

## Board or Directors' Meeting

Board of Directors' Meeting No. BOD-13-20

Friday, November 27, 2020

Held virtually via Zoom

### Meeting Minutes

#### LSRCA Board Members Present

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

#### LSRCA Board Members Absent

Township of Brock, Township of Ramara, Councillor E. Yeo

#### LSRCA Staff Present

R. Baldwin, T. Barnett, M. Bessey, A. Brown, K. Christensen, C. Connell, M. Critch, P. Davies, N. Hamley, C. Hawson, S. Jagminas, B. Kemp, K. Kennedy, N. Knight, B. Longstaff, S. MacKinnon, N. O'Dell, G. Peat, M. Rosato, R. Sadowska, C. Sharp, C. Taylor, M. Walters, K. Yemm, K. Zeppieri

#### Guests in Attendance

T. Patterson, Freeman Associates

### I. Declarations of Pecuniary Interest or Conflict of Interest

None noted.

### II. Approval of Agenda

Moved by: D. Barton

Seconded by: V. Hackson

BOD-137-20 **Resolved That** the content of the Agenda for the November 27, 2020 meeting of the LSRCA Board of Directors be approved as presented. **Carried**

### III. Adoption of Minutes

#### a) Board of Directors

Moved by: A. Waters

Seconded by: K. Aylwin

BOD-138-20 **Resolved That** the minutes of the Board of Directors' Meeting No. BOD-11-20 held on Friday, October 30, 2020 be approved as circulated. **Carried**

**b) Board of Directors**

Moved by: A. Waters

Seconded by: K. Aylwin

BOD-139-20 **Resolved That** the minutes of the Special Meeting of the Board of Directors No. BOD-12-20 held on Friday, November 6, 2020 be approved as circulated. **Carried**

#### **IV. Announcements**

- a) Chair Emmerson advised that Mayor Bath-Hadden, LSRCA's representative from the Township of Brock, recently announced that due to some health issues, she is taking a leave of absence. Chair Emmerson sent best wishes to Mayor Bath-Hadden on behalf of the Board on a speedy recovery.
- b) Chair Emmerson was pleased to announce that Rob Baldwin, currently General Manager, Planning & Development and Watershed Restoration Services, has been named the Authority's next CAO effective January 1, 2021, upon the retirement of the current CAO Mike Walters.

#### **V. Presentations**

**a) Stormwater Optimization Study Update**

General Manager, Integrated Watershed Management, Ben Longstaff, along with a Tracy Patterson, a consultant with Freeman Associates, provided an update on the Stormwater Optimization Study, also known as the Equitable Responsibility for Transformational Design: Optimization of stormwater management within the East Holland River watershed. This study was formed in response to growing challenges in stormwater management. The East Holland River was selected as the pilot watershed to test the hypothesis that improved environmental outcomes can be realized at lower capital and operating costs via a systemic, watershed-based approach to stormwater management planning that includes siting centralized and distributed infrastructure on both publicly-owned and privately-owned properties. Funded by Federal grants, watershed municipalities, Lake Simcoe Conservation Foundation, and Sustainable Technology Evaluation Program partners, the study began in 2018. Project stages included: (1) formation of advisory committee and model selection; (2) watershed characterization and data compilation; (3) current state model development and calibration; (4) future state model development and screening; (5) future state simulations to test study principles; (5) reporting and communications.

The study was able to demonstrate that (i) optimization modeling will lead to more cost effective SWM strategies; (ii) most cost effective SWM strategies are achieved when private and public lands are considered; and (iii) most cost-effective strategies are achieved when stormwater is planned and managed at a watershed rather than jurisdictional scale. In addition, immediate opportunities to improve stormwater planning and management within the East Holland River were identified.

Technical and non-technical study reports are currently being finalized and will be available in early December. These reports will outline the study methodology, study findings and will make a series of recommendations.

To view this presentation, please click this link: [Stormwater Optimization Study](#)

For more information on the stormwater optimization study, please contact Ben Longstaff at [b.longstaff@lsrca.on.ca](mailto:b.longstaff@lsrca.on.ca).

Moved by: K. Ferdinands

Seconded by: T. Vegh

BOD-140-20 **Resolved That** the presentation by General Manager, Integrated Watershed Management, Ben Longstaff, and Freeman Associates Consultant, Tracy Patterson, regarding the Stormwater Optimization Study be received for information. **Carried**

Staff Report No. 44-20-BOD regarding the Stormwater Optimization Study was included in the agenda.

Moved by: K. Ferdinands

Seconded by: T. Vegh

BOD-141-20 **Resolved That** Staff Report No. 44-20-BOD regarding the update on the Equitable Responsibility for Transformational Design project be received for information. **Carried**

#### **b) Response to Bill 229**

Chief Administrative Officer, Mike Walters, provided an overview of the changes to the Conservation Authorities Act and the Planning Act as outlined in the Provincial Bill 229, Protect, Support and Recover from COVID-19 (Budget Measures), 2020. In 2018, the Province began a review of Conservation Authority operations, following which Bill 108, More Homes, More Choice Act was introduced, and Schedule 2 specifically amending the Conservation Authorities Act with the following three key goals in mind: to improve consistency and transparency of the programs and services that conservation authorities deliver; to provide additional oversight for

municipalities and the province; and to streamline conservation permitting and land use planning reviews to increase accountability, consistency, and transparency.

Conservation authorities have demonstrated willingness to work with the Province and have since been working to meet these expectations by: adopting consistent By-Laws by December 2018; implementing best management practices regarding governance and administration; voluntarily reducing timelines for issuance of permits based on the previous Conservation Authority Liaison Committee requirements; initiating client centric service training and monitoring protocols to document improvements in service delivery, and attending a series of consultation sessions with the Minister and provincial staff.

Additionally, Conservation Ontario, on behalf of all 36 conservation authorities, has been consistently trying to engage the Province to clarify their concerns and discuss a path forward for conservation authorities to work collectively to achieve the Province's desired outcomes.

Unfortunately, the amendments introduced in Schedule 6 of Bill 229 show no regard for these efforts, do not reflect the discussions during consultations, and would seem ill conceived containing several unintended consequences which either conflict with other existing pieces of legislation and/or are counterproductive to their stated objectives. In fact, none of the recommendations put forth by conservation authorities have been considered in the amendments, including long awaited tools to assist with permitting and enforcement. Simply put, the changes will not achieve the objectives of the Province, objectives that all 36 Conservation Authorities share. Rather, many are potentially contrary leading to increased red tape, additional costs to taxpayers, and placing Ontario's residents and environment at risk.

The proposed changes significantly diminish our ability to protect Ontario's environment and ensure people and property are safe from natural hazards by not being able to apply watershed-based decisions on new development. Additionally, the unintended consequences associated with amendments to permitting will ultimately create more red tape, delays, disruption, and costs which would need to be borne by the taxpayer.

The outcomes are contrary to the Province's goals and plans for economic recovery as is the decision to repeal enforcement tools previously considered. Without these tools our Authority cannot meet the intent of the Conservation Authorities Act and effectively enforce Section 28 of Ontario Regulation 179/06. Inadvertently the result is that violators will benefit from our limited ability resulting in further environmental degradation and risk to people and property.

Finally, the significant changes to governance involving the 'Duty to Members' section of the Conservation Authorities Act that would have municipal representatives on conservation authority Boards act in the interests of their own municipality rather than the conservation authority's interests is fundamentally flawed.

To view this presentation, please click this link: [Bill 229, Schedule 6 Proposed Amendments](#)

Moved by: P. Ferragine

Seconded by: C. Riepma

BOD-142-20 **Resolved That** the presentation by Chief Administrative Officer, Mike Walters, regarding the changes to the Conservation Authorities Act and the Planning Act as outlined in the Provincial Bill 229, Protect, Support and Recover from COVID-19 (Budget Measures), 2020 be received for information. **Carried**

Staff Report No. 45-20-BOD regarding the changes to the Conservation Authorities Act and the Planning Act as outlined in the Provincial Bill 229, Protect, Support and Recover from COVID-19 (Budget Measures), 2020 was included in the agenda. The Board passed an amended recommendation on the recommendation of CAO Walters.

Moved by: P. Ferragine

Seconded by: C. Riepma

BOD-143-20 **Resolved That** RESOLVED That the Board of Directors receive Staff Report No. 45-20-BOD regarding Schedule 6 of Bill 229; and

Further that the Board support a request that:

- a) The Province withdraw Schedule 6 from Bill 229,
- b) The Province collaborate with the conservation authorities to develop new guidance materials, regulations and any necessary changes to legislation, along with a transition plan, and
- c) The Province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role. **Unanimously Carried**

## VI. Hearings

There were no hearings at this meeting.

## VII. Deputations

There were no deputations at this meeting.

## VIII. Determination of Items Requiring Separate Discussion

There were no other items for discussion.

## IX. Adoption of Items not Requiring Separate Discussion

There were no other items for discussion.

## X. Consideration of Items Requiring Separate Discussion

There were no other items for discussion.

## XI. Closed Session

The Board moved to Closed Session to deal with a confidential land matter.

Moved by: A. Eek

Seconded by: R. Greenlaw

BOD-144-20 **Resolved That** the Board move to Closed Session to deal with a confidential land matter; and

**Further that** the Chief Administrative Officer, members of the Executive Management Team, the Manager, Forestry and Greenspace Services, the Land Securement Officer, and the Coordinator BOD/CAO remain in the meeting for the discussion. **Carried**

The Board will rise from Closed Session and report findings.

Moved by: A. Waters

Seconded by: D. Barton

BOD-145-20 **Resolved** That the Board rise from Closed Session and report findings. **Carried**

### a) Confidential Land Matter

A presentation regarding a Confidential Land matter will be provided at the meeting. Confidential Staff Report No. 46-20-BOD will be provided to Board members prior to the meeting.

Moved by: M. Quirk

Seconded by: K. Ferdinands

BOD-146-20 **Resolved** That That presentation regarding a Confidential Land Matter be received; and

Further that the recommendations contained within Confidential Staff Report No. 46-20-BOD regarding a confidential land matter be approved; and

Further that the presentation and staff report remain confidential. **Carried**

## XII. Other Business

### a) Pefferlaw Dam

Mayor Quirk advised of a motion passed earlier in the week by the Township of Georgina requesting the Province to provide clarity around the ownership of the Pefferlaw Dam. Chair Emmerson noted that he would like to see a staff report before year-end with a decision on this matter as he is not sure the Province will assist. General Manager, Conservation Lands, Brian Kemp, advised that staff continue to stay on top of this file and remain hopeful that we will find something more definitive. He referenced a package recently received from Ms. Karen Wolfe, which is consistent with information the Authority already has. He has had some dialog with the Ministry of Natural Resources and Forestry and will continue to follow up with them. He also noted he was hosting a site visit to Scanlon Creek Conservation Area with some Town of Georgina staff and Council to share some restoration results that can be achieved when dealing with structures such as the Pefferlaw Dam.

### a) Upper York Sewage System

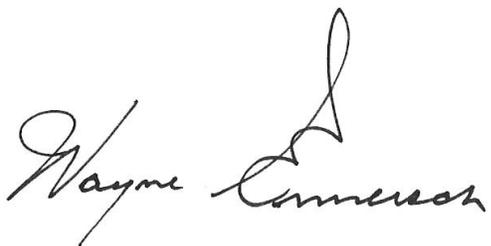
Chair Emmerson advised that after many years of planning and dealing with several different Ministers of the Environment, York Region has spent over \$100M on a state-of-the-art facility and has recently been advised by the Minister that there will be no further discussion regarding the Upper York Sewage System going to Lake Simcoe but rather it will be redirected to Lake Ontario. He noted he will keep member advised as new information is received.

## XIII. Adjournment

Moved by: R. Greenlaw

Seconded by: C. Riepma

BOD-147-20 **Resolved That** the meeting be adjourned at 11:25 a.m. **Carried**



---

Regional Chairman Wayne Emmerson,  
Chair



---

Michael Walters,  
Chief Administrative Officer