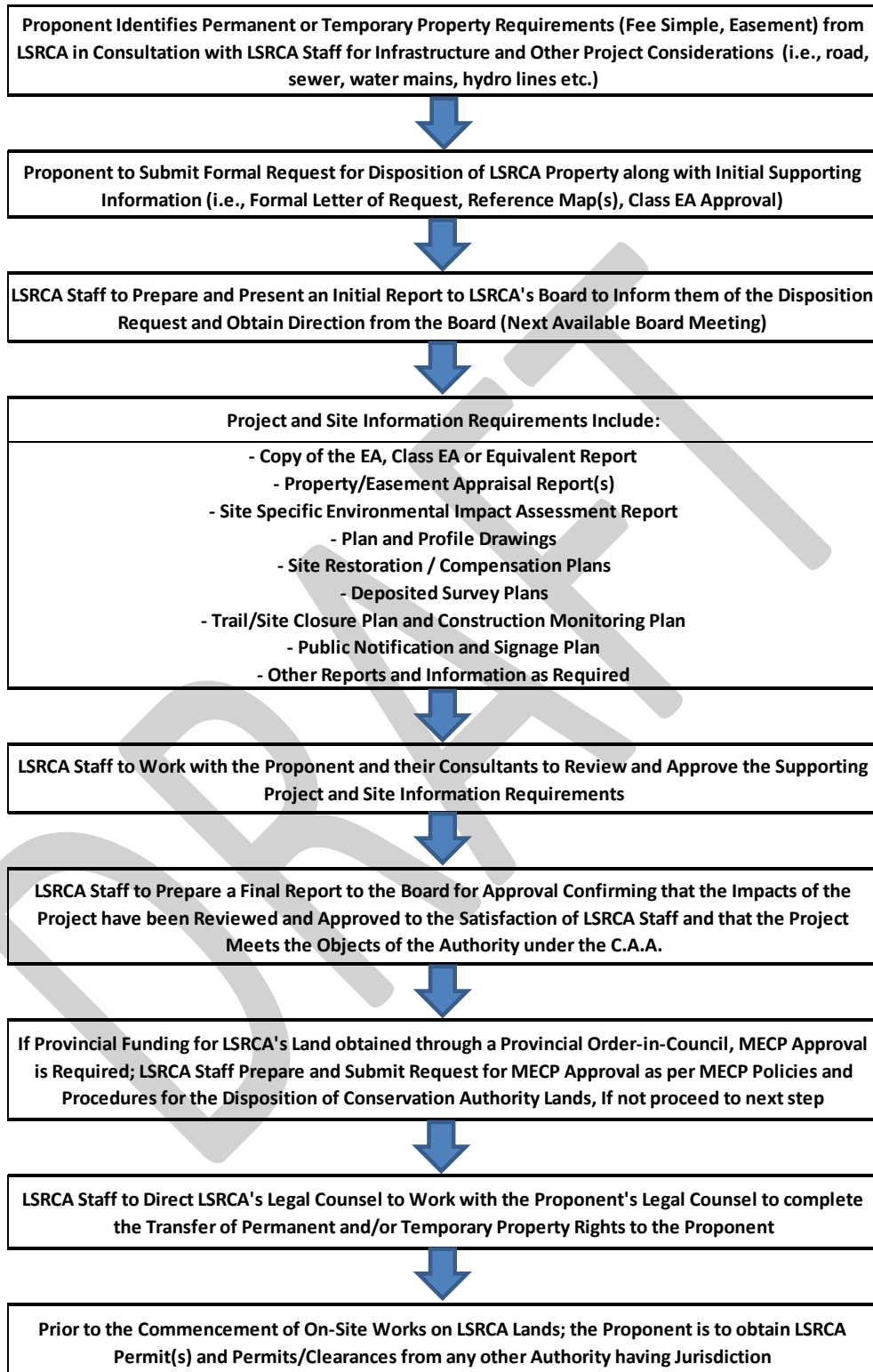
3.0 Board Approval Process

The process for approval of a land disposition through LSRCA's Board typically requires a minimum of two confidential reports to the Board as noted above. The first report is to inform the Board of the specific request; and the second to provide the final details and conditions of approval of the proposed disposition. The disposition matter will be put forward in a confidential staff report in the month following the receipt of all supporting documents. All documents must be received no later than the 3rd week of the month preceding the desired Board meeting (subject to availability on the Board agenda). Following Board approval staff will be directed to work with the proponent, their consultants and legal counsel to facilitate the transfer of the permanent or temporary property rights.

4.0 Ministry of the Environment, Conservation and Parks Approval Process

In instances where LSRCA lands were acquired with MECP (formerly MNRF) funding through a provincial Order-in-Council, approval from the MECP and possibly the Minister may be required. Following approval of the Board, LSRCA staff will then submit a formal request for disposition to the MECP for review and approval in accordance with MECP's (MNRF's) Policies and Procedures for the Disposition of Conservation Authority Property (Appendix A). Appendix B provides the associated summary sheet detailing the information required to be submitted to the MECP. Approval from MECP could take between 1 month (District Approval) and 3 to 6 months (Minister's Approval). Appendix C provides the associated summary for the notification of the

Figure 1: LSRCA Land Disposition Process



MECP for Provincial or Municipal Infrastructure and Utility Purposes where a project is exempt from Ministers approval under Subsection 21(2) of the Conservation Authorities Act. Following MECP approval staff will be directed to work with the proponent, their consultants and legal counsel to facilitate the transfer of the permanent or temporary property rights.

5.0 Technical Requirements

The following is a list of typical technical requirements of the proponent in support of a request for the transfer of property rights from LSRCA. Based on project complexity these requirements may be refined (expanded/reduced) in consultation with LSRCA lands, engineering, regulations and technical staff.

As part of the disposition process there are administrative fees associated with staff time to review the project reports/documents and undertake pre and post construction site assessments (Appendix D). Once the project has commenced this may also involve staff attendance at construction site meetings, site monitoring to address public complaints, review of alterations to the proposed plans or unforeseen site circumstances (i.e., storm events, flooding, discovery of contaminated soils). For large projects the LSRCA may require a “Letter of Credit” (Maximum \$10,000.00) to allow LSRCA staff to undertake immediate site repairs as required.

5.1 Property Requirements / Survey Plans

Define the property requirements and indicate the type of rights being requested permanent (i.e., fee simple, easement) and/or temporary working easements. The final plans will need to be delineated on an appropriate registered survey plan. The proponent will provide the LSRCA with a draft survey plan(s) in hard copy (2) and electronic formats showing the subject and remnant parcels. The final deposited plan(s) will be provided to the LSRCA prior to the transfer of the subject lands (2 hard copies and an electronic copy). The final plans shall be georeferenced and provided in appropriate electronic format(s).

5.2 Appraisal Report

All transfers of permanent property rights (fee simple or easements) or temporary easements are to be appraised at fair market value by an appraiser designated Accredited Appraiser Canadian Institute (AACI). The scope of this appraisal will be determined in consultation with LSRCA staff, agency staff and/or their consultants prior to the final approval of the land disposition.

If concerns related to the property value cannot be resolved with the proponent and their appraiser, the LSRCA reserves the right to obtain its own AACI property appraisal and/or peer review of the proponent's appraisal report paid for by the requesting agency/proponent.

5.3 Environmental Site Assessment Reports

The proponent shall provide a hard copy and electronic copy of the EA, Class EA or equivalent EA to the LSRCA along with the final provincial letter of approval/acceptance of the EA report. The proponent will be required to prepare a supporting Environmental Site Assessment report detailing the existing conditions, proposed mitigation measures, and restoration/planting plans for all direct and indirect impacts to LSRCA land(s) associated with the construction, restoration and operation of the site infrastructure. Depending on the nature and scale of site impacts, mitigation may involve off-site restoration works to address full project mitigation requirements (i.e., woodland restoration 2:1, wetland restoration 3:1 in accordance with LSRCA's EOP, 2017).

LSRCA staff will prepare a report detailing the technical issues/concerns of the project including; the environmental significance of the lands, the predicted direct and indirect impacts of the project, proposed mitigation measures, and site restoration and monitoring requirements. The scope of this assessment will be determined in consultation with LSRCA staff, agency staff and/or their consultants prior to approval of the disposition.

5.4 Design and Engineering Reports / Drawings

The proponent should engage the LSRCA at the time of the design of the project approved through the EA, Class EA or environmental study report to ensure LSRCA issues are addressed in a timely fashion through the design process rather than trying to accommodate LSRCA's concerns/requirements once final design has been completed. The proponent shall provide the LSRCA with copies (hard and electronic) of the relevant design drawings through the various design phases (i.e., 30%, 60%, 90% and final design). The scope of this assessment will be determined in consultation with LSRCA staff, agency staff and/or their consultants prior to the final approval of the land disposition.

LSRCA staff will review the relevant reports and drawings and provide written comments to the proponent and their consultants and where appropriate participate in meetings to discuss and resolve project impact and restoration matters.

5.5 Construction Monitoring

Most construction monitoring plans will be addressed through the restoration plan and will be finalized through the standard mitigation process. In instances where impacts to significant

woodland or wetland features require large restoration areas the proponent will be required to undertake post restoration monitoring. This will include; confirmation that all restoration works have been completed, assess post restoration conditions, quarterly and annual monitoring and a final monitoring report confirming that the woodland or wetland plantings have survived the initial years. For wetland restoration/enhancement or newly constructed wetlands confirmation that the wetland restoration works are functioning as designed. Monitoring may be required for a period of 3-5 years post completion of the site restoration works. The scope and period of monitoring will be determined in consultation with the proponent, their consultant(s), and LSRCA staff.

For projects that can be mitigated on-site post construction and within the standard vegetation warranty period, the following condition would be included in the purchase agreement; The “Proponent” acknowledges and agrees that the transfer of Property and the reconstruction and widening of “Road Name”, or installation of a “950mm sewer/forcemain” within the “Name of Conservation Area” will result in the loss of wetlands/woodlands under ownership and control of the LSRCA. The “Proponent” at its expense, agrees within 90 days to fully mitigate the loss of such wetlands/woodlands and site disturbances by restoring and enhancing the affected wetlands/woodlands and trail located on or adjacent to the Property as detailed in the report prepared by “Firm”, “Name of Report”, “Dated”. Without limiting the generality of the foregoing, the “Proponent” shall repair or replace any fence, gate, sign, trail, structure to the satisfaction of the LSRCA.

For projects that require additional mitigation within LSRCA’s property or at another location, further conditions may be imposed as follows; The “Proponent” further acknowledges that additional offsite works will be required to mitigate the loss of wetlands/woodlands on the LSRCA lands within proximity of the Property and the “Proponent” agrees to submit plans and specifications for review and approval of the LSRCA detailing the works to mitigate the project impacts to LSRCA’s lands including replacement of vegetative cover and wetland/woodland area, repair or replacement of any fence on the lands damaged as a result of the “Proponents” works, and additional trail construction as determined by the LSRCA, acting reasonably (the “Works”). The Works shall be performed at the expense of the “Proponent” within 90 days of completion of construction and monitored over a 3-5-year period as detailed in the report prepared by “Firm”, “Name of Report”, “Dated”.

In the event that the works do not function as designed within the monitoring period, the “Proponent” agrees to rectify the Works to the satisfaction of the LSRCA. Any additional Works shall be performed at the expense of the “Proponent”.

5.6 Trail / Site Closure Plans

Depending on the use and operation of the impacted conservation area a trail/site closure plan may be required. This plan will identify; specific areas to be closed, short term closure of all or portion of a conservation area trail, kiosk or other park area. These items would be incorporated into the Trail / Site Closure Plan and reflected in the construction monitoring and signage plans.

The scope of these plans will be determined in consultation with LSRCA staff, agency staff and/or their consultants prior to the final approval of the land disposition.

5.7 Public Communication Plan

As part of the project, public notification and consultation requirements will be evaluated. Prior to construction being initiated the proponent will be required to post public notice of the project. The scope of the public notification will be determined in consultation with LSRCA, local municipal and agency staff and/or their consultants prior to final approval of the land disposition. Notice requirements may include but not be limited to the following;

- Drop Off letters to be distributed in proximity to the construction/impact area (i.e. minimum of 120 m, or TBD based on project requirements) 2-4 weeks prior to project construction.
- Newsletters to be prepared by the proponent including the project description, anticipated impacts (i.e., traffic, noise, dust, vibration, and odor), contacts for project related matters and 24-hour complaint number(s). The Newsletters are to be distributed 2-4 weeks prior to construction in municipal offices, local public libraries and other public areas as determined by the project team.
- Project Notice to be placed in Local Newspapers.
- The proponent to prepare a project Q & A summary for frontline LSRCA and/or municipal staff to address occasional calls from the public. This summary should be made available concurrent with the time of public notices.
- Posting Project Notice(s) in Local Newspapers, on Websites (LSRCA, Upper and Lower Tier Municipality, Province or provincial ministry as appropriate). These notices should be posted concurrent with the time of public notices.

5.8 Project and Construction Signage

Prior to the initiation of construction, the proponent will be required to post construction signage on and in proximity of the works. For projects that may interfere with public trails signage may be required beyond the immediate project area. The size and design of the sign will be determined in consultation with LSRCA, local municipal, and agency staff and/or their consultants

prior to the initiation of construction, the signage requirements may include but not be limited to the following:

- Public sign locations shall be installed at appropriate locations on-site and in the vicinity of the project area
- Sign content shall include a brief project description, timeline, map, project and 24-hour complaint contact(s)
- Signage will be installed 2-4 weeks prior to the initiation of the project depending on the project impacts and complexity.

5.9 Landowner/Conservation Lands Matters

Separate from conditions imposed by LSRCA through normal Planning and Regulations review and permitting there are additional conditions that may be imposed by LSRCA from a landowner perspective through the Conservation Lands Division/Department. These are associated with the specific impacts to LSRCA property and operations. The LSRCA will require restoration of the site and compensation for impacts to CA operations including but not limited to:

- Restoration of the site to the satisfaction of the LSRCA
- Compensation through ecological offsetting
- Restore/Replace all fences, gates, benches, privy's, construct additional trails, trail heads and other related trail infrastructure
- Repair/ replacement or installation of site infrastructure (i.e., roads, trails, fences, gates, signs, and structures).
- A trail closure plan
- Public consultation plan
- Construction signage and monitoring plan

6.0 Purchase and Sale / Offer to Grant an Easement Agreement

Various agencies have their standard agreement formats/templates (i.e., Purchase and Sale Agreement, Offer to Grant an Easement) which will form the basis of the negotiations with the LSRCA. LSRCA staff and legal counsel will work with the proponent to modify the agreement to ensure that terms and conditions developed through the detailed review and design of the project are reflected in the terms of the agreement. There are several terms that the LSRCA require in the agreement including but not limited to the following:

- Detailed project reports will be outlined, and the specific terms/reports shall be referenced within the agreement itself.

- Lands are disposed of as is, there is no implied or expressed warranty, the proponent should satisfy itself of the condition of the subject property.
- In the event that any contaminants are discovered which require immediate or long-term restoration actions will be the sole responsibility of the agency/proponent.
- Subject to LSRCA Board Approval and where appropriate Approval of the Ministry/Minister of the Environment, Conservation and Parks will also be required.
- The restoration and monitoring conditions do not expire with the agreement and transfer of property rights.

Once all approvals (LSRCA Board and MECP) related to the transfer of permanent (fee simple or easement) or temporary easement rights are obtained, LSRCA staff will direct LSRCA's legal counsel to work with the proponent's lawyer to facilitate the transfer of rights to the respective agency. This could take between 1-2 months in order to prepare the requisite legal documents and obtain signatures, transfer of funds and registration of the property transfer.

Prior to the commencement of on-site works the proponent shall obtain any and all permits or approvals if required by the LSRCA or any other governmental authority having jurisdiction. LSRCA permits could take between 1 – 2 months depending on supporting documentation i.e., LSRCA landowner authorization, engineering analysis, environmental studies, restoration plans, etc. and corresponding review time.

The sale or granting of easements will be subject to conditions to ensure that the LSRCA's conservation objectives are met (i.e., site restoration, compensation through ecological offsetting, replacement of site infrastructure such as fencing, gates or signage and other site-specific considerations).

7.0 Proceeds from Property Dispositions

The costs associated with the preparation of reports/documents including legal and transfer costs will be the sole responsibility of the proponent/agency. Proceeds from the sale of LSRCA land or interest in land will be directed to LSRCA's Conservation Lands Program for future land acquisitions and the operations/management of LSRCA lands. The apportionment may be split in the following ways; 50/50 between land acquisition and operations/management considerations, based on the terms of the original acquisition or provincial funding allocations set out in the respective Conservation Area Provincial Order-In-Council (i.e., 50% or 75% towards land acquisition). The apportionment of funds will be provided by staff recommendation on a case by case basis.

APPENDICES

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APPENDIX A
Policies and Procedures for the Disposition of Conservation Authority Property
(MECP formerly MNR Policy)

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POLICIES AND PROCEDURES FOR THE DISPOSITION OF CONSERVATION AUTHORITY PROPERTY

1.0 BACKGROUND

Conservation Authorities collectively own some 131,000 hectares of land that has been acquired, to fulfil their mandate, through purchases, donations, and expropriations over the past 50 years. Some of these lands contain buildings and other structures or works. These properties vary in use and significance. Public benefits of these properties include public safety (i.e. flood control), protection of ecologically significant features, and recreation. In many cases the province contributed financially towards the property acquisition and development.

Changing watershed management priorities, together with reductions in provincial funding have resulted in Conservation Authorities reassessing their property holdings. Some properties may be considered surplus. In many cases it is no longer economically feasible for continued Conservation Authority ownership of some of these properties.

Changes to the Conservation Authorities Act through Bill 26 changed the approval authority from the Lieutenant Governor in Council to the Minister of Natural Resources for Conservation Authority land dispositions where the Minister has made a grant to the Conservation Authority for the land.

2.0 LEGISLATION

- 2.1 Section 20 of the Conservation Authorities Act describes the objects of a Conservation Authority, which are to establish and undertake, in the area over which it has jurisdiction, a program designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals.
- 2.2 Section 21 of the Conservation Authorities Act lists the powers which Conservation Authorities have for the purpose of accomplishing their objects.

Subsection 21(c) gives Conservation Authorities the power to sell, lease or otherwise dispose of land.

Subsection 21(d) gives Conservation Authorities the power to lease acquired land for a term of *five years* or less without the approval of the Minister.

Subsection 21(2) states that Minister's approval is required for land dispositions under Section 21(c) where the Minister has made a grant to a Conservation Authority, under Section 39, in respect of land.

Subsection 21(3) indicates that the Minister may impose terms and conditions on a land disposition approval.

3.0 DEFINITIONS

3.1 Minister - Minister of Natural Resources

3.2 Property - Land and fixed assets

3.2.1 Land - Any estate, term, easement, right or interest in, to, over or affecting land.

3.2.2 Fixed Assets - Any buildings, permanent structures or works which are fixed to the land. This includes administrative, education and interpretation buildings, recreational facilities, workshops, dams, dykes, constructed channels, weirs, berms and reservoirs.

3.3 Property Disposition - Selling, exchanging, granting of easement or otherwise disposing of property. This includes all oil/gas/gravel extraction leases over 1 year in duration. This also includes all other leases of over 5 years in duration (and renewals of over 5 years in duration) where the ownership or interest in the property is altered. This does not include management agreements in place for the operation/maintenance of the property where no exclusive rights or interest in the property are being transferred.

3.4 Provincially Significant Wetlands - "Wetlands" are lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

"Provincially Significant" wetlands are those identified using evaluation methodologies developed by the Ministry of Natural Resources for this purpose. The specific methodologies currently in use are entitled Ontario Wetland Evaluation System: Southern Ontario, Third Edition, OMNR, March 1993. In addition, Class 1,2, and 3 wetlands identified under An Evaluation System for Wetlands of Ontario South of the Precambrian Shield, Second Edition, 1984 are

also considered to be provincially significant. Over time these wetlands will be re-evaluated using the new methodology.

- 3.5 Provincially Significant ANSI's - Areas of Natural and Scientific Interest "ANSI's" are areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to natural heritage protection, scientific study, or education.

"Provincially Significant" ANSI's are those identified using organizing frameworks and evaluation methodologies developed by the Ministry of Natural Resources for this purpose. For life and earth science features, the methodologies are contained in A Framework for the Conservation of Ontario's Biological Heritage, OMNR, 1980 and A Framework for the Conservation of Ontario's Earth Science Features, OMNR, 1981 respectively.

- 3.6 Niagara Escarpment Lands - Niagara Escarpment "natural areas" designated within the approved Niagara Escarpment Plan. Designated "natural areas" have been delineated on 1:10,000 scale Ontario Basic Mapping and are formally filed with the Niagara Escarpment Commission and the Ministry of Municipal Affairs and Housing.

- 3.7 Habitat of Endangered Species - Lands which are formally described, mapped and confirmed as Habitat of Endangered Species by MNR and supported by a Recovery Plan.

3.8 Managed/Agreement Forest Lands

- 3.8.1 Managed Forests Lands - Lands owned by Conservation Authorities where forest management is the primary objective of the land holding and where harvesting conforms with a forest management and operations plan approved by a professional forester.

- 3.8.2 Agreement Forests Lands - Forests owned by Conservation Authorities which are managed by MNR further to a memorandum of agreement between the CA and MNR.

4.0 POLICY

This policy provides a framework under which dispositions of Conservation Authority owned property can be made. It is consistent with other government policies regarding property disposition.

4.1 A Conservation Authority requires Minister's approval to dispose of Conservation Authority owned property where:

4.1.1 the property is Provincially Significant Conservation Lands or a Managed/Agreement Forest Lands (See Section 4.5.1).

Note: in cases where a grant was provided to a conservation authority for acquisition of agreement forest land under the Forestry Act, Minister's approval for disposition is subject to the legislation, policies, procedures and agreement signed under the Forestry Act with respect to provincial revenue sharing.

4.1.2 provincial funding support has been provided for the property, under the Conservation Authorities Act, in support of acquisition, capital development, management and payment of taxes.

4.2 All property dispositions identified in Policy 4.1 which are leases should generally be for a term of 20 years or less. This is pursuant to Section 50(3) of the Planning Act which requires a land severance for any leases of over 20 years.

4.3 All property dispositions identified in Policy 4.1 which are oil/gas/gravel leases (exploration, extraction, storage) must:

- not detract from and be compatible with the prevailing water and related land management benefits of the property
- be undertaken through the private sector

Property dispositions identified in Policy 4.1 which are oil/gas extraction leases, will only be considered for approval under this policy if the drilling occurs on property adjacent to Conservation Authority owned property.

Property dispositions identified in Policy 4.1 which are gravel extraction leases, will only be considered for approval under this policy, despite Section 20 of the Conservation Authorities Act, if the leases directly support the water/resource management and ancillary recreational projects of the Conservation Authority.

4.4 All dispositions identified in Policy 4.1 which are within the Niagara Escarpment Plan Area will be subject to the policies of the Niagara Escarpment Plan, and the requirements of the Niagara Escarpment Planning and Development Act.

4.5 All property dispositions identified in Policy 4.1 must:

- fulfil the objects of the authority
- protect Provincially Significant Conservation lands and Managed/Agreement Forest lands (See Section 4.5.1)
- be based on market value (See Section 4.5.2)
- follow an open process with public notification (See Section 4.5.3)
- be accurately defined (See Section 4.5.4)

4.5.1 Protect Provincially Significant Conservation Lands and Managed/Agreement Forest Lands

The Minister will generally not approve property dispositions for Conservation Authority land deemed as "provincially significant" or for Managed/Agreement Forest lands.

These lands include:

1. Provincially Significant Wetlands
2. Provincially Significant Areas of Natural and Scientific Interest (ANSI's).
3. Niagara Escarpment "Natural Areas" Designated Within the Approved Niagara Escarpment Plan
4. Habitat of Endangered Species
5. Managed/Agreement Forest Lands

(for definitions of the above, see 3.4 - 3.8)

Conservation Authorities seeking approval to dispose of these properties must *provide written assurances* that the lands being disposed of will be protected from loss of "significance". This may include an agreement with its prospective purchaser to register a covenant, or conservation easement on title that has the effect of protecting significant features and/or prescribing allowable activities. The Minister may impose related terms and conditions on a land disposition approval as per subsection 21(3) of the Conservation Authorities Act.

4.5.2 Based on Market Value

Property dispositions should be based on market value as determined by a full appraisal completed by an accredited appraiser. For property dispositions with estimated values less than \$50,000, a letter of opinion from a qualified individual is acceptable. Conservation Authorities must justify a disposition price of greater than 10% less than market value.

Nominal sum dispositions to municipalities or other public agencies will be considered on their own merits and must ensure that such transfers retain the lands in open space/conservation purposes, except for public services such as road widenings, utility easements, rights-of-way, etc.

4.5.3 Follow an Open Process with Public Notification

Where a Conservation Authority has been given property through bequest, donation or other means, every effort should be made to consult the donor/previous owner (or designate) prior to offering the lands on the open market.

Where the property to be disposed of was acquired by the Conservation Authority through expropriation after December 20, 1968, then Section 42 of the Expropriations Act is applicable and the Conservation Authority must give the original owners the first opportunity to reacquire the land or obtain the consent of the Minister for the proposed disposition to another party.

Government (local, provincial and federal) and public agencies should be given ample opportunity to consider their interest in any property being disposed of by a Conservation Authority.

Property to be disposed of should be advertised on the open market. Acceptable open marketing methods include:

- . Public tender
- . Public auction
- . Call for proposals
- . Invitational tender
- . Multiple Listing Service

Affected municipalities, adjacent landowners, the public and interest groups must be given ample notification about all proposed property dispositions. This may

include advertisements in local and regional newspapers, and ensuring that the property is visibly signed for a suitable length of time.

Property dispositions need not be advertised on the open market but should have public notification where:

- the property was donated, bequeathed or otherwise given to the Conservation Authority and is now being returned to the former owner (or estate)
- the property was expropriated by the Conservation Authority and is now being returned to the former owner
- the property is being sold to a public agency.
- the property is landlocked or not separately viable and is being sold to adjacent property owners
- the property is required to re-establish access to property severed by road realignment or closure
- land is being exchanged
- it is in the best interest of the Conservation Authority and the province to offer the property for sale to a specific party

Note: Requested exemptions from public notification must be adequately justified and will be considered on their own merits.

Section 4.5.1 still applies.

4.5.4 Accurately Define

An up-to-date, accurate deposited reference plan of the property to be disposed of, completed by a registered Ontario Land Surveyor, is required.

The purpose of this requirement is to provide a clear and current indication of the property being disposed of and to prove that the property is free of encroachments *and that all property fences or other markers are located properly*. This is to reduce the risk of legal action being taken against a Conservation Authority for misrepresenting the land. Also, it reduces legal and political liabilities of both the Conservation Authority and the Ministry.

Acceptable Reference Plans are generally no more than 5 years old. Older reference plans may be accepted if the Conservation Authority can ensure the Ministry of their accuracy. Survey information must be in metric measurement.

5.0 PROCEDURES

- 5.1 Requests for Minister's approval for property dispositions should be routed by the Conservation Authority to:

Director, Lands and Natural Heritage Branch
Ministry of Natural Resources
Conservation Authority Program
300 Water Street
P/O Box 7000
Peterborough, Ontario
K9J 8M5

- 5.2 To expedite review of the request for approval, the following documentation is required as a complete package:

1. Two copies of a letter addressed to the Minister from the Conservation Authority requesting approval for the disposition
2. Two copies of a letter of transmittal to the Director, Lands and Natural Heritage Branch, MNR indicating the purpose for both the original acquisition and the proposed disposition and any other pertinent details not covered in the Information Sheet
3. Two copies of the completed and signed Information Sheet (copy attached)
4. Two copies of the Conservation Authority resolution approving the disposition and stating that the disposition furthers the objects of the Conservation Authority
5. Two copies of the signed legal agreement (i.e. - Agreement of Purchase/Sale, Lease Agreement). The effective date of the agreement should be dependent on receiving Minister's approval
6. Two copies of the Appraisal Report/Letter of Opinion and release for the information to be used by the Crown, if required
7. Two copies of the Deposited Reference Plan
8. *Copy of public notices, newspaper ads, etc.*
9. Proof of approval from the Niagara Escarpment Commission, if property is within the Niagara Escarpment Plan Area
10. Proof of successful corporate search

- Additional relevant information supporting the proposed disposition

5.3 The disposition request package will be routed by the Director as follows:

- For disposition requests involving Provincially Significant Conservation Lands and Managed/Agreement Forest lands, staff of the appropriate MNR District office will review the package to ensure that the disposition protects Ministry interests and the Provincial significance of the property.

- Legal Services Branch
- Assistant Deputy Minister, Natural Resources Management Division
- Deputy Minister
- Minister

Acknowledgement of Minister's approval will be provided to the Conservation Authority.

5.4 MNR reserves the right to audit Conservation Authorities for adherence to this policy.

6.0 REVENUES

Revenues generated through the disposition of Conservation Authority property, as applicable under this policy, are subject to the provisions of the MNR Policies and Procedures for the Treatment of Conservation Authority Generated Revenues.

APPENDIX B
Information Sheet - Disposition of Conservation Authority Property
(MECP formerly MNR Policy)

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INFORMATION SHEET

**FOR APPROVAL UNDER SECTION 21(1) and (2)
OF THE CONSERVATION AUTHORITIES ACT
FOR
DISPOSITION OF CONSERVATION AUTHORITY PROPERTY**

This document is supported by the MNR Policies and Procedures for the Disposition of Conservation Authority Property.

Part 1 - General

1.1 _____ Conservation Authority.

Part 2 - Identification of Subject Parcel

2.1 Name of Lower Tier Municipality _____
Name of Upper Tier Municipality/County _____
Deposited Reference Plan Number/Part(s) _____
If plan is over 5 years old, provide evidence of its accuracy _____

2.2 Area of subject parcel _____ hectares.

2.3 Is any of the subject parcel Provincially Significant Conservation Lands or Agreement/Managed Forest Lands _____ (yes/no)?
If yes, provide details (e.g., which category, area in hectares, significant features)

2.4 The Conservation Authority originally acquired the subject parcel through (check one)

- Voluntary sale
- Expropriation
- Donation
- Exchange

From _____
on (date) _____
for this purpose/project _____

With (check one)

no provincial grant

provincial grant - specify grant rate _____%

Identify any other original acquisition funding partners or special funding arrangements _____

2.5 Has any financial support been provided under Section 39 of the Conservation Authorities Act for:

(check if applicable)

capital development

management

taxes

Describe if buildings/significant capital investment involved (e.g., provide approximate value) _____

Part 3 - Disposition Information

3.1 This disposition is a (check one)

sale

lease

grant of easement

exchange

other (specify) _____

3.2 Explain why this disposition is taking place and indicate the transferee's proposed use of the subject parcel _____

3.3 Relationship of property to be disposed to adjacent property _____

3.4 If yes to question 2.3, identify how significant features will be protected

3.5 The transferee is:
(check one)

- Private individual
- Municipality
- Charitable Organization
- Corporation with a Provincial Charter
- Other (specify) _____

Name/address _____

If a corporation with a provincial charter, identify principle(s), and provide result of corporate search _____

Part 4 - Disposition Process Information

4.1 **Detail** how the disposition of the subject property followed an open process with public notification by answering the following questions:

4.1.1 Open Process

How was the subject parcel advertised on the open market:

- public tender
 - public auction
 - call for proposals
 - invitational tender
 - Multiple Listing Service
 - Other, (specify) _____
-
-
-

How did the Conservation Authority obtain public comment on the disposition _____

Identify any unresolved issues _____

4.1.2 Notification

If applicable, how was a donor, or previous owner consulted if subject parcel was originally acquired by donation, bequest or other means _____

If applicable, was the original owner given first opportunity to reacquire the land if expropriated after December 20, 1968 _____ yes/no
Provide details _____

How was government and public agencies given an opportunity to consider their interest in the subject parcel _____

How were affected municipalities, adjacent landowners, the public and interest groups given ample notification about the disposition of the subject parcel (e.g., advertisements in local and regional newspapers, signs) _____

4.1.3 If the subject parcel did not follow an open process with public notification, explain why _____

4.2 Conservation Authority resolution # _____, dated _____
_____ states that this disposition will further the objects of the Conservation Authority, pursuant to Section 20 of the Conservation Authorities Act.

Part 5 - Disposition Financial Information

5.1 Disposition payment price \$ _____

Explain how the payment price was established (e.g., market value appraisal completed by an accredited appraiser) _____

Costs associated with completing this transaction (e.g., legal, survey, appraisal) are estimated at \$ _____. Who will pay these costs _____

Proposed use of the proceeds _____

Note - Use of proceeds are subject to the terms and conditions of the MNR Policies and Procedures for the Use of Conservation Authority Generated Revenue.

Part 6 - Additional Details Supporting this Request

Part 7 - Endorsements

Requested By: _____ Date _____
Chief Administrative Officer
Conservation Authority

Recommended By: _____ Date _____
Director, MECP

Endorsed By: _____ Date _____
Legal Services Branch, MECP

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APPENDIX C

**Notification of Land Disposition for Provincial Infrastructure and Utility Purposes under Conservation
Authorities Act Subsection 21(2) (MECP formerly MNRF Policy)**

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Notification of Land Disposition for Provincial or Municipal Infrastructure and Utility Purposes under *Conservation Authorities Act* Subsection 21(2)

1. Name of Conservation Authority:

Click here to enter text.

2. Reference Plan Number/Parts

Click here to enter text.

3. Area of subject parcel:

Click here to enter text.

4. Nature of disposition:

- Sale
- Lease
- Grant of easement
- Exchange

5. Reason for disposition:

Click here to enter text.

6. Transferee/Buyer:

Click here to enter text.

7. Was the property originally acquired by expropriation after December 20, 1968?

- Yes *Properties expropriated after Dec. 20 1968 must be offered back to the original owner.*
- No

8. Provincial grant rate (% paid by the Province to acquire the land):

Click here to enter text.

9. Disposition price:

Click here to enter text.

10. Amount to be paid by the authority for transaction costs out of revenues:

Click here to enter text.

11. Notice of Approval of the province, the provincial agency, board or commission or the municipal government board or commission affected by the disposition:

Click here to enter text.

Note that net proceeds of the disposition are subject to the requirements of the Policies and Procedures for the Treatment of Conservation Authority Generated Revenue.

Name:	Signature:
Click here to enter text.	X _____
I certify that the information provided above is complete and correct to the best of my knowledge.	

Please attach one copy of the Deposited Reference Plan.

MNRF reserves the right to request additional information about this disposition if necessary, in future.

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APPENDIX D
LSRCA Land Management, Use and Access Fees
(LSRCA FEES POLICY, 2019)

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LSRCA Land Management, Use and Access Fees

CATEGORY	FEE	
Use of Property Hold Harmless Agreement (UPHHA)	\$1,500	Fee to cover administration and monitoring of UPHHA
Letter of Credit - UPHHA	\$10,000	Letter of Credit provided by proponent associated with UPHHA. The Letter of Credit is only used if required to repair/mitigate damage that occurs during property use (eg. trail damage, tree damage, environmental damage, etc.) and the damage is not addressed by the proponent
Permission To Enter Agreement	\$500	Fee to cover administration and monitoring of PTEA
Trail Use Agreements	TBC	This is an area that requires more consideration and will be dealt with on a case by case basis

DRAFT



TO: Board of Directors
FROM: Christa Sharp, Restoration Program Coordinator
DATE: February 19, 2020

SUBJECT: Update on Pre-qualification of Restoration Consultants and Contractors

RECOMMENDATION: THAT Staff Report No. 07-20-BOD regarding pre-qualification of Consultant and Construction Services for Low Impact Development Retrofit Projects, and for Natural Heritage Restoration Projects – Grasslands, Wetlands and Streams be approved; and

FURTHER THAT staff be directed to re-issue the Request for Expression of Interest for Consultant and Construction Services for Low Impact Development Retrofit Projects and Natural Heritage Restoration Projects – Wetlands, Stream and Grassland Restoration every two years; and

FURTHER THAT the current prequalified vendors remain on the list for a one-time four-year term.

Purpose of this Staff Report:

The purpose of this Staff Report No. 07-20-BOD is to seek approval from the Board of Directors of the list of pre-qualified consultants and contractors to undertake low impact development (LID) retrofit, grassland, wetland and stream restoration design and construction projects; to allow the current pre-qualification list to be used for all works under \$200,000; and for staff to be directed to go back out to the market every two years and the allowance of the list of current prequalified firms to stay on for the four year reposting period.

Year	2019	2021	2023
Activity	Original RFEOI prequalified list was determined	Resend out RFEOI to allow new bidders to submit; current list can update credentials	Send out RFEOI; new prequalified list will be created

Background:

In 2018 and 2019, LSRCA staff prequalified consultants and contractors to completed design and construction for stormwater, LID, wetland, streams and grassland projects. The Board approved the updates to the Purchasing Policy (Policy) to include the pre-qualification of contractors as well as the list of prequalified consultants and contractors. The purpose behind prequalifying contractors is to reduce process in order to save time and resources and effectively complete restoration projects. The recommended consultants and contractor have been screened to ensure high standards for project quality and demonstrated ability to deliver are met. The CAO or designate also annually reviews the performance of each pre-qualified bidder to ensure they continue to be deemed qualified.

Two distinct service needs were identified based on the funding for restoration projects, including the Phosphorus, Ecological and Water Balance Offsetting Programs, special capital, the Foundation and other grants. These service needs include expert consultants and contractors in the field of LID stormwater management construction and in the field of streambank restoration, the creation of wetlands and grassland natural heritage features. Consultants and contractors had to demonstrate their ability to deliver, as well as documented previous experience successfully completing projects within these categories.

Results:

The Request for Expression of Interest (RFEOI) for consultants for Phosphorus Reduction Stormwater Management Retrofit Opportunities was issued on Bidding on October 12, 2018. The RFEOI Review Committee met on December 6, 2018 and determined four firms deemed qualified. In accordance with the Policy, these results were approved by the CAO. The four firms are Aquafor Beech Limited, Stantec, The Municipal Infrastructure Group Limited (TMIG), and a combined team of SCS Consulting, EOR and Schollen & Company Inc.

The RFEOI for consultants for Natural Heritage Restoration Opportunities (Wetland, Streams and Grasslands) was issued on Bidding on November 23, 2018. The RFEOI Review Committee met on January 22, 2019 and determined five firms deemed qualified. In accordance with the Policy, these results were approved by the CAO. The five firms are Water’s Edge, GHD Group, Schollen and Company Inc., Stantec, and Resilient Consulting corporation.

The RFEOI for Construction Services for Natural Heritage Restoration Projects – Grasslands was issued on Bidding on March 22, 2019. Five proposals were received on April 18, 2019. The RFEOI Review Committee met on May 7, 2019 and determined three firms were deemed qualified. In accordance with the Policy, these results were approved by the CAO. The three firms are Arborvitae Ecological Landscapes, Sage Earth, and St. Williams Nursery & Ecology Centre.

The RFEIO for Construction Services for LID Retrofit Projects was issued on Bidding on March 22, 2019. Four proposals were received on April 18, 2019. The RFEIO Review Committee met on May 15, 2019 and determined two firms were deemed qualified. In accordance with the Policy, these results were approved by the CAO. The two firms are Arborvitae Ecological Landscapes and R&M Construction (560789 Ontario Limited).

The RFEIO for Construction Services for Natural Heritage Restoration Projects – Wetlands and Streams was issued on Bidding on May 10, 2019. Five proposals were received on May 24, 2019. The RFEIO Review Committee met on June 11, 2019 and determined two firms were deemed qualified. In accordance with the Policy, these results were approved by the CAO. The two firms are Dynex Construction Inc. and R&M Construction (560789 Ontario Limited).

Issues:

The above-mentioned procedure is in full compliance with the updated Purchasing Policy regarding the contractor pre-qualification for grasslands, and therefore no outstanding issues have been identified.

The purchasing policy states that RFEIOs will be reissued bi-annually to allow new bidders to submit and previous bidders to resubmit.

As well, Staff Report No. 34-19-BOD stated that the RFEIO for construction services for Low Impact Development and Natural Heritage Restoration projects would be re-issued in late 2019 because each category only had two prequalified bidders.

Due to the low volume of projects over the last year and the time and resources that is put into the prequalification process, it is recommended that current list of prequalified consultants and contractors remain in place for four years with a reissue of the RFEIO at the two year mark in order to update credentials of our current prequalified list and allow new bidders to submit.

Relevance to Authority Policy:

The pre-qualification of contractors allows LSRCA to provide excellent customer service by ensuring efficient project delivery and project success. This supports Goal #4 of LSRCA's 2016-2020 Strategic Plan to a build stronger and more valued organization through business excellence.

Impact on Authority Finances:

The pre-qualification of contractors reduces staff time and resources and should result in a positive outcome relative to Authority finances.

Summary and Recommendations:

It is therefore RECOMMENDED THAT Staff Report No. 07-20-BOD regarding pre-qualification of Consultant and Construction Services for Low Impact Development Retrofit Projects, and for Natural Heritage Restoration Projects – Grasslands, Wetlands and Streams be approved; and FURTHER THAT staff be directed to re-issue the Request for Expression of Interest for Consultant and Construction Services for Low Impact Development Retrofit Projects and Natural Heritage Restoration Projects – Wetlands, Stream and Grassland Restoration every two years; and FURTHER THAT the current prequalified vendors remain on the list for a one-time four-year term.

Pre-Submission Review:

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

Signed by:

Rob Baldwin
General Manager,
Watershed Restoration Services

Signed by:

Mark Critch, CMA, CPA
General Manager,
Corporate and Financial Services/CFO

Signed by:

Michael Walters
Chief Administrative Officer