

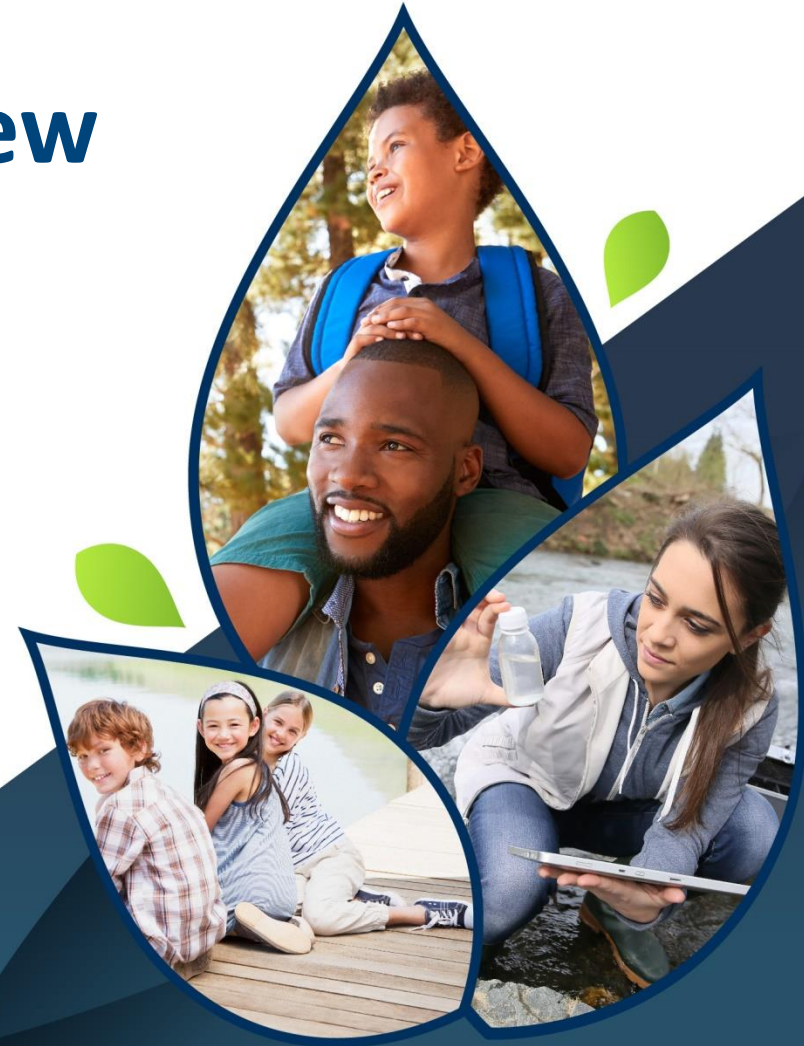
Bill 229 Overview

Board of Directors' Meeting
March 24, 2023

Rob Baldwin
Chief Administrative Officer



Lake Simcoe Region
conservation authority



Member of Conservation Ontario

Context

- *Conservation Authorities Act* amendments enacted and proposed
 - Bill 108 - More Homes, More Choice Act, 2019
 - Bill 109 - More Homes for Everyone Act, 2022
 - Bill 229 - Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020
- Conservation Authorities Working Group
 - Multi-stakeholder group providing feedback on proposed regulations
 - Conservation Authority Chief Administrative Officer was a member

Implementation – Phase 1

Phase 1

O.Reg. 686/21:

- Mandatory Programs and Services

O.Reg. 687/21:

- Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act

O.Reg. 688/21:

- Rules of Conduct in Conservation Areas (not in effect)

Mandatory Programs and Services – Category 1

- Risk of Natural Hazards
 - Managing the risk posed by natural hazards
 - Flood forecasting and warning
 - Drought or low water response
 - Ice management
 - Infrastructure (must mitigate flooding, erosion or low flow augmentation)
 - Review development proposals related to natural hazards
 - Land use planning input related to natural hazards policies
 - Administration of permits under S.28 and 28.0.1 of the *Conservation Authorities Act*



Mandatory Programs and Services – Category 1 (continued)

- Conservation and Management of Conservation Authority Lands
 - Providing passive recreation and the respective infrastructure
 - Protect, conserve, restore and manage natural heritage
 - Secure and dispose of lands
 - Monitoring and enforcement of activities on lands to maintain integrity, reduce risk and liability
 - Develop a comprehensive conservation area strategy for all lands by end of 2024
 - Prepare a detailed land inventory including identifying lands available for potential development



Mandatory Programs and Services – Category 1 (cont'd)

- Provincial groundwater monitoring program
- Provincial stream monitoring program
- Watershed Based Resource Management Strategy by the end of 2024
- Source Protection Authority Responsibilities
 - Conservation Authority is the lead in South Georgian Bay / Lake Simcoe Source Protection Region
- Responsibilities under the *Lake Simcoe Protection Act*
 - Includes all applicable monitoring and strategic actions identified



Transition Plan

- Develop and submit a transition plan by end of December, 2021
- Plan outlines timelines and approaches of implement Phase 1 and 2 transition requirements
- Provide quarterly reporting
- Develop a detailed programs and service inventory



Programs and Services Agreements

- Category 2 Programs and Services
 - Delivered at the request or in agreement on behalf of a municipality through memorandum or agreement
 - Example: Planning Memorandum for Development Review
- Category 3 Programs and Services
 - Delivered where the Conservation Authority determines programs advisable to be delivered in the Conservation Authority's jurisdiction
 - Example: Education program



Funding Agreements

- Category 1 – Mandatory Programs - Levy
- Category 2 – Municipal Requested Programs -
Require agreements, memorandums, purchase orders
- Category 3 – Conservation Authority Requested Programs – Require a cost apportionment agreement (requires council resolution)
- Must be made available to the public via website



Lake Simcoe Approach

- One Agreement per municipality – each member, specified, and lower tier in York and Durham Regions
- Simplified approach to increase efficiency
- Agreement Structure
 - Front End Boilerplate Agreement – No Financials
 - Schedule A – Annual Budget
 - Schedule B~Z – Any Financial Agreement under Categories 2 and 3
 - Note: Schedule A is not required for agreements in lower tier municipalities in York or Durham Regions



Rules of Conduct in Conservation Areas

- Minister's regulation expected for implementation on July 1, 2023
- Consolidate 36 individual regulations into one regulation for all Authorities
- Regulation sets out:
 - Use by the public of the land and services available
 - Prohibited activities
 - Activities requiring permits
 - Requirement to produce permits at officer's request
 - Management of domestic animals brought by the public



Implementation – Phase 2

- Phase 2
 - O. Reg. 400/22: Information Requirements
 - Legislative Amendment – Fee Classes Policy
 - O. Reg. 401/22: Determination of Amounts Under Section 27.2 (2) of the Act (amounts owed by specified municipalities)
 - O. Reg. 402/22: Budget and Apportionment



Information Requirements

- All conservation authorities are required to maintain a Governance section on their website including at minimum:
 - Conservation Authority members, appointing municipality, and contact information
 - Conservation Authority by-laws
 - All municipal funding agreements
 - Conservation Authority board meeting schedules, minutes and agendas
 - Annual auditors report
 - Any other documents, such as strategic plans
 - Draft and final annual budgets



Fee Classes Policy

- Applicable to a fee charged for a program or service
- Must have Board approved fee policy that is publicly available
- Category 1 – where user-pay is appropriate
- Category 2 – where user-pay is appropriate and provisions to charge a fee included in agreement
- Category 3 - where user-pay is appropriate and provisions to charge a fee included in agreement
 - Exceptions for agreement inclusion for recreational, community relations, public education related to conservation



Determination of Amounts (Apportionment)

- Relatively consistent with existing regulations and legislation
- Consolidated two historic regulations
- Three methods to apportionment expenses
 - Modified current value assessment
 - Benefit based apportionment method
 - By agreement between Conservation Authority and member municipalities



Determination of Amounts (Apportionment) (continued)

- Specified municipalities under Lake Simcoe Protection Plan
 - Modified current value assessment method is to be used
 - Applies to the following specified municipalities
 - Portion of Orillia within the Lake Simcoe watershed
 - The Upper Talbot River Arm within the City of Kawartha Lakes
 - Both areas are contained within the legal jurisdiction of the *Lake Simcoe Protection Act*
 - These additions will lower the levy for participating municipal members



Budgetary Process

- Prepare draft budgets outlining all revenue and expenditures
- Outline all municipal levy / amounts owing (includes specified municipalities)
- Must provide specified municipalities a notice of the meeting to vote on a draft budget
- Preliminary draft budget approved by “one member / one vote”
- Minimum 30 days notification of levy / amounts owing by specified municipalities



Budgetary Process (continued)

- Voting on final budget – three votes
 - First Vote – levy / amounts owing by a municipality on a “weighted vote”
 - Second Vote - levy / amounts for Category 1 expenses under the Lake Simcoe Protection Act on a “weighted vote”
 - Third Vote – final budget approved on a “weighted vote”
- Conservation Authority must post approved budget on website and provide to the Minister and all member and specified municipalities



A wide-angle photograph of a sunset over a large body of water. The sun is a bright orange orb on the horizon, with its light reflecting as a shimmering path on the water's surface. The sky is filled with soft, wispy clouds in shades of orange, yellow, and blue. The water in the foreground is dark and calm, with gentle ripples.

Questions?

