Lake Simcoe Region conservation authority

BOARD OF DIRECTORS' MEETING

No. BOD-05-17 – Friday, May 26, 2017

120 Bayview Parkway, Newmarket, ON

MINUTES

LSRCA Board Members Present:
Mayor G. Dawe, Chair
Councillor R. Simpson, Vice Chair
D. Bath
Deputy Mayor/Regional Councillor N. Davison
J. Dolan
Councillor A. Eek
Councillor K. Ferdinands
Councillor P. Ferragine
Mayor V. Hackson
Councillor S. Harrison-McIntyre
Councillor D. Kerwin
Councillor S. Macpherson
Deputy Mayor P. Molloy
Mayor M. Quirk
Councillor S. Strangway

Regrets:
Regional Councillor B. Drew
Councillor P. Silveira
Township of Ramara

LSRCA Staff Present:
M. Walters, Chief Administrative Officer
R. Baldwin, GM, Planning & Development
B. Kemp, GM, Conservation Lands
B. Longstaff, GM, Integrated Watershed Management
T. Barnett, Coordinator, BOD/CAO
B. Booth, Manager, Regulations
C. Burgess, Manager, Planning
K. Christensen, Manager, Human Resources
S. Fernandez, Natural Heritage Ecologist
N. Hamley, Manager, Education
D. Lembcke, Environmental Science and Monitoring
K. Lillie, Natural Heritage Ecologist
S. McKinnon, Manager, Budget and Business Analysis
C. Taylor, Executive Director, LSCF
B. Thompson, Manager, Integrated Watershed Management
K. Toffan, Manager, Finance
K. Yemm, Manager, Corporate Communications

Guests:
K. Davison, Georgina resident

I. DECLARATION OF PECUNIARY INTEREST

None noted for this meeting.

II. APPROVAL OF THE AGENDA

Moved by: R. Simpson Seconded by: S. Strangway

BOD-074-17 **RESOLVED THAT the content of the Agenda for the May 26, 2017 meeting of the LSRCA Board of Directors be approved as amended to include Item No. 6, Staff Report No. 28-17-BOD.** CARRIED

III. ADOPTION OF THE MINUTES

a) Board of Directors' Meeting – April 28, 2017

Moved by: P. Molloy Seconded by: S. Macpherson

BOD-075-17 **RESOLVED THAT the minutes of the Board of Directors' Meeting No. BOD-04-17 held on Friday, April 28, 2017 be approved as circulated.** CARRIED

b) Budget Committee Meeting – April 28, 2017

Moved by: P. Molloy Seconded by: J. Dolan

BOD-076-17 **RESOLVED THAT the agenda and presentation for the Budget Committee meeting held on Friday, April 28, 2017 be received; and**

FURTHER that the minutes of the meeting be approved as circulated. CARRIED

IV. ANNOUNCEMENTS

a) Gilmor vs. NVCA

CAO Mike Walters was pleased to announce that the Nottawasaga Valley Conservation Authority was recently successful in a lawsuit against Gilmor, a lengthy case which saw NVCA being awarded costs. As a result, the provision for safe access is again clearly ensconced in the Section 28 regulation and the responsibility of conservation authorities to enforce. Also highlighted was the requirement for municipalities to ensure that proponents have been successful in receiving the permit approvals from conservation authorities prior to municipalities issuing building permit approvals.

b) Coming Events

General Manager, Conservation Lands, Brian Kemp advised the Board of two upcoming events: (i) the Bradford Mayor's Hike taking place at Scanlon Creek Conservation Area on June 10th; and (ii) the 3rd Annual BioBlitz at Sheppard's Bush on June 17th, which is a day-long blitz of the property to count species.

c) MMA Letter regarding Septic Re-inspection

CAO Walters noted that a few members had questioned the letters that municipalities in Ontario received from the Ministry of Municipal Affairs regarding septic re-inspection no longer required under the building code. He did, however, note it is still required under Source Water Protection (if you are considered a risk and in a wellhead protection zone WHPA1) and in the Lake Simcoe watershed through the Lake Simcoe Protection Act and Plan, which states that municipalities are required to undertake inspections for residential septic systems adjacent to the lake and within 100 metres of a watercourse.

V. PRESENTATIONS

a) Ecological Offsetting Plan

Natural Heritage Ecologist, Kate Lillie, provided the Board with an overview of LSRCA's Ecological Offsetting Plan, noting the Plan is about compensation for the unavoidable loss of natural heritage features from one area through the replacement or enhancement of features in another area. She noted that the Plan facilitates development on strategically important land, such as settlement areas, while upholding the principle of "no net loss" and addresses the environmental impacts of development. She also noted that ecological offsetting is only considered when there is no other option.

The Plan includes feedback from non-government organizations, consulting firms, members of the Building Industry and Land Development Association, and member municipalities. Details of the plan

include proponents' conforming to all applicable provincial, regional and local policy, as well as the Mitigation Hierarchy. Options for compensation are then considered, with the first and preferred option being replacement of the feature (woodland, wetland, etc.), and the second option is cash-in-lieu, where LSRCA, in consultation with our member municipalities, administers and redirects any funds collected towards the creation, protection or restoration of natural heritage features in the watershed, targeting the municipalities and sub watersheds from where features were originally lost.

In conclusion, the Ecological Offsetting Plan will provide a consistent, fair and transparent approach for implementing ecological offsetting, support strategic development in designated areas, and ensure "no net loss" of natural heritage features in the Lake Simcoe watershed.

Moved by: P. Molloy Seconded by: R. Simpson

BOD-077-17 **RESOLVED THAT the presentation by Natural Heritage Ecologist, Kate Lillie, regarding LSRCA's Ecological Offsetting Plan be received for information.** CARRIED

Staff Report No. 22-17-BOD prepared by Natural Heritage Ecologist, Kate Lillie, regarding LSRCA's Ecological Offsetting Plan was included in the agenda.

Moved by: P. Molloy Seconded by: R. Simpson

BOD-078-17 **RESOLVED THAT Staff Report No. 22-17-BOD regarding the Ecological Offsetting Plan process be received; and**

FURTHER THAT the Ecological Offsetting Plan be approved. CARRIED

b) Harmonization of Programs and Services

Chief Administrative Officer, Mike Walters, provided the Board with an overview of LSRCA's Harmonization of Programs and Services, noting that harmonizing services with our neighbouring conservation authorities was identified as a priority action in LSRCA's Strategic Plan. Accordingly, he explained that a review of programs and services has been undertaken in order to: (a) evaluate if opportunities exist to improve the consistency of program delivery for member municipalities shared by more than one conservation authority; (b) identify instances where LSRCA could align programs and services into similar categories of core business to assist our municipal partners when evaluating budget requests; and c) better reflect the intent of the new Strategic Plan Goals, Outcomes and Activities and respond to increasing growth and complexity of issues within the Lake Simcoe watershed.

The review determined that the Toronto and Region Conservation Authority (TRCA) had the most appropriate business model that best reflected the needs and strategic direction of LSRCA, and accordingly LSRCA decided to align the business to be more consistent with the programs and services categories offered by TRCA, but also to retain programs and service areas that are unique to LSRCA and required in the Lake Simcoe watershed.

LSRCA's various programs now reside under the following seven service areas: (i) Watershed Studies and Strategies; (ii) Water Risk Management; (iii) Ecological Management; (iv) Greenspace Services; (v) Education and Engagement; (vi) Planning and Development Services; and (vii) Corporate Services.

Moved by: P. Ferragine Seconded by: V. Hackson

BOD-079-17 **RESOLVED THAT the presentation by Chief Administrative Officer, Mike Walters, regarding LSRCA's Harmonization of Programs and Services be received for information.** CARRIED

Staff Report No. 23-17-BOD prepared by Chief Administrative Officer, Mike Walters, regarding LSRCA's Harmonization of Programs and Services was included in the agenda.

Moved by: P. Ferragine Seconded by: V. Hackson

BOD-080-17 **RESOLVED THAT Staff Report No. 23-17-BOD regarding harmonization of programs and services be received for information.** 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

Items No. 1a) and 1b) were identified as items requiring separate discussion.

IX. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION

Items No. 2, 3, 4, 5, and 6 were identified as items not requiring separate discussion.

Moved by: D. Kerwin Seconded by: A. Eek

BOD-081-17 **RESOLVED THAT the following recommendations respecting the matters listed as "Items Not Requiring Separate Discussion" be adopted as submitted to the Board, and staff be authorized to take all necessary action required to give effect to same**. CARRIED

2. Budget Status Report

BOD-082-17 **RESOLVED THAT Staff Report 24-17-BOD regarding LSRCA`s Budget Status for the four month period ending April 30, 2017 be received for information.** CARRIED

3. Lake Simcoe Phosphorus Offset Program

BOD-083-17 **RESOLVED THAT Staff Report No. 25-17-BOD regarding an update on the Lake Simcoe Phosphorus Offset Program received for information.** CARRIED

4. Durham Community Climate Adaptation Plan

BOD-084-17 **RESOLVED THAT Staff Report No. 26-17-BOD regarding the Durham Community Climate Adaptation Plan be received; and**

FURTHER THAT the Durham Community Climate Adaptation Plan be approved in principle; and

FURTHER that LSRCA staff be directed to participate in Phase 3: Program Approval and Funding. CARRIED

5. Purchasing Policy – Outreach and Engagement Services Contract

BOD-085-17 **RESOLVED THAT Staff Report No. 27-17-BOD regarding a contract for outreach and engagement services related to winter salt management practices be received; and**

FURTHER THAT the Board approve staff`s recommendation to award the contract to Freeman Associates. CARRIED

6. LSRCA's 2018 Budget Assumptions

BOD-086-17 **RESOLVED THAT Staff Report No. 28-17-BOD regarding the recommended budget assumptions for the 2018 fiscal year be approved.** CARRIED

X. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

1. Correspondence

Included in the agenda were copies of letters sent to Hon. Kathleen Wynne, Premier of Ontario, and Hon. Bill Mauro, Minister of Municipal affairs regarding the Transfer of Development Rights on the Maple Lake Estates site. Mayor Quirk asked if there has been any further communication or any responses received regarding these letters. CAO Walters advised that no responses have been received to date.

Moved by: M. Quirk Seconded by: V. Hackson

BOD-087-17 **RESOLVED THAT correspondence listed in the agenda as Items 1a) and 1b) be received for information.** CARRIED

XI. CLOSED SESSION

The Board moved to Closed Session to deal with confidential legal matters.

Moved by: R. Simpson Seconded by: S. Macpherson

BOD-088-17 **RESOLVED THAT the Board move to Closed Session to deal with confidential legal matters; and**

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

The Board rose from Closed Session.

Moved by: S. Macpherson Seconded by: D. Kerwin

BOD-089-17 **RESOLVED THAT the Board rise from Closed Session and report findings**. CARRIED

a) Legal Matter

A Confidential update regarding a legal matter was discussed during the meeting.

Moved by: A. Eek Seconded by: V. Hackson

BOD-090-17 **RESOLVED THAT the update regarding a legal matter be received for information.** CARRIED

b) Legal Matter

Moved by: A. Eek Seconded by: V. Hackson

BOD-091-17 **RESOLVED THAT the update regarding a legal matter be received for information.** CARRIED

XII. OTHER BUSINESS

Vice Chair Simpson was pleased to note that the Town of Innisfil recently adopted Our Shoreline (Official Plan Amendment No. 23) Town of Innisfil, based on a community planning permit study dealing with permanent structures in the water. Under "Our Shoreline", permanent structures in the water are referred to Council for decision.

XIII. ADJOURNMENT

Moved by: V. Hackson Seconded by: R. Simpson

BOD-092-17 **RESOLVED THAT the meeting be adjourned @ 10:35 a.m.** CARRIED

Mayor Geoffrey Dawe
Chair

Michael Walters
Chief Administrative Officer