



Conservation Halton Board of Directors Meeting

Conservation Halton

Zoom Meeting:

<https://us02web.zoom.us/j/83925193849?pwd=TzIEUXNJNEt5U01qOG9lUjB4N2FYQT09> / Passcode 275393

Nov 17, 2022 12:30 PM - 1:30 PM EST

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6. CHF Update

7. In Camera

8. Other Business

9. Adjournment

Conservation Halton Board of Director Meeting Minutes

Zoom Webinar

Sep 22, 2022 at 1:00 PM EDT

1. Roll Call & Mileage

Members Present:

Mike Cluett
Joanne Di Maio
Cathy Duddeck
Allan Elgar
Dave Gittings
Zeeshan Hamid
Gordon Krantz
Bryan Lewis
Marianne Meed Ward
Rory Nisan
Gerry Smallegange
Jim Sweetlove
Jean Williams

Members absent with regrets:

Rob Burton
Steve Gilmour
Moya Johnson

Members absent:

Hamza Ansari
Rick Di Lorenzo
Zobia Jawed

Staff Present:

Kim Barrett, Associate Director, Science & Partnerships
Hassaan Basit, President & CEO
Garner Beckett, Executive Director Foundation
Adriana Birza, Senior Advisor, Office of the President & CEO
Niamh Buckley, Admin Assistant, Office of the President & CEO
Shelly Datseris, Manager, Communications & Marketing
Nigel Finney, Project Manager, Restoration & Conservation
Katherine Hale, Administrative Coordinator, Operations & HR
Matt Howatt, Manager Policy & Special Initiatives
Martin Keller, Senior Manager, Watershed Planning & Source Protection
Craig Machan, Director, Parks & Operations
Lesley Matich, Manager, Planning Ecology
Kellie McCormack, Director, Planning & Regulations
Marnie Piggot, Director, Finance
Plezzie Ramirez, Director, HR
Pavan Seth, Procurement Manager
Bill Van Luven, Project Manager, Engineering
Mark Vytvytskyy, COO
Barb Veale, Sen. Director, Watershed Strategies & Climate Change
Justin Wei, Senior Manager, Finance

The Chair called the meeting to order at 1.01 p.m.

2. Disclosure of Pecuniary Interest for Conservation Halton Board of Directors

There were **no disclosures of Pecuniary Interest**.

3. Acceptance of Agenda

CHBD 06 01

Approved by: Jean Williams
Seconded by: Allan Elgar

THAT the Agenda **be approved as distributed**.

Carried

4. CEO Verbal Update

The CEO provided an update as follows:

- CH staff continue to work in a hybrid arrangement with periodic check-ins from management to evaluate the feedback on this type of engagement.
- Prime Minister Justin Trudeau made a historic visit to Area 8 on Friday, September 2. To commemorate the event and to officially open Area 8 on its inaugural season, the Prime Minister planted a tree with over 40 youth from Milton community groups. A ceremonial plaque was also unveiled to mark the visit and tree planting.
- Parks update:
 - o Glen Eden sold \$1.6 million in passes compared to \$1.3 million in the previous year
 - o Lesson Sales - \$1.7M vs \$1.1M last season in the first 45 days; over \$1M sales in the first 24 hours;
 - o Hops & Harvest – The event which takes place this coming weekend, Friday – Sunday September 23-25, will be held at Area 8. Over 1500 people have registered for the event which will have much to offer with over 70 vendors on site, children’s activities, and live entertainment.
 - o The Halton Children’s Water Festival is returning to Kelso after a 2-year hiatus due to COVID-19. 700 students have registered with over 1500 on the wait list. An invitation has been sent to Board members to attend the supporter breakfast on Wednesday, September 28.
 - o Spooktacular will return for a second year to Mountsberg.
 - o Risk and Enforcement team working with Milton Fire to improve emergency response times and customer communications.
- Re: Generations Conservation Halton Foundation fundraising event – Another successful event with over 12 Indigenous partners actively engaged in the event, including our Advisory council which shaped and informed everything from food to music and entertainment. Almost 300 guests attended, and tickets were sold out several weeks prior to the event.
- Through new Orders-In-Council made pursuant to the Executive Council Act approved by the Lieutenant Governor in Council on August 29 2022, the Ministry of Natural Resources

and Forestry (MNRF) has been designated as the Ministry responsible for administering the Conservation Authorities Act (CA Act). Moving forward, the Ministry of the Environment, Conservation and Parks (MECP) no longer has duties, functions or responsibilities under the CA Act.

- The CEO along with other leaders from CAs and municipal partners were invited to lead a panel session at the AMO Conference in Ottawa on August 15, 2022. The session on ***“The Great Reset between Conservation Authorities and Municipal Governments: Looking to 2024 and Beyond”*** was very well received.
- CH Wetland Mapping Review & Update: At the June Board meeting, staff presented a report on CH’s wetland review/update process and the Board approved a public engagement work plan for the mapping update. Engagement started on July 13, 2022, and ended on September 13, 2022. The timing of the engagement was intentional, as wetlands can only be assessed and delineated during the growing season (typically June to late September). This was also farming season, so staff extended the period from 30 to 60 days, to allow time for site visits. Over the summer, staff undertook numerous site visits to confirm wetland limits at the request of landowners. Staff have received lots of feedback from CH’s municipal partners, developers, the public and members of the agricultural community and are currently reviewing all inputs. The mapping update will be brought back to the Board for approval in early 2023 to allow for additional time for site visits and engagement.
- o More information can be found here: <https://www.conservationhalton.ca/mapping-and-studies/>.

5. Presentations

- 5.1 Drone Program/Operations Flood Forecasting Presentation - Bill Van Luven, Project Manager, Engineering
- 5.2 Momentum Progress Mid-Year Update Presentation (# 6.2 CHBD 06 22 02) - Hassaan Basit, President & CEO & Mark Vytvytskyy COO

6. Consent Items

- 6.1 Approval of June 23 Conservation Halton Board of Directors DRAFT Meeting Minutes
- 6.2 Momentum Strategic Plan Mid-Year Update
(CHBD 06 22 02)
- 6.3 Purchasing Memo
(CHBD 06 22 03)
- 6.4 Permits & Letters of Permission issued under Ontario Regulation 162/06 from April 1, 2022, to June 30, 2022 - Q2 2022
(CHBD 06 22 05)
- 6.5 Budget Variance Report for the period Ended July 31, 2022 and December 31, 2022
Projected Year-End Amounts
(CHBD 06 22 06)

6.6 Update on CH's progress regarding the regulatory requirements under the CA Act
(CHBD 06 22 07)

The cosent items **were adopted.**

7. Action Items

7.1 William Halton Parkway – Restoration Funding Agreement
(CHBD 06 22 08)

CHBD 06 02

Moved by: Mike Cluett
Seconded by: Joanne Di Maio

THAT the Conservation Halton Board of Directors **approves the Memorandum of Agreement with the Region of Halton for the ecological restoration project for the William Halton Parkway project from Neyagawa Boulevard to Third Line;**

And

THAT the Conservation Halton Board of Directors **authorizes the Chief Executive Officer to sign the agreement on behalf of Conservation Halton.**

Carried

7.2 Conservation Halton's Guidelines for Slope Stability Assessments for Valley and
Physical Top of Bank Staking Protocol - CH File No.: ADM 363
(CHBD 06 22 09)

CHBD 06 03

Moved by: Dave Gittings
Seconded by: Cathy Duddeck

THAT the Conservation Halton Board of Directors **approves the documents entitled “Conservation Halton Guidelines for Slope Stability Assessments for Valleys, 2022” and “Conservation Halton Physical Top of Bank Staking Protocol”;**

And

THAT the Conservation Halton Board of Directors **receives for information the Staff report entitled “Conservation Halton's Guidelines for Slope Stability Assessments for Valleys, 2022 and Physical Top of Bank Staking Protocol”.**

Carried

7.3 2023 Board of Directors Municipal Representation
(CHBD 06 22 10)

CHBD 06 22 04:

Moved by: Bryan Lewis
Seconded by: Jim Sweetlove

THAT the Conservation Halton Board of Directors **approves the membership entitlement for Conservation Halton participating municipalities effective 2023 based on the updated population statistics provided in the report;**

And

THAT the Conservation Halton Board of Directors **authorizes the President and CEO to advise the City of Hamilton of their entitlement to appoint three (3) members to the Conservation Halton Board of Directors.**

Carried

7.4 Revised Work Plan for Conservation Halton's Spill Flood Hazard Policy Review
and Update CH File No.: ADM 343
(CHBD 06 22 11)

CHBD 06 22 05: Moved by: Gordon Krantz
Seconded by: Rory Nisan

THAT the Conservation Halton Board of Directors **approves the revised work plan outlined in the staff report entitled "Revised Work Plan for Conservation Halton's Spill Flood Hazard Policy Review and Update".**

Carried

8. CHF Chair Update (Jim Sweetlove)

Conservation Halton Foundation Chair Jim Sweetlove shared photos of the Re:Generations Gala and thanked everyone who supported the event which was integral to its success. The collaboration with our indigenous partners provided historical significance to the event. Tickets were sold out weeks in advance. The Chair commended CH staff for their enthusiasm and engagement during the event. Over \$315,000 was raised, which well exceeds the target of \$250,000. These funds will go toward educational programs and development at Crawford Lake.

9. In Camera

CHBD 06 22 06: Moved by: Zeeshan Hamid
Seconded by: Jean Williams

THAT the Conservation Halton Board of Directors **Move In Camera**

Carried

9.1 Legal Matter

9.2 Legal Matter
(CHBD 06 22 12)

9.3 Legal Matter
(CHBD 06 22 13)

9.4 Legal Matter
(CHBD 06 22 14)

CHBD 06 07

Moved by: Zeeshan Hamid
Seconded by: Jean Williams

THAT the Conservation Halton Board of Directors **reconvenes in public forum and CH staff proceed as directed by Board In Camera.**

10. Other Business

Bryan Lewis shared an update on CH Board Member and Halton Hills Councillor Moya Johnson's health. Moya is responding to emails and readily providing updates as to how she is feeling. She wanted to let the CH Board and staff know how she loves to attend CH events and greatly enjoys being part of the Board and the vision of Conservation Halton. Hassaan Basit, Conservation Halton CEO, recognized the high level of professionalism, wisdom and thoughtful advice Moya Johnson brings to him personally and the CH Board and that she continues to keep in touch, respond and send regrets for CH events despite her health issues. Jean Williams also recognized the contribution and delight Moya Johnson is to work with on the CH Board and wishes her strength during this challenging health crisis.

11. Adjournment

CHBD 06 08

Moved by: Marianne Meed Ward

THAT the Conservation Halton Board of Directors Meeting **be adjourned at 3:06 p.m.**

Signed: Hassaan Basit, President & CEO

Date: November 17, 2022

Conservation Halton Finance & Audit Committee Minutes

Nov 1, 2022 at 9:30 AM EDT

Zoom meeting

1. Roll Call

Present: Rob Burton
Mike Cluett
Moya Johnson
Joanne Di Maio
Jim Sweetlove

Absent with regrets Gerry Smallegange

Staff present: Hassaan Basit, President & CEO
Adriana Birza, Senior Advisor, Office of the President & CEO
Niamh Buckley, Administrative Assistant
Marnie Piggot, Director, Finance
Justin Wei, Senior Manager, Finance

The Chair called the meeting to order at 9:30 a.m.

2. Disclosure of Pecuniary Interest for Finance & Audit Committee

There were no disclosures of pecuniary interest.

3. Acceptance of Agenda

FA 02 01: Approved by: Joanne Di Maio
Seconded by: Moya Johnson

THAT the agenda **be approved as distributed.**

FA 02 01: Approved by:
Seconded by:

4. Action Items

4.1. 2023 Budget & Business Plan (FA 02 22 01)

FA 02 01: Approved by: Jim Sweetlove
Seconded by: Mike Cluett

THAT THAT the Finance and Audit Committee **recommends to the Conservation Halton Board of Directors that municipal funding of \$11,298,835 in the 2023 budget be approved by a weighted majority vote by members based on the 2023 budget municipal apportionment;**

And

THAT transfers to and from Reserves in the 2023 budget **be approved as outlined in this report;**

And

THAT the 2023 Budget & Business Plan **be approved as presented.**

5. Other Business

There was no other business.

6. Adjournment

FA 02 02 **Moved by: Moya Johnson**

THAT the Finance & Audit Committee meeting **be adjourned at 9:40 a.m.**

Carried

Signed by: Hassaan Basit

Date: November 17, 2022

Conservation Halton Governance & Risk Committee Meeting Minutes

Nov 2, 2022 at 3:00 PM EDT

Zoom Meeting

1. Roll Call

Members Present: Cathy Duddeck (Chair)
Gordon Krantz
Rory Nisan (Vice Chair)
Jean Williams

Absent with regrets: Bryan Lewis
Gerry Smallegange

Absent: Rick Di Lorenzo

Staff Present: Hassaan Basit, President & CEO/Secretary-Treasurer
Adriana Birza, Senior Advisor, Office of the President & CEO
Niamh Buckley, Administrative Assistant, Office of the President & CEO
Mark Vytvytskyy, Chief Operating Officer
Katherine Hale, Administrative Coordinator, HR & Operations

The Chair called the meeting to order at 3:01 p.m.

2. Disclosure of Pecuniary Interest for Governance & Risk Committee Members

There were no disclosures of pecuniary interest.

3. Acceptance of Agenda

GC 02 01 Moved by: Rory Nisan
Seconded by: Jean Williams

THAT the agenda **be accepted as distributed.**

Carried

4. Presentation

4.1 Corporate Policy Updates (5.1 Corporate Policy Updates) – Mark Vytvytskyy, COO

5. Consent Items

5.1 Corporate Policy updates (GC 02 22 01)

5.2 Recruitment of new Board Members 2023 (GC 02 22 02)

The consent items **were adopted.**

6. Action Items

6.1 Approval of Conservation Halton Board of Directors 2023 Meeting Schedule and Work Plan (GC 02 22 03)

GC 02 02

Moved by: Jean Williams
Seconded by: Rory Nisan

THAT the Conservation Halton Governance & Risk Committee **recommends to the Board of Directors approval of the Board of Directors 2023 Draft Meeting Schedule and the 2023 Board Work Plan.**

Carried

6.2 Amendments to the Halton Conservation Authority General Membership By-law No. 2018-01 (Rev. Nov 21 2021)
(GC 02 22 04)

GC 02 03

Moved by: Gord Krantz
Seconded by: Rory Nisan

THAT the Conservation Halton Governance Committee **recommends to the Conservation Halton Board of Directors approval of the amendments to the Halton Region Conservation Authority General Membership By-law 2018-01 (Rev. Nov. 21 2021)**

Carried

7. In Camera

GC 02 04

Moved by: Jean Williams
Seconded by: Rory Nisan

THAT the Conservation Halton Governance & Risk Committee **move In Camera**

7.1 Legal Matter & Presentation (GC 02 22 05)

7.2 Legal Matter & Presentation (GC 02 22 06)

GC 02 05

Moved by: Gordon KrantzJean Williams
Seconded by: Rory Nisan

THAT the Conservation Halton Governance & Risk Committee **reconvene in public forum**

And

THAT the Conservation Halton Governance & Risk Committee **receives for information the staff report containing a summary of Conservation Halton's (CH) top enterprise risks.**

Carried

8. Other Business

There was No other business.

9. Adjournment

GC 02 06

Moved by:

THAT the Conservation Halton Governance & Risk Committee meeting **be adjourned at 3:51 p.m.**

Carried

Signed by: Hassaan Basit

Date: November 17, 2022

DRAFT

BOARD OF DIRECTORS 2023 DRAFT MEETING SCHEDULE

Location: 2596 Britannia Road, Burlington Ontario

Thursday	Time	Meeting
February 2	12:00 – 4:00 p.m.	Board Orientation (in person)
February 16	1:00 – 4:00 p.m.	Board/Inaugural (in person)
March 23	9:30 – 10:30 a.m. 1:00 – 4:00 p.m.	Governance & Risk(virtual) Board (virtual)
April 6	9:30 – 11:00 a.m.	Finance & Audit (virtual)
April 20	1:00 – 4:00 p.m.	Board/AGM (in person)
May 18	TBC	Board Tour
June 8	9:30. – 11:00 a.m.	Finance & Audit (virtual)
June 22	1:00 – 4:00 p.m.	Board (virtual)
September 21	1:00 – 4:00 p.m.	Board (in person)
October 5	9:30 – 11:00 a.m.	Finance & Audit (virtual)
October 19	1:00 – 4:00 p.m.	Board (in person)
November 9	9:30 – 10:30. a.m.	Governance & Risk (virtual)
November 16	10:00 – 11:00 a.m.	CEO Compensation Committee (virtual)
November 23	1:00 – 4:00 p.m.	Board (virtual)

APPENDIX A: CH BOARD WORK PLAN 2023 (DRAFT)

Objective(s)/Solution(s)	Actions/Activities	Results	Responsibility	Timeframe											
				JAN	FEB	March	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Strategic Planning and Organizational Performance	Review Strategic Priorities (Momentum quarterly report) DashBoard review, KPI's		BoD				x Annual report					x Momentum Reporting (mid-year)			
	Business Planning Session		BoD	x 2023 projects review		x Strategy Session			x Preliminary 2024 priorities						
	Inaugural & AGM		BoD	x Inaugural			x AGM								
Finance and Audit	Approval of Draft and Final Budget		FA / BoD					x					x		
	Approve Audited Financial Statements		FA				x								
	Review Long-term Budget Forecast		FA / BoD											x	
	Evaluate Auditors and Select Auditors (as needed)		FA											x	
	Review, Budget Principles & Policies Related to Financial & Purchasing Matters (as needed, new Board members)		FA												
President & CEO Relations	Review and Approve Annual President & CEO Workplan		COMP	x											
	End-of-year review		COMP											x	
	Approve Performance-based Compensation for President & CEO		COMP											x	
Governance & Risk	Risk Management reporting		Gov / BoD			x								x	
	Review and Approve Governance Policies and Procedures, BoD by-laws		Gov / BoD											x	
	Conduct Board Performance Self Assessment Survey and Review Results		Gov											x	
	Approve Annual Board Workplan		Gov / BoD											x	
	Board Development & Member Orientation Program		Gov/BoD												
	Succession planning for Chair & Vice Chair	Engagement levels	Gov			x									
	Election of Board Chair and Vice Chair		BoD	x											
	Election of Committee Chairs/V. Chairs (to be carried out every 4 years - at the same time as Municipal elections)		BoD			x	x								
	Specific Policy and Procedures Review and Approval		BoD	As needed											
	Functioning as a Hearing Board	Training (legal) on Board Hearing Procedures under CA Act	BoD												
	Approvals under O. Reg 162/06 for Applications that didn't meet Policy		BoD												
	Strategic Advocacy/Position on Environmental Issues and Provincial Reviews		BoD												
	CA Act Transition reporting		BoD												

TO: Conservation Halton Board of Directors

MEMO No.: # CHBD 07 22 01

MEMO FROM: Plezzie Ramirez, Director, Human Resources

DATE: November 17, 2022

SUBJECT: Health & Safety Update (Q2 - Q3 2022)

Recommendation

THAT the Conservation Halton Board of Directors **receives for information the occupational health and safety update for the period April 1, 2022, to September 30, 2022.**

Report

The attached summary provides an overview of Conservation Halton's (CH's) health and safety performance for Q2 - Q3 of 2022. The number of incidents is tracked and categorized depending on severity which is determined by whether there was lost time and the number of lost days. The frequency or number of incidents and whether the incidents were reportable to WSIB is also tracked (Figure 2). There are other indicators that are tracked that are summarized below. A review and analysis of the data helps senior leadership to identify the type of proactive prevention programs, including the types of training that should be implemented and which programs need to be prioritized.

The number of reportable WSIB claims, lost time injuries and days for this period is lower in comparison to the same period reported in November 2021. Most claims occurred during field work. Overall, trending is in the right direction compared to previous years (Figure 7).

Prevention initiatives established since the last health and safety report have been completed and are on track:

- A new health and safety management system has been implemented. This system will help streamline and improve our current health and safety program with a key focus on effectively measuring, tracking, and quantifying compliance across the organization.
- The Contractor Safety Program has been updated and training is scheduled for November, 2022.
- Park people leaders received additional training on incident investigation and the return-to-work process in order to be better prepared to minimize lost time, especially as the winter and Glen Eden season approaches.
- A review of all safe operating procedures for work completed in the field and park operations is complete and recommendations for additional procedures to further mitigate/minimize risks is underway.
- The participation rate of the Safety Observation Program has been increasing each quarter and is currently at 44%.

Impact on Strategic Goals

This report supports the Momentum strategic priority Organizational Sustainability and applies to the objective of applying an integrated approach to operational risk, governance and compliance

Financial Impact

There is no financial impact to this report.

Signed & respectfully submitted:



Plezzie Ramirez
Director, Human Resources

Approved for circulation:



Hassaan Basit
CAO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

Nikki Garstang, Health and Safety Manager
ngarstang@hrca.on.ca (905) 336-1158 Ext. 2246

Figure 1

WSIB INJURY STATISTICS
April – September 2022

LOCATION	Apr-Sep 2022	Apr-Sep 2021	Apr-Sep 2020	Apr-Sep 2019	Apr-Sep 2018
Admin Office	0	0	0	2	1
Kelso	0	5	0	4	3
Mountsberg	0	0	0	2	1
Crawford Lake	1	2	0	1	0
Hilton Falls	0	0	0	0	0
Rat-MN	0	0	0	0	0
Workshop	0	1	0	0	1
Off-site/Field	3	1	1	0	0
Total	4	9	1	9	6

Figure 2

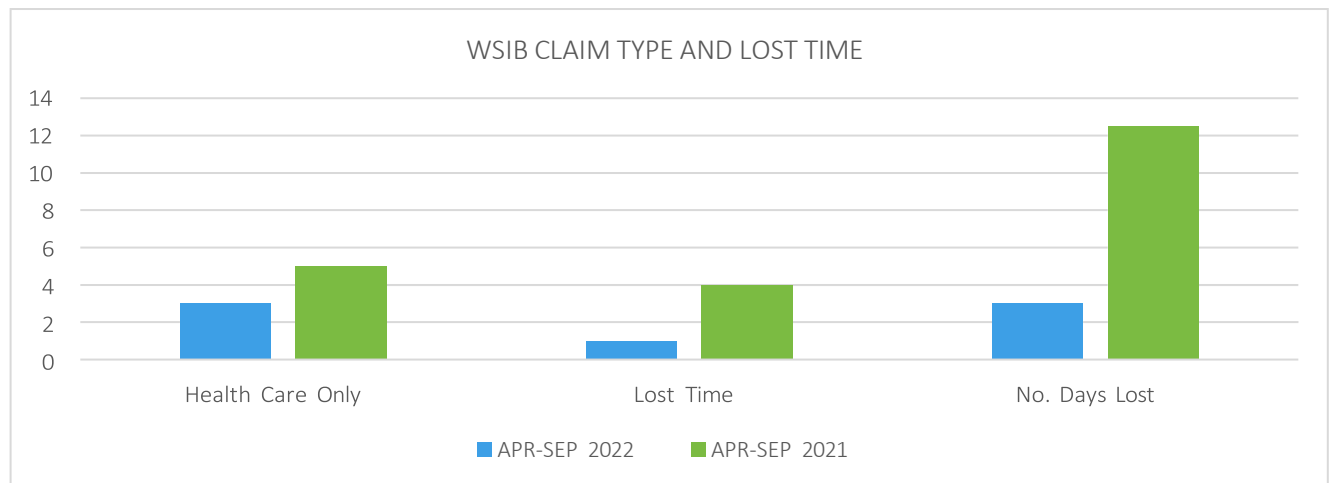


Figure 3

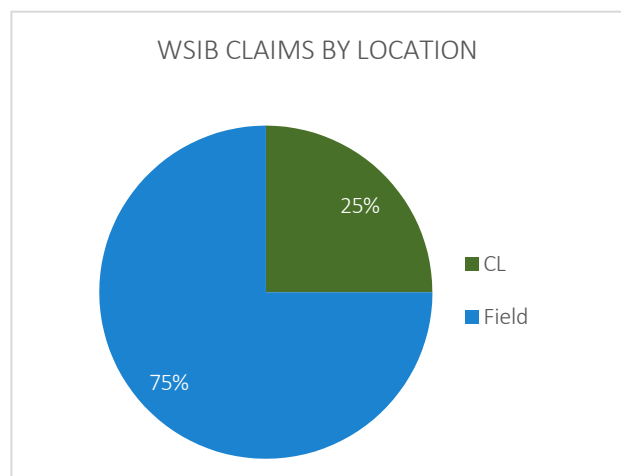


Figure 4

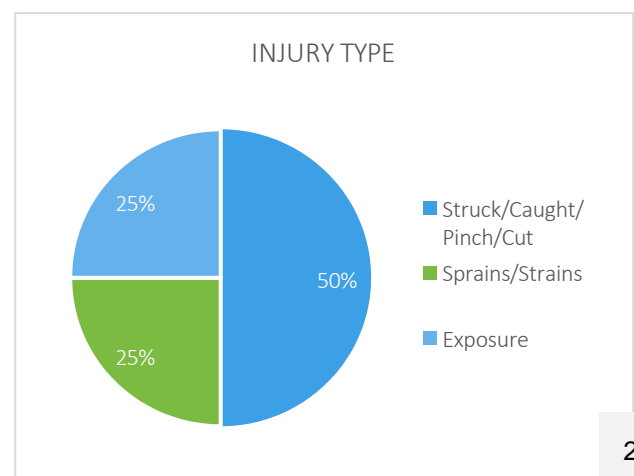


Figure 5

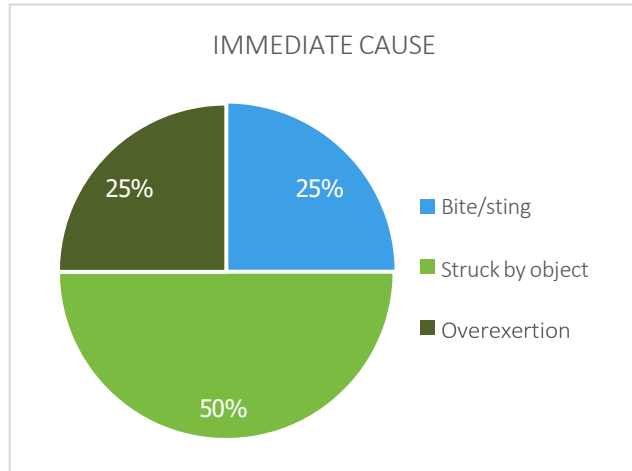


Figure 6

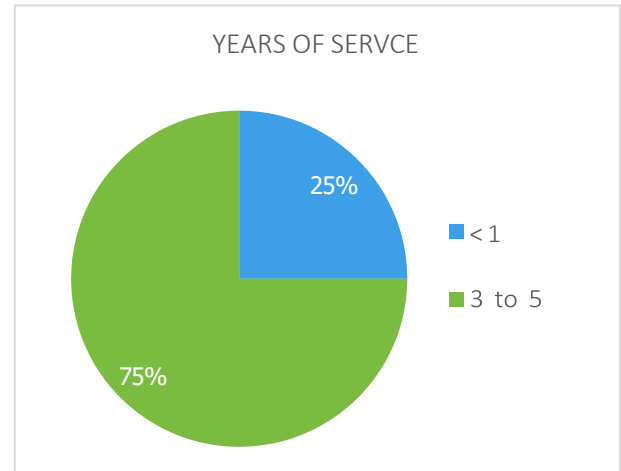
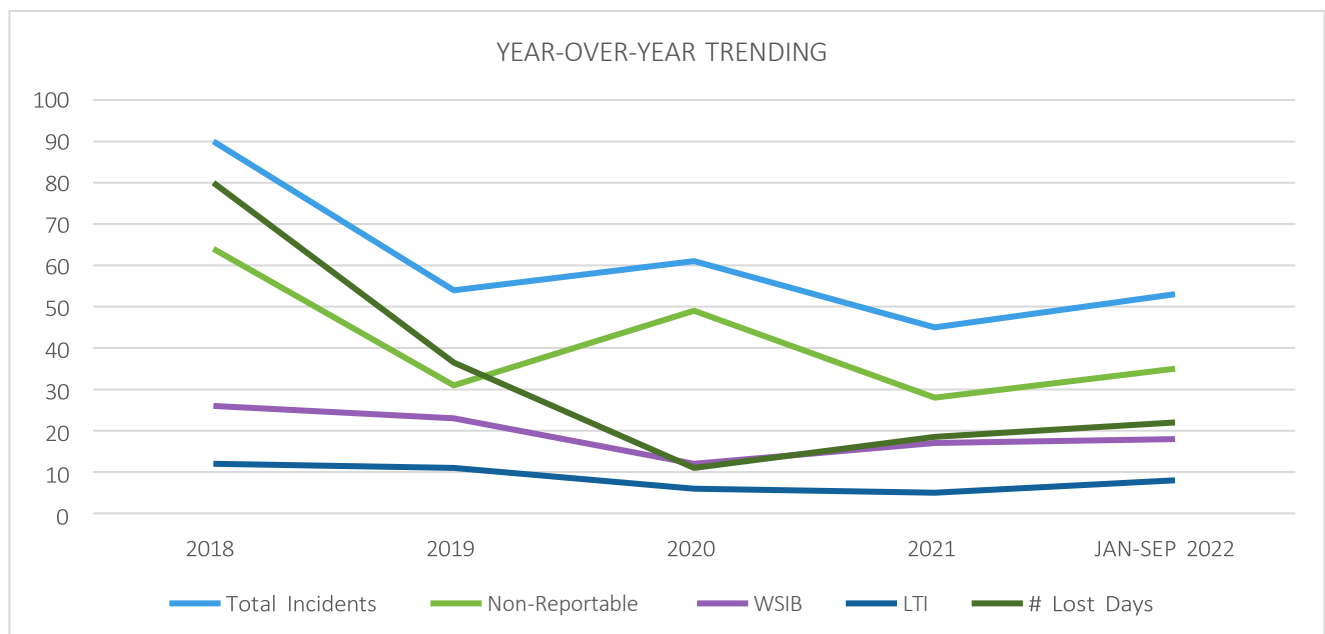


Figure 7



REPORT TO: Conservation Halton Board of Directors

REPORT NO: # CHBD 07 22 02

FROM: Mark Vytvytskyy, Chief Operating Officer

DATE: November 17, 2022

SUBJECT: Purchasing Activity Memo – August 1, 2022, to October 31, 2022

Recommendation

THAT the Conservation Halton Board of Directors **receives for information the Purchasing memo for the period of August 1, 2022, to October 31, 2022, in accordance with the Conservation Halton Purchasing Policy.**

Report

The following report summarizes purchases to be reported during the period of August 1, 2022, to October 31, 2022. The Conservation Halton Purchasing Policy requires single or sole source purchases greater than \$25,000 (not including taxes) and Requests for Proposals awarded up to a value of \$100,000 (not including taxes) and Tenders awarded from a value of \$100,000 up to a value of \$350,000 (not including taxes) to be reported to the Board of Directors for information. Request for Proposal/Quotation award recommendations that exceed \$100,000 (not included taxes) and Tenders that exceed \$350,000 (not including taxes) will be subject to Board approval prior to award.

Single or Sole Source Purchases (above \$25,000.00):

Vendor	Amount (excluding HST)	Details
Snomax International Inc.	\$33,962.50	Purchase of twenty-five (25) boxes of Snomax Inducer. Snomax International is the only distributor of "snomax snow inducer" in the Halton Region and are the only available option for purchasing this product. The CH snowmaking infrastructure is configured to handle this product and using an alternative product would require changes to that infrastructure and additional costs.
Jarlian Construction Inc.	\$25,000.00	Jarlian Construction was retained on August 16, 2022, to provide construction services for the Hilton Falls Dam, 96" Actuator and Trash Rack Refurbishment (C22017) project due to familiarity with the scope/infrastructure and schedule.

Verbinnen's Nursery Ltd.	\$48,000.00	Verbinnen's Nursery Ltd. was retained to provide tree, shrub, and herbaceous plants. Verbinnen's Nursery Ltd. is uniquely qualified to supply nursery stock as they can provide the species diversity, type, quality, sizes, and seed sources at the same or better pricing as other nurseries.
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Tender values between \$100,000.00 and \$350,000.00 reported to the Board for information:

Vendor	Amount (excluding HST)	Details
N1 Construction Ltd.	\$142,639.00	N1 Construction Ltd. was awarded the Kelso Restroom Barrier Free AODA Upgrades contract as a result of RFT # 080222 publicly issued on the August 2, 2022. Contractor awarded based on being the lowest compliant bid received.
Ontario Dock Service Ltd.	\$152,440.00	Ontario Dock Service Ltd. was awarded the Area 8 – Floating Dock Construction contract as a result of RFT # 083122 publicly issued on the August 31, 2022. Contractor was awarded based on being the lowest compliant bid received.
N1 Construction Ltd.	\$347,142.40	N1 Construction Ltd. was awarded the Hilton Falls AODA Accessibility Construction contract as a result of RFT # 300622 publicly issued on the June 30, 2022. Contractor was awarded based on being the lowest compliant tender received.

Request for Proposals/Quotations up to \$100,000.00 reported to the Board for information:

Vendor	Amount (excluding HST)	Details
No Small Feast Inc.	\$62,515.91	No Small Feast Inc. was awarded the catering contract for the Gala event that took place on September 15, 2022. No Small Feasts Inc. was awarded after a total of seven (7) caterers were solicited via RFQ to provide event catering food, beverage, and staffing services.

Gooding Electric	\$41,768.78	Gooding Electric was awarded via RFQ 072922 issued on July 22, 2022, for the supply and installation of electrical components for additional hydro needs and lighting at Area 8 (formally Kelso Quarry) to support vendor clients at area events.
Geoprocess Research Associates Inc.	\$71,049.00	RFP PW0074-22-1 - Carlisle Conservation Area Creek Restoration Detailed Design was publicly advertised on July 5, 2022, to solicit proposals for the Carlisle Conservation Area Creek Restoration Detailed Design requirement. Geoprocess was awarded based on being the highest overall scoring proponent.
Hatch Ltd.	\$90,600.01	Hatch Ltd. was awarded the 2022 Mountsberg Dam Safety Review Update project as a result of RFP C22013-01 publicly issued on June 14, 2022. Consultant was awarded based on being the highest overall scoring proponent.

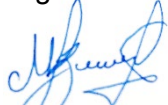
Impact on Strategic Goals

This report supports the Momentum strategic priority Organizational Sustainability by ensuring consistent and transparent processes are in place for reporting large purchases.

Financial Impact

There is no financial impact to this report.

Signed & respectfully submitted:



Mark Vytvytskyy
Chief Operations Officer

Approved for circulation:



Hassaan Basit
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

Pavan Seth, Procurement Manager
pseth@hrca.on.ca, 905.336.1158 x2249

REPORT TO: Conservation Halton Board of Directors

REPORT NO: CHBD 07 22 03

FROM: Kellie McCormack, Director, Planning & Regulations

DATE: November 17, 2022

SUBJECT: **Permits & Letters of Permission issued under Ontario Regulation 162/06 from July 1, 2022 to September 30, 2022 (Q3 2022)**

Recommendation

THAT the Conservation Halton Board of Directors **receives for information the staff report entitled “Permits and Letters of Permission issued under Ontario Regulation 162/06 from July 1, 2022 to September 30, 2022 (Q3 2022)”**.

Report

Between July 1, 2022, to September 30, 2022 (Q3 2022), Conservation Halton (CH) staff issued 118 Permits and 9 Letters of Permission (Appendix A). All approvals were reviewed and approved in accordance with Board approved policies contained in CH's *Policies and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Policy Document April 27, 2006, last amended, November 26, 2020*.

Impact on Strategic Priorities

This report supports the Momentum priority of Natural Hazards and Water.

Financial Impact

CH staff work with permit applicants to address their needs while meeting Board approved policies for administering Ontario Regulation 162/06. Fees for permits are based on staff time and effort required to process different types of applications as approved by the Board.

Signed & respectfully submitted:



Kellie McCormack
Director, Planning & Regulations

Approved for circulation:



Hassaan Basit
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

Kellie McCormack, Director, Planning & Regulations; 905-336-1158 x2228; kmccormack@hrca.on.ca

Charles Priddle, Manager, Regulations Program;
905-336-1158 x2276; cpriddle@hrca.on.ca

Appendix A

CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
Burlington						
A/22/B/41	**REVISED** 8155	4463 Escarpment Drive	REVISED - Construction of a new dwelling, driveway, septic system, swimming pool, and patios/terraces partially within 30-120m of a Provincially Significant Wetland (PSW).	2022-08-19	2022-09-06	Cassandra Connolly
A/22/B/66	8217	1076 Westhaven Drive	Construction of an inground swimming pool, patio, a second storey deck, and a pool shed partially within the 7.5m regulatory allowance from the valley of Indian Creek.	2022-06-21	2022-07-07	Cassandra Connolly
A/22/B/64	8218	211 Ascot Place	Temporary excavation and minor grading within the 7.5m regulatory allowance associated with a valley within the West Aldershot Creek watershed, related to the construction of additions to a dwelling and a porch which remain outside of the regulated area.	2022-06-20	2022-07-07	Cassandra Connolly
A/22/B/38	8220	430 Indian Road	Re-construction of shoreline protection works with a new armoustone wall including boulder berm toe protection along the shoreline of Hamilton Harbour/Burlington Bay.	2022-04-19	2022-07-07	Cassandra Connolly
A/21/B/07	8226	1137 Hidden Valley - AOC 1 Road	Municipal trail re-alignment requiring grading within the erosion hazard and 15m regulatory allowance from Grindstone Creek, with the new trail maintaining a 6m erosion allowance.	2022-06-17	2022-07-14	Cassandra Connolly
A/21/B/08	8227	1137 Hidden Valley - AOC 2 Road	Construction of a new armoustone wall and vegetated stone revetment along the bank of Grindstone Creek and within the flooding and erosion hazards for erosion protection.	2022-06-17	2022-07-14	Cassandra Connolly
A/21/B/09	8228	1137 Hidden Valley - AOC 3 Road	Replacement of failed bank protection with the construction of new bank terracing and rock toe protection along Grindstone Creek and within the flooding and erosion hazards.	2022-06-14	2022-07-14	Cassandra Connolly
A/21/B/10	8229	0 Unsworth (adj to 1144) - AOC 4 Road	Creek restoration works including the removal of concrete and other in-water debris and the restoration/recreation of a natural channel cross-section of Grindstone Creek.	2022-06-17	2022-07-14	Cassandra Connolly
A/21/B/127	8230	431 Martha Street	Re-construction of a retaining wall immediately adjacent to/within Rambo Creek. ISSUED WITH A/21/B/130 - JOINT OWNERSHIP	2022-06-01	2022-07-14	Cassandra Connolly
A/21/B/130	8230	431 Martha Street	Re-construction of a retaining wall immediately adjacent to/within Rambo Creek.	2022-06-01	2022-07-14	Cassandra Connolly
A/22/B/44	8231	2220 Industrial Street	Installation of a 35m monopole and equipment cabinet within 3 – 7.5 metres of the erosion hazard associated with Upper Rambo Creek.	2022-07-04	2022-07-15	Cassandra Connolly
A/22/B/73	8239	538 Stillwater Crescent	Installation of ± 19.0 meters of new Enbridge NPS 1¼ natural gas pipeline within the erosion hazard of Lake Ontario for residential servicing.	2022-07-06	2022-07-27	Cassandra Connolly
A/22/B/69	8240	6228 Guelph Line	Re-construction/replacement of an elevated ± 150m boardwalk within the flooding and erosion hazards of Bronte Creek.	2022-07-06	2022-07-27	Cassandra Connolly
A/22/B/76	8241	1629 Waterdown Road	Re-construction of a deck within the valley of Grindstone Creek, extending no further into the valley than existing development.	2022-07-12	2022-07-27	Cassandra Connolly
A/21/B/76	8244	556 North Shore Boulevard East	Re-construction and expansion of a dwelling, construction of a garage, patios, retaining walls, and site grading within the erosion hazard associated with the shoreline of Lake Ontario.	2022-07-06	2022-07-27	Cassandra Connolly
A/20/B/92	8245	Phase 2 Reach 1 - Upstream of Lakeshore Rd to Lake Ontario	Channel repairs/rehabilitation, bank protections, channel realignment, storm outfall retrofit, and Lakeshore Road bridge abutment and road embankment protection works within Appleby Creek.	2022-06-11	2022-07-28	Cassandra Connolly

CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
A/22/B/75	8246	3100 Mainway	Installation of ± 17.0 meters of new Enbridge NPS 1" natural gas pipeline within the regulatory allowance associated with a piped section of Roseland Creek.	2022-07-11	2022-07-28	Cassandra Connolly
A/22/B/78	8248	1111 No 1 Sideroad	Installation of ± 26.0 meters of new Enbridge NPS 1½ natural gas pipeline within the valley and 15m regulatory allowance associated Bronte Creek.	2022-07-14	2022-08-02	Cassandra Connolly
A/22/B/20	8249	3132 Lakeshore Road	Shoreline protection work repairs involving spot treatment of existing cracks with a reinforced concrete pad(s) and a row or armorstone in front of the wall, along with large boulders and cobbles for toe protection.	2022-07-13	2022-08-02	Cassandra Connolly
A/22/B/77	8251	Guelph Line (No 2 Sideroad to Colling)	Road rehabilitation including culvert replacement, ditch clean out and reinstatement within the floodplain of a Tributary of Bronte Creek.	2022-07-11	2022-08-12	Ben Davis
A/22/B/71	8252	2084 Old Lakeshore Road	Re-construction of a patio, covered bar, and replacement/expansion of an existing pergola within the erosion hazard associated with the shoreline of Lake Ontario.	2022-07-25	2022-08-04	Cassandra Connolly
A/20/B/117	8257	2640 & 6490 No. 8 Sideroad	Alteration to a watercourse involving the replacement of an existing CSP culvert conveying Bronte Creek as well as sediment removal and erosion protection works within the channel and roadside ditch.	2020-10-16	2022-08-10	Cassandra Connolly
A/20/B/117	8257	2640 & 6490 No. 8 Sideroad	Alteration to a watercourse involving the replacement of an existing CSP culvert conveying Bronte Creek as well as sediment removal and erosion protection works within the channel and roadside ditch.	2022-07-27	2022-08-10	Cassandra Connolly
A/22/B/87	8265	0 Lakeshore Road (adj to 3237 Lakeshore - Pinecove Bridge)	Relocation of Bell utilities requiring the construction of utility poles which will extend the cables aerially over a tributary of Roseland Creek.	2022-07-28	2022-08-10	Cassandra Connolly
A/20/B/47	8268	364 Cardinal Avenue	Re-construction of a retaining wall within the valley of Falcon Creek.	2022-07-22	2022-08-12	Cassandra Connolly
A/22/B/72	8269	2518 Headon Forest Drive	Construction of an inground swimming pool with a surround, located within the 7.5m regulatory allowance from the valley of Shoreacres Creek.	2022-08-08	2022-08-12	Cassandra Connolly
A/22/B/89	8270	2315 Duncaster Road	Construction of an in-ground swimming pool within the 7.5m regulatory allowance from the valley of Upper Rambo Creek, maintaining a 3m minimum setback.	2022-08-05	2022-08-15	Cassandra Connolly
A/22/B/81	8272	6700 Guelph Line	Replacement of a septic system within the 15m regulatory allowance from the valley of Bronte Creek.	2022-08-09	2022-08-15	Cassandra Connolly
A/22/B/53	8274	1088 Sturbridge Drive	Construction of a swimming pool and patio reconstruction within the 7.5 metre regulatory allowance associated with the valley and floodplain of Upper Hager Creek.	2022-07-12	2022-08-16	Cassandra Connolly
A/22/B/58	8275	4216 South Service Road	Construction of a stormwater outfall pipe and headwall, including grading and fill placement, within the valley and floodplain associated with Shoreacres Creek.	2022-07-05	2022-08-17	Sean Stewart
A/22/B/80	8276	2088 James Street	Installation of ± 6.0m of NPS 1 ¼" natural gas pipeline via horizontal directional drill within the floodplain and 7.5m allowance of Lower Rambo Creek to provide temporary servicing.	2022-07-25	2022-08-18	Cassandra Connolly
A/22/B/42	8277	1982 Kerns Road	Construction of a second storey addition above the existing attached garage and construction of a roof extension over an existing porch, to a dwelling within the 7.5m regulatory allowance from the valley of Upper Hager Creek.	2022-04-19	2022-08-18	Cassandra Connolly

CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
A/22/B/79	8281	2088 James Street	Installation of ± 4.0m of NPS 2" natural gas pipeline via horizontal directional drill within the floodplain and 7.5m allowance of Lower Rambo Creek to provide site servicing.	2022-07-25	2022-08-23	Cassandra Connolly
A/22/B/85	8288	220 Oaklands Park Court	Construction of dock extending into Hamilton Harbour/Burlington Bay.	2022-07-26	2022-09-06	Cassandra Connolly
A/22/B/90	8289	1099 Westhaven Drive	Construction of an accessory building with roof overhang extending overtop a patio to be reconstructed, partially within the 7.5m regulatory allowance from the valley of Indian Creek, no closer than existing development and/or no closer than 3m from top of bank.	2022-08-10	2022-09-06	Cassandra Connolly
A/22/B/93	8290	LaSalle Park Road	Reconstruction of the LaSalle Park Road including grading, repaving, new curb and gutter, sidewalk, and installation of storm system infrastructure partially within the erosion hazard of the shoreline of Lane Ontario.	2022-08-18	2022-09-06	Cassandra Connolly
A/22/B/83	8296	546 Stillwater Crescent	Re-construction of boathouse located within the flooding and erosion hazards associated with the shoreline of Hamilton Harbour/Burlington Bay.	2022-08-30	2022-09-06	Cassandra Connolly
A/22/B/95	8298	1829 & 1865 King Road	Installation of mitigation wires for an existing TransCanada pipeline via horizontal directional drilling, requiring excavation and grading within the valley and 7.5m allowance and the temporary crossing of a tributary of Indian Creek.	2022-08-29	2022-09-06	Cassandra Connolly
A/22/B/96	8313	489 Deerhurst Drive	Construction of an in-ground swimming pool and patio within the 7.5m regulatory allowance from the valley of Sheldon Creek, maintaining a 3m minimum setback.	2022-08-31	2022-09-23	Cassandra Connolly
A/22/B/98	8314	680 Powell Court	Construction of an inground swimming pool and concrete surround within the 7.5m regulatory allowance from the floodplain of Roseland Creek.	2022-09-14	2022-09-23	Cassandra Connolly
A/21/B/136	REVISED - 8068	0 Cardinal Avenue (Cardinal WWPS - adj to 300 Cardinal)	REVISED - Installation of a new concrete pad, power & control panel and wiring/cabling, junction box and replacement of the existing stairs associated. The revised permit includes installation of a new 5ft wide stairway, countersunk armourstone retaining wall, rip-rap installation and all grades will be returned to existing and seeded. The works will occur with the Cardinal Avenue Wastewater Pumping Station within the stable top of bank associated with West Aldershot Creek. (S2700B)	2022-07-20	2022-08-08	Ben Davis

Halton Hills						
A/21/HH/27	**REVISED #2** 7992	10757 Fifth Line	Revised - installation of approximately 21.0 metres of NPS 1 inch pipeline and 140.0 metres of NPS 1 ½ inch pipeline within 30 metres of a wetland 2 hectares in size and the floodplain associated with a tributary of Sixteen Mile Creek to service a residence.	2022-08-29	2022-09-06	Justin McArthur
A/22/HH/09	8225	9111 Third Line	Construction of a culvert conveying a tributary of Sixteen Mile Creek and within 15 metres of a wetland less than 2 hectares in size.	2022-07-13	2022-07-13	Justin McArthur
A/22/HH/11	8237	8285 Hornby Road	Removal of concrete debris involving excavation and regrading within a tributary of Sixteen Mile Creek to maintain natural channel flow.	2022-07-14	2022-07-25	Justin McArthur

CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
A/22/HH/06	8247	11450 Steeles Avenue	Construction of a stormwater outlet pipe, headwall, and flow spreader with associated grading and landscaping within the valley and floodplain associated with Sixteen Mile Creek, and partially within a wetland greater than 2ha in size.	2022-07-20	2022-07-29	Colleen Bain
A/22/HH/12	8256	8949 Fith Line	Installation of deflectors and sediment mats to narrow and establish new creek bank and improve sinuosity within a tributary of Sixteen Mile Creek.	2022-07-19	2022-08-09	Ben Davis
A/22/HH/14	8286	0 Steeles Avenue (Adj 7985 Sixth Line -Area E)	Construction of an enhanced grass swale outlet between 6 and 15 metres of the erosion hazard and removal of contaminated soils (grading) within the valley and regulatory allowance associated with Sixteen Mile Creek.	2022-08-30	2022-08-31	Justin McArthur
A/22/HH/13	8318	7985 Sixth Line (Area E- Hornby Park)	Construction of a stormwater management pond outlet, including headwall and outfall channel, maintenance access road and culvert all to occur within the valley of Sixteen Mile Creek.	2022-09-21	2022-09-30	Justin McArthur
A/22/HH/01	**REVISED** Letter of Permission	8583 Eighth Line	REVISED - Construction of a two-storey dwelling and septic system located between 30 and 120 metres of a wetland greater than 2 hectares in size.	2022-08-31	2022-09-06	Justin McArthur
A/22/HH/15	Letter of Permission	2 Deer Run Crescent	Construction of a concrete patio and swimming pool between 30 and 120 metres of a Provincially Significant Wetland (PSW).	2022-09-08	2022-09-08	Justin McArthur
A/22/HH/16	Letter of Permission	13520 Fifth Sideroad	Construction of a covered patio between 30 and 120 metres of a wetland greater than 2 hectares in size.	2022-09-08	2022-09-19	Justin McArthur
A/22/HH/17	Letter of Permission	9229 Eighth Line	Construction of an inground swimming pool and concrete patio between 30 and 120 metres of a wetland greater than 2 hectares in size.	2022-09-23	2022-09-30	Justin McArthur

Hamilton						
A/22/H/47	8243	120 Elgin Street	Removal of an inground swimming pool located within the valley of Grindstone Creek and the importation and placement of fill within the excavation site.	2022-07-11	2022-07-27	Cassandra Connolly
A/22/H/46	8253	969 Centre Road	Restoration and enhancement of an existing wetland including the creation of pit and mound features and micro wetlands.	2022-07-06	2022-08-04	Cassandra Connolly
A/22/H/38	8258	Adjacent to 92 Carlisle Road (culvert 1977)	Replacement of a municipal culvert conveying a tributary of Grindstone Creek and ditching requiring excavation and grading adjacent to a Provincially Significant Wetland (PSW).	2022-07-26	2022-08-10	Cassandra Connolly
A/22/H/39	8259	962 - 953 Garden Lane	Replacement of four (4) municipal culverts within the floodplain of Grindstone Creek and ditching requiring excavation and grading within 120m from a Provincially Significant Wetland (PSW).	2022-07-26	2022-08-10	Cassandra Connolly
A/22/H/40	8260	1413 & 1415 Edgewood Road	Replacement of two (2) municipal culverts and ditching requiring excavation and grading within the floodplain of Grindstone Creek and within 120m from a Provincially Significant Wetland (PSW).	2022-07-26	2022-08-10	Cassandra Connolly
A/22/H/43	8261	1371 Edgewood Road	Replacement of a municipal culvert and ditching requiring excavation and grading within the floodplain of Grindstone Creek and within 120m from a Provincially Significant Wetland (PSW).	2022-07-26	2022-08-10	Cassandra Connolly
A/22/H/41	8262	Adjcent to 31 Mofatt Road	Replacement of a municipal crossroad culvert conveying Grindstone Creek and within and adjacent to Provincially Significant Wetlands.	2022-07-26	2022-08-10	Cassandra Connolly
A/22/H/42	8263	Moffatt Road and Concession 5 (Culvert FLA 15129)	Replacement of a municipal crossroad culvert and ditching works involving ±530m of excavation and grading within the municipal right of way, within the floodplain of Grindstone Creek and adjacent to a Provincially Significant Wetland (PSW).	2022-07-26	2022-08-10	Cassandra Connolly

CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
A/22/H/49	8264	285 Carlisle Road	Reconstruction and relocation of a septic system and construction of a new parking lot within 120m of a wetland greater than 2ha in size.	2022-08-02	2022-08-10	Cassandra Connolly
A/22/H/31	8266	159 Carlisle Road	Installation of log groynes within the banks of a tributary of Bronte Creek to deflect sediment and narrow the watercourse as a restoration project with City of Hamilton and CH Landowner Outreach and Restoration.	2022-06-03	2022-08-11	Cassandra Connolly
A/22/H/31	8266	159 Carlisle Road	Installation of log groynes within the banks of a tributary of Bronte Creek to deflect sediment and narrow the watercourse as a restoration project with City of Hamilton and CH Landowner Outreach and Restoration.	2022-08-11	2022-08-11	Cassandra Connolly
A/22/H/56	8291	542 Evans Road	Construction of a one storey addition to a dwelling and a rear deck within 15m from the floodplain of Grindstone Creek, no closer than existing development, and within 30-120m from a wetland greater than 2ha in size.	2022-08-29	2022-09-06	Cassandra Connolly
A/22/H/55	8299	Adj to 500 York Road	Installation of mitigation wires for an existing TransCanada Energy pipeline via horizontal directional drilling, requiring excavation and grading within valley and 7.5m allowance and the temporary crossing of a tributary within the North Cootes Paradise watershed.	2022-08-29	2022-09-06	Cassandra Connolly
A/22/H/52	8303	70 Thomson Drive	Re-construction of a retaining wall within the 15m regulatory allowance from the valley of Grindstone Creek.	2022-08-29	2022-09-07	Cassandra Connolly
A/22/H/53	8308	17 Laurendale Avenue	Re-construction of a retaining wall within the valley of Grindstone Creek.	2022-08-31	2022-09-15	Cassandra Connolly
A/22/H/48	Letter of Permission	1041 Eighth Concession Road West	Construction of a deck, swim spa, and shed to be located between 30 metres and 120 meters of a Provincially Significant Wetland (PSW).	2022-07-26	2022-08-05	Cassandra Connolly
A/22/H/50	Letter of Permission	824 Millgrove Sideroad	Replacement of a septic system located between 30 metres and 120 meters of a Provincially Significant Wetland (PSW).	2022-08-05	2022-08-09	Cassandra Connolly
A/22/H/51	Letter of Permission	1026 Wyatt Road	Reconstruction/replacement of a septic system located between 30 and 120m of a Provincially Significant Wetland (PSW).	2022-08-17	2022-08-18	Cassandra Connolly
A/22/H/59	Letter of Permission	1432 Alderson Road	Re-construction and expansion of a one-storey garage and construction of a new roof extension located between 30 and 120m of a wetland greater than 2ha in size.	2022-09-15	2022-09-16	Cassandra Connolly

Milton						
A/19/M/43	**REVISED** 7505	3rd Sideroad & Tremaine (SWM Pond 43)	REVISED - Proposed construction of stormwater management pond S43 outfall and sub-drain installation within the floodplain and access road within 15 metres of the floodplain associated with realigned Sixteen Mile Creek Tributary NW-2-G1 to facilitate the construction of the Tremaine Road & Highway 401 Interchange.	2022-09-14	2022-09-15	Ben Davis
A/22/M/31	8215	11195 Fifth Lane	Installation of deflectors and sediment mats to narrow and establish new creek bank and improve sinuosity within a tributary of Sixteen Mile Creek.	2022-07-06	2022-07-06	Ben Davis
A/22/M/44	8216	219 Riverplace Crescent	Construction of an inground swimming pool and on-grade patio within the floodplain associated with Sixteen Mile Creek.	2022-07-06	2022-07-06	Justin McArthur
A/22/M/25	8221	5439 Regional 25 Road	Construction of a stormwater outfall pipe, headwall, and level spreader within the valley and floodplain of Sixteen Mile Creek.	2022-04-12	2022-07-11	Justin McArthur
A/22/M/45	8236	0 Fifth Line (adj to 7806)	Installation of a NPS 8-inch natural gas pipeline beneath a tributary of Sixteen Mile Creek.	2022-07-20	2022-07-25	Justin McArthur

CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
A/22/M/32	8242	8625 Britannia Road	Construction of a multi-use trail and erosion control wattles within 6 and 15 metres of the valley associated with Sixteen Mile Creek.	2022-05-25	2022-07-27	Justin McArthur
A/22/M/47	8250	3324 Limestone Road	Replacement of a septic system within the floodplain associated with Sixteen Mile Creek.	2022-07-26	2022-08-03	Matthew Lauzon
A/22/M/50	8267	7204 Walkers Line	Installation of deflectors and sediment mats to narrow and establish new creek bank and improve sinuosity within a tributary of Bronte Creek.	2022-08-12	2022-08-12	Ben Davis
A/22/M/43	8279	Mattamy Varga Phase 2 Pond	Construction of an emergency spillway within the floodplain associated with a tributary of Sixteen Mile Creek.	2022-08-18	2022-08-19	Justin McArthur
A/22/M/35	8280	7200 Appleby Line	Replacement and upgrading of a culvert which conveys Limestone Creek, and the removal of a compacted asphalt trail within a Provincially Significant Wetland (Nassagaweya Canyon Wetland Complex), and the floodplain and erosion hazards associated with Limestone Creek.	2022-09-08	2022-09-08	Matthew Lauzon
A/22/M/55	8295	3300 Fifteenth Sideroad	Construction of a dwelling, patio, and septic system between 30 and 120 metres of a Provincially Significant Wetland (PSW).	2022-08-30	2022-09-06	Justin McArthur
A/22/M/67	8302	49 Peru Road	Reconstruction and relocation of an accessory structure within the floodplain associated with Sixteen Mile Creek.	2022-09-06	2022-09-07	Justin McArthur
A/22/M/68	8305	14550 Britannia Road	Integrity dig to inspect a natural gas pipeline within 30 metres of a Provincially Significant Wetland and within the floodplain associated with a tributary of Sixteen Mile Creek.	2022-09-07	2022-09-08	Justin McArthur
A/22/M/54	8306	1121 Fourth Line (Bayview Lexux Phase 2)	Construction of a concrete wingwall/retaining wall extension within the flooding and erosion hazard associated with a tributary of Sixteen Mile Creek necessary to facilitate flows and maintain bank stability resulting from a newly constructed channel.	2022-08-25	2022-09-12	Justin McArthur
A/22/M/51	8310	Tremaine Road (S. of CPR Corridor)	Grading and removal of 3,500m3 of fill material associated with the Tremaine Road Extension (Contract 3) within 120m of a wetland greater than 2ha in size.	2022-08-10	2022-09-16	Ben Davis
A/22/M/52	8312	6439 Regional Road 25 and 321 Yates Drive	Removal of a bridge deck requiring heavy machinery access to the Sixteen Mile Creek Valley and its associated floodplain.	2022-09-12	2022-09-23	Justin McArthur
A/22/M/29	Letter of Permission	2649 Conservation Road	Minor additions to a residential dwelling between 30 and 120 metres of a Provincially Significant Wetland (PSW).	2022-07-07	2022-07-07	Matthew Lauzon
A/22/M/46	Letter of Permission	10413 Guelph Line	Construction of a 2-storey addition and expansion of the existing septic system between 30 and 120 metres of a Provincially Significant Wetland (PSW).	2022-07-21	2022-07-25	Justin McArthur
A/22/M/49	Letter of Permission	8670 Mansewood Trail	Replacement of a septic system between 15m and 120m of a wetland greater than 2ha in size.	2022-08-02	2022-08-03	Charles Priddle
A/22/M/69	Letter of Permission	11144 Amos Drive	Construction of an inground pool and patio between 30 and 120 metres of a Provincially Significant Wetland (PSW).	2022-09-07	2022-09-09	Justin McArthur
A/22/M/75	Letter of Permission	3045 Fifteenth Sideroad	Construction of driveway including minor grading between 15 and 30 metres of a wetland less than 2 hectares in size.	2022-09-28	2022-09-30	Justin McArthur
A/22/M/74	Letter of Permission	2060 Cameron Drive	Replacement of a failed septic system between 30 and 120 metres of a Provincially Significant Wetland (PSW).	2022-09-28	2022-09-30	Justin McArthur

Mississauga

A/22/MS/04	8254	0 Derry Road (behind 7130 Black Walnut Trail)	Excavation of trenches within the flooding and erosion hazards associated with Sixteen Mile Creek to facilitate the installation of conduit along Derry Road.	2022-08-05	2022-08-08	Laura Head
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CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
Oakville						
A/22/O/04	**REVISED** 8128	265 Dunwoody Drive	REVISED - Reconstruction of a 2-storey single detached dwelling, covered deck, patio, and pool no closer than existing development within the valley of Lower Morrison Creek.	2022-08-25	2022-09-06	Laura Head
A/20/O/63	**REVISED** 7602	0 Burnhamthorpe Road (Loyalist Trail)	**REVISED** construction of a municipal pedestrian trail and two catch basins within 30m of a Provincially Significant Wetland	2022-09-19	2022-09-19	Laura Head
A/21/O/109	**REVISED** 8054	444 Drummond Road	REVISED - construction of an inground swimming pool within the 7.5m regulated allowance associated with the floodplain of Lower Wedgewood Creek.	2022-08-31	2022-09-16	Laura Head
A/22/O/11	**REVISED** 8084	12 Raymar Place	REVISED permit is for the construction of two covered patios and construction of roof dormers on a dwelling within the erosion hazard associated with the shoreline of Lake Ontario.	2022-08-15	2022-08-15	Laura Head
A/21/O/77	8219	1364 Lakeshore Road	Renovations to the existing dwelling, modifications to existing driveway and replacement of the existing deck within the flooding and erosion hazards associated with the shoreline of Lake Ontario.	2022-07-06	2022-07-27	Laura Head
A/21/O/69	8223	3 Ennisclare Drive	Extension of an existing concrete pier/dock into Lake Ontario.	2022-07-22	2022-07-26	Charles Priddle
A/22/O/35	8224	1362 Devon Road	Re-Construction and expansion of a two-storey dwelling, patio and pool within 7.5m of the floodplain associated with Lower Wedgewood Creek.	2022-06-23	2022-07-13	Laura Head
A/22/O/60	8232	65, 71, 77, 83 & 89 Loyalist Trail	Construction of a parking lot, grading and associated landscaping within 30 metres of a Provincially Significant Wetland (PSW).	2022-06-22	2022-07-19	Laura Head
A/20/O/75	8233	0 Dundas Street (Graydon Banning Crossing)	Construction of a culvert crossing and associated grading, channel works and restoration within Glenayr Creek.	2022-06-24	2022-07-20	Laura Head
A/22/O/67	8234	3075 Trafalgar Road	Construction watermain and sanitary sewers under a tributary of East Morrison Creek and within the associated floodplain.	2022-07-13	2022-07-20	Laura Head
A/22/O/49	8235	1051 Dundas Street East	Installation of trails associated with a Plan of Subdivision (24T-20009/O) requiring grading, outlets and level spreaders located between 15 and 120 metres of the North Oakville-Milton East Provincially Significant Wetland (PSW) Complex.	2022-07-12	2022-07-25	Charles Priddle
A/22/O/19	8238	1429 Dundas Street East	Construction of a temporary swale within the regulated area associated with a tributary of Joshua's Creek.	2022-06-24	2022-07-25	Laura Head
A/22/O/12	8255	1306 Lakeshore Road West	Construction of shoreline protection works including construction of a stacked armour stone wall with a berm on the shoreline of Lake Ontario.	2022-06-30	2022-08-09	Laura Head
A/22/O/74	8271	1218 Richards Crescent	Construction of a minor front addition to the existing dwelling, roof alterations and rear deck within 15m of the Stable Top of Bank associated with Sixteen Mile Creek.	2022-08-03	2022-08-15	Laura Head
A/22/O/40	8273	3246 Shoreline Drive	Construction of an inground pool, patio, retaining wall and minor grading within the floodplain associated with Sheldon Creek.	2022-08-04	2022-08-15	Laura Head
A/22/O/10	8278	191 Queen Mary Drive	Installation of helical piles to provide additional structural support on a building within the erosion hazard associated with the valley of Sixteen Mile Creek.	2022-08-17	2022-08-19	Charles Priddle
A/22/O/72	8282	2036 Waters Edge Drive	Construction of a new single-family dwelling including covered patios, a walk out and associated landscaping within the erosion hazard associated with Lake Ontario.	2022-08-26	2022-08-29	Laura Head
A/22/O/83	8283	2026 Waters Edge Drive	Construction of a rear first floor addition, partial second floor addition and rear covered patio to an existing dwelling within the erosion hazard associated with Lake Ontario.	2022-08-26	2022-08-29	Laura Head

CH File No.	Permit No.	Address	Proposed Works	Complete	Issued	CH Staff Member
A/21/O/95	8287	48 Bronte Road	Restoration/replacement of protection works within the flooding and erosion hazards associated with Bronte Creek and the flood hazard associated with Lake Ontario, and replacement of five docks.	2022-08-25	2022-09-06	Charles Priddle
A/22/O/50	8292	76 Ridge Drive	Reconstruction and expansion of a residence with accessory structures adjacent to the erosion hazard associated Morrison-Wedgewood Diversion Channel.	2022-08-31	2022-09-06	Charles Priddle
A/22/O/88	8293	0 Chartwell Road (across from 400 Chartwell Road)	Construction of a new retaining wall and replacement of 3 sidewalk bays within the flooding and erosion hazard of Lower Morrison Creek.	2022-08-30	2022-09-06	Laura Head
A/22/O/41	8294	3270 Sixth Line	Construction of Temporary Sediment Ponds, Grading and Outfalls within 7.5m of the flooding and erosion hazards associated with Upper West Morrison Creek.	2022-08-09	2022-09-06	Laura Head
A/22/O/87	8297	291 Queens Avenue	Installation of ± 35 meters of new Enbridge NPS 4 natural gas pipeline within 7.5m of the flooding and erosion hazards of McCraney Creek.	2022-08-25	2022-09-06	Laura Head
A/22/O/91	8300	395 Cairncroft Road	Installation of sanitary sewer connection within 7.5m of the erosion hazard of Lower Wedgewood Creek.	2022-09-06	2022-09-06	Laura Head
A/20/O/76	8301	1357 Dundas Street West (Graydon Banning - OGS Outlet)	Construction of an Oil Grit Separator outlet pipe, outfall, SWM pond emergency spillway and associated grading and restoration within the valley of Glenayr Creek, a tributary of Sixteen Mile Creek.	2022-09-02	2022-09-06	Laura Head
A/22/O/85	8304	Northeast Corner of Dundas Street and Meadowridge Drive	Outfall channel clean out requiring some grading and sediment removal within the valley of Joshua's Creek.	2022-09-08	2022-09-08	Laura Head
A/22/O/55	8309	328 Trafalgar Road	Construction of a first floor addition to a dwelling and patio with an associated roof within the valley of Sixteen Mile Creek.	2022-08-30	2022-09-16	Laura Head
A/22/O/25	8311	329 Lees Lane	Construction of a 10sq. m habitable addition to the existing dwelling and non-habitable carport, front porch and rear wooden deck within the floodplain of Fourteen Mile Creek.	2022-08-30	2022-09-19	Laura Head
A/22/O/95	8315	3308 Lakeshore Road West	Construction of a new single family dwelling including a covered porch, inground swimming pool, uncovered slab on grade terrace and associated landscaping within the erosion hazard associated with Lake Ontario.	2022-09-14	2022-10-03	Matthew Lauzon
A/22/O/97	8317	216 Wedgewood Drive	Construction of an outdoor bathroom and covered porch within the floodplain and the 7.5 regulatory allowance of the floodplain of Lower Wedgewood Creek.	2022-09-21	2022-09-30	Laura Head
Puslinch						
A/22/P/07	8222	7546 Leslie Road West	Construction of a new residence inclusive of septic, grading, associated accessory structures and landscaping between 30 metres and 120 metres of a Provincially Significant Wetland (PSW).	2022-06-22	2022-07-12	Charles Priddle
A/22/P/03	8307	4074 Victoria Road South	Reconstruction and upgrading of a culvert crossing over a tributary of Bronte Creek to provide flood free access for future residential development.	2022-09-12	2022-09-12	Charles Priddle
A/22/P/08	Letter of Permission	54 Queen Street	Construction of a deck including stairs between 30 metres and 120 metres of a wetland larger than 2ha in size.	44819	44820	Charles Priddle

TO: Conservation Halton Board of Directors

MEMO: # CHBD 07 22 04

FROM: Kellie McCormack, Director, Planning & Regulations

DATE: November 17, 2022

SUBJECT: Public Engagement Update - East Burlington Creeks Flood Hazard Mapping Study (CH File No. ADM 356) and Urban Milton Flood Hazard Mapping Study (CH File No. ADM 347)

MEMO

This memo provides a brief status update on the public engagement component of the flood hazard mapping studies for East Burlington Creeks and Urban Milton.

In June 2022, Conservation Halton's (CH's) Board of Directors received an update memo (CHBD 05 22 04) on the status of the East Burlington Creeks and Urban Milton Flood Hazard Mapping Studies. Since that time, CH's study consultants (WSP, formerly Wood, for the East Burlington Creeks Study and Greck & Associates for the Urban Milton Study) have been working to advance the flood hazard modelling and mapping. The timelines for producing draft modelling and mapping for these studies have been extended by two months to allow for additional technical analysis, quality assurance/quality control reviews, and meetings between CH and municipal staff. Staff will receive preliminary draft mapping from CH's consultants in late 2022, at which time staff will undertake a review, along with the technical advisory committee, before making the draft mapping available for public/stakeholder input.

Public Engagement Session #2 for East Burlington Creeks Flood Hazard Mapping Study and Public Engagement Session #3 for Urban Milton Flood Hazard Mapping Study were originally anticipated to occur in Q4 2022 but are now scheduled for January 2023 (exact dates to be confirmed). Draft flood hazard mapping will be presented to the public and stakeholders for feedback via live, virtual presentations and question and answer periods. The draft flood hazard mapping and supporting information will also be posted online for a 30-day public review.

Staff will review all feedback received and anticipate returning to the Board at the end of Q1 2023 to present the final draft mapping for both studies for approval and inclusion in CH's approximate regulation limit (ARL) mapping. Both studies must be completed by March 31, 2023, as per National Disaster Mitigation Program (NDMP) funding requirements.

REPORT TO: Conservation Halton Board of Directors

REPORT NO: # CHBD 07 22 05

FROM: Barbara J. Veale, Senior Director, Watershed Strategies & Climate Change

DATE: November 17, 2022

SUBJECT: Final Report – Municipal Natural Assets Initiative Grindstone Creek Project/CH File No.: ADM 344

Executive Summary

The Grindstone Creek watershed drains over 90 km² within the Cities of Hamilton and Burlington and empties into Hamilton Harbour/Burlington Bay. The entire watershed is within the jurisdiction of Conservation Halton.

In 2019, Conservation Halton (CH), the Cities of Hamilton and Burlington, and the Royal Botanical Gardens (Project Partners) partnered with the Municipal Natural Assets Initiative. The purpose of the project was to explore the value of natural assets in Grindstone Creek in addressing natural resource issues, with a focus on storm water management. Another key goal was to assist Project Partners in incorporating natural assets in local financial planning and asset management.

The final report from this study was recently completed (Appendix B). It contains ten recommendations for implementation. The recommendations will be considered by the Project Partners over the coming months.

It is anticipated that further reports to the CH Board will be forthcoming outlining a strategy and work plan for implementing the recommendations

Report

Background

Municipal Natural Assets refers to the stocks of natural resources or ecosystems such as forests and wetlands that contribute to the provision of one or more services required for the health, well-being, and long-term sustainability of a community and its residents. The Municipal Natural Assets Initiative (MNAI) is a not-for-profit group that provides expertise to support and guide local governments in identifying, valuing, and accounting for natural assets in their financial planning and asset management programs and developing leading-edge, sustainable and climate resilient infrastructure. MNAI employs practical strategies to financially quantify nature's ability to provide municipal services and to incorporate this information into mainstream asset management systems. With increasing ease in measuring and valuing natural assets the MNAI approach is straightforward and transferable. The Initiative started in British Columbia but has grown over the past five years to provide services across Canada.

In January 2019, MNAI partnered with the Friends of the Greenbelt Foundation and solicited expressions of interest for local governments to host a pilot project located in a watershed area within or originating within Ontario's Greenbelt. Through this project, MNAI offered scientific, financial, and municipal services management expertise. Partners were expected to commit to the approach, provide in-kind multi-disciplinary staff support, provide data, designate a project/partner lead, commit a total of \$105,000, and participate in evaluation interviews/follow up exercises for 3 years after the close of the project.

The objective of the MNAI in Ontario's Greenbelt Project was to *"help participating local governments identify, prioritize, value, and manage key natural assets. This will result in the natural assets providing core services such as storm water management in a cost-effective and reliable manner for the long-term, which can in turn: save money relative to engineered alternatives; reduce risk and potential liability and result in sustainable service delivery to the community."*

Conservation Halton, Burlington, Hamilton, and Royal Botanical Gardens put forward a successful proposal for the Grindstone Creek watershed. Grindstone Creek, with headwaters in Hamilton, flows through parts of Waterdown and urban Burlington to its mouth in Hamilton Harbour/Burlington Bay.

Since the launch in December 2019, several workshops were hosted, technical work completed, and collaboration undertaken across a range of organizations to assess, plan for, and finally implement effective strategies to understand, measure, value, and manage natural assets in the Grindstone Creek watershed. To support effective decision-making, the project considered six scenarios including climate change impacts and different management and land-use practices.

The goals of the project were to:

- enhance the services that natural assets provide to local communities and their well-being,
- manage community financial and asset risk, particularly with respect to flooding and storm water management (i.e., natural assets can, in some cases, provide the same benefits or services to municipalities as engineered assets, at a lower cost),
- help make the watershed more resilient to climate change,
- create a replicable model and natural asset management approaches that could be used by other regions or other watersheds across Canada, and
- promote and support collaborative watershed planning and management.

From 2019 to 2021, the Grindstone Creek Project produced data, modeling, and strategies to incorporate natural assets into long-term asset management for all Project Partners. These included:

- developing an interactive, web-based inventory with information on location, size, and extent of natural assets in the Grindstone Creek watershed, condition of natural assets, and risks to natural assets
- modelling to assess role of natural assets in flood reduction (peak flow attenuation and infiltration)
- a valuation of how natural assets contribute to stormwater management and co-benefits
- scenario development to consider future states of the watershed and analyses to inform continual improvement
- recommended next steps to advance comprehensive natural assets management efforts

Report Summary and Recommendations

Three key findings resulted from this work:

1. Natural assets in the Grindstone Creek watershed provide immense benefits and service value that have direct implications when it comes to the predicted effects of climate change. Nevertheless, there is no single intervention that will ensure they are understood and protected in the long term; natural asset management is an ongoing, adaptive management cycle.
2. Conducting watershed assessments to identify and plan for natural assets is dependent on consistent, well-managed data. The Project has some limitations due to lack of available data; this is an ongoing challenge for cross-jurisdiction assessments, but proper reporting governance and shared objectives across entities could greatly strengthen available natural asset data.
3. Natural assets do not typically align with political boundaries and jurisdictions, and local governments rely on natural assets that are under the ownership and/or jurisdiction of others. Therefore, collaboration across entities and coordinated action at a watershed scale is vital for effective natural asset management.

The summary report (Appendix B) contains ten recommendations based on the above key findings, including:

- Review policies to protect existing natural assets
- Develop a collaborative watershed management strategy and plan for the Grindstone Creek watershed
- Develop a Terms of Reference and collaborative governance approach for developing the plan for the Grindstone Creek watershed
- Develop a collaborative monitoring plan
- Advance priority restoration projects
- Install low impact development projects in priority areas
- Strengthen assessment of natural assets in the Grindstone Creek watershed
- Develop a communications plan and presentation to build awareness of natural asset management needs in the Grindstone Creek watershed
- Better integrate natural asset management into overall asset management practices
- Identify additional watersheds within Conservation Halton's jurisdiction for natural asset management

It is anticipated that further reports to the CH Board will be forthcoming outlining a strategy and work plan for implementing the above recommendations.

Impact on Strategic Priorities

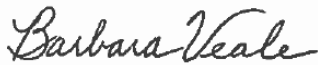
This report supports the Momentum priorities of Natural Hazards and Water; Science, Conservation and Restoration; and Education, Empowerment and Engagement.

Financial Impact

There is no financial impact resulting from this proposal.

Signed & respectfully submitted:

Approved for circulation:



Barbara J. Veale
Senior Director, Watershed Strategies & Climate Change



Hassaan Basit
President & CEO/Secretary-Treasurer

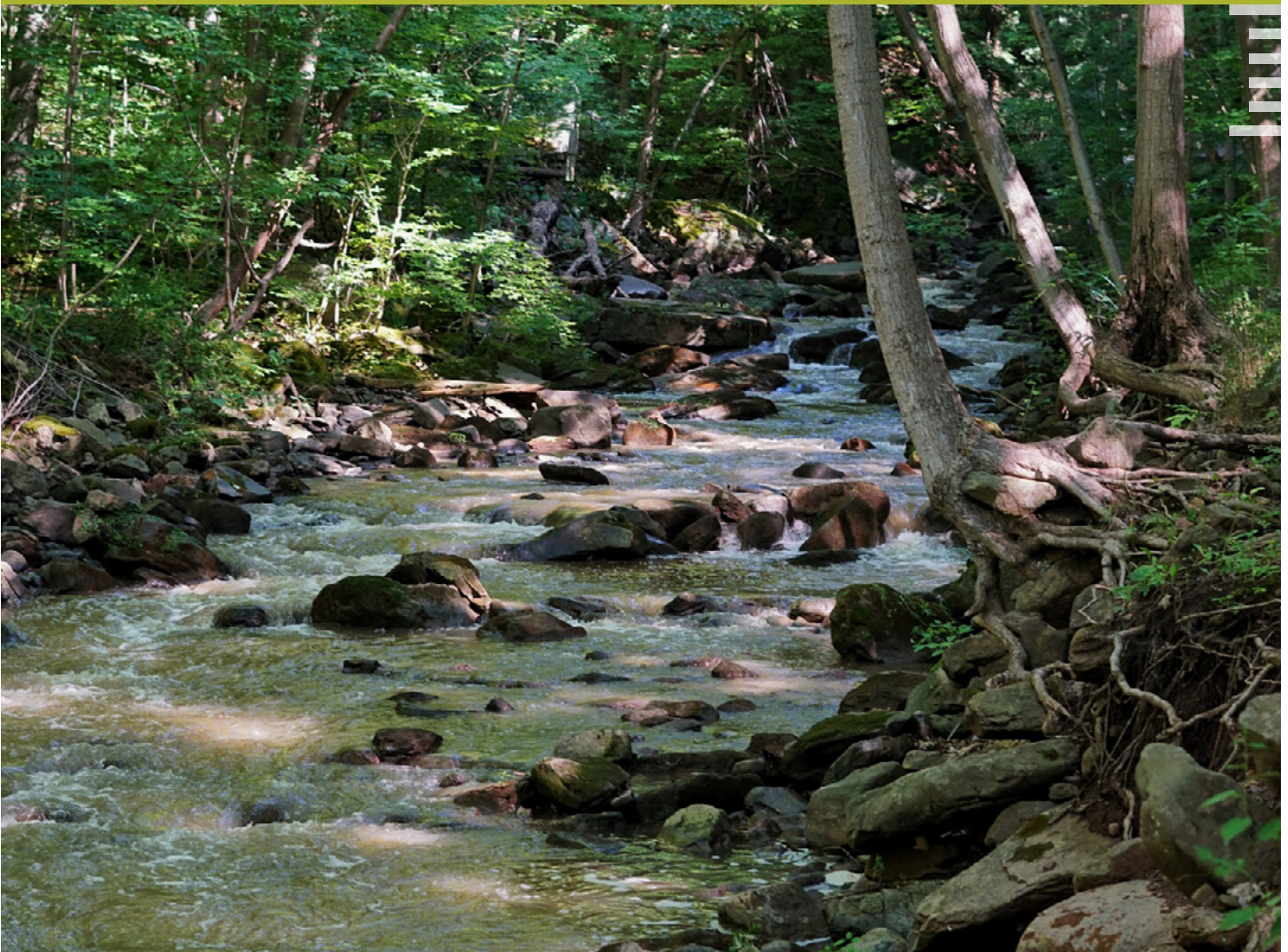
FOR QUESTIONS ON CONTENT:

Barb Veale, Senior Director, Watershed Strategies & Climate Change, 905-2336-2258 x2273, bveale@hrca.on.ca

Grindstone Creek Watershed

Natural Assets Management Project

Summary of Results and Recommendations



September 2022

Municipal Natural Assets Initiative



Invest in Nature

The Municipal Natural Assets Initiative (MNAI) is a Canadian not-for-profit that is changing the way municipalities deliver everyday services — increasing the quality and resilience of infrastructure at lower costs and reduced risk. The MNAI team provides scientific, economic and municipal expertise to support and guide local governments and watershed agencies in identifying, valuing and accounting for natural assets in their financial planning and asset management programs, and developing leading-edge, sustainable and climate-resilient infrastructure.

Acknowledgments

This report and the project it describes has been financially supported by the Greenbelt Foundation of Ontario as well as the City of Burlington, the City of Hamilton, and Conservation Halton.

Project Partners: City of Burlington, the City of Hamilton, Conservation Halton, and Royal Botanical Gardens

Disclaimer

While reasonable efforts have been made to ensure the accuracy of the report's content, any statements made are made only as of the date of the report and such information and data are subject to uncertainties, inaccuracies, limitations and to changes based on future events. Municipal Natural Assets Initiative makes no representations, warranties or guarantees (express, implied, statutory or otherwise) regarding the data on which the information is based or the information itself, including quality, accuracy, usefulness, fitness for any particular purpose, reliability, completeness or otherwise, and assumes no liability or responsibility for any inaccuracy, error or omission, or for any loss or damage arising in connection with or attributable to any action or decision taken as a result of using or relying on the information in the report.

Please cite as:

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Executive Summary

Canadian local governments and watershed agencies face infrastructure challenges. These are increasing in number, frequency and severity as the climate continues to change. Ontario's current infrastructure is vulnerable to climate change, both in terms of social and economic impacts¹.

Seeking to address flooding risks through the better understanding, management and protection of nature, the City of Burlington, the City of Hamilton, Conservation Halton, and Royal Botanical Gardens (the Project Partners) elected to work with the Municipal Natural Assets Initiative (MNAI), a Canadian non-governmental organization, on the *Grindstone Creek Watershed Natural Assets Management Project*.

The Project focussed on the 91 km² Grindstone Creek Watershed, which is located downstream of predominantly rural areas and the Niagara Escarpment World Biosphere and is associated with risks that will increase in a changing climate. The Project's objectives were to:

- 1/ Identify, understand, and quantify the current and possible roles of natural assets in the Grindstone Creek watershed as a component of services such as flood mitigation, stormwater management, and water quality control.
- 2/ Determine associated costs and benefits of providing these services from natural assets in the Grindstone Creek watershed relative to engineered alternatives and/or long-term operations and maintenance for engineered assets (e.g., diversion channels, stormwater management ponds, stormwater management facilities and systems).

From 2019 to 2021, the Project produced data, modeling, and strategies to incorporate natural assets into long-term asset management for all Project Partners. These included:

- Developing an interactive, web-based inventory with information on location, size, and extent of natural assets in the Grindstone Creek watershed, condition of natural assets, and risks to natural assets
- Modelling to assess role of natural assets in flood reduction (peak flow attenuation and infiltration)
- A valuation of how natural assets contribute to stormwater management and co-benefits
- Scenario development to consider future states of the watershed and analyses to inform continual improvement
- Recommended next steps to advance comprehensive natural assets management efforts

1 NRCAN 2022. Read Ontario's chapter in the *Changing Climate Regional Perspectives Report*: ftp://ftp.maps.canada.ca/pub/nrcan_rncan/publications/STPublications_PublicationsST/330/330561/gid_330561.pdf

Stormwater management benefits

The estimated value of the natural assets for stormwater management (specifically peak flow reduction and infiltration) is approximately \$65/m² for forests; \$200/m² for swamps; \$203/m² for marshes; and \$324/m² for open water. This means that the total value of natural assets for one service — stormwater management — is approximately \$2 billion (\$2,071,941,487)² in terms of capital costs of equivalent engineered infrastructure assets to provide that same service. Operational costs, such as monitoring and maintenance, were not estimated and are an additional cost to be considered. Emerging research is demonstrating that, on average, natural infrastructure is more cost-effective than engineered infrastructure, due to lower capital investment requirements, lower long-term operating and maintenance costs, and lower requirements for labour, chemicals, and other inputs throughout asset life.²

In addition to stormwater management, natural assets can provide a wide range of **co-benefits**. The estimated annual service value of natural assets in the Grindstone Creek watershed in terms of recreation, soil retention and erosion control, climate mitigation, habitat and biodiversity, and atmospheric regulation is approximately \$34 million. Health benefits and Indigenous values were considered qualitatively.

Risk mitigation

Modelling quantified the functions of natural assets in terms of core local government services, in this case, peak flow attenuation and runoff reduction. The Project modelled six scenarios: three to determine baseline natural asset functions, and three to explore climate change scenarios and the impacts of major improvements in the Grindstone Creek watershed.

The Project identified several risks related to natural assets, particularly in the Lower Grindstone Creek subwatershed. The *overall* average risk to natural assets in this location is very high when the risk and condition are considered together; this means that natural asset management leading to improved condition could have a high beneficial impact.

² World Business Council for Sustainable Development, 2017.

Recommendations

The project team compiled a list of recommendations for the Grindstone Creek watershed Project Partners. Recommendations are structured to support the Partners' joint priorities and within their jurisdictional context. The full list of recommendations is outlined on page 22.

- 1/ Review policies to protect existing natural assets
- 2/ Develop a collaborative watershed management strategy and plan for the Grindstone Creek watershed
- 3/ Develop a terms of reference and collaborative governance approach for developing the plan for the Grindstone Creek watershed
- 4/ Develop a collaborative monitoring plan
- 5/ Advance priority restoration projects
- 6/ Install low impact development projects in priority areas
- 7/ Strengthen assessment of natural assets in the Grindstone Creek watershed
- 8/ Develop a communications plan and presentation to build awareness of natural asset management needs in the Grindstone Creek watershed
- 9/ Better integrate natural asset management into overall asset management practices
- 10/ Identify additional watersheds within Conservation Halton's jurisdiction for natural asset management

OVERALL, THE PROJECT DEMONSTRATED THAT:

- 1/ Natural assets in the Grindstone Creek watershed provide immense benefits and service value that have direct implications when it comes to the predicted effects of climate change. Nevertheless, there is no single intervention that will ensure they are understood and protected in the long term; natural asset management is an ongoing, adaptive management cycle.
- 2/ Conducting watershed assessments to identify and plan for natural assets is dependent on consistent, well-managed data. The Project has some limitations due to lack of available data; this is an ongoing challenge for cross-jurisdiction assessments, but proper reporting governance and shared objectives across entities could greatly strengthen available natural asset data.
- 3/ Natural assets do not typically align with political boundaries and jurisdictions, and many local governments rely on natural assets that are under the ownership and/or jurisdiction of others. Therefore, collaboration across entities and coordinated action at a watershed scale is vital for effective natural asset management.

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1 Introduction

Natural Assets

What are natural assets?

The term *municipal natural assets* refers to the stock of natural resources or ecosystems that a municipality, regional district or other form of local government could rely on or manage for the sustainable provision of one or more local government services.

Why manage natural assets?

Effective stewardship of municipal natural assets helps local governments to provide more cost-effective and reliable delivery of services, support climate change adaptation and mitigation, and enhance biodiversity. Natural asset management can provide a resilient alternative to trying to “build their way out” of infrastructure challenges. They can also provide both local government services and many co-benefits that add to community quality of life.

Legend for map below

- Conservation Halton
- City of Hamilton
- City of Burlington
- Royal Botanical Gardens

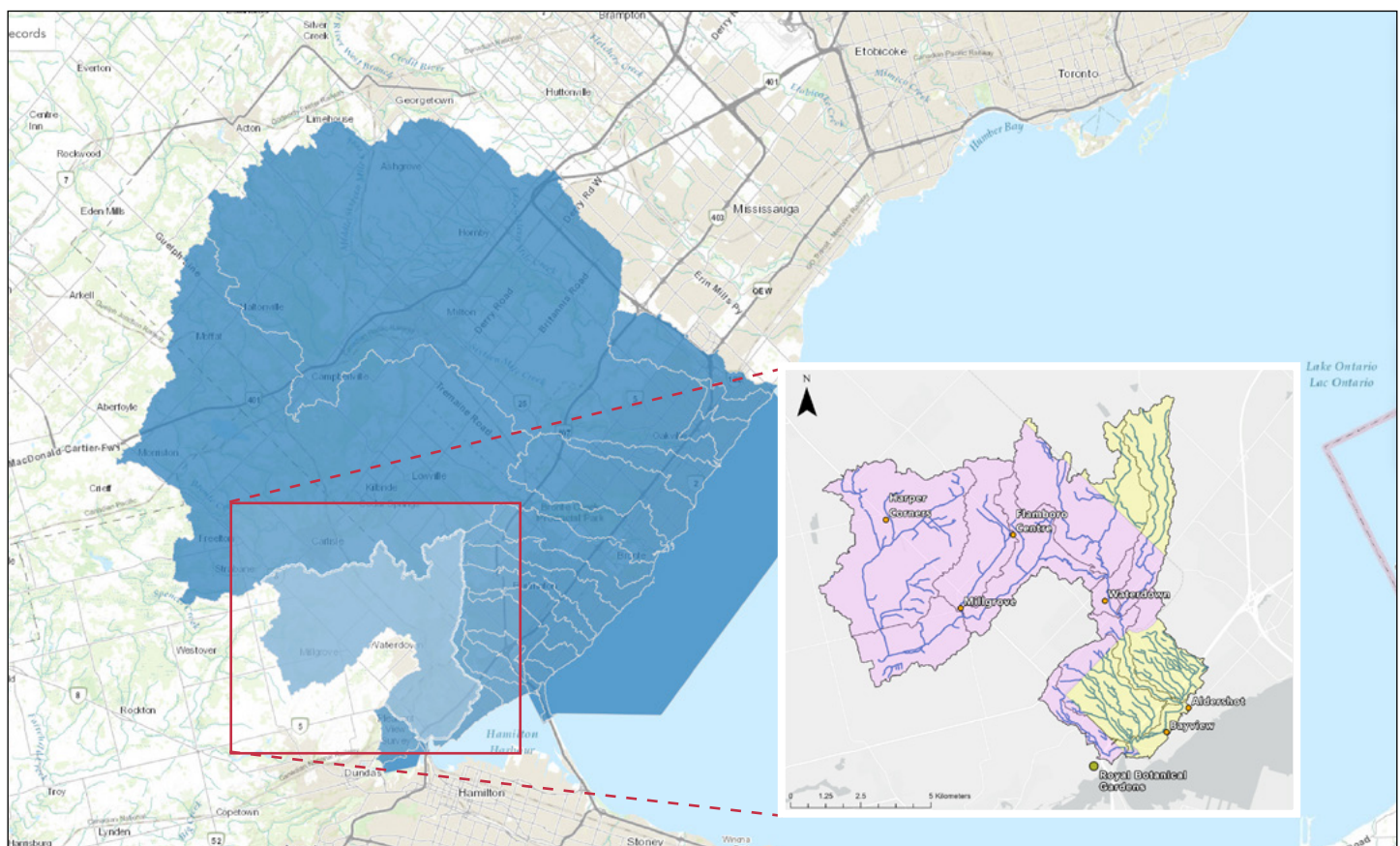


Figure 1: Map of Project Partner jurisdictions in the Grindstone Creek Watershed

Local Context

The Grindstone Creek watershed is located in southwestern Ontario, in the Greater Golden Horseshoe region between Hamilton and Toronto within Ontario's Greenbelt. It is partially within the Cities of Burlington and Hamilton, and the Regional Municipality of Halton.

The *entire* watershed jurisdiction of Conservation Halton covers 1,059 km². The Grindstone Creek watershed itself is just one of three main watersheds, and many other smaller watersheds that drain into Lake Ontario, that Conservation Halton manages and is the focus of this study. Established in 1963 under Ontario's Conservation Authorities Act³, Conservation Halton plays an important role in natural asset management and is responsible for the delivery of programs and services that further the conservation, restoration, development, and management of natural resources on a watershed basis.

The Grindstone Creek watershed originates in primarily rural wetland areas above the Niagara Escarpment, within the boundaries of the City of Hamilton. It comprises 9,046 ha of land and supplies 14% of natural water into Hamilton Harbour / Burlington Bay at the site of Royal Botanical Gardens. The watershed is the northern limit of the Lake Erie Lowland ecoregion that houses a greater number of flora and fauna species than any other ecoregion in Canada, including species found nowhere else⁴.

GOVERNANCE

The Grindstone Creek watershed falls entirely within the geographic jurisdiction of Conservation Halton and comprises a multi-owner, multi-jurisdiction, and multi-use area. Many entities including local governments and Conservation Halton share governance responsibilities as the watershed includes portions of both the City of Hamilton and the City of Burlington.

The City of Burlington (population ~183,000) is within the Regional Municipality of Halton and forms the western end of the Greater Toronto area. **The City of Hamilton** (population ~587,000) is southeast of the City of Burlington and outside the jurisdiction of the Regional Municipality of Halton. Water, in part, flows from the City of Hamilton towards the City of Burlington.

Conservation Halton is responsible for carrying out watershed planning and monitoring, land acquisition and management, operation and maintenance of water control infrastructure, flood forecasting and flood warning, administration of regulations to keep development away from hazard areas, planning advisory services, environmental restoration and stream rehabilitation, provision of outdoor recreation, and conservation education and awareness in its jurisdiction.

3 www.ontario.ca/laws/statute/90c27

4 *Carolinian Canada* 1994

Royal Botanical Gardens is Canada's largest botanical garden. It owns approximately 90 hectares of land at the mouth of the Grindstone Creek and approximately 1,100 ha overall. It has a statutory mandate focused on human interaction with the natural world and protection of environmentally significant lands. The organization is an important element of governance in the Grindstone Creek watershed⁵.

ECOSYSTEM SERVICES FROM NATURAL ASSETS IN THE GRINDSTONE CREEK WATERSHED

The watershed's natural assets buffer flooding and erosion effects of storms and snowmelt, and moderate summer flows by allowing surface water to infiltrate into groundwater, filter contaminants and sediment, and reduce the rate and total volume of runoff into Grindstone Creek and its tributaries. It also provides recreational opportunities as part of the Cootes to Escarpment EcoPark System, including the City of Burlington-owned Hidden Valley Park, the Conservation Halton-owned Clappison and Waterdown Woods, and various landholdings of Royal Botanical Gardens.

The Project provided an opportunity for Project Partners to take a holistic, evidence-based, watershed-scale approach to maintain and enhance these services, likely at a lower lifecycle cost than engineered assets alone. It also leverages opportunities presented by engaging a Conservation Authority with a mandate and means to undertake programming at a watershed scale.

Project Overview

The project had two primary objectives that support the four project goals:

- 1/** Support and guide Conservation Halton and the City of Burlington in identifying, valuing and accounting for natural assets in their financial planning and asset management programs and ensure that the City of Hamilton has the required information from the project for the same.
- 2/** Develop leading-edge, sustainable, cost-effective, and climate-resilient flood management and stormwater management infrastructure on a watershed basis
- 3/** Reduce risk and potential liability due to flooding, erosion, and sedimentation
- 4/** Provide sustainable municipal service delivery to communities

CLIMATE CHANGE AND PRIORITY RISKS

In their regional perspectives report, Natural Resources Canada (NRCAN) confirms that Ontario's current infrastructure is vulnerable to climate change⁶. While progress on adaptation efforts remains limited in terms of mainstream

⁵ Conservation Halton has undertaken other risk management efforts for flooding and erosion as well, including restoration work and implementing regulations to keep development away from flood hazards

⁶ NRCAN 2022

application, nature-based solutions can help maintain ecosystem services and reduce risk of impacts to biodiversity in the province.

The Grindstone Creek watershed faces several physical risks that climate change continues to increase. Modelling completed for the Project for the years 2050 to 2100 suggests a ~30% increase in total rainfall for 12-hour, 100-year storm events and that peak flow rate increases, in general, will become larger. Such storms may increase physical and socioeconomic risks, such as health impacts from long-term exposure to elevated levels of air pollution, more extreme weather events (heat waves, droughts, winter storms, tornadoes, and windstorms), and increased pressure on existing infrastructure⁷. Modelling also suggests that natural assets play an important role in preventing peak flow rate increases from climate change⁸.

Through inventory condition and risk assessments, the Project determined that the Grindstone Creek watershed contains 8,769 natural assets covering 7,232 hectares (ha). Of these, almost 70% are rated as being in fair condition, while smaller portions are rated poor (2.45%) and excellent (7.72%) condition.

The goal of this report is to provide other communities with an overview of method examples and outcomes to both guide and inspire their own journey towards a watershed natural asset management plan.

Limitations and Assumptions

MNAI uses an asset management-based methodology to understand the relationship between local governments and nature, for several reasons:

- Asset management is becoming popular among Canadian local governments (and in Ontario, among Conservation Authorities), which offers a platform to make natural asset management a broadly based, scalable and comparable practice.
- Asset management provides a useful and practical approach for conceptualizing nature not simply in narrow aesthetic terms, but as something communities rely on for a number of important services.
- Asset management is proving to be a mechanism that helps integrate nature-related considerations into core local government decision-making, thus broadening its relevance beyond departments that focus on environmental matters.

MNAI recognized that asset management terminology and approaches may not align with First Nations, Inuit and Métis worldviews and perspectives. The Grindstone Creek watershed is situated upon the traditional territories of the Erie, Neutral, Anishinaabeg, Huron-Wendat, Haudenosaunee and the Mississaugas, covered by the Dish With One Spoon Wampum Belt Covenant and the Between the Lakes Purchase – Treaty 3 (1792).

⁷ Fact Sheet included in MOU

⁸ IPCC 2022

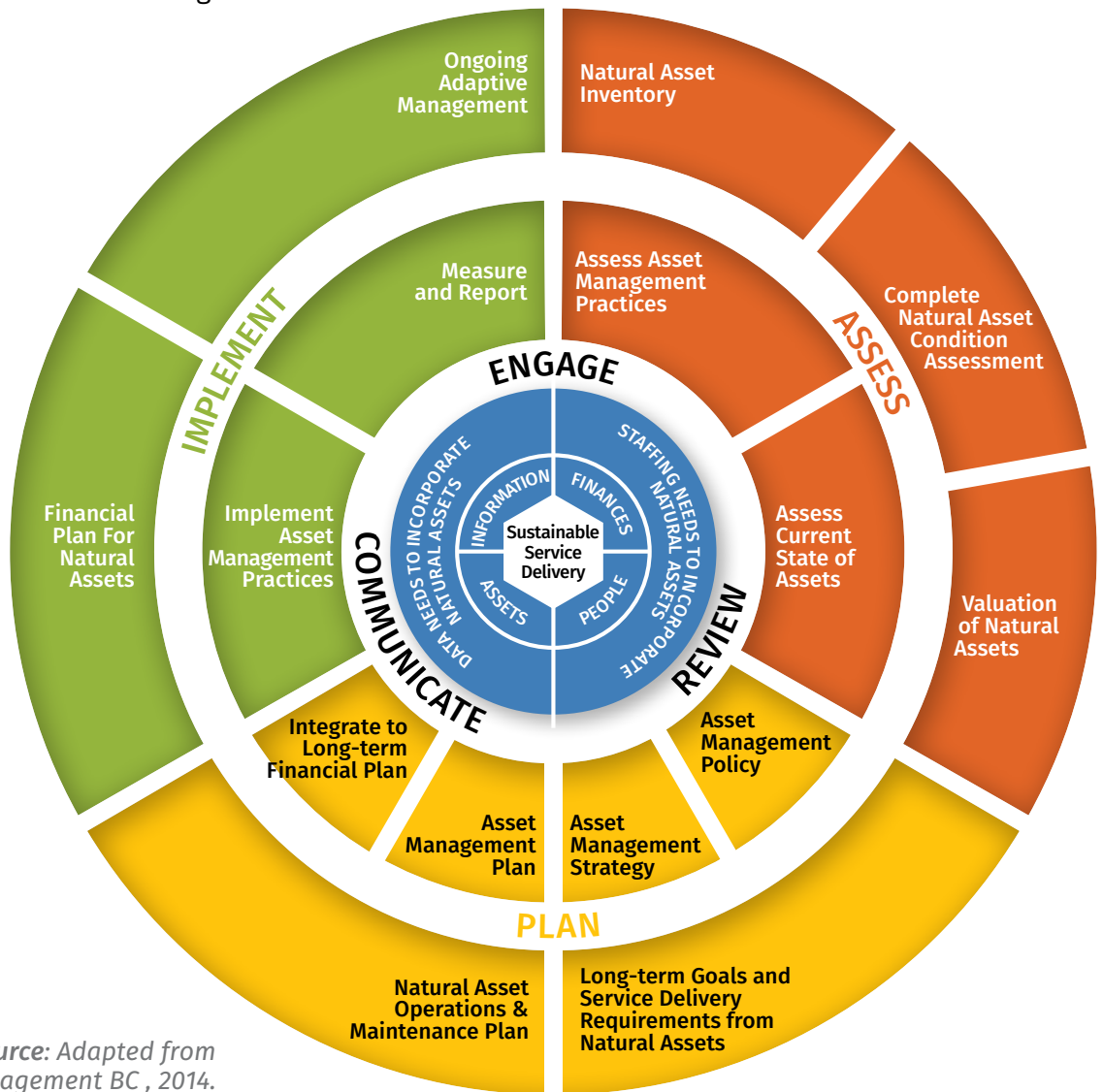
Another Project limitation is that, as illustrated in Figure 1, asset management is an adaptive management cycle, not a finite process. While this report is current at the time written, many elements will evolve in response to data, feedback loops, actions taken by Project Partners, and continuous improvement.

MNAI undertakes detailed hydrologic modelling to assess the levels of services that natural assets provide, and the value of those services, to allow for service-based comparisons with engineered assets. However, *all* modelling uses assumptions, has limitations and is not predictive.

MNAI estimated the value of some of the services from nature relevant to the beneficiaries in this project: local governments, Conservation Halton, and communities more generally. Together, these service values provide a composite figure that can be considered as a *minimum service value*. This figure can support and inform decision-making; however, it is only part of a broader understanding of what is meant by nature's "value". While there are many services provided by the ecosystems of the Grindstone Creek watershed, only a portion of them were quantified in this Project.

2 Approach

The methodology for the project is based on standard asset management practices that local governments are increasingly required to adopt in Canada, and which are articulated by organizations such as Asset Management BC, based on global norms. MNAI has adapted these methodologies to ensure that natural assets, which are complex in their role in service delivery, context-specific, and present novel considerations, can be effectively integrated and considered into asset management.



Source: Adapted from Asset Management BC, 2014.

Figure 2: The diagram depicts the natural asset management cycle.

As depicted in Figure 2, a natural asset inventory is a first component of the natural asset management assessment phase. Natural asset inventories provide details on the types of natural assets a local government relies upon⁹, their condition, and the risks they face.

⁹ Federation of Canadian Municipalities 2018

Developing a Watershed Natural Asset Inventory

To be able to apply MNAI's inventory process in the context of a watershed, an innovative approach using a multi-scale asset inventory structure was developed. The multi-scale inventory provides a better foundation to integrate watershed and subwatershed data to meet the needs of the project partners.

Figure 2 depicts the Natural Asset Inventory structure for Grindstone Creek watershed. In essence, the natural asset inventory is the collection of three connected “sub-inventories,” which are organized as groups of watershed elements each with their own structure. There are three sub-inventories:

- 1/ Core natural asset inventory:** captures terrestrial natural assets across the Grindstone Creek watershed. This includes the location and extent of forests, swamps, marshes, ponds, successional, and agricultural land covers.
- 2/ Watercourse-based inventory:** using the same conceptual approach as the core asset inventory but based on water-related natural assets. This inventory captures the hydrologic network, where stream reaches are defined as unique assets, for the purpose of creating a basis for the overall asset inventory to incorporate the detailed monitoring data collected regularly by Conservation Halton.
- 3/ Subwatershed inventory:** high-level inventory where each subwatershed within the Grindstone Creek watershed is defined as an asset. The catchment area is characterized by pre-existing Watershed Report Card data from Conservation Halton¹⁰ and key variables from the core inventory formatted for the subwatershed.

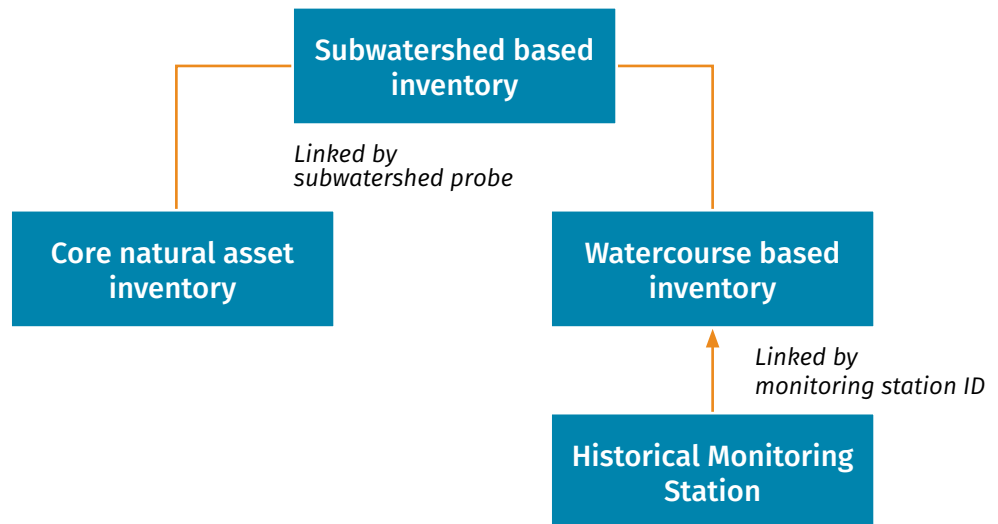


Figure 3: Structure of the Grindstone Creek Watershed Natural Asset Inventory

¹⁰ RBG did not complete a readiness assessment, but noted that it has data on the natural assets at the mouth of the creek including wetland habitat, water quality, and health of the forests and surrounding terrestrial habitat

Core Natural Asset Inventory

Developing a natural asset inventory starts with robust mapping of the natural features within a study area. MNAI acquired data layers from the project partners, which were then reviewed and filtered based on the MNAI research team's expertise with developing natural asset inventories and the expertise of the project partners. The following is an overview of the steps taken to develop the detailed base land cover dataset, from which this inventory was developed.

Step 1: Define Natural Assets

Developing a complete picture of the natural features within the Grindstone Creek watershed required combining information from several available data sets and organizing them based on a hierarchy that prioritized the most definitive data sets.

Top priority layer	Wetlands (swamps and marshes). Evaluated wetland scores (Biological, Hydrologic, Social, Special Feature, and Overall Wetland scores) from the Ontario Wetlands Evaluation System (OWES) were merged into Conservation Halton's wetland mapping layer using the ArcGIS identity tool. This effectively imported condition ratings for any wetlands in the Grindstone Creek watershed that have already been assessed through OWES.
Second priority layer	Ponds and Waterbodies. Data was provided by Conservation Halton. This layer was used to define the location of ponds and other waterbodies, that did not overlap with the above wetlands. The only attribute retained from the source file was pond type.
Third Priority Layer	Ecological Land Classification (ELC). Conservation Halton's ELC data was used to define the spatial boundaries for natural and semi-natural areas other than wetlands, ponds, or waterbodies.
Final Priority Layer	Southern Ontario Land Resource Information System (SOLRIS). Data from the Government of Ontario was used to fill in remaining land cover areas for agriculture-related cover types

Once the base natural inventory was completed, a riparian zone was developed from watercourse data. This zone was defined as a 30m buffer from watercourse line features.

Step 2: Define Boundaries of Individual Natural Assets

Some natural asset areas cross subwatershed boundaries within the Grindstone Creek watershed. To link the assets to their respective subwatersheds, individual assets were split according to these boundaries. This was completed by clipping natural assets by subwatershed boundaries and importing the subwatershed name into the core asset inventory. Therefore, an asset can be defined as:

Any continuous natural or semi-natural area as defined by ELC or SOLRIS cover types that are contained within the same subwatershed.

Defining assets in this way allows the core inventory to be linked to a higher order asset inventory based on subwatershed boundaries.

Step 3: Add Attributes to Further Describe the Natural Assets

Once the base asset inventory was established, additional attributes beyond boundaries were added to define whether the assets are associated with:

- City and regional parks
- Street trees
- Development permit applications
- Tile drainage areas

Watercourse Inventory

Watercourse network data provided by Conservation Halton formed the foundation of the watercourse inventory. Building on this spatial data set, a few additional attributes were added to round out the inventory. Each stream reach was given a unique asset ID and was characterized by the following attributes:

- Stream type
- Stream order
- Length of reach
- The relevant subwatershed (stream reach was overlaid with subwatershed data provided by Conservation Halton, then allocated to specific areas)
- Monitoring station ID (if present)
- Hazard flood plain (if relevant, received separately from Conservation Halton)

Subwatershed Inventory

Building on the spatial data set provided by Conservation Halton, a few additional attributes were added to round out the inventory. First, each subwatershed is treated as an asset that is defined by the collection of assets from the core and watercourse inventories. Existing subwatershed numbers are used as the unique asset ID. The subwatershed assets are then characterized by the following attributes:

- Subwatershed name
- Subwatershed area
- Percent natural assets
- Percent forest assets

- Percent wetland (swamp and marsh) assets
- Percent agriculture

Overall Inventory Results

Table 1 summarizes the overall natural asset inventory (e.g., core + watercourse + subwatershed) in the Grindstone Creek watershed.

TABLE 1: SUMMARY OF NATURAL ASSET INVENTORY FOR GRINDSTONE CREEK

ASSET TYPE	NUMBER OF ASSETS	AREA OF ASSETS (HA)
Agriculture	2,728	3,892
Forest	977	1,017
Marsh	2,110	475
Meadow Successional	400	374
Swamp	2,554	1,474
Total	8,769	7,231

Table 1: Summary of natural asset inventory for Grindstone Creek

The Grindstone Creek inventory is available for viewing in a web-based dashboard at go.greenanalytics.ca/grindstonecreek

3 Conditions Assessment

A condition assessment provides valuable information on how well natural assets function relative to their ability to provide specific services. Baseline condition assessment data, expressed in an inventory, is a starting point and can also be used to assess changes in the level of service provision that result from impacts that either improve or degrade asset conditions.

In the case of the Project, the condition assessment is based on a GIS desktop assessment and incorporates existing condition metrics for the natural features within the watershed. This approach was taken to ensure that existing data was leveraged and expanded upon by incorporating additional condition metrics of interest to Project Partners.

The over-arching framework proposed by MNAI was developed by NatureServe^{11,12}

11 NatureServe: www.natureserve.org

12 US Forest Service (2002) recognizes tree height as a core indicator of forest health.

Condition of Core Natural Asset Inventory

Nine condition metrics were incorporated into the Grindstone Creek watershed project condition assessment. Each are described in the table below; detailed assessment processes are provided in the Grindstone Creek Watershed Inventory Technical Report.

TABLE 2: DESCRIPTION OF CORE INVENTORY CONDITION VARIABLES

CONDITION VARIABLE	DESCRIPTION
Hydrologic Score	Obtained from the Ontario Wetlands Evaluation System (OWES), which provides a score based on flood attenuation, water quality improvement, carbon sink, shoreline erosion control and groundwater recharge.
Linear Road Density	Higher road density implies more fragmentation and higher hydrologic impairment of water flows. Road density is measured as km of road per km ² of area.
Adjacent land use	Measures how isolated an asset is, and distinguishes assets from those next to other natural assets vs. those next to built infrastructure
Development Area Assets	Areas where development applications exist are rated as a development. Other assets are rated as intact.
Percentage Interior Natural Area	Degree to which individual natural assets are contributing to a greater network of continuous natural area.
Percentage Interior Forest Area	Degree to which individual forest assets contribute to a greater network of continuous forest area.
Canopy Cover Rating	Forest area health based on the assumption that larger forest assets with larger canopy cover mean better forest condition.
Drainage Density	Drainage density (km/km ²) was determined for each subwatershed using the locally relevant data on the stream network to determine total stream length (km). This was then divided by total area of the subwatershed (km ²).
Tile Drainage	Agricultural areas that are tile drained were considered to have a low (L) condition for stormwater management services; areas with no tile drainage were considered to have a high (H) rating.

Table 2: Description of Core Inventory Condition Variables

WATERCOURSE INVENTORY CONDITION

For the watercourse inventory, a similar approach to assessing the condition was applied. Three condition variables were added:

Road Crossings. The number of road crossings for each stream reach asset was calculated and converted to a ratio of road crossings / km of stream. Road networks interact with stream networks and have the potential to affect biological and ecological processes in stream and riparian systems.

Association with Hazard Flood Plain. Any stream asset within the hazard flood plain was rated as (Y), otherwise it was registered as not within the hazard flood plain (N). Although flooding is a natural process, floods can be destructive to humans and the natural environment.

Surface Water Quality (SWQ) Grade. The surface water quality grade from Conservation Halton's Watershed Report Card was applied to each relevant stream asset and subwatershed. Grade ratings are: A=Excellent, B=Good, C=Fair, D=Poor, F=Very Poor, and "Insufficient Data". The grade is based on an aggregated assessment of chemical analysis of water quality and indicators of benthic communities in the stream carried out by Conservation Halton, using their stream water quality monitoring data.

SUBWATERSHED INVENTORY CONDITION

The subwatershed inventory links natural assets to their hydrologic areas and incorporates data from Conservation Halton's Watershed Report Card. Eight condition variables were added to the inventory, described in Table 3.

TABLE 3: SUBWATERSHED BASED CONDITION VARIABLES

CONDITION VARIABLE	DESCRIPTION
Surface Water Quality (SWQ) Grade	The surface water quality grade from Conservation Halton's Watershed Report Card was used and is based on an assessment of chemical analysis of water quality and indicators of benthic communities in the stream.
Forest Grade	The forest grade from Conservation Halton's Watershed Report Card was used for each subwatershed. It is based on the percentage of forest cover, forest interior (100m from the forest edge) and streamside vegetation that is forested.
Impervious Grade	The surface water quality grade from Conservation Halton's Watershed Report Card was applied to each relevant stream asset and subwatershed. The impervious grade is based on the area of impervious surfaces within each subwatershed.
Percent wetland cover	Percent wetland is the percentage of the subwatershed with wetland cover. Wetlands include swamps (treed and thicket), bogs, fens and marshes, but only swamps and marshes are present in the Grindstone Creek watershed.
Percent Forest	Percent forest is the percentage of the subwatershed with forest cover.
Percent Natural	Percent natural is the percentage of the subwatershed with natural cover. Natural areas are defined as forest, wetland, grassland, shrubland, cliff and talus, and cultural.
Percent Agriculture	Percent agricultural is the percentage of the subwatershed with agricultural cover.

Drainage Density	Drainage density (km/km ²) was determined for each subwatershed using the locally relevant data on the stream network to determine total stream length (km). This was then divided by total area of the subwatershed (km ²).
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Table 3: Subwatershed Based Condition Variables

Condition Results

The majority (almost 70%) of natural assets in the Grindstone Creek Watershed are rated fair. A small portion are rated either poor (2.45%) or excellent (7.72%).

The assessment revealed that:

- Forest assets hold the highest area of assets in poor condition.
- Forest assets located close to Highway 403 and the southern portion of Highway 6, where the majority of the poor rated forest assets are located, would be more impacted by road density and adjacent land use condition metrics.

4 Valuing Natural Assets

Natural asset management is about far more than assigning a financial value to their services. Nevertheless, valuations can be helpful tools to build awareness and inform decision-making when they are situated within a broader understanding of the importance of nature.

The primary objective of the economic evaluation in MNAI's process is to measure how natural assets contribute to the core services that a local government and other agencies provide. These are 'operational' figures that directly support asset management decision-making.

The secondary objective of the economic evaluation is to measure additional service values, or *co-benefits*, from the same natural assets to users other than the local government — for example, recreational land users who may receive quantifiable health benefits.

Together, these two evaluations provide a *composite valuation* which, while far from exhaustive, provides a basis for asset management, community awareness and other processes.

Modelling and Valuation Exercise

To understand the benefits that natural assets provide related to stormwater management (SWM), a modelling and valuation exercise was completed. Three primary scenarios were modelled:

- 1/ baseline conditions
- 2/ "bare-earth" where natural assets had been removed, and;
- 3/ conditions with the use of low-impact development measures.

Detailed descriptions of scenarios and valuation methods are provided in the Technical Report.

To value the role of natural assets in SWM, the team analyzed the capital replacement cost of natural assets with built stormwater infrastructure (i.e., stormwater ponds and low-impact development [LID]). Results of the average per unit cost based on recent tenders by Project Partners were used to estimate construction costs.

To underscore, the figures do not include operating, maintenance and renewal costs; good asset management planning requires an understanding of infrastructure lifecycle costs, and these could be added in the future.

The total value of natural assets for stormwater services alone is estimated at more than \$2 billion (\$2,071,941,487).

TABLE 4: VALUE OF NATURAL ASSETS BY ASSET CLASS

NATURAL ASSET TYPE	AREA (HA)	POND COST	LID COST	TOTAL SWM COST
Forest	452.39	\$ 129,260,470	\$ 49,480,361	\$ 178,740,831
Marsh	53.65	\$ 155,204,143	\$ 961,390	\$ 156,165,533
Swamp	789.15	\$ 1,607,866,305	\$ 10,616,012	\$ 1,618,482,317
Open water	36.06	\$ 117,768,428	\$ 784,378	\$ 118,552,806
Total	1331.25	\$ 2,010,099,346	\$ 61,842,141	\$ 2,071,941,487

Table 4: Value of Natural Assets by Asset Class

Total cost of the stormwater infrastructure was divided by the natural asset catchment area to obtain cost/m². The cost/m² was averaged between natural assets with the same land-use type. Based on this approach, the cost of replicating natural assets' hydrologic functions using conventional SWM and LIDs was estimated at a rate of \$65.11/m² for forest, \$200.02/m² for swamp, \$203.17/m² for marsh, and \$324.38/m² for bodies of water.

Value of Other Services (Co-benefits)

This project also considered the following co-benefit services related to healthy watersheds:

- Recreation and tourism
- Soil retention and erosion control
- Climate mitigation
- Habitat and biodiversity preservation
- Atmospheric regulation
- Health
- Indigenous values

A detailed overview on the valuation process and outcomes measured is included in the Technical Report. Table 5 provides an overview of the estimated values of quantifiable services. Note that Health and Indigenous values were not assigned a definitive dollar amount and instead examined qualitatively.

TABLE 5: SUMMARY: PARTIAL LIST OF CO-BENEFIT SERVICE VALUES FROM GRINDSTONE CREEK NATURAL ASSETS (\$/year – indicative estimates)

SERVICE	AGRICULTURE	FOREST	MEADOW SUCCESSIONAL	SWAMP	MARSH	Asset Area (ha)
Recreation and tourism	\$ 899,000	\$ 21,986,000	\$ 33,000	\$ 6,945,000	\$ 2,210,000	\$ 32,073,000
Erosion control	Not assessed	\$ 1,300,000	\$ 3,000	\$ 1,900,000	N/A	\$ 3,203,000
Carbon sequestration	\$ 397,000	\$ 254,000	\$ 53,000	\$ 623,000	\$ 198,000	\$ 1,525,000
Habitat Preservation values	Not assessed	\$ 220,000	\$ 55,000	\$ 321,000	\$ 48,000	\$ 644,000
Atmospheric regulation	Not assessed	\$ 218,000	\$ 10,000	\$ 318,000	\$ 10,000	\$ 556,000
Asset Area (ha)	\$ 1,296,000	\$ 23,978,000	\$ 154,000	\$ 10,107,000	\$ 2,466,000	\$ 38,001,000

Table 5: Summary: Partial List of Co-benefit Service Values from Grindstone Creek Natural Assets

When combined with information on asset condition, resource managers can examine assets of interest, and assess the likelihood or significance of each of the key “additional” services likely to be provided by the asset of interest.

5 Risk Assessment

Local governments and watershed agencies can determine how to prioritize efforts by identifying risks facing natural assets. The risk assessment was only completed on the Core Natural Asset Inventory.

Risk Identification Workshop

To establish the priority risks, a workshop was held in November, 2020 with the Grindstone Creek project partners and two additional workshops were led by Conservation Halton in December, 2020. The objective was to identify and rank top risks to natural assets and associated stormwater services, based on the likelihood of risk occurring and the severity of impact.

Nine priority risks for Grindstone Creek watershed were identified and ranked:

- 1/ Flood
- 2/ Drought
- 3/ Illegal dumping
- 4/ Development pressure
- 5/ Beaver dams
- 6/ Ice jams
- 7/ Pollutant loading
- 8/ Erosion
- 9/ Changes to sediment deposition

(A detailed overview of the workshop and risk ranking process is available in the Grindstone Creek Watershed Inventory Technical Report).

As shown in Figure 3, the risk ranking is the result of multiplying the likelihood of occurrence (a rating scale from 0 to 5, where 0 is no likelihood and 5 is extremely likely) and the impact severity (a rating scale from 0 to 5, where 0 is no impact severity and 5 is extreme impact severity). The resulting risk ranking is a scale from 0 to 25. The rank is then converted to an overall rating such as minor, moderate, major, or severe.

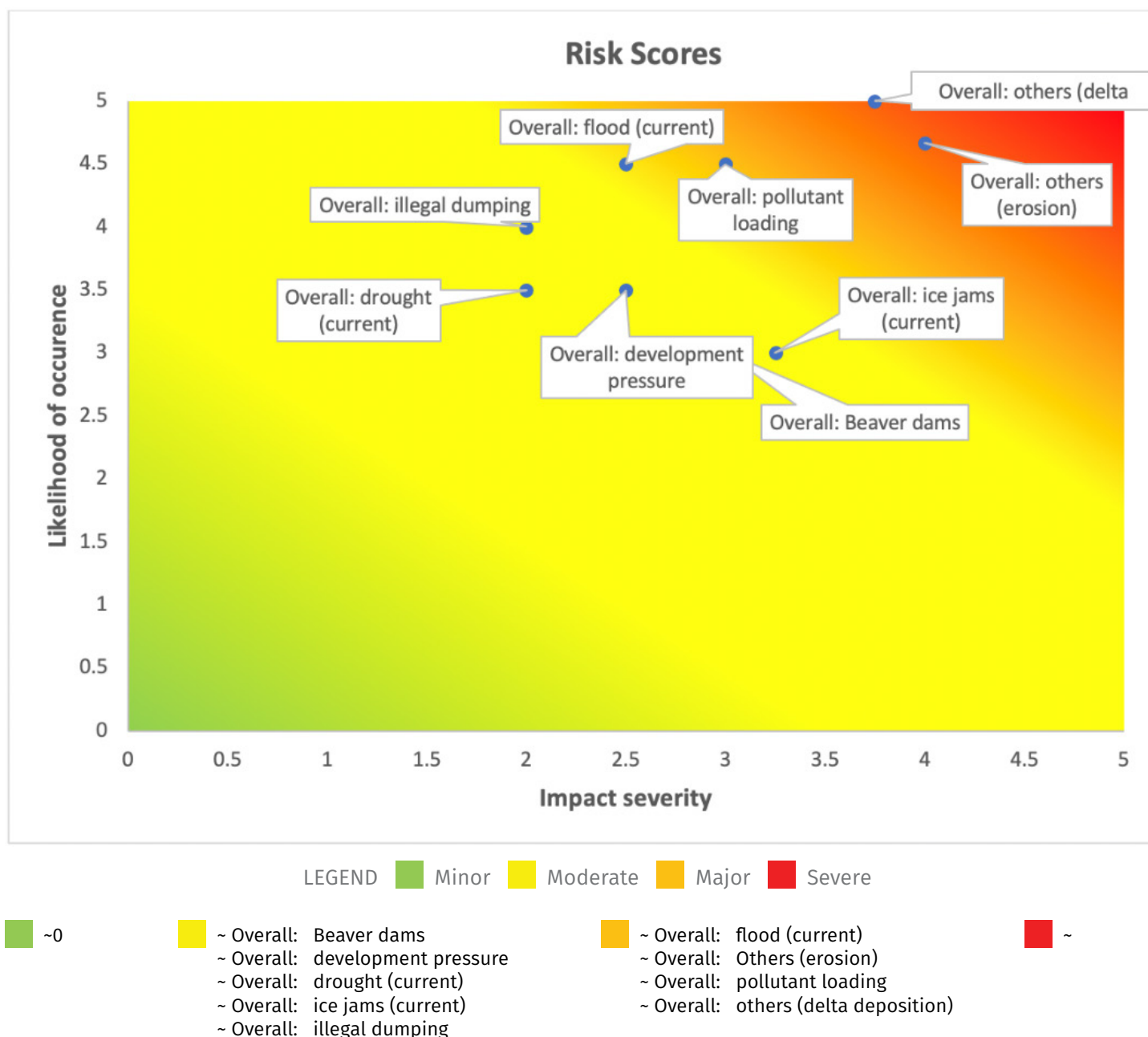


Figure 4: Summary of Risk Rankings for the Grindstone Creek

Ranking Assets with Risk Exposure

Following the workshops, MNAI worked with Project Partners to refine how to incorporate these risks into the inventory. Through collaboration, the spatial extent of each risk was defined; the extent is outlined in Section 3.3 of the Grindstone Creek Watershed Inventory Technical Report.

Once the potential extent of the priority risks was defined, each asset's exposure to those risks was assessed based on the percent of the asset area that overlaps with the risk extent boundary. In other words, an asset's risk exposure is defined as *the percent of the asset area exposed to each risk*.

For example: if an asset has 10% of its area exposed to flood risk, 30% of its area exposed to erosion risk, and 100% of its area exposed to drought risk, then it would have an overall risk rating of $11.25 * 0.1 + 18.75 * 0.3 + 7 * 1 = 13.75$. Because risk areas are not mutually exclusive (i.e. it is possible to have 100% exposure to all risks), the theoretical maximum risk ranking is 400 (likelihood of impact of 5 * impact severity of 5 = 25 * 8 possible risks = 400). The following score categories were used:

- Any risk < 32 is minor
- Any risk ≥ 32 ($2 * 2 * 8$) is moderate
- Any risk ≥ 98 ($3.5 * 3.5 * 8$) is major
- Any risk ≥ 162 ($4.5 * 4.5 * 8$) is severe

TABLE 6: SUMMARY OF RISK RANKINGS BY RISK TYPE

RISK	OVERALL RANK
Flood	11.25
Development	8.75
Erosion	18.75
Ice Jams	9.75
Road salt	13.5
Beaver Dams	9
Illegal dumping	8
Drought	7

Table 6: Summary of Risk Rankings by Risk Type

Note: The only risk that was not incorporated in some way was changes to sediment deposition in the Grindstone Creek delta due to lack of data. This risk may be more relevant to the watercourse inventory.

Results of Risk and Conditions Combined

The Lower Grindstone subwatershed has a small area of assets in poor condition with a moderate risk rating (i.e., < 1%) but the overall average risk to natural assets within this subwatershed is very high. This indicates that natural asset management within the Lower Grindstone subwatershed may have a high impact.

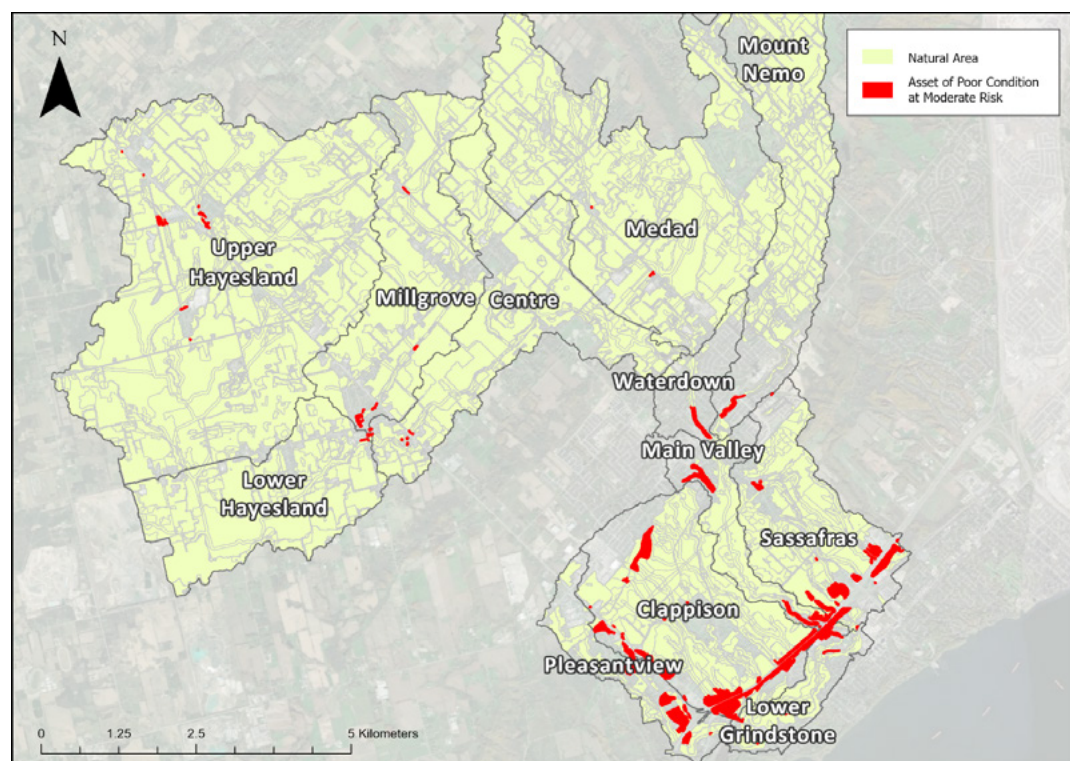


Figure 5: Map depicting natural assets in poor condition with a moderate risk rating

Table 7: Area (ha) of natural assets in poor condition with a moderate risk rating by subwatershed

TABLE 7: AREA (HA) OF NATURAL ASSETS IN POOR CONDITION WITH A MODERATE RISK RATING BY SUBWATERSHED							
SUBWATERSHED	ASSET CLASS						
	Agriculture	Forest	Meadow Successional	Swamp	Marsh	Asset Area (ha)	% of subwatershed at high risk
Centre				0.03	0.03	0.06	0.06
Clappison	0.06	11.51	19.67		0.50	31.75	31.75
Lower Grindstone		0.10	0.81			0.92	0.92
Lower Hayesland				0.02	0.01	0.03	0.03
Main Valley		9.16	2.65			11.80	11.80
Medad						0	0
Millgrove				0.05	0.77	0.82	0.82
Mount Nemo				0.18		0.18	0.18

TABLE 7: AREA (HA) OF NATURAL ASSETS IN POOR CONDITION WITH A MODERATE RISK RATING BY SUBWATERSHED

SUBWATERSHED	ASSET CLASS						
	Agriculture	Forest	Meadow Successional	Swamp	Marsh	Asset Area (ha)	% of subwatershed at high risk
Pleasantview		0.82	11.38	0.08	0.29	12.56	12.56
Sassafras	0.09	6.28	6.93	1.80	2.01	17.11	17.11
Upper Hayesland			0.60	0.24	0.34	1.17	1.17
Waterdown		1.71				1.71	1.71
Total	0.15	29.58	42.04	2.40	3.94		

6 Recommendations

The following recommendations (Table 9) place the project results within the regulatory, jurisdictional and policy contexts, and are based on natural asset management priorities that Project Partners identified: improving watershed governance and strategy (Yellow); restoring natural assets in high-risk areas (Green); and specific asset management-based activities (Blue). Recommendations are structured according to whether they could be undertaken over the short-term (1-2 years), the medium-term (3-5 years), or as part of continuous improvement efforts.

Recommendations to Advance Natural Asset Management in the Grindstone Creek Watershed

improving watershed governance and strategy

RECOMMENDATION

Review policies to protect existing natural assets

Short-term

OBJECTIVE

Ensure that future land use change considers the value of existing natural assets and their role in service delivery.

RATIONALE

This Project demonstrates that natural assets in the Grindstone Creek watershed provide both operational services (such as stormwater management) to local governments and Conservation Halton, and many co-benefits to the local population.

As a rule of thumb, it is more cost-effective to protect what already exists, than to attempt rehabilitation efforts later (Moudrak et al. 2018). Recommendations are to review municipal land use policies and by-laws as well as Conservation Halton's regulatory policies and programs and services in light of this report; assess the effectiveness of environmental restoration projects; and, track the use of natural assets to support their protection and enhancement in the Grindstone Creek watershed, particularly where they provide significant stormwater benefits.

STAKEHOLDERS

Conservation Halton, Halton Region, and the Cities of Burlington and Hamilton

RECOMMENDATION

Better integrate natural asset management into overall asset management practices

OBJECTIVE

Opportunities in information sharing, planning, and awareness building to progress all Project Partners further in their natural asset management journey.

RATIONALE

The Provincial Policy Statement 2020 and the *Conservation Authorities Act* provide the rationale for the development of a collaborative watershed management strategy or plan for the Grindstone Creek watershed, which provides multiple services to multiple jurisdictions. Natural asset management is an important part of cost-effective service delivery over the long-term and of mitigating flood and erosion risks, particularly in the City of Burlington. Changes to the *Conservation Authorities Act* also require Conservation Authorities to undertake watershed-based resource management strategies as a mandatory program.

Collaboration is required to strengthen natural asset data and update it to inform asset management plans. In some cases, actions will need to be included in asset management plans of the Cities of Hamilton and Burlington and in Conservation Halton's own plans. In other cases, Conservation Halton may be the appropriate organization to lead activities and will require funding to undertake them. Lifecycle management plans are needed for creeks in upstream areas and natural assets in the Lower Grindstone subwatershed.

Project Partners noted a window for collaboration as local governments need to have asset management plans that include green infrastructure by 2024. Collaboration on a watershed management plan could ensure a consistent approach across the watershed and ensure that investments are prioritized based on shared objectives.

STAKEHOLDERS

All Project Partners

RECOMMENDATION

Strengthen assessment of natural assets in the Grindstone Creek watershed

Continuous improvement

OBJECTIVE

Enhance the understanding of the condition of natural assets in Grindstone Creek, the risks to them, and the services they provide.

RATIONALE

Condition assessment methods carried out by Conservation Halton (e.g., analysis that support the Watershed Report Cards) as well as provincial methods (e.g., OWES) were used in the Project. The following data gaps and limitations can be addressed and should be built into future asset management plans or strategies:

- Inventory and monitoring data
- Condition assessment
- Fully integrate system with real-time monitoring data
- Incorporate Traditional Ecological Knowledge
- Expand modelling to include specific water quality and stormwater scenarios
- Expand risk assessment to include mitigation responses

STAKEHOLDERS

All Project Partners share responsibility for management of natural assets in the Grindstone Creek watershed. Conservation Halton, as the owner of the natural asset inventory, is in a good position to coordinate inventory updates

RECOMMENDATION

Develop a collaborative monitoring plan

Short-term

OBJECTIVE

Project Partners expressed interest in a collaborative monitoring plan; Conservation Halton can build on its existing approach to convene Project Partners in a watershed-based approach, which is an efficient means of undertaking natural asset monitoring and management.

RATIONALE

Conservation Halton expanded water quality sampling in the Grindstone Creek watershed in 2021, to complement the water quality station sampled annually and funded through the Ministry of Environment, Conservation and Parks. As well, since 2015 Conservation Halton has expanded a data collection network for stream flows, rainfall and other information supporting its flood forecasting and operations program.

The plan should include additional ecological monitoring, and monitoring and enforcement of illegal dumping, particularly in the northwest section of the watershed where illegal dumping was identified as a risk. Conservation Halton has authority to address illegal dumping within regulated areas, whereas municipalities have authority to address under a site-alteration by-law.

STAKEHOLDERS

Flow of information currently led by Conservation Halton; Cities of Burlington and Hamilton would coordinate alongside to ensure plan compatibility.

RECOMMENDATION**Advance priority restoration projects**

Short-term

OBJECTIVE

Seek funding to undertake restoration projects in areas identified as high priority. Project Partners identified restoration as a priority in Clappison, Pleasantview, Dundas and Dunsworth to address erosion concerns.

RATIONALE

Modelling demonstrated the effectiveness of natural assets to manage peak flows and infiltration. Natural assets are also more flexible and adaptable to change than grey infrastructure assets. Conservation Halton has a robust ecological restoration program to improve the condition of natural assets and reduce risk. Existing tools include a restoration opportunities database for which they recently developed a mobile app for staff to use in the field. Conservation Halton is currently compiling information about existing data (ecology, land cover, water quality) and identifying external data sets of interest.

STAKEHOLDERS

Conservation Halton (external funding needed)

RECOMMENDATION**Install low impact development (LID) projects in priority areas**

Continuous Improvement

OBJECTIVE

Seek funding to undertake restoration projects in areas identified as high Seek opportunities to install LID projects in priority areas and to build them into asset management plans.

RATIONALE

Modelling shows that in the future climate scenario, natural assets in the Grindstone Creek watershed combined with the installation of LID in Waterdown would provide additional stormwater management benefits that could mitigate downstream flooding and reduce the stormwater infrastructure needed in the City of Burlington. LID would also reduce the need for stormwater management ponds, which can cause thermal pollution in receiving waters and poor habitat quality for wildlife and fish.

STAKEHOLDERS

City of Hamilton, City of Burlington and Conservation Halton

RECOMMENDATION**Develop a collaborative governance approach for the Grindstone Creek watershed**

Short-term (immediate)

OBJECTIVE

Determine roles of - of Project Partners with accountability for making progress on natural asset management, providing input and development of a renewed collaborative watershed management approach for the Grindstone Creek watershed.

RATIONALE

To collaborate effectively, Project Partners will need support from their respective governance bodies. A collaborative governance approach could be established to support effective watershed-scale management of natural assets through the renewal of the Grindstone Creek Watershed Study (1998).

STAKEHOLDERS

Conservation Halton to lead with representation from all Project Partners.

RECOMMENDATION**Develop a communications plan and presentation to build awareness of natural asset management needs in the Grindstone Creek watershed**

Short-term

OBJECTIVE

Communicate the value of services provided by the Grindstone Creek watershed among decision-makers and the broader community.

RATIONALE

To progress on natural asset management, additional resources and commitment are required. A first step is to build awareness of Project results and their implications among local elected officials, decision-makers and the broader community. Another target group for communications are the planning staff at the City of Burlington given that part of the Grindstone Creek watershed in North Aldershot (shown below, Schedule D of the City's Official Plan) has a special planning designation due to planned development. Planning staff should be aware of Project implications in that area, including for stormwater management.

STAKEHOLDERS

Conservation Halton is well-positioned to communicate Project results through programs such as its Healthy Neighbourhoods workshop series.⁵⁹ Project Partners may wish to develop a presentation for the Cities of Hamilton and Burlington Councils, and the governing boards of CH and Royal Botanical Gardens

RECOMMENDATION**Develop a collaborative watershed management strategy and plan for Grindstone Creek watershed**

Short- to medium-term

OBJECTIVE

Strategy would describe practices, processes, tools and a decision-making framework that partner organizations can use to prioritize actions and guide management of natural assets in the Grindstone Creek watershed.

RATIONALE

Project Partners noted a window for collaboration as local governments need to have asset management plans that include green infrastructure by 2024. Collaboration on a watershed management plan could ensure a consistent approach across the watershed and ensure that investments are prioritized based on shared objectives. This would be consistent with policy directives in the Provincial Policy Statement 2020. Note that natural asset management strategies or plans developed for the Grindstone Creek watershed must also be consistent with the requirements of the NEC for natural assets in the Niagara Escarpment Plan area and must not contravene the Conservation Authorities Act for natural assets located within regulated areas.

STAKEHOLDERS

Conservation Halton, the City of Burlington, the City of Hamilton, Royal Botanical Gardens, Halton Region, in consultation with Indigenous communities, other stakeholders and landowners.

RECOMMENDATION**Identify additional watersheds within Conservation Halton's jurisdiction for natural asset management**

Continuous improvement

OBJECTIVE

Advance natural asset management in other watersheds.

RATIONALE

The Project approach could be suitable for replication in other watersheds in Conservation Halton's jurisdiction as part of continuous improvement of natural asset management. Conservation Halton may wish to prioritize watersheds where there are risks to be addressed in the short to medium-term.

STAKEHOLDERS

Conservation Halton

7 Conclusion: Natural Asset Management in Canada's Watersheds

The Project provides a basis for progressive, cross-jurisdictional natural asset management not only for the Grindstone Creek watershed, but other stewards seeking to improve service delivery, biodiversity, and climate resiliency in their region.

Project documents establish a replicable methodology and process for local governments to initially understand, measure, and value natural assets at a watershed scale, which can then be used to support in-depth analyses and interventions. Communities who have already advanced in their natural asset journeys can benefit from addressing their data management and collaborative strategies against the lessons learned from Grindstone Creek.

Barriers and limitations identified by the Project should be taken into consideration by local governments ahead of beginning a natural asset inventory to identify possible solutions (whether it's lack of data, governing structure, or other limits) in tandem with an assessment. A benefit of furthering this and future watershed projects is the standardization of data collection methods for the purposes of managing natural assets.

The inventory and assessments clarify quantifiable and qualitative benefits of natural assets within the Grindstone Creek. This information alone is valuable to the Project Partners as they pursue the enhancement and protection of these assets, especially within the context of Ontario's infrastructure challenges against impacts from climate change.

Most importantly, the Project revealed how imperative collaboration across a range of organizations is to be able to pursue the management of natural assets at a watershed scale. At the end of the day, proper natural asset management cannot be achieved if it is confined within one's political boundary — the ability to effectively support nature's services relies on a combined, strategic effort from neighbouring stewards.

8 References

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Municipal Natural Assets Initiative



TO: Conservation Halton Board of Directors

MEMO #: CHBD 07 22 06

FROM: Martin Keller, Senior Manager, Watershed Planning and Source Protection

DATE: November 17, 2022

SUBJECT: Drinking Water Source Protection Transfer Payment Agreement 2022-24

MEMO

The drinking water source protection program is funded by the Province through transfer payment agreements with the lead Source Protection Authorities. The current agreement was signed on April 28, 2022, and covers a two-year period from April 1, 2022, to March 31, 2024.

While recent changes to the *Conservation Authorities Act* and its regulations include mechanisms to levy participating and 'specified' municipalities for the delivery of conservation authority mandatory programs and services under the *Clean Water Act*, 2006, the program continues to be funded by the Province. To date, the Province has indicated that no changes are anticipated to the provincial funding for the drinking water source protection program under the *Clean Water Act*, 2006.

Conservation Halton is the lead Source Protection Authority for the Halton-Hamilton Source Protection Region. The transfer payment agreement is for 2.05 FTE and a funding amount of \$635,300 over two years. The following priorities are included:

- Maintain and support Halton-Hamilton Source Protection Committee to guide the local source protection planning process,
- Maintain and support Halton-Hamilton Management Committee to facilitate and coordinate source protection initiatives,
- Monitor and report on source protection plan implementation progress through annual reporting,
- Prepare and undertake locally initiated amendments to the Halton-Hamilton Source Protection Plan to:
 - o incorporate technical assessments for new and expanding municipal residential drinking water systems
 - o update mapping and text where changes on the landscape may have an impact on current risk assessments
 - o address challenges with plan implementation substantiated with annual progress reporting, e.g., through policy revisions
 - o consider and address the most recent amendments to the Director's Technical Rules,
- undertake all consultation, including early engagement, pre-consultation, and public consultation required for plan updates,

- provide advice and source protection program support to municipalities for plan implementation and to resolve issues, through regularly held municipal working groups and one-on-one meetings, and
- keep municipal councils, councillors, and staff informed of local source protection program progress and municipal obligations.

REPORT TO: Conservation Halton Board of Directors

REPORT: # CHBD 07 22 07

FROM: Hassaan Basit, President & CEO

DATE: November 17, 2022

SUBJECT: Amendments to Halton Region Conservation Authority General Membership By-law 2018-01

Recommendation

THAT the Conservation Halton Board of Directors **approves the amendments to the Halton Region Conservation Authority General Membership By-law 2018-01 (Re. Nov. 25, 2021) as recommended by the Governance and Risk Committee at the meeting held on November 2, 2022.**

Summary

The following changes preserve the existing features of the by-law and are consistent with the current Conservation Authorities Act (CA Act) and regulations.

Conservation Halton (CH) carries out an annual review of the administrative by-law to keep up with good governance practices and conducted a legal review of the current by-law (as amended effective November 25, 2021) to identify those aspects of the by-law that should be amended.

Legal counsel was engaged in June 2022 to review incorporation documents and the by-law and consider whether any changes were necessary to provide the broadest permissible personal asset protection for board members, including the adoption of indemnity agreements. The scope was to identify any potential gaps in insurance and corporation indemnity protections and recommend how to address them. This review took into consideration the protections potentially available from any regional municipality or other legal entity appointing directors to the CH Board as well as any insurance program available to them at the municipal level. A written report was shared with the President & CEO. The report highlighted no deficiencies in insurance coverage. Any other minor revisions recommended by the report are captured in this by-law update and specifically listed below as well as in the attached By-law (Appendix C).

The legal revision of the by-law has provided edits and recommendations in the following areas:

- (1) referring to the Authority where that is appropriate, as opposed to the General Membership in the existing by-law;
- (2) deleting any reference to a “Board”, as the term General Membership is essentially the board of Members acting collectively;

- (3) deleting any redundancies in the by-law (Part B. General Applications has been removed for that reason, with its provisions being reflected where they belong elsewhere);
- (4) removing the entire subsection g) under Section C. “practicing effective human resources” and adding it as an appendix to the by-law (see Appendix D);
- (5) Under Section C. Governance, subsection 19. Indemnification of Members, Officers and Employees is revised and expanded.

The table below lists the relevant sections for the above-mentioned changes.

Section	Amendments proposed post legal review
Section A. Definitions	1. Replace the term “General Membership” with “Authority” where appropriate in the existing by-law.
Section B: “General Applications” deleted. Section B becomes “Governance”	2. Deleting any redundancies in the by-law (Part B. General Applications has been removed for that reason, with its provisions being reflected where they belong elsewhere).
Section C: Governance	3. Replace the term “Board” with “General Membership” as the term General Membership is essentially the board of Members acting collectively.
Section C Governance: Remove subsection g)	4. Removing the entire subsection g). <i>Practicing Effective Human Resources</i> under Section C and adding as an appendix to the by-law.
Section C Governance 19. Indemnification of Members, Officers and Employees	5. Revised and expanded indemnity

Impact on Strategic Goals

This report supports the Momentum priority of Organizational Sustainability.

Financial Impact

There is no financial impact associated with this report.

Signed & respectfully submitted:



Hassaan Basit
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT: Adriana Birza, Senior Advisor, Office of the President & CEO
905-336-1158, ext. 2295; abirza@hrca.on.ca



The Halton Region Conservation Authority General Membership By-law No. 2018-01

Adopted: November 22, 2018

Rev.: October 24, 2019

Rev.: April 1, 2020

Rev.: September 24, 2020

Rev.: October 22, 2020

Rev.: November 25, 2021

Rev.: ~~October~~ November 17-XX, 2022

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THE HALTON REGION CONSERVATION AUTHORITY GENERAL
MEMBERSHIP

By-law No. 2018-01

A. Definitions

~~“General Membership” means the Halton Region Conservation Authority General Membership as established by Order in Council 3988-63 under Section 3.1 of the Conservation Authorities Act, R.S.O. 1990, Chapter C.27;~~

“Act” means the *Conservation Authorities Act*, R.S.O. 1990, Chapter C.27

“Authority” means the Halton Region Conservation Authority.

“Business Day(s)” means a day other than a Saturday or a Sunday or a civic or public holiday which is a declared holiday in Ontario.

“President & CEO/Secretary-Treasurer” means the President & Chief Executive Officer/Secretary-Treasurer of the ~~Halton Region Conservation~~ Authority, as appointed by the General Membership and which may, by resolution of the General Membership, include the responsibilities of the Secretary-Treasurer, if so designated by resolution of the General Membership.

“Chair” means the Chairperson as referenced in the Act as elected by the Members of the General Membership.

“Civic or Public Holiday” means those listed as holidays in the Employment Standards Act, 2000, Part 1.1, Public Holiday as amended from time to time, with the exception of Easter Monday and Remembrance Day.

“Committee(s)” means any Committee and/or Advisory Board of the General Membership, including but not limited to the PRESIDENT & CEO Compensation Committee, the Finance and Audit Committee and the Governance Committee.

“Delegation” means a person or a group of persons who address the General Membership on behalf of an individual or a group for the purpose of making a presentation to the ~~General~~ Members.

“Fiscal Year” means the period from January 1 through December 31 in each year.

“General Membership” means all of the Members, collectively.

“In Camera” means any regular or special Meeting of the General Membership or any one of its Committees sitting in closed session not open to the public.

“Levy” means the amount of costs apportioned to participating municipalities in accordance with the Act and Regulations under the Act.

“Majority” means half of the votes plus one.

“Member(s)” shall mean the member(s) appointed to the General Membership by the participating municipalities in the Authority’s General Membership’s area of jurisdiction.

“Meeting” means any regular or special meeting of the General Membership, or any Committee of the General Membership.

“MFIPPA” means the Municipal Freedom of Information and Protection of Privacy Act.

“Minister” means the Minister as defined in the Act.

“Non-matching Levy” means the portion of a conservation a Authority’s levy that meets the definition of non-matching levy as found in Ontario Regulation 139/96.

“Officer” means an officer of the Authority General Membership empowered to sign contracts, agreements and other documents on behalf of the General Membership Authority in accordance with section 19.1 of the Act, which shall include the Chair, Vice-Chair(s) and the President & CEO/Secretary-Treasurer.

“Participating Municipality” means a municipality that is designated by or under the Act as a participating municipality in a cConservation aAuthority.

“Pecuniary Interest” includes the financial or material interests of a Member and the financial or material interests of a member of the Member’s immediate family.

“Recorded Vote” means the recording of the name and vote of every Member on a motion during a meeting.

“Staff” means employees of the General Membership Authority as provided for under Section 18(1) of the Act.

“Vice-Chair” means the Vice-Chairperson as elected by the Members of the General

Membership. If a first and second Vice-Chair are elected, they shall be called First Vice-Chair and Second Vice-Chair.

“**Weighted Majority**” means the votes of 51 per cent of those represented after the votes are weighted by the percentage that applies under Ontario Regulation 139/96 for Municipal Levies.

B. General Applications

- ~~1. The rules of procedure contained in this By-law shall be observed in all proceedings of the General Membership and its Committees and shall be the rules for the order and dispatch of business at the General Membership.~~
- ~~2. Except as provided elsewhere in this By-law and the rules as set out by legislation any one or more of the rules contained in this paragraph may be temporarily suspended by the General Membership with consent of the majority of the Members present:~~
 - ~~a. Rules with respect to a change in agenda order of proceedings and content~~
 - ~~b. Rules respecting notice of delegation status~~
 - ~~c. Rules with respect to the increase of delegation and debate limitations~~
 - ~~d. Rules to introduce a motion without standard notice~~
- ~~3. 1. This By-law shall not be amended or repealed except by a two-third majority vote of the Members of the General Membership.~~

C. B. Governance

1. Members

a) Appointments

Participating Municipalities within the jurisdiction of the ~~Conservation~~ Authority shall appoint Members in accordance with Section 14 of the Act. An additional agricultural sector representative may be appointed to the Authority by the Minister.

Appointed Members must reside in a Participating Municipality within the Authority's area of jurisdiction. Participating municipalities must ensure that at least 70 percent of its appointees are selected from among the members of the municipal council or apply to the Minister for permission to appoint less than this percent. Additional appointees may include citizens as well as an additional member who may be appointed by the Minister as a representative of the agricultural sector.

Collectively, the appointed Members comprise the General Membership, and for the purposes of this By-law are also referred to as the General Membership.

b) Term of Member Appointments

In accordance with Section 14 of the Act, a Member shall be appointed for a term of up to four years at the discretion of the appointing participating municipality. The term begins with the first meeting of the General Membership following his or her appointment, and ends immediately before the first meeting of the General Membership following the appointment of his or her replacement. The President & CEO/Secretary-Treasurer shall notify the

appropriate municipality in advance of the expiration date of any Member's term, unless notified by the municipality of the Member's reappointment or the appointment of his or her replacement. A Member is eligible for reappointment. A Member can be replaced by a Participating Municipality at the municipality's discretion prior to the end of their term.

c) Powers of the General Membership

Subject to the Act and other applicable legislation, the General Membership is empowered without restriction to exercise all of the powers prescribed to the Authority General Membership under the Act. In addition to the power of an authority General Membership under s.21 of the Act for the purposes of accomplishing its objects, the powers of the General Membership include but are not limited to:

- i. Approving by resolution the creation of committees, advisory boards, members thereof and the terms of reference for the committee and advisory boards;
- ii. Appointing a President & CEO/Secretary-Treasurer, a PRESIDENT & CEO, and a Secretary-Treasurer;
- iii. Terminating the services of the President & CEO/Secretary-Treasurer, PRESIDENT & CEO and Secretary-Treasurer;
- iv. Approving, establishing, and implementing regulations, policies and programs;
- v. Awarding contracts or agreements where the approval of the General Membership is required under the Authority's purchasing policy;
- vi. Appointing an Executive Committee and delegate to an Executive Committee any of its powers except:
 - i. The termination of the services of the President & CEO/Secretary-Treasurer,
 - ii. The power to raise money, and
 - iii. The power to enter into contracts or agreements other than those contracts or agreements as are necessarily incidental to the works approved by the Authority General Membership;
- vii. Approving by resolution, any new capital project of the Authority;
- viii. Approving by resolution, the method of financing any new capital projects;
- ix. Approving details on budget allocations on any new or existing capital projects;
- x. Approving of the total budget for the ensuing year, and approving the levies to be paid by the Participating Municipalities;
- xi. Receiving and approving the Financial Statements and Report of the Auditor for the

- preceding year;
- xii. Authorizing the borrowing of funds on the promissory note of the Authority in accordance with subsection 3(5) of the Act;
- xiii. Approving by resolution, any proposed acquisition of land or disposition of land, subject to the requirements under the Act;
- xiv. Approving permits or refusing permission as may be required under any regulations made under Section 28 of the Act; and
- xv. Holding hearings required for the purpose of reviewing permit applications and advising every applicant of their right to appeal the decision to the Minister through the Ontario Lands Tribunal.

d) Member Accountability

Participating Municipalities appoint Members to the General Membership as their representatives. Members have the responsibilities of Directors of the corporation that is the General Membership. While the administration is responsible for the day-to-day operations, the General Membership is responsible for matters of governance, ensuring compliance with applicable legislation, and ensuring appropriate policies are in place and for financial soundness of the Authority.

All Members have the responsibility to be guided by and adhere to the Code of Conduct (Appendix 1) and Conflict of Interest Policy (Appendix 2), as adopted by the General Membership.

All Members shall serve in a conscientious and diligent manner. No Member shall use the influence of office for any purpose other than for the exercise of his/her official duties. Every Member will abide by the legislative requirements of the position and this By-law.

Members' responsibilities include:

- i. Attending all meetings of the General Membership;
- ii. Understanding the purpose, function and responsibilities of the General Membership;
- iii. Being familiar with the Authority's statutory and other legal obligations;
- iv. With the Authority's administration, setting strategic direction for the Authority;
- v. Adhering to the Code of Conduct;
- vi. Advancing the Strategic Plan;
- vii. Advancing the Mission of the Authority;
- viii. Supporting the fundraising efforts of Conservation Halton Foundation;
- ix. Ensuring the fiscal stability of the Authority; and
- x. Recruiting, interviewing and hiring a President & CEO/Secretary-Treasurer and performance managing the work of the President & CEO/Secretary-Treasurer.

e) Applicable Legislation

In addition to the Act, the Members are subject to other legislation including, but not limited to:

- *Municipal Conflict of Interest Act;*

- *Municipal Freedom of Information and Protection of Privacy Act;*
- *Accessibility for Ontarians with Disability Act; and*
- *Ontario Occupational Health and Safety Act*

If any part of the By-law conflicts with any provision of the Municipal Conflict of Interest Act or the Municipal Freedom of Information and Protection of Privacy Act or a provision of a regulation made under one of those Acts, the provision of that Act or regulation prevails.

f) Relationship between Members and Staff

The General Membership relies on the President & CEO/Secretary-Treasurer to manage the operations of the organization, including all employees of the Authority. The President & CEO/Secretary-Treasurer is accountable to the [Authority General Membership](#), working cooperatively to achieve the goals established by the [Authority General Membership](#).

The General Membership will ensure that a process exists for regular performance evaluations of the President & CEO/Secretary-Treasurer.

g) Practicing Effective Human Resources Practices

The Members must act as a team. A strong partnership must be forged between the Members and the President & CEO/Secretary-Treasurer. The President & CEO/Secretary-Treasurer manages the organization and its staff. The following guidelines should be followed to ensure a common voice is heard throughout the organization and by the public at large.

- If a Member has questions on a project or report, such questions should be referred through the President & CEO/Secretary-Treasurer for him/her to invite the appropriate staff to explain the project and answer questions.
- If a Member would like to volunteer to assist in a project, such action should be taken in consultation with the General Membership to organize the process if appropriate.
- If a Member receives a complaint about a staff member or would like to acknowledge a staff member, such information should go through the President & CEO/Secretary-Treasurer in writing.
- If a Member receives a complaint from a staff member, the Member must refer the staff member to the President & CEO/Secretary-Treasurer or if the complaint is against the President & CEO/Secretary-Treasurer to the head of Human Resources Department of the Authority. The head of the Human Resources Department will report directly to the General Membership if the complaint relates to the President & CEO/Secretary-Treasurer.

With respect to staffing issues, the following outlines the responsibilities of the General Membership and the President & CEO/Secretary-Treasurer.

- The General Membership is solely responsible for the following:
 - Recruiting, hiring, evaluating, and dismissing the President & CEO/Secretary-Treasurer;
 - Determining the annual salary and pay for performance of the President &

CEO/Secretary-Treasurer

- The General Membership and the President & CEO/Secretary-Treasurer share the following responsibilities in that the recommendation will come from the President & CEO/Secretary-Treasurer and the approval will come from the General Membership;
 - Setting goals for the President & CEO/Secretary-Treasurer;
 - Setting human resource and personnel policies which will have a monetary impact upon the budget; and
 - Setting staff salary schedules and plans as part of the annual budget review process
- The President & CEO/Secretary-Treasurer is responsible for the following:
 - Assessing and approving staffing requirements;
 - Recruiting, hiring, evaluating, promoting, disciplining and dismissing staff;
 - Providing staff direction;
 - Approving staff evaluations;
 - Implementing and administering approved salary schedule and plan;
 - Designing and implementing changes to the organizational structure; and
 - Setting human resource and personnel policies, which have no monetary impact on the budget

h) Members Focusing on Team

The following suggestions regarding focusing on “team results” include:

- a) Concentrate on governing, not micro-managing;
- b) Focus on the big picture;
- c) Practice listening;
- d) Maintain a relationship with the community for which you serve;
- e) Recognize staff as partners; treat them as you expect to be treated;
- f) Don't refer matters to staff for a further report unless you can cite good reasons to do so, otherwise, vote—the matter may not get any easier;
- g) Use a policy approach;
- h) Respect democracy; and
- i) Be prepared for meetings

i) Employee Appointed to General Membership

In the event that a municipality appoints an employee of the Authority to the General Membership of the Authority, the following process will take place:

- The President & CEO/Secretary-Treasurer shall advise the appointing municipality immediately
- To alleviate any conflict of interest, the employee must either reject the proposed appointment to the General Membership of the Authority or resign from his/her position and employment with the Authority

In the event that a Member of the General Membership of the Authority is interested in applying for any position of employment at the Authority, the Member must first resign his/her position on the Authority's General Membership and such resignation must be

made in writing to the appointing municipality with a copy attached to the Authority's application for employment.

2. Officers

The Officers of the General Membership, and their respective responsibilities, shall be:

Chair

- Is a Member of the General Membership;
- Presides at all meetings of the General Membership (and Executive Committee if applicable);
- Calls special meetings if necessary;
- Supports the President & CEO/Secretary-Treasurer to ensure General Membership resolutions are carried out;
- Assists President & CEO/Secretary-Treasurer in preparing agenda for board General Membership meetings where required;
- Periodically consults with General Membership on their roles;
- Represents the General Membership Authority at Conservation Ontario Council meetings;
- Serves as ex-officio Member of Conservation Halton Foundation Board;
- Serves as ex-officio Member of the Committees of the General Membership;
- Acts as a public spokesperson on behalf of the General Membership;
- Serves as signing officer for the Authority;
- Ensures relevant information and policies are brought to the General Membership's attention;
- Keeps the General Membership apprised of significant issues in a timely fashion;
- and
- Performs other duties when directed to do so by resolution of the General Membership.

With respect to any meetings over which he/she presides, to:

- Preserve order and decide all questions of order, subject to appeal; and without argument or comment state the rule applicable to any point of order if called upon to do so;
- Receive and submit to a vote all motions presented by the Members which do not contravene the rules and regulations of the General Membership;
- Announce the results of the vote on any motions so presented;
- Decline to put to a vote motions which infringe upon the rules and regulations, or which are beyond the jurisdiction of the General Membership;
- Enforce on all occasions the observance of order and decorum among the Members;
- Adjourn the meeting when business is concluded;
- Adjourn the sitting without any questions being asked or suspend or recess the sitting for a time to be named if considered necessary;
- Represent and support the Authority General Membership, declaring its will and implicitly obeying its decisions in all things; and

- Perform other duties when directed to do so by resolution of the General Membership.

Vice-Chair(s)

- Is/are a Member(s) of the General Membership;
- Attends all meetings of the General Membership (and Executive Committee if applicable);
- Carries out assignments as requested by the Chair;
- Understands the responsibilities of the Chair and acts as Chair immediately upon the death, incapacity to act, absence or resignation of the Chair until such time as a new Chair is appointed or until the Chair resumes his/her duties;
- Serves as a member of Conservation Halton Foundation Board; and
- Serves as a signing officer for the Authority.

President & CEO/Secretary-Treasurer

Responsibilities of the President & CEO/Secretary-Treasurer as assigned by the General Membership include, but are not limited to the following:

- Is an employee of the Authority;
- Attends all meetings of the General Membership (and Executive Committee if applicable) or designates an acting PRESIDENT & CEO if not available;
- Works in close collaboration with the Chair and Vice-Chair(s) and keeps them apprised of relevant information and significant issues in a timely fashion;
- Develops a strategic plan for approval by the General Membership and implements short and long-range goals and objectives;
- Is responsible for the management of the operations of the Authority, including all staff and programs of the Authority;
- Ensures resolutions of the General Membership are implemented in a timely fashion;
- Develops and maintains effective relationships and ensures good communications with Participating Municipalities, federal and provincial government ministries/agencies, Indigenous communities, other conservation authorities, Conservation Ontario, stakeholders, community groups and associations;
- Makes recommendations as applicable to the General Membership regarding suggested policy changes;
- Acts as public spokesperson on behalf of the Authority;
- Represents the Authority at Conservation Ontario Council, ad hoc and Task Force meetings;
- Negotiates and enters into contracts with external agencies/partners to carry out the goals of the organization in accordance with the Purchasing of Goods and Services Policy;
- Fulfills the requirements of the Secretary-Treasurer as defined in the Act;
- Is the custodian of the Corporate Seal
- Serves as a member of Conservation Halton Foundation Board;

- Serves as a signing officer for the Authority, and
- Ensures the practices, activities, and decisions of the organization consider the provisions of the President & CEO/Secretary-Treasurer Management Authority Limits Policy (Appendix 4).

3. Absence of Chair and Vice-Chair(s)

In the event of the absence of the Chair and Vice-Chair(s) from any meeting, the Members shall appoint an acting Chair who, for the purposes of that meeting has all the powers and shall perform all the duties of the Chair.

4. Representatives to Conservation Ontario Council

The General Membership may appoint up to three Representatives to Conservation Ontario Council ("Council"), designated as Voting Delegate and Alternate(s). Council will consist of the Voting Delegates appointed by the General Membership of each mMember cConservation General Membership authority. The Voting Delegate and Alternates shall be registered with Conservation Ontario annually.

5. Election of Chair and Vice-Chairs

The election of the Chair and one or more Vice-Chairs shall be held in accordance with the Act: at the Annual/Inaugural meeting of the General Membership held prior to May 31 of each year in accordance with the General Membership's Procedures for Election of Officers (Appendix 3). Successors to the positions of Chair and Vice-Chair shall be a Member from a different Pparticipating Mmunicipality from the incumbent. Upon application by an Authority or a Pparticipating Mmunicipality, the Minister may grant permission for a Mmember who was appointed to the Authority by the same participating municipality that appointed the outgoing Chair or Vice-Chair to serve as Chair or Vice-Chair.

6. Maximum Term for Chair and Vice-Chair(s)

Both the Chair and Vice-Chair shall hold office for a term of one year and shall serve for no more than two consecutive terms. Notwithstanding these terms, the Minister may grant permission (upon application by an Authority or a Pparticipating Mmunicipality) for a Chair or Vice-Chair to serve for a term of more than one year or to hold office for more than two consecutive terms.

7. Appointment of Auditor

The General Membership shall appoint an auditor for the coming year at the Annual Meeting in accordance with Section 38 of the Act.

8. Financial Statements and Report of the Auditor

The Authority's accounts and transactions will be audited annually by a person licensed

under the *Public Accounting Act, 2004* and shall ensure that the annual audit is prepared in accordance with generally accepted accounting principles for local governments recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada.

The General Membership shall receive and approve the Audited Financial Statements and Report of the Auditor annually for the previous year at the meeting of the General Membership held prior to the first day of May each year.

The Authority shall forward copies of the Audited Financial Statements and Report of the Auditor to Participating Municipalities and the Minister in accordance with Section 38 of the Act and will make the Audited Financial Statements available to the public on the Authority's website within sixty (60) days of receiving the Auditor's Report. The Audited Financial Statements will be included in the Authority's Annual Report.

9. Borrowing Resolution

If required, the ~~General Membership~~Authority shall establish a borrowing resolution by March 31 of each year and such resolution shall be in force until it is superseded by another borrowing resolution.

10. Signing Officers

All deeds, transfers, assignments, contracts, and obligations entered into by the Authority shall be signed by the signing officers of the Authority. Signing Officers of the Authority are as follows:

Chair; Vice Chair; President & CEO/Secretary-Treasurer; Chief Operating Officer; Director, Parks and Recreation Operations; and Director, Finance as the Signing Officers for the Authority, and their delegates when a Signing Officer position becomes vacant.

The President & Chief Executive Officer/Secretary-Treasurer may delegate approval of signing authority to positions to enable decisions to be made by those persons who are in the most appropriate position to do so within ~~Conservation Halton~~the Authority, in terms of their accountability, control and knowledge. Once the vacant Signing Officer position is filled/no longer vacant the delegated authority goes back to the Signing Officer of the Authority.

A Signing Officer cannot assign responsibility to someone else for temporary absences or vacations.

Any delegation of signing authority will be signed off by the President & Chief Executive Officer/ Secretary-Treasurer and the duration (if known) should be agreed upon at the time when the need for delegation arises.

The Delegation of Signing Authority must be kept on file in the office of the Signing Officer

and be readily available as required by Internal Audit and/or Finance.

Any two of the named Signing Officer positions shall be required for signing bank documents and agreements that bind the Authority and any other document or agreement that requires two signatures. In all other circumstances where the contract or agreements are necessarily incidental to the works approved by the Authority, a single signature of the President & CEO/Secretary-Treasurer, or his/her delegate, will be sufficient to bind the Authority.

Signing authority that was authorized by any previous Administration Regulation or By-law is superseded by this By-law.

11. Levies and Audit Reports

The levy due to the Authority from Participating Municipalities shall be communicated to those municipalities in accordance with the Act and any applicable Regulations.

Each watershed municipality will be advised of a scheduled discussion of the budget and levy of the Authority 30 days prior to the General Membership's **Board** meeting conducting such discussion.

Within 30 days following the adoption of the **Authority's General Membership's** budget in each year and, if so required by the municipal By-law, no later than April 1, in each year, the President & CEO/Secretary-Treasurer or the head of the Finance and Administrative Services Department shall send to the Clerk of each watershed municipality, a notice indicating the monies due to the Authority from each watershed municipality, and the apportionment of those monies due shall be as required by the Act and as approved by the General Membership. A copy of the Auditor's report for the preceding year shall be sent to the Clerk of each watershed municipality and to the Ministry.

12. Executive Committee

The General Membership may appoint an executive committee at the first meeting of the General Membership each year in accordance with the Section 19 of the Act and Section 1(c) of this By-law.

13. Advisory Boards and Other Committees

In accordance with Section 18(2) of the Act, the General Membership shall establish such advisory boards as required by regulation and may establish such other advisory boards or committees as it considers appropriate to study and report on specific matters.

The General Membership shall approve the terms of reference for all such advisory boards and committees, which shall include the role, the frequency of meetings and the number of members required.

Resolutions and policies governing the operation of the General Membership shall be observed in all advisory board and committee meetings.

Each advisory board or committee shall report to the General Membership, presenting any

recommendations made by the advisory board or committee.

The dates of all advisory board and committee meetings shall be made available to all Members of the General Membership.

Committees of the General Membership include but are not limited to:

- President & CEO/Secretary-Treasurer Compensation Committee (Comp)
- Finance and Audit Committee (F&A)
- Governance Committee (Gov)

14. Remuneration of Members

Members who are present for the full duration of a duly called Meeting(s) and who are officially appointed to the Board(s) or Committee(s) holding such Meeting shall be entitled to payment of a per diem. No Member may collect more than one per diem per day. Per diem rates shall be set and approved by the General Membership from time to time. Where a Member is duly authorized to attend to General Membership's business other than at a Meeting, the Member shall be entitled to a per diem for attending at such business.

Members who take on additional roles as Chair/Vice-Chair of the General Membership may be entitled to the payment of additional per diems/compensations as provided in the PRESIDENT & CEO Departmental budget allocation for elected officials.

Duly authorized Members who attend meetings of the General Membership, Committees/ad-hoc meetings, shall be entitled to a return travel allowance between the Member's principal residence and the meeting place.

Where a Member is duly authorized by the General Membership to attend to General Membership's business other than a Meeting, the Member shall be eligible for a travel allowance from his principal place of residence to the location of the business and return.

15. Records Retention

The ~~Authority~~General Membership shall keep full and accurate records including, but not limited to:

- Minutes of all meetings of the General Membership, including registries of statements of interests in accordance with the *Municipal Conflict of Interest Act*;
- Assets, liabilities, receipts and disbursements of the ~~Authority~~General Membership and Financial Statements and Reports of the Auditors;
- Human Resources Files for all employees and Members as applicable;
- Workplace Health and Safety documents including workplace inspections, workplace accidents, investigations, etc.;
- Electronic Communications including emails;
- Contracts and Agreements entered into by the Authority;
- Strategic Plans and other documents providing organizational direction;
- Projects of the Authority;
- Technical Studies and data gathered in support of Programs of the Authority;

- x. Legal Proceedings involving the Authority General Membership; and
- xi. Incidents of personal injury or property damage involving the General Membership Authority and members of the public.

Such records shall be retained and protected in accordance with all applicable laws and the Records Retention Policy of the Authority as approved by the General Membership from time-to-time.

16. Records Available to Public

Records of the Authority General Membership shall be made available to the public, subject to requirements of the *Municipal Freedom of Information and Protection of Personal Privacy Act* (MFIPPA).

The General Membership shall designate the Chair to act as head of the Authority for the purposes of MFIPPA.

The Chair shall delegate the powers and duties vested in the head to the member of Staff or their designate who is the FOI Coordinator.

17. By-law Review and Amendment

In accordance with the Act, this By-law shall be reviewed by the General Membership to ensure the By-law is in compliance with the Act and any other relevant law. The General Membership shall review the By-law every four years to ensure best management practices in governance are being followed. This By-law shall not be amended or repealed except by a two-third majority vote of the Members of the General Membership.

18. By-law Available to Public

In accordance with the Act, the General Membership Authority shall make its By-law available to the public on the General Membership's website. The By-law shall also be available for review by any member of the public at the Authority's administration centre or provided in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

19. Enforcement of By-law and Policies

The Members shall respect and adhere to all applicable By-law and policies (for example, the Code of Conduct and Conflict of Interest). The General Membership may take reasonable measures to enforce its By-law and policies, including the enforcement mechanisms under the Municipal Conflict of Interest Act. The procedure for enforcement shall be as follows:

1. Complainants (which includes any Member, Staff, or any member of the general public) may use two different complaint procedures to indicate concerns regarding a breach of the By-law, policies and Code of Conduct (collectively in this section the

"Policies");

- a) Informal Complaint Procedure
- b) Formal Complaint Procedure

2. The Informal Complaint Procedure will provide an opportunity to immediately identify and address behaviours and activities which are considered to be in contravention of the Policies.

a) The Complainant shall:

- i. Advise the Member that his/her behaviour or activity contravenes the Policies. This may or may not be in writing;
- ii. Request that the Member immediately discontinue the prohibited behaviour or activity;
- iii. Keep a written record of the incident including date, time, location, other persons present and any other relevant information;
- iv. If applicable, advise the Member of his/her satisfaction or dissatisfaction with the response;
- v. In the event of a dissatisfactory or no response, consider the need to pursue the matter in accordance with the formal complaint procedure.

3. Members are encouraged to initially pursue the informal complaint procedure as a means of stopping and remedying a behaviour or activity contrary to the Policies. However, it is not a precondition or a prerequisite that the informal complaint procedure be initiated or completed prior to pursuing the formal complaint procedure as described in the Formal Complaint Procedure option.

4. The Formal Complaint Procedure shall be as follows:

- a) A dated, signed, and written complaint detailing the relevant particulars shall be submitted to the Chair.
- b) Upon receipt of the complaint, the Chair or designate shall prepare an information package that shall include the following:
 - i. The Complaint;
 - ii. A copy of the Policies that are relevant;
 - iii. Such other information or documentation that the Chair deems relevant.
- c) The members of the Governance Committee not directly involved in the complaint shall address the complaint. In the case where the Chair is involved in the complaint, the Vice-Chair will receive the complaint.
- d) The information package referred to above shall be provided to the Member alleged to be in contravention forthwith and to the Governance Committee.

e) The Chair shall submit a brief report to the General Membership in closed session at a regularly scheduled General Membership Meeting advising that a complaint was received, providing the following information:

- i. Name of Alleged Offender;
- ii. Name of Complainant;
- iii. The provision of the Policies allegedly contravened;
- iv. A summary of the facts constituting the alleged contravention;
- v. The date of request.

f) The Governance Committee, where appropriate, shall complete an investigation of the complaint (which shall include an opportunity to the affected Member to respond to the allegation) within 30 days of receipt of the information package or such longer period as it may require not to exceed 60 days, and provide a report to the Chair of the General Membership (or Vice-Chair as the case may be) on the matter as to the validity of the complaint and its written recommendations as to the appropriate measures, if any, to be taken by the General Membership.

The report shall be tabled in closed session at the next regularly scheduled Meeting.

g) The General Membership shall receive the report and recommendations from the Governance Committee and may determine the appropriate action(s) to be taken, if any.

Following such determination by the General Membership the appointing municipality shall be notified of such determination.

20. Indemnification of Members, Officers and Employees

The ~~General Membership Authority~~ undertakes and agrees to indemnify and save harmless its Members, Officers and Employees and their heirs and legal representatives, respectively, from and against all costs, charges and expenses, including all amounts paid to settle an action or satisfy any judgement, reasonably incurred by any such Member, Officer or Employee in respect of any civil, criminal, investigative, arbitral or administrative action or proceeding to which any such Member, Officer or Employee is involved or made a party by reason of being a Member, Officer or Employee of the Authority General Membership (except in respect of an action by or on behalf of the ~~General Membership Authority~~ to procure a judgment in its favour) if;

- (a) Such Member, Officer or Employee acted honestly, in good faith with a view to the best interests of the ~~General Membership Authority~~ and within the scope of such Member's, Officer's or Employee's duties and responsibilities, and

(b) In the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, ~~that~~ such Member, Officer or Employee had reasonable grounds for believing that their conduct was lawful.

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The Authority will procure and maintain a program of insurance, including directors and officers liability, errors and omissions, pollution liability insurance, automobile insurance and commercial general liability coverage, with limits that are commercially available and appropriate for the Authority given its scale and operations, for liabilities to which a Member, Officer or Employee might be legally exposed by reason of such Member's, Officer's or Employee's duties and responsibilities or arising out of their performance of such duties and responsibilities on behalf of the Authority

D.C. Meeting Procedures

The meeting procedures below governing the procedure of the General Membership shall be observed in all Meetings of the General Membership including its Committees and Advisory Board Meetings, as far as they are applicable, and references to Committees or Advisory Board may be substituted for the word General Membership as applicable.

1. Rules of Procedure

All matters of procedure not specifically dealt with under the Act and this By-law and its Appendices, shall be decided by the Chair in accordance, as far as is reasonably practicable, with Robert's Rule of Order or generally accepted rules or procedure. Except as provided elsewhere in this By-law and the rules as set out by legislation any one or more of the following rules contained in this section C.1 may be temporarily suspended by the General Membership with consent of the majority of members present:

- A. Rules with respect to a change in agenda order of proceedings and content.
- B. Rules respecting notice of delegation status
- C. Rules with respect to the increase of delegation and debate limitations
- D. Rules to introduce a motion without standard notice.

2. Notice of Meeting

The General Membership shall approve a schedule for regular Meetings in advance. The President & CEO/Secretary-Treasurer shall send Notice of regular Meetings to all Members at least seven calendar days in advance of a Meeting. Notice of all regular or special Meetings of the General Membership or its Committees shall be made available to the public as soon as possible after its delivery to General Membership.

The Annual/Inaugural Meeting of the General Membership shall be held prior to May 31 each year. The regular Meetings of the General Membership shall be held according to the meeting schedule adopted by the General Membership. The Authority may alter the schedule of meetings from time to time. The Chair of the General Membership may call additional Meetings on any vacant/available day.

Notice of any Meeting shall indicate the type, meeting number, time and place of that meeting and the agenda for the Meeting.

Notice(s) of each Authority General Membership, and any other Committee Meetings shall be given to each Member of the General Membership, the President & CEO/Secretary-Treasurer and posted on the Authority's website.

All material and correspondence to be dealt with by the General Membership at a Meeting will be submitted to the President & CEO/Secretary-Treasurer, at least ten calendar days, if it is to be included in the published agenda, or at least five Business Days, if it is to be introduced at the meeting, in advance of the Meeting where it is to be dealt with.

The Chair may, at his/her pleasure, call a special Meeting of the General Membership as necessary on one calendar day notice in writing or email. That notice shall state the business of the special Meeting and only that business shall be considered at that special Meeting. Any Member, with 50% support of the other Members, may also request the Chair to call a Meeting of the General Membership and the Chair will not refuse.

The Chair or the President & CEO/Secretary-Treasurer may, by notice in writing or email delivered to the Members so as to be received by them at least 24 hours before the hour appointed for the Meeting, postpone or cancel any Meeting of a Committee or Advisory Board until the next scheduled date for the specific Committee or Advisory Board affected.

The Chair or the President & CEO/Secretary-Treasurer may, if it appears that a storm or like occurrence will prevent the Members from attending a Meeting, postpone that Meeting by advising as many Members as can be reached. Postponement shall not be for any longer period than the next regularly scheduled meeting date.

Notwithstanding any other provision of this By-law, an emergency Meeting may be held, without notice, to deal with an emergency situation, provided that an attempt has been made to reach the Members by telephone or email at their respective residences or places of business as appropriate and applicable. No business except business dealing directly with the emergency situation shall be transacted at such emergency Meeting.

A Meeting which has been interrupted through the loss of a quorum may be reconvened without notice, provided that the Meeting is reconvened on the same day.

3. Meetings Open to Public

All Meetings of the General Membership and other Committees shall be open to the public.

A Meeting or part of a Meeting may be closed to the public if the subject matter being considered is identified in the closed meeting section of the Agenda and the subject matter meets the criteria for a closed meeting as defined in this By-law.

4. Agenda for Meetings

Authority staff, under the supervision of the President & CEO/Secretary-Treasurer, shall prepare an agenda for all regular Meetings of the General Membership that shall include, but not necessarily be limited to, the following headings:

Agenda Items:

1. Roll Call and Mileage
2. Acceptance of Agenda Items as listed or identification of additional topics Members and Staff wish to have listed on the agenda
3. Approval of Minutes of Previous Meeting
4. Disclosure of Pecuniary Interest
5. Delegations/Presentations, if applicable
6. Consent Items
7. Action Items
8. In Camera Items, if applicable
9. Other Business Items
10. Adjournment

The agenda for special Meetings of the General Membership shall be prepared as directed by the Chair.

At the Annual/Inaugural Meeting (s) of the General Membership in each year, Authority Staff, under the supervision of the President & CEO/Secretary-Treasurer shall prepare an agenda for the use of the Members that includes but is not necessarily limited to the following items of business:

Annual/Inaugural Meeting(s) Agenda Items:

1. Roll Call and Mileage
2. Acceptance of Agenda Items as listed or identification of additional topics Members and Staff wish to have listed on the agenda
3. Disclosure of Pecuniary Interest
4. Delegations/Presentations, if applicable
5. Action Items, to include:
 - a. Election of Officers of the General Membership
 - b. Borrowing By-law
 - c. Signing Officers
 - d. Appointment of the Auditor for the Upcoming Year
 - e. Approval of Financial Statements and Report of the Auditor for the prior year
 - f. Election of Officers
 - g. Approval of Budgets and Levies
6. Other Business Items
7. Adjournment

Agendas for Meetings shall be forwarded to all Members at least five Business Days in advance of the Meeting. Such agendas shall be made available to the public on the General Membership's website at the same time, unless the Meeting is closed to the public in accordance with this By-law. Such agendas shall also be available in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

The agenda shall be accompanied by any relevant material to be brought before such Meeting. The agenda page shall list at the top of the page the following:

- Name of Committee
- Meeting number
- Date of meeting
- Time of meeting
- Place of meeting

All matters requiring the General Membership's attention shall be submitted in writing to the President & CEO/Secretary-Treasurer or designate for placement on the agenda for the General Membership. The deadline for receiving items for consideration at the next regularly scheduled meeting will be seven Business Days prior to the said meeting, provided that no report is required.

Any items received after that time will be placed on the agenda for the next Meeting. If any item that is received requires a report from a particular Department, it will be the responsibility of that Department Director to advise the President & CEO/Secretary-Treasurer when the report will be available for inclusion in the agenda. The Department Director shall advise the individual or group as to when the matter will be considered.

Requests from Members for Staff to prepare additional information related to an agenda item of a General Membership Meeting agenda should be made to the President & CEO/Secretary-Treasurer prior to the Meeting.

Requests from Members for Staff to prepare information about non-agenda items should be made at the General Membership's Meeting and voted upon. Included in the request for information would be a target date for the information to come back to the General Membership.

All reports classified as "Action Items" from Departments to the General Membership must be approved by the President & CEO/Secretary-Treasurer or designate for inclusion and circulation on all agendas.

All reports classified as "Consent Items" from Departments to the General Membership must be approved for inclusion and circulation by the appropriate Department Director as designated by the President & CEO/Secretary-Treasurer.

An item of business not listed on the General Membership agenda cannot be introduced at a General Membership Meeting without the approval of the Members expressed by motion. Items of an emergent or congratulatory nature may be introduced under the "Other Business Items" of the agenda.

There shall only be an addendum to the agenda for a meeting when an item(s) arises after the closing of the deadline for items for the agenda and prior to the meeting, which item(s) the Chair or the President & CEO/Secretary-Treasurer believe are of an urgent nature requiring immediate consideration of the body concerned.

Members will receive, by email, a copy of the agenda. For those Members who have requested a hard copy, it shall be couriered to their residence or place of business, as far as possible, five Business Days preceding the meeting.

5. Quorum

At any Meeting of the General Membership, a quorum consists of one-half of the Members appointed by the Participating Municipalities, except where there are fewer than six such Members, in which case three such Members constitute a quorum. At any Committee (if applicable) or Advisory board Meeting, a quorum consists of one-half of the Members of the Committee (if applicable) or Advisory board.

If there is no quorum within one half-hour after the time appointed for the Meeting, the Chair for the Meeting shall declare the Meeting adjourned due to a lack of a quorum, or shall recess until quorum arrives, and the recording secretary shall record the names of the Members present and absent.

If during a General Membership or Committee Meeting a quorum is lost, the Chair shall declare that the Meeting shall stand recessed or adjourned, until the date of the next regular meeting or other meeting called in accordance with the provisions of this By-law. Agenda items including delegations present may be covered and presented and issues discussed, but no formal decisions may be taken by the remaining Members who do not constitute a quorum.

Notwithstanding the provisions of this section, where the number of Members who are disabled from participating in a Meeting due to the declaration of a conflict of interest is such that at that Meeting the remaining Members are not of sufficient number to constitute a quorum, the remaining number of Members shall be deemed to constitute a quorum, provided such number is not less than five.

6. Order of Business

The business of the General Membership shall be taken up in the order in which it stands on the agenda unless otherwise decided by a majority of those Members present.

No Member shall present any matter to the General Membership for its consideration unless the matter appears on the agenda for the Meeting of the General Membership or leave is granted to present the matter by the affirmative vote of a majority of the Members present.

7. Debate

The General Membership shall observe the following procedures for discussion/debate on any matter coming before it:

- a) A Member shall be recognized by the Chair prior to speaking;
- b) Every Member, before speaking to any question or motion at a General Membership Meeting, shall first receive recognition from the Chair and respectfully address the Chair;
- c) Where two or more Members rise to speak, the Chair shall designate the Member who has the floor, who shall be the Member who in the opinion of the Chair was first recognized;
- d) All questions and points of discussion shall be directed through the Chair;
- e) Where a motion is presented, it shall be moved and seconded before debate;
- f) No Member shall speak more than once to the same question without leave from the Chair, except in explanation of a material part of the speech;
- g) Any Member may ask a question of the previous speaker through the Chair;
- h) The Member who has presented a motion, other than a motion to amend or dispose of a motion, may speak again to the motion immediately before the Chair puts the motion to a vote;
- i) When a motion is under debate, no motion shall be received other than a motion to amend, to defer action, to refer the question, to take a vote, to adjourn, or to extend the hour of closing the proceedings;
- j) When a motion is under consideration, only one amendment is permitted at a time; and
- k) If a Member considers that a ruling made by the Chair is not in order, an appeal may be made. When challenged, the Chair may give a brief explanation of the ruling and ask the Members "Is the ruling of the Chair/Committee Chair upheld?" In the event of a tie vote, the ruling is upheld. The decision of the Chair under this section is final.

8. Matters of Precedence

The following matters shall have precedence over the usual order of business:

- a) a point of order;
- b) matter of privilege;
- c) a matter of clarification;
- d) a motion to suspend a rule of procedure or to request compliance with the rules of procedure;
- e) a motion that the question be put to a vote; and
- f) a motion to adjourn.

9. Members' Attendance

The ~~Authority~~ Authority shall provide a listing of Members' attendance at scheduled Meetings of the General Membership to the Participating Municipalities at least annually.

Upon a Member's vacancy due to death, incapacity or resignation occurring in any office of the General Membership, the ~~Authority~~ Authority shall request the municipality that was represented by that Member to appoint a Member replacement.

Each Member shall attend at least 60% of the Meetings in a calendar year/12 months.

If a Member is unable to attend any Meeting and wishes to bring any additional information or opinion pertaining to an agenda item to the General Membership, the Member shall address in writing or email to the Chair or President & CEO/Secretary-Treasurer such correspondence prior to the start of the Meeting. The correspondence shall be read aloud by the President & CEO/Secretary-Treasurer without comment or explanations.

10. Electronic Participation

Members may participate in a Meeting that is open to the public by telephone or other electronic means that permits all participants to communicate adequately with each other during the Meeting. A Member participating in a Meeting by electronic means shall be counted in determining quorum and can vote provided that they have all relevant information available to them. A Member shall participate by electronic means in a Meeting that is closed to the public.

During any period, in all or part of an area over which ~~the Authority~~ Conservation Halton has jurisdiction, under any circumstances that may prevent members of the General Membership from meeting in person (when it is deemed appropriate by the conservation authority to do so), the ~~By-law provides for~~ electronic meeting procedures outlined in as per section 10.1 shall apply.

10.1. Electronic participation

- a) ~~That m~~Members of the General Membership be permitted to participate in meetings electronically, which shall include the ability of those members participating electronically to register votes.
- b) ~~That A~~any member of the General Membership who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time during the meeting in accordance with the requirement in subsection 16 (2) of the Conservation Authorities Act
- c) ~~That A~~any member of the General Membership can participate electronically in a meeting that is closed to the public.
- d) ~~That A~~any hearing or appeal that is dealt with in the By-law can be conducted electronically with provisions for applicants and their agents to participate if the Authority holds any such hearing or appeal during any period where an emergency has been declared to exist.

11. Delegations

Any person or organization who wishes to address the General Membership may make a request in writing or email to the President & CEO/Secretary-Treasurer. The request should include an accurate and thorough summary or statement of the issue or matter involved and indicate the name of the proposed speaker(s). If such request is received ten calendar days in advance of a scheduled Meeting, the delegation shall be listed on the published agenda.

Any person or organization requesting an opportunity to address the General Membership, but not having made a written request to do so in the timelines specified above, may appear before the Meeting if approved by two thirds of Members present, or shall be listed on the published agenda for the following Meeting.

Upon receipt of the written notice requesting delegation status, the President & CEO/Secretary-Treasurer shall list the delegation on the next agenda for a General Membership Meeting only if:

- The matter is one which is to be dealt with by the General Membership at the next Meeting, or
- The request for delegation to the General Membership is approved by the Chair.

Special consideration may be given to any person, group of persons, firm or organization not being a Member of the General Membership, or an appointed official of the General Membership, requesting delegation status at a General Membership Meeting up to 24 hours prior to the meeting date concerned. The status of the request to speak to the General Membership may be granted upon the majority vote of the Members present at the General Membership meeting. The request should include an accurate and thorough summary or statement of the issue or matter involved and indicate the name of the proposed speaker(s).

Except by leave of the Chair or appeal by the leave of the General Membership, delegations shall be limited to one (1) speaker for not more than 5 minutes.

Upon the completion of a presentation to the General Membership by a delegation, any discourse between Members of the General Membership and the delegation shall be limited to Members, through the Chair, asking questions for clarification and obtaining additional, relevant information only. Members shall not enter into debate with the delegation respecting the presentation.

No delegation shall:

- Speak disrespectfully of any person;
- Use offensive words or unparliamentarily language;
- Speak on any subject other than the subject for which they have received approval to address the General Membership; or and
- Disobey the rules of procedure or a decision of the Chair or of the General Membership.

Speakers will be requested not to repeat what has been said by previous speakers at the meeting. A returning delegation will only be allowed to speak again if new, relevant information has become available since their previous presentation. The Chair may choose to end a returning delegation's presentation if, in the opinion of the Chair, the new information being presented is not relevant to a decision facing the General Membership.

The Chair may curtail any delegation, any questions of a delegation or debate during a delegation for disorder or any other breach of this By-law and, if the Chair rules that the delegation is concluded, the person or persons appearing shall immediately withdraw.

12. Meetings with Closed "In Camera" Sessions

Every Meeting of the General Membership and Committees shall be open to the public as per Section 15(3) of the Act, subject to the exceptions set out below.

Meetings may be closed to the public if the subject matter being considered relates to:

- a) The security of the property of the Authority;
- b) Personal matters about an identifiable individual, including employees of the Authority;
- c) A proposed or pending acquisition or disposition of land by the Authority;
- d) Labour relations or employee negotiations;
- e) Litigation or potential litigation, including matters before administrative tribunals (e.g., Ontario Land Tribunal), affecting the Authority;
- f) Advice that is subject to solicitor-client privilege;
- g) A matter in respect of which the General Membership or committee or other body may hold a closed meeting under another Act;
- h) Information explicitly supplied in confidence to the General Membership by Canada, a province or territory or a Crown agency of any of them;
- i) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the General Membership, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- j) A trade secret or scientific, technical, commercial or financial information that belongs to the Authority and has monetary value or potential monetary value; or
- k) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Authority General Membership.

The General Membership shall close a Meeting if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act, and the General Membership is the head of an institution for the purposes of the Municipal Freedom of Information and Protection of Privacy Act.

A Meeting of the General Membership or Committee may also be closed to the public if:

- a) The Meeting is held for the purpose of educating or training the Members, and
- b) At the Meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the General Membership or other Committee.

Before holding a Meeting or part of a Meeting that is to be closed to the public, the Members shall state by resolution during the open session of the Meeting that there will be a Meeting closed to the public and the general nature of the matter to be considered at the closed Meeting. Once matters have been dealt with in a closed Meeting, the General Membership shall reconvene in an open session.

The General Membership shall not vote during a Meeting that is closed to the public, unless:

- a) The Meeting meets the criteria outlined in this By-law to be closed to the public; and
- b) The vote is for a procedural matter or for giving directions or instructions to Officers, employees or agents of the Authority.

Any materials presented to the General Membership prior to and during a closed Meeting in respect to a confidential Agenda item shall be returned to the President & CEO/Secretary-Treasurer prior to departing from the Meeting and shall be treated in accordance with the Authority's policies and procedures and any applicable legislation for handling confidential material. Members not attending the closed meeting shall be required to return the confidential materials related to the closed session to the President & CEO/Secretary-Treasurer at or prior to the next scheduled meeting.

13. Voting

In accordance with Section 16 of the Act:

- a) Each Member is entitled to one vote, including the Chair and
- b) A majority vote of the Members present at any Meeting is required upon all matters coming before the Meeting.

Every Member who is present when a question is put, shall vote thereon, unless prohibited in law or by this By-law.

Where a Member has been appointed by the Minister as a representative of the agricultural sector, the Member shall not vote on a resolution to enlarge an authority's area of jurisdiction; a resolution to amalgamate the Authority with another conservation authority; a resolution to dissolve the Authority; or a resolution related to any budgetary matter.

If any Member who is qualified to vote abstains from voting, they shall be deemed to have voted neither in favour nor opposed to the question, which will not alter the number of votes required for a majority.

On a tie vote, the motion is lost.

Except as provided elsewhere in this By-law, a motion shall be deemed to have been carried when a majority of the Members present, and voting have expressed agreement with the question.

Interrelated motions shall be voted on in the order specified in Robert's Rules of Order.

Unless a Member requests a Recorded Vote, a vote shall be by a show of hands or such other means as the Chair may call. No question shall be voted upon more than once at any Meeting, unless a Recorded Vote is requested.

Any Member at a General Membership Meeting before or immediately after a vote is taken, may require a Recorded Vote to be taken on the question concerned. In such circumstances, the Chair shall have the right to speak to the question and indicate how the Chair intends to vote on the question, prior to the commencement of the Recorded Vote.

Where Recorded Vote is required, the Chair shall call for those Members in favour to all rise, at which time the recording secretary shall record the name of each Member standing and their vote in favour and upon completion of the recording then the Chair shall call for those Members opposed to all rise, at which time the recording secretary shall record the name of each Member standing and their vote in opposition.

After a non-Recorded Vote is held and after the Chair declares the result, any Member may rise and declare his disagreement with the declaration, and thereafter another vote must be held or the Member may request a Recorded Vote and a Recorded Vote must be taken as mentioned above.

At the Meeting of the General Membership at which the Non-Matching Levy is to be approved, the President & CEO/Secretary-Treasurer shall conduct the vote to approve of Non-Matching Levy by a Weighted Majority of the Members present and eligible to vote, in accordance with Ontario Regulation 139/96.

Where a question under consideration contains more than one item, upon the request of any Member, a vote upon each item shall be taken separately.

Except as provided in this By-law (Election of Chair and Vice-Chair), no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

14. Motions

In General Membership and Committee Meetings, the following matters and motions with respect thereto, may be introduced orally, without notice and with leave of the Chair, except as otherwise provided by this By-law:

- A point of order or personal privilege
- To close debate and

- To adjourn.

In General Membership and Committee meetings, the following motions may be introduced without notice and with leave of the General Membership except as otherwise provided by this By-law:

- To suspend the rules of procedure
- To table
- To postpone definitely
- To refer
- To amend
- To censure
- To postpone indefinitely (defer) and
- Any other procedural motion

In voting, all motions may be supported or opposed by the mover and/or seconder. The mover and seconder may withdraw a motion or a notice of motion at any time prior to it being called by the Chair. After a motion has been called or stated by the Chair, it shall be deemed to be in the possession of the General Membership, but may be withdrawn by the originator at any time before a decision or amendment, provided the General Membership does not object.

15. Notice of Motion

Written notice of motion to be made at a General Membership or Committee Meeting may be given to the President & CEO/Secretary-Treasurer by any Member of the General Membership not less than ten calendar days prior to the date and time of the Meeting and shall be forthwith placed on the agenda of the next meeting. The President & CEO/Secretary-Treasurer shall include such notice of motion in full in the agenda for the Meeting concerned.

Recommendations included in reports of Committees that have been included in an agenda for a Meeting of the General Membership shall constitute notice of motion for that Meeting.

Recommendations included in Staff reports that have been included in an agenda for a Meeting of the General Membership shall constitute notice of motion for that Meeting.

Notwithstanding the foregoing, any motion or other business may be introduced for consideration of the General Membership provided that it is made clear that to delay such motion or other business for the consideration of an appropriate Committee would not be in the best interest of the Authority and that the introduction of the motion or other business shall be upon an affirmative vote of majority of the Members of the General Membership present.

16. Motion to Reconsider

No motion to reconsider a decided matter of the General Membership shall be in order when the original motion has been implemented resulting in a legally binding commitment that is in place on the date that a motion to reconsider is to be debated.

A motion to reconsider a decided matter of the General Membership at the same meeting at which the original motion was decided shall be introduced under “Other Business Items” of the General Membership agenda unless the Chair determines there was a clear misunderstanding of the question that was put, in which case a motion for reconsideration shall be introduced immediately after the original vote was taken.

A motion to reconsider a decided matter of the General Membership at a meeting subsequent to the meeting at which the original motion was decided shall require a notice of motion submitted in accordance with this By-law, unless the motion to reconsider comes forward to the General Membership through a report of a Committee.

A motion to reconsider a decided matter of the General Membership must be made by a Member who voted with the majority on the original motion.

No motion to reconsider a decided matter of the General Membership shall be made more than once in the twelve-month period from the date the matter was decided, unless a regular election has occurred following the decision.

A motion to reconsider a decided matter of the General Membership shall require the approval of at least two thirds of the whole General Membership.

If a motion to reconsider is decided in the affirmative at a meeting, then consideration of the original matter shall become the next order of business.

17. Duties of the Meeting Chair

It shall be the duty of the Chair, with respect to any Meetings over which he/she presides, to:

- a) Preserve order and decide all questions of order, subject to appeal; and without argument or comment, state the rule applicable to any point of order if called upon to do so;
- b) Ensure that the public in attendance does not in any way interfere or disrupt the proceedings of the Members;
- c) Receive and submit to a vote all motions presented by the Members, which do not contravene the rules of order or regulations of the General Membership;
- d) Announce the results of the vote on any motions so presented; and
- e) Adjourn the Meeting when business is concluded.

18. Conduct of Members

Members shall maintain a high standard of conduct and at all times comply with applicable laws and the General Membership's Code of Conduct (Appendix 1).

No Member at any Meeting of the General Membership shall:

- a) Speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender identity, gender expression, sex, sexual orientation, age, colour, marital status, family status, ethnic origin or disability;
- b) Leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared;
- c) Interrupt a Member while speaking, except to raise a point of order or a question of privilege;
- d) Speak disrespectfully or use offensive words against the General Membership, the Members, Staff, or any member of the public;
- e) Speak beyond the question(s) under debate;
- f) Resist the rules of order or disobey the decision of the Chair on the questions or order or practices or upon the interpretation of the By-law.

19. Minutes of Meetings

The President & CEO/Secretary-Treasurer shall undertake to have a recording secretary in attendance at Meetings of the General Membership and each Committee. The recording secretary shall make a record in the form of minutes of the meeting proceedings and in particular shall record all motions considered at the Meeting.

If a recording secretary is not present in an In Camera session, the President & CEO/Secretary-Treasurer shall take notes of any direction provided, for endorsement by the Chair and Vice-Chair.

Minutes of all Meetings shall include the time and place of the Meeting and a list of those present and shall state all motions presented together with the mover and seconder and voting results.

The President & CEO/Secretary-Treasurer or designate shall include draft minutes of the previous Meeting available to each Member of the General Membership at the same time as agendas for the next Meeting are distributed.

After the minutes have been approved by resolution, original copies shall be signed by the President & CEO/Secretary-Treasurer and copies of all non-confidential minutes shall be posted on the Authority's website. Minutes shall be made available for review on the Authority's website within 30 days of the meeting. Minutes shall be made available in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

E.D. Approval of By-law and Revocation of Previous By-law(s)

By-law number 2016-01 is hereby repealed;

By-law number 2018-01 shall come into force on the _____ day of _____, 2018.

Read a First and Second Time Date October 25, 2018

Read a Third and Finally Passed Date

Signed: _____
Chair

President & CEO/Secretary-Treasurer

F.E. Appendices to the Administrative By-law

Appendix 1 - Code of Conduct

1. Background

Since its inception in 1963, The Halton Region Conservation Authority has demanded a high level of integrity and ethical conduct from its General Membership. The General Membership's reputation has relied upon the good judgement of individual Members. A written Code of Conduct helps to ensure that all Members share a common basis for acceptable conduct. Formalized standards help to provide a reference guide and a supplement to legislative parameters within which Members must operate. Further, they enhance public confidence that Members operate from a base of integrity, justice and courtesy.

The Code of Conduct is a general standard. It augments the laws which govern the behaviour of Members, and it is not intended to replace personal ethics.

This Code of Conduct will also assist Members in dealing with confronting situations not adequately addressed or that may be ambiguous in Authority's resolutions, regulations, or policies and procedures.

2. General

All Members, whether municipal councillors or appointed representatives of a municipality, are expected to conduct themselves in a manner that reflects positively on the General Membership.

All Members shall serve in a conscientious and diligent manner. No Member shall use the influence of office for any purpose other than for the exercise of his/her official duties.

It is expected that Members adhere to a code of conduct that:

- i. Upholds the mandate, vision and mission of the General Membership Authority;

- ii. Considers the General Membership's Authority's jurisdiction in its entirety, including their appointing municipality;
- iii. Respects confidentiality;
- iv. Approaches all General Membership issues with an open mind, with consideration for the organization as a whole;
- v. Exercises the powers of a Member when acting in a meeting of the General Membership;
- vi. Respects the democratic process and respects decisions of the General Membership and Committees;
- vii. Declares any direct or indirect pecuniary interest or conflict of interest when one exists or may exist; and
- viii. Conducts oneself in a manner which reflects respect and professional courtesy and does not use offensive language in or against the General Membership or against any Member or any Authority Staff.

3. *Gifts and Benefits*

Members shall not accept fees, gifts, hospitality or personal benefits that are connected directly or indirectly with the performance of their duties, except compensation authorized by law.

This section does not apply to tokens, mementos, souvenirs or such gifts or benefits that are received as an incident of protocol or social obligations that normally accompany the responsibilities of office.

4. *Confidentiality*

The Members shall be governed at all times by the provisions of the *Municipal Freedom and Information and Protection of Privacy Act*.

All information, documentation or deliberations received, reviewed, or taken in an In Camera Meeting are confidential.

Members shall not disclose or release by any means to any member of the public, either in verbal or written form, any confidential information acquired by virtue of their office, except when required by law to do so.

Members shall not permit any persons, other than those who are entitled thereto, to have access to information which is confidential.

In the instance where a member vacates their position on the General Membership, they will continue to be bound by MFIPPA requirements.

Particular care should be exercised in protecting information such as the following:

- i. Human Resources matters;
- ii. Information about suppliers provided for evaluation that might be useful to other

- suppliers;
- iii. Matters relating to the legal affairs of the Authority;
- iv. Information provided in confidence from an Aboriginal community, or a record that if released could reasonably be expected to prejudice the conduct of relations between an Aboriginal community and the Authority;
- v. Sources of complaints where the identity of the complainant is given in confidence;
- vi. Items under negotiation;
- vii. Schedules of prices in tenders or requests for proposals;
- viii. Appraised or estimated values with respect to the Authority's proposed property acquisitions or dispositions; and
- ix. Information deemed to be "personal information" under MFIPPA.

The list above is provided for example and is not exhaustive.

5. Use of Authority General Membership Property

No Member shall use for personal purposes any Authority property, equipment, supplies, or services of consequence other than for purposes connected with the discharge of General Membership duties or associated community activities of which the General Membership has been advised.

No Member shall obtain financial gain from the use or sale of Authority developed intellectual property, computer programs, technological innovations, or other patentable items, while a Member or thereafter. All such property remains the exclusive property of the Authority.

6. Work of a Political Nature

No Member shall use Authority facilities, services or property for his/her election or re-election campaign to any position or office within the Authority or otherwise.

7. Conduct at General Membership Meetings

During meetings of the General Membership, Members shall conduct themselves with decorum. Respect for delegations and for fellow Members requires that all Members show courtesy and not distract from the business of the General Membership during presentations and when others have the floor.

8. Influence on Staff

Members shall be respectful of the fact that Staff work for the Authority as a whole and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence.

9. Business Relations

No Member shall borrow money from any person who regularly does business with the Authority unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

No Member shall act as a paid agent before the General Membership or Committee, except in compliance with the terms of the *Municipal Conflict of Interest Act*.

10. Encouragement of Respect for the General Membership and its Regulations

Members shall represent the General Membership in a respectful way and encourage public respect for the Authority and its Regulations.

11. Harassment

It is the policy of the Authority that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment. Harassment of another Member, Staff or any member of the public is misconduct. Members shall follow the Authorities' Harassment Policy as approved from time-to-time.

Examples of harassment that will not be tolerated include: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts related to an individual's race, religious beliefs, colour, gender, physical or mental disabilities, age, ancestry, place of origin, ethnic origin, citizenship, creed, gender identity, gender expression, record of offences, marital status, source of income, family status, or sexual orientation. The General Membership will also not tolerate the display of pornographic, racist or offensive signs or images; practical jokes that result in awkwardness or embarrassment; unwelcome invitations or requests, whether indirect or explicit and any other prohibited grounds under the provisions of the *Ontario Human Rights Code*.

12. Breach of Code of Conduct

Any breach, or alleged breach, of the Code of Conduct shall be investigated in accordance with the Enforcement of By-law and Policies procedure outlined in Section 18, [Part B](#) of the Halton Region Conservation General Membership Administrative By-law.

Appendix 2 - Conflict of Interest

1. Municipal Conflict of Interest Act

The General Membership commit themselves to ethical, businesslike, and lawful conduct when acting as the General Membership. The General Membership is bound by the *Municipal Conflict of Interest Act*. This appendix to the By-law is intended to assist Members in understanding their obligations. Members are required to review the *Municipal Conflict of Interest Act* on a regular basis.

2. Disclosure of Pecuniary Interest

Where a Member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the General Membership or Committee at which the matter is the subject of consideration, the Member:

- a) Shall, prior to any consideration of the matter at the meeting, disclose the pecuniary

interest and the general nature thereof;

- b) Shall not take part in the discussion of, or vote on any question in respect of the matter; and
- c) Shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

3. Chair's Conflict of Interest or Pecuniary Interest

Where the Chair of a meeting discloses a conflict of interest with respect to a matter under consideration at a meeting, another Member shall be appointed to chair that portion of the meeting by Resolution.

4. In Camera Meetings

Where a meeting is not open to the public, a Member who has declared a conflict of interest shall leave the meeting for the part of the meeting during which the matter is under consideration.

5. Member Absent

Where the interest of a Member has not been disclosed by reason of their absence from the particular meeting, the Member shall disclose their interest and otherwise comply at the first meeting of the General Membership or Committee, as the case may be, attended by them after the particular meeting.

6. Disclosure Recorded in Minutes

The recording secretary shall record in reasonable detail the particulars of any disclosure of conflict of interest or pecuniary interest made by Members and whether the Member withdrew from the discussion of the matter. Such record shall appear in the minutes/notes of that particular meeting of the General Membership or Committee, as the case may be.

7. Breach of Conflict of Interest Policy

Should a Member breach the Conflict of Interest Policy, they shall advise the Chair and Vice-Chair, in writing, with a copy to the President & CEO/Secretary-Treasurer, as soon as possible after the breach.

Should a Member allege that another Member has breached the Conflict of Interest Policy, the said breach shall be communicated to the Chair, in writing, with a copy to the President & CEO/Secretary-Treasurer. In the absence of the Chair, or if a Member alleges that the Chair has breached the Conflict of Interest Policy, the said breach shall be communicated to the Vice-Chair, in writing, with a copy to the President & CEO/Secretary-Treasurer.

Should a member of the public or a municipality allege that a Member has breached the Conflict of Interest Policy, the party making the allegation will be directed to follow the notification procedure outlined above.

Any breach, or alleged breach, of the Conflict of Interest Policy shall be investigated in accordance with the Enforcement of By-law and Policies procedure outlined or referred to in the Authority's Administrative By-law.

Appendix 3 - Procedure for Election of Officers

1. Voting

Voting shall be by secret ballot and no Members may vote by proxy.

2. Chair for Election of Officers

The President & CEO/Secretary-Treasurer, or designate, will assume the position of Chair for the purpose of Election of Officers.

3. Scrutineer(s)

The appointment of one or more scrutineers is required for the purpose of counting ballots, should an election be required. All ballots shall be destroyed by the scrutineers afterwards. The Acting Chair shall call a motion for the appointment of one or more persons, who are not Members of the General Membership, to act as scrutineers. A Member, who will not stand for election, may be appointed as an additional scrutineer if requested.

4. Election Procedures

The Acting Chair shall advise the Members that the election will be conducted in accordance with the Act as follows:

- a) The elections shall be conducted in the following order:
 - i. Election of the Chair, who shall be a Member of the General Membership
 - ii. Election of one or more Vice-Chairs, who shall be Members of the General Membership.
- b) The Acting Chair shall ask for nominations to each position;
- c) Only current Members of the General Membership who are present may vote;
- d) Nominations shall be called three (3) times and will only require a mover;
- e) The closing of nominations shall require both a mover and a seconder; and
- f) Each Member nominated shall be asked to accept the nomination. The Member must be present to accept the nomination unless the Member has advised the President & CEO/Secretary-Treasurer in writing or by email in advance of the election of their willingness to accept the nomination.

If one Nominee:

- g) If only one nominee, the individual shall be declared into the position by acclamation.

If More than One Nominee:

- h) In the event of an election, each nominee shall be permitted not more than three (3) minutes to speak for the office, in the order of the alphabetical listing by surnames.
- i) Upon the acceptance by nominees to stand for election to the position of office, ballots shall be distributed to the Members by the scrutineers for the purpose of election and the Acting Chair shall ask the Members to write the name of one individual only on the ballot.
- j) The scrutineers shall collect the ballots, leave the meeting to count the ballots, return and advise the Acting Chair who was elected with more than 50% of the vote.

A majority vote shall be required for election. If there are more than two nominees, and upon the first vote no nominee receives the majority required for election, the name of the person with the least number of votes shall be removed from further consideration for the office and new ballots shall be distributed. In the case of a vote where no nominee receives the majority required for election and where two or more nominees are tied with the least number of votes, a special vote shall be taken to decide which one of such tied nominees' names shall be dropped from the list of names to be voted on in the next vote.

Should there be a tie vote between two remaining candidates, new ballots shall be distributed, and a second vote held. Should there still be a tie after the second ballot a third vote shall be held. Should there be a tie after the third vote, the election of the office shall be decided by lot drawn by the Acting Chair or designate.

Appendix 4 - PRESIDENT & CEO/SECRETARY–TREASURER MANAGEMENT AUTHORITY LIMITS POLICY

The PRESIDENT & CEO/ SECRETARY – TREASURER shall act within the purpose of all executive limitations as outlined herein. To the extent that there is any inconsistency between the executive limitations as set-out in this policy and the By-law and other policies of the Authority this policy will prevail.

1. EXECUTIVE LIMITATIONS

The PRESIDENT & CEO/Secretary–Treasurer shall not cause or permit any practice, organizational circumstance, activity, or decision that is either imprudent or in violation of commonly accepted business practices or professional ethics.

1. Budgeting in any fiscal year shall not deviate materially from the Authority policies, risk financial jeopardy, or fail to be derived from a multi-year business plan.
2. Staff compensation and benefits shall not deviate materially from current market conditions.

3. Information presented to the General Membership will have no significant gaps in timeliness, accuracy or completeness.
4. Financial performance shall not incur jeopardy or compromise the Authority's Strategic Plan priorities policies.
5. The scope of business activities shall recognize General Membership directions or regulatory restrictions and deviations from same shall require General Membership approval.
6. Risk management procedures shall be explicit and updated to protect the organization, Members, officers and Staff from exposed liabilities.

2. GENERALMEMBERSHIP- PRESIDENT & CEO/SECRETARY-TREASURER RELATIONSHIP

The General Membership will link governance and management functions and performance through the PRESIDENT & CEO/Secretary–Treasurer.

1. Subject to the By-law of the Authority all authority to the operational organization is delegated through the PRESIDENT & CEO/Secretary–Treasurer, so that all authority and accountability for the operational organization is considered to belong to the PRESIDENT & CEO/Secretary–Treasurer
2. The PRESIDENT & CEO/Secretary–Treasurer is accountable to the General Membership for achieving the Corporate Objectives and achieving provisions of the Strategic Plan policies within the PRESIDENT & CEO/SECRETARY–TREASURER Management Authority Limits Policy.
3. The General Membership limits the latitude the PRESIDENT & CEO/Secretary–Treasurer may exercise in practices, methods, conduct and other “means” by establishing the PRESIDENT & CEO/SECRETARY –TREASURER Management Authority Limits Policy.
4. As long as the PRESIDENT & CEO/Secretary–Treasurer uses any reasonable interpretation of By-law and Management Authority Limits Policy, the PRESIDENT & CEO/Secretary–Treasurer is automatically authorized to establish all further policies, make all decisions, take all actions, establish all practices, and develop all activities.
5. Monitoring data that disclose the degree of organizational performance, compliance with Strategic Plan priorities will be systematically gathered by the General Membership and considered part of the evaluation of PRESIDENT & CEO/Secretary–Treasurer Performance.
6. Members can never carry the instructive authority of the General Membership, nor can

they waive requirements set out by the General Membership.

3. *MATTERS REQUIRING GENERAL MEMBERSHIP REVIEW AND APPROVAL*

A) MATTERS REQUIRING GENERAL MEMBERSHIP CONSENT

- Any matter requiring General Membership consent pursuant to The Halton Region Conservation Authority General Membership By-law dated the day of....., 2018.

B) BUDGET AND BUSINESS PLAN DOCUMENTATION

- annual corporate and business objectives, financial and non-financial;
- annual strategic plan;
- financial plans including proposed corporate financing and investments;
- annual operating and capital budget; or
- any other items as outlined in the Conservation Halton Budget Principles, approved by the General Membership.

C) RISK MANAGEMENT

- general risk management policies,
- purchase (or sale) of any real property interest of Conservation Halton, except as outlined in the Land Acquisition Strategy approved by the General Membership.

D) COMPENSATION AND HUMAN RESOURCES

- compensation for the PRESIDENT & CEO/Secretary–Treasurer.

E) FINANCIAL REPORTING REQUIREMENTS

- The General Membership should be presented with financial statements (in conjunction with the General Membership's meeting schedule), complete with an analysis of variances between actual and budget, by major classification.

Conservation Halton Purchasing Policy Approval and Reporting Requirements

- The following summary outlines the purchasing process and reporting procurement values, excluding taxes and shipping and has been approved by the General Membership on November 25, 2021 Report # 02 18 06, Resolution CHBD 08 03:

Procedure	Procurement Value	Process, Approvals and Reporting Requirements
Competitive quotations not required	< \$10,000	Open procurement by procurement authorized staff.
Informal quotation	\$10,000 - <\$25,000	Three written quotes solicited by procurement authorized staff. Procurement Manager available to support. Approval by program Director is required.
Formal Quotation	\$25,000 - <\$50,000	Three written quotes solicited using formal quotation process administered by the Procurement Manager. Approval by the President & CEO, COO or Director, Finance.
Formal Request for Proposal	\$25,000 - <\$50,000	Proposals with at least three bids solicited using standard template forms administered by the Procurement Manager. Approval by the President & CEO, COO or Director, Finance.
	\$50,000 - <\$100,000	Formal publicly advertised proposal process administered by the Procurement Manager. Approval by the President & CEO, COO or Director, Finance.
	\$100,000 & over	As above and approval by Board of Directors.
Formal Tender	\$50,000 - <\$350,000	Formal publicly advertised tender process, Administered by the Procurement Manager. Approval by the President & CEO, COO or Director, Finance. Information report >\$100,000 to Board.
	\$350,000 & over	Process as above and approval by Board of Director.

Other than lowest compliant bid or exceeds budget	>\$50,000 & over	Approval by Board of Directors
Non-competitive or negotiated bid – Sole, Single Source	>\$10,000–<\$25,000	Approval by program director and Director, Corporate Compliance
Non-competitive or negotiated bid – Sole, Single Source	>\$25,000–<\$100,000	Approval by program director, Director, Corporate Compliance, and the President & CEO, COO or Director, Finance Information report provided to the Board.
	>\$100,000	Process as above and approval by Board of Directors.
Emergency Purchases	>\$10,000–<\$25,000	Approval by program director, Director, Corporate Compliance, and the President & CEO, COO or Director, Finance. Information report to Board after resolution of the emergency situation.
	>\$25,000	

- It is acknowledged that the PRESIDENT & CEO/Secretary–Treasurer or acting PRESIDENT & CEO may need to act promptly in emergency situations, including but not limited to
 - major storm or catastrophic damage,
 - public and health & safety issues,
 - expiring deadline, or
 - any other emergent matter adversely affecting the Authority.

In these circumstances, the PRESIDENT & CEO/Secretary–Treasurer and Acting PRESIDENT & CEO may exceed the Authority Limits but will immediately inform the Chair of the General Membership, or if unavailable, the Vice-Chair of the General Membership, or if unavailable, the Chair of the Finance and Audit Committee, or if unavailable, the Chair of the Governance Committee of the situation and reasons why the limits were exceeded. Thereafter provide a written report at the next scheduled meeting of the General Membership or later date as appropriate.

CONSERVATION HALTON

EFFECTIVE HUMAN RESOURCES PRACTICES

POLICY AND GUIDELINES

a) Practicing Effective Human Resources Practices

The Members must act as a team. A strong partnership must be forged between the Members and the President & CEO/Secretary-Treasurer. The President & CEO/Secretary-Treasurer manages the organization and its staff. The following guidelines should be followed to ensure a common voice is heard throughout the organization and by the public at large.

- If a Member has questions on a project or report, such questions should be referred through the President & CEO/Secretary-Treasurer for him/her to invite the appropriate staff to explain the project and answer questions.
- If a Member would like to volunteer to assist in a project, such action should be taken in consultation with the General Membership to organize the process if appropriate.
- If a Member receives a complaint about a staff member or would like to acknowledge a staff member, such information should go through the President & CEO/Secretary-Treasurer in writing.
- If a Member receives a complaint from a staff member, the Member must refer the staff member to the President & CEO/Secretary-Treasurer or if the complaint is against the President & CEO/Secretary-Treasurer to the head of Human Resources Department of the Authority. The head of the Human Resources Department will report directly to the General Membership if the complaint relates to the President & CEO/Secretary-Treasurer.

With respect to staffing issues, the following outlines the responsibilities of the General Membership and the President & CEO/Secretary-Treasurer.

- The General Membership is solely responsible for the following:
 - Recruiting, hiring, evaluating, and dismissing the President & CEO/Secretary-Treasurer;
 - Determining the annual salary and pay for performance of the President & CEO/Secretary-Treasurer
- The General Membership and the President & CEO/Secretary-Treasurer share the following responsibilities in that the recommendation will come from the President & CEO/Secretary-Treasurer and the approval will come from the General Membership;
 - Setting goals for the President & CEO/Secretary-Treasurer;

- Setting human resource and personnel policies which will have a monetary impact upon the budget; and
- Setting staff salary schedules and plans as part of the annual budget review process
- The President & CEO/Secretary-Treasurer is responsible for the following:
 - Assessing and approving staffing requirements;
 - Recruiting, hiring, evaluating, promoting, disciplining and dismissing staff;
 - Providing staff direction;
 - Approving staff evaluations;
 - Implementing and administering approved salary schedule and plan;
 - Designing and implementing changes to the organizational structure; and
 - Setting human resource and personnel policies, which have no monetary impact on the budget

b) Employee Appointed to General Membership

In the event that a municipality appoints an employee of the Authority to the General Membership of the Authority, the following process will take place:

- The President & CEO/Secretary-Treasurer shall advise the appointing municipality immediately
- To alleviate any conflict of interest, the employee must either reject the proposed appointment to the General Membership of the Authority or resign from his/her position and employment with the Authority

In the event that a Member of the General Membership of the Authority is interested in applying for any position of employment at the Authority, the Member must first resign his/her position on the Authority's General Membership and such resignation must be made in writing to the appointing municipality with a copy attached to the Authority's application for employment.

REPORT TO: Conservation Halton Board of Directors

REPORT NO: CHBD 07 22 08

FROM: Kellie McCormack, Director, Planning & Regulations

DATE: November 17, 2022

SUBJECT: Ninth Line Lands Scoped Subwatershed Study, City of Mississauga, CH
File No.: MPR 433

Recommendation

THAT the Conservation Halton Board of Directors **endorses the Ninth Line Lands Scoped Subwatershed Study, specifically the management recommendations that relate to areas regulated by Conservation Halton.**

And

THAT the Conservation Halton Board of Directors **receives for information the Staff report entitled “Ninth Line Lands Scoped Subwatershed Study, City of Mississauga”.**

Executive Summary

The City of Mississauga prepared the Ninth Line Scope Subwatershed Study (SWS) to characterize and establish management recommendations for natural hazard and natural heritage features and areas, as well as to establish a high-level stormwater management strategy, for lands within the Ninth Line Secondary Plan Area. The Ninth Line Scoped SWS serves as a foundational document to guide future technical studies and related *Planning Act* applications.

A systems approach was used to develop a high-level, long-term management strategy for natural hazard and natural heritage features and areas in the study area. A future NHS corridor is proposed to contain most of the study area's natural hazard lands and natural heritage features/areas impacted by a future Provincial Transitway. This approach ensures that future development will not create new natural hazards or aggravate existing ones. It also ensures that natural heritage features, including wetlands, will be protected in the future as part of a larger, overall NHS.

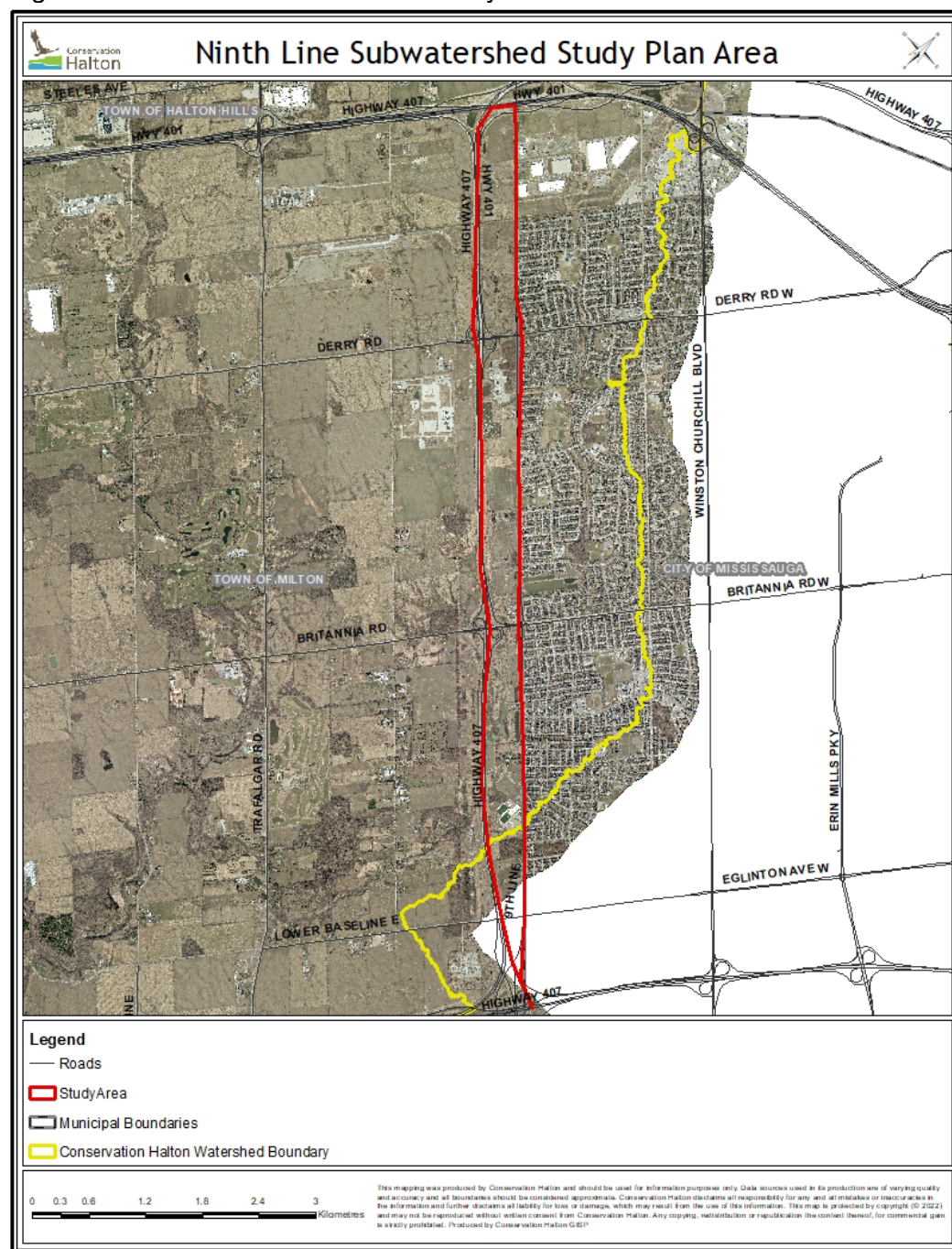
Staff is satisfied that the SWS provides comprehensive justification for the recommended alteration and/or relocation of regulated floodplain, watercourses, and wetland features. CH staff recommends the Board endorse the SWS, specifically the management recommendations related to CH regulated areas, so that staff can issue future permits when they meet CH's permitting requirements, the requirements of the SWS, and requirements identified in future technical studies.

Report

Background

The Ninth Line Lands Scoped Subwatershed Study Plan Area, located in the City of Mississauga, is bounded by Highway 401 on the north, Ninth Line on the east, Highway 407 on the west, and Lower Base Line Road, just north of the interchange of Highways 403 and 407, on the south (Figure 1).

Figure 1: Ninth Line Subwatershed Study Plan Area



The study area is 350 hectares (865 acres) in size and is primarily located within the Sixteen Mile Creek watershed. The southernmost portion of the study area is located within the Sawmill Creek watershed, which is within the jurisdiction of Credit Valley Conservation. The study area contains tributaries of Sixteen Mile Creek and Sawmill Creek, as well as the associated flooding and erosion hazards, and wetlands, headwater drainage features, and woodlands.

The Ministry of Transportation (MTO) completed a Class Environmental Assessment in 2020 and is planning to construct a Provincial transitway that will bisect the Ninth Line lands, to service GO and regional/ local commuter transit. The timing to construct the transitway has not been confirmed.

Secondary Plan and Subwatershed Study Process

Local municipalities are required to prepare Area-Specific Plans (Secondary Plans) for major growth areas, including new development or redevelopment areas. The policies of those plans are to be incorporated by way of an amendment into the Local Official Plan (LOP) and are to be supported by a Subwatershed Study (SWS). The purpose of a SWS is to:

- inventory, characterize and assess natural hazard, natural heritage and water resource features and functions within the study area (i.e., constraints to development);
- provide recommendations for the protection, conservation and management of natural hazard, natural heritage, and water resource features within the study area;
- provide sufficient detail to support the designation of a Natural Heritage System (NHS), through refinement of the NHS;
- evaluate a land use concept, as well as a supporting stormwater management strategy, where the functions of natural features are maintained or enhanced, while ensuring no aggravation of natural hazards; and
- provide recommendations for a management strategy, implementation, and monitoring plan to be implemented through the Secondary Plans and future site/area specific studies.

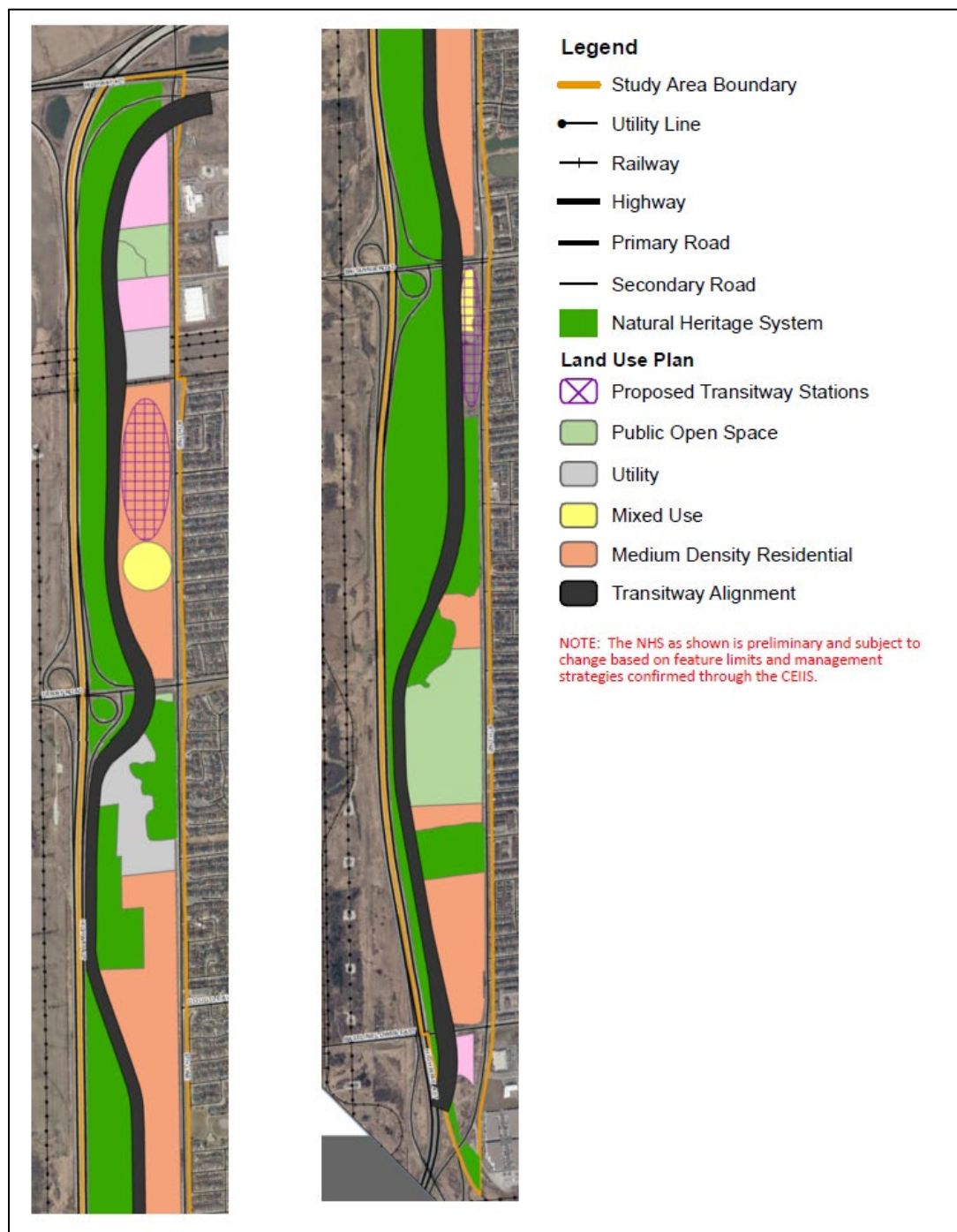
The Ninth Line Lands were transferred from the Town of Milton to the City of Mississauga in 2010. In July 2018, the City of Mississauga's Official Plan and Zoning By-laws came into effect for these lands. The Shaping Ninth Line Secondary Plan was adopted by the City of Mississauga via Official Plan Amendment (OPA) 90 in August 2018 and the Region of Peel approved the OPA on March 12, 2020, via ROPA 33. Figure 2 shows the land use plan for the Ninth Line corridor.

The City initiated a scoped SWS called the 'Ninth Line Lands Scoped SWS' as part of the Secondary Plan process; however, it was not completed before the Secondary Plan was approved. The City was advised that the limits of CH's regulated areas, natural hazards/heritage features, and the proposed environmental corridor could not be considered final until the SWS and associate technical studies were completed. Secondary Plan policies were developed to state that future development would have to have regard for the SWS. A policy stating that "the ultimate configuration of the area will be subject to approval by the appropriate conservation authority" was also developed.

Over the past few years, CH staff has worked with the City and its consultants to finalize the Ninth Line Scoped SWS and it is now considered complete. In addition to the items listed above, the SWS outlines requirements for future studies to be submitted in support of future *Planning Act* applications (e.g., Comprehensive Environmental Impact and Implementation Studies [CEIISs], High Level Concept Plans [HLCPs]). These future studies will further evaluate and provide a greater level of detail on the future land use, servicing and stormwater management strategy and may further refine

the limits of the NHS. These studies will also establish a more refined monitoring plan to evaluate potential effects of development on the NHS.

Figure 2: Ninth Line Land Use Plan



Basis of CH Review and Involvement with the SWS

CH staff provided technical advice to City staff and their consulting team as a member of the SWS Technical Advisory Committee (TAC). Staff ensured CH's regulatory interests and responsibilities delegated by the Province with respect to Section 3.1 (Natural Hazards) of the Provincial Policy Statement (2020) were addressed. Staff also provided technical advice on stormwater management and natural heritage matters, as outlined in the MOU with the Region of Peel.

Ninth Line Flood Management and Natural Heritage System

Through the Secondary Plan and SWS processes, the Regional Storm (Regulatory) Floodplain limit was confirmed to extend beyond the study area to a portion of the existing residential subdivision to the east of Ninth Line, north of Britannia Road. As such, one goal of the SWS was to provide flood protection and risk mitigation for the existing residential development along with optimizing future development potential within the Ninth Line Lands. This will be achieved through a cut/fill balance and floodplain/watercourse alterations to contain hazard lands in the NHS corridor, between the future Transitway and Highway 407 as shown on Figure 2.

Another goal of the SWS was to develop a NHS that would protect, restore, and enhance natural features and areas on the landscape for the long-term. Due to the proposed alignment of the Provincial Transitway, many natural heritage features, including wetlands, will be significantly impacted by the transitway and/or cannot be protected in situ. As such, most impacted features will need to be relocated and protected in the NHS corridor, prior to development, along with select features/areas located east of the Transitway and outside the main NHS corridor.

A systems approach was used to develop a high-level, long-term management strategy for natural hazard and natural heritage features and areas in the study area. The future NHS will contain natural hazard lands and impacted natural heritage features in the study area. This approach ensures that future development will not create new natural hazards or aggravate existing ones. It also ensures that natural heritage features, including wetlands, will be protected in the future as part of a larger, overall NHS.

Subsequent studies (e.g., CEIS/HLCP) will need to provide the supporting details and analysis to demonstrate that floodplain alterations will meet CH's regulatory requirements and that the NHS is sufficiently sized to contain all regulated hazards, allowances, wetlands, and other areas. The corridor widths presented in the Scoped SWS are preliminary and will be refined through the CEIS based on further evaluation and delineation of NHS features and hazards.

CH Policies

Policy 2.19.1 of *CH's Policies and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Policy Document* (last amended, November 26, 2020) states:

Major flood plain alterations (including placement of fill to create, or enlarge, a building lot) and major watercourse alterations (including enclosures and diversions from one watershed to another) are generally not permitted. Such alterations may be considered where justification is provided through a subwatershed study, an Environmental Assessment or similar comprehensive study and are subject to conformity with municipal planning documents. The applicable study or assessment must be current (generally within 5 years) and must be supported by CH.

Additionally, Policy 2.48 allows public infrastructure to cross hazardous lands, valleylands, wetlands or shorelines, where need is demonstrated and there is no reasonable alternative.

The EA for the Provincial Transitway demonstrates the need for the transitway. Further, staff is satisfied that the Ninth Line SWS provides comprehensive justification for the recommended alteration/relocation of the regulated floodplain, watercourse, and wetlands. The SWS also lays out the requirement for future studies (e.g., HLCP/CEIIS) to demonstrate that future development will not create new or aggravate existing hazards and that there be an overall enhancement to the NHS.

Conclusion / Recommendation

CH staff has worked with the City of Mississauga and their respective consultants in the development of a SWS for the Ninth Line Corridor. Through the SWS, a floodplain alteration and cut/fill balance is proposed to reduce flooding nearby and within the Ninth Line Corridor, and a NHS will be created to protect, restore, and enhance existing natural features and areas for the long term. All natural hazards and significant natural features, along with appropriate regulatory allowances and buffers will form part of the NHS. In general, less sensitive natural heritage features and those that are impacted by the future transitway will be relocated and enhanced within an NHS corridor.

The Ninth Line Scoped SWS serves as a foundational document to guide future technical studies and related *Planning Act* applications. Staff is satisfied that the SWS provides comprehensive justification for the recommended alteration and/or relocation of regulated floodplain, watercourses, and wetland features. CH staff recommends the Board endorse the SWS, specifically the management recommendations related to CH regulated areas, so that staff can ultimately issue permits for works that meet CH's permitting requirements, the requirements of the SWS, and other technical studies (e.g., HLCP, CEIIS).

Impact on Strategic Priorities

This report supports the Momentum priority of Natural Hazards and Water.

The theme is supported by the objective to remain dedicated to ecosystem-based watershed planning that contributes to the development of sustainable rural, urban, and suburban communities.

Financial Impact

CH's involvement in the development of Subwatershed Studies is part of the plan input services that CH provides partner municipalities in accordance with our MOU.

Signed & respectfully submitted:



Kellie McCormack
Director, Planning and Watershed Management

Approved for circulation:



Hassaan Basit
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

Leah Smith, Manager, Environmental Planning;
905-336-1158 x 2235; lsmith@hrca.on.ca

REPORT TO: Conservation Halton Board of Directors

REPORT NO: # CHBD 07 22 09

FROM: Kellie McCormack, Director, Planning & Regulations

DATE: November 17, 2022

SUBJECT: Proposed construction of a first floor and partial second floor addition within 15 metres of the erosion associated with Sixteen Mile Creek, 408 Trafalgar Road, Town of Oakville
CH File No. A/22/O/86

Recommendation

THAT the Conservation Halton Board of Directors **approves the issuance of a permit for the construction of a first floor and partial second floor addition within 15 metres of the erosion associated with Sixteen Mile Creek at 408 Trafalgar Road, Town of Oakville (CH File No. A/22/O/86);**

And

THAT the Conservation Halton Board of Directors **receives the staff report entitled “Proposed construction of a first floor and partial second floor addition within 15 metres of the erosion associated with Sixteen Mile Creek, 408 Trafalgar Road, Town of Oakville (CH File No. A/22/O/86)”.**

Executive Summary

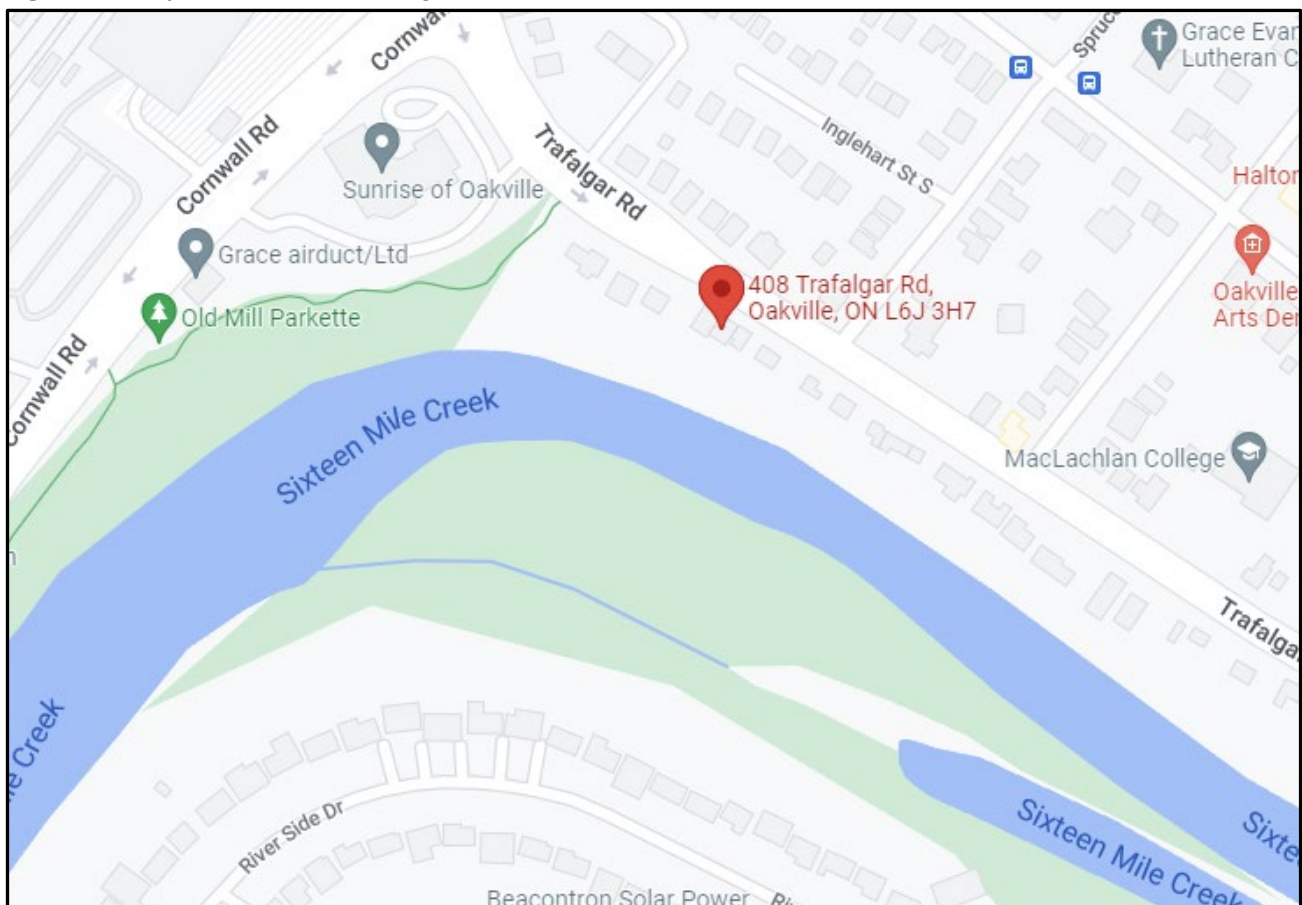
Conservation Halton (CH) received an application to construct a one storey addition to the front of the existing dwelling and a partial second floor addition over the existing first floor on the subject property. The existing dwelling is within the regulatory allowance associated with the erosion hazard (valley) of Sixteen Mile Creek. As part of a CH permit application, the applicant submitted a topographic survey and geotechnical assessment. The geotechnical assessment confirmed that the existing dwelling is located approximately 1.42 metres from the stable top of bank, that there was no evidence of slope instability on site, and that no impacts to the stability of the slope are anticipated as a result of the proposed development. The proposed addition encroaches no closer to the valley and erosion hazard than existing development and access to the rear yard is maintained. However, the proposed works do not meet CH’s Board-approved policy which states that reconstructions, alterations, or additions are not permitted within 6 metres of the stable top of bank hazard. Staff can only issue permits that meet Board-approved policies. Staff recommends approval of the proposed works, as the risk to life and property on the site is no greater than the existing dwelling.

Report

Background / Proposal

The subject property is located at 408 Trafalgar Road in the Town of Oakville (Figure 1). The property is located adjacent to Sixteen Mile Creek and contains the erosion hazard associated with that watercourse. Conservation Halton (CH) regulates 15 metres from the erosion hazard, or “stable top of bank” associated with Sixteen Mile Creek.

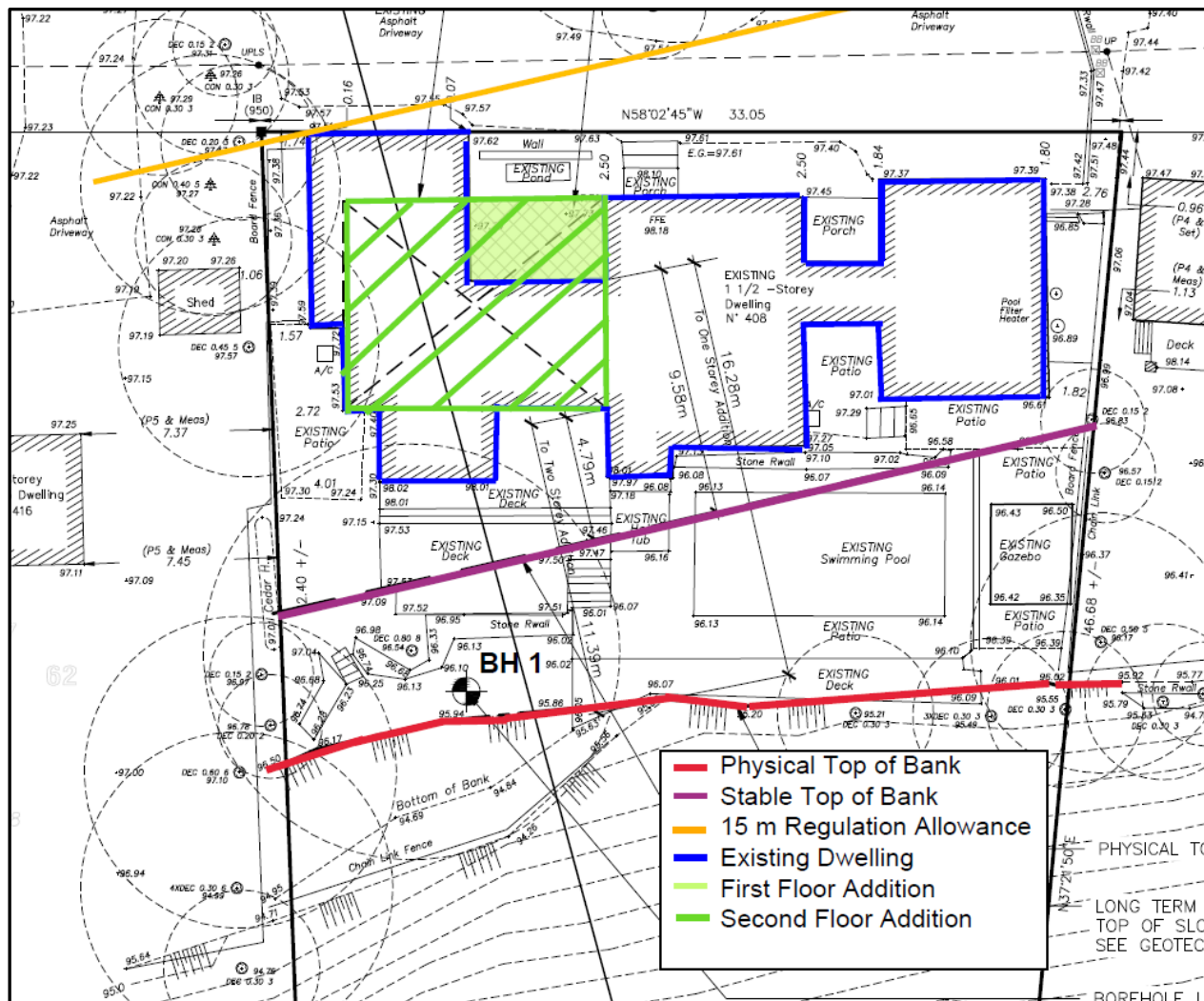
Figure 1: Key Map of 408 Trafalgar Road, Oakville



The proposed works involve the construction of a 1 storey addition to the front of the existing dwelling and a partial second storey addition over the new first floor and existing dwelling (Figure 2). The applicants submitted a slope stability assessment entitled ‘*Geotechnical Investigation and Erosion Risk Assessment 408 Trafalgar Road, Oakville, Ontario*’ (dated June 17, 2022, prepared by Terraprobe) which confirmed that the existing dwelling is located within the 15-metre regulatory allowance (1.43 metres from the stable top of bank at its closest point). The assessment also confirmed that there was no evidence of slope instability on site, that no impacts to the stability of the slope are anticipated as a result of the proposed development, and that a Factor of Safety of 1.5 will be maintained (Factory of Safety defines when a slope is stable or instable). The assessment

The proposed first floor addition is to be located at the front of the dwelling, approximately 9.5 metres from stable top of bank. The second-floor addition is to be located over the proposed first floor addition and part of the existing dwelling, approximately 4.8 metres from the stable top of bank at its closest point.

Figure 2: Existing dwelling and proposed additions within 15m of Stable Top of Bank



CH has regulatory policies that allow for redevelopment of existing uses within CH's regulatory allowances. For example, CH Policy 2.35.2 permits replacement (same size and use) or additions within 15 metres of the stable top of bank provided it is no closer than existing and not within 6 metres of the stable top of bank.

Policy 2.35.2 *Major Valley Systems - Development within 15 metres of Stable Top of Bank* of Conservation Halton's *Policies and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Document*, Amended November 2020, states:

2.35.2 Where buildings and structures already exist within 15 metres of the Stable Top of Bank of major valley systems, and a 7.5 metre publicly owned access is not provided adjacent to the Stable Top of Bank the following policies will apply:

2.35.2.1 Any replacement (same size and use) or additions, to the existing buildings and structures may be permitted subject to the following:

- a) the replacement or addition does not encroach any closer to the Stable Top of Bank than the existing development at its closest point;
- b) even if existing development is closer than 6 metres to the Stable Top of Bank, no new development is permitted within 6 metres of the Stable Top of Bank in order to provide for an erosion access allowance as per the Provincial Policy Statement;
- c) a geotechnical assessment by a qualified engineer (at the expense of the applicant), may be required to determine the location of the Stable Top of Bank and to determine if the proposed development would have a negative impact on slope stability. See Policy 2.4.2 and Section 4 for study requirements; and,
- d) In cases where the building or structure can be reasonably relocated outside of the setback the applicant will be encouraged to do so.

The intent of Policy 2.35.2 and 2.35.2.1 is to limit development within hazard lands and CH regulated lands, if reasonable alternatives for redevelopment are possible onsite. The intent is also to provide for an erosion access allowance (6 metres from hazard limit based on the PPS) to ensure there is a large enough zone for people and vehicles to enter and exit an area during an emergency (e.g., slope failure) and to provide sufficient area to access and maintain protection works along valley.

Options to redevelop the subject property away from the valley towards Trafalgar Road are not feasible given other site constraints, including limited property to the front and a required road Right of Way setback.

Strict adherence to CH's major valley systems regulatory policies would limit redevelopment of this site. CH staff can only issue permits that meet CH's Board-approved regulatory policies and policy exceptions require Board of Directors' approval.

Recommendation

The applicant has demonstrated through the information submitted that the applicable regulatory tests (i.e., the control of erosion, and conservation of land) can be met. They have confirmed that:

- a) development of the site is unlikely to affect the control of erosion or to create a condition or circumstance that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in damage or destruction of property;
- b) the proposed development is located entirely outside the erosion hazard, as identified in of *Geotechnical Investigation and Erosion Risk Assessment 408 Trafalgar Road, Oakville, Ontario*, dated June 17, 2022, prepared by Terraprobe (i.e., control of erosion and conservation of land tests have been met);
- c) the proposed works do not encroach closer to the Stable Top of Bank than existing development at its closest point; and
- d) the proposed works will not impede the existing access to the valley.

In light of the above, staff recommends that the CH Board approve proposed construction of a first floor and partial second floor addition within 15 metres of the erosion hazard associated with Sixteen Mile Creek, 408 Trafalgar Road, Town of Oakville (CH File No. A/22/O/86).

Impact on Strategic Goals

This report supports the Momentum strategic priority of Natural Hazards and Water.

Financial Impact

There is no financial impact resulting from this proposal.

Signed & respectfully submitted:



Kellie McCormack,
Director, Planning & Regulations

Approved for circulation:



Hassaan Basit
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

Charles Priddle, Manager, Regulations Program,
905-336-1158 ext. 2276

REPORT TO: Conservation Halton Board of Directors

REPORT NO: # CHBD 07 22 10

FROM: Kellie McCormack, Director, Planning & Regulations

DATE: November 17, 2022

SUBJECT: Proposed construction of an underground parking garage within 7.5 metres of the floodplain associated with East Morrison Creek, 3071 and 3079 Trafalgar Road, Town of Oakville
CH File No. A/22/O/62

Recommendation

THAT the Conservation Halton Board of Directors **approves the issuance of a permit for the construction of an underground parking garage within 7.5 metres of the floodplain associated with East Morrison Creek, 3071 and 3079 Trafalgar Road, Town of Oakville**
CH File No. A/22/O/62;

And

THAT the Conservation Halton Board of Directors **receives the staff report entitled “Proposed construction of an underground parking garage within 7.5 metres of the floodplain associated with East Morrison Creek, 3071 and 3079 Trafalgar Road, Town of Oakville”.**

Executive Summary

Conservation Halton (CH) received an application to construct an underground parking garage, including the excavation, shoring, and foundation, on the subject property. A portion of property is currently regulated by CH as it contains a portion of the 7.5 metre regulated allowance associated with the floodplain of East Morrison Creek. The proposed development is located entirely outside the flood hazard and a small corner of the proposed works extends into the allowance about 2 metres at its greatest point.

The extent of the flood hazard in the vicinity of Trafalgar Road and Dundas Street is caused by a backwater effect from undersized culverts that convey East Morrison Creek. As part of the Region of Halton’s work to widen Trafalgar Road, these culverts are anticipated to be upgraded within the next couple of years. This will result in increased culvert capacity and a reduction in the extent of the flood hazard in this area. The subject site will not be regulated by CH in the future.

Strict adherence to CH’s floodplain regulatory policies would require that the proposed works occur outside of CH’s regulated area. CH staff can only issue permits that meet CH’s Board-approved regulatory policies. Staff recommends that the CH Board approve the permit for works at 3071 and 3079 Trafalgar Road, as all relevant regulatory tests can be met.

Report

Background / Proposal

The subject property is located at 3071 and 3079 Trafalgar Road (Figure 1) and is part of Minto Communities Oakville subdivision (Town File No. 24T-12013). East Morrison Creek and its associated flood hazard neighbour the site. While the subject property does not contain hazard lands, a small portion of Conservation Halton's (CH) 7.5 metre regulatory allowance is located on the site.

The extent of the flood hazard in the vicinity of Trafalgar Road and Dundas Street is caused by a backwater effect from undersized culverts that convey East Morrison Creek. These culverts will ultimately be upgraded by the Region of Halton, as part of the Trafalgar Road widening, which is expected to occur within the next couple of years. This will result in increased culvert capacity and a reduction in the extent of the flood hazard in this area. The subject site will not be regulated by CH in the future.

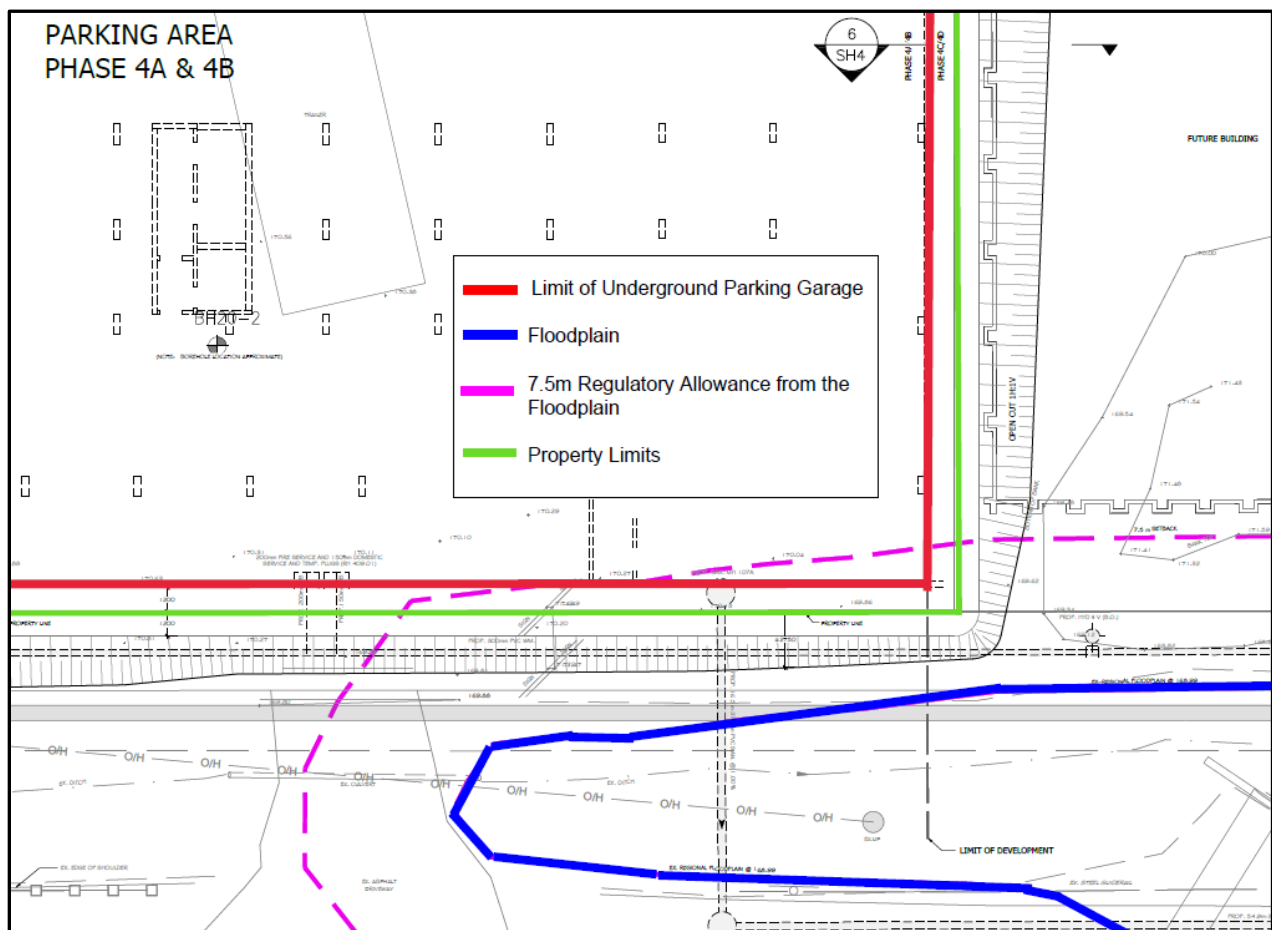
Figure 1: 3071 and 3079 Trafalgar Road, Oakville



The applicant is proposing to construct a 20-storey residential building on the subject property. All habitable components of the building will be located outside of CH's regulated area. However, a small portion of the proposed underground parking garage extends beyond the footprint of the residential/habitable components and extends into CH's regulatory allowance about 2 metres at its greatest point. The works proposed with CH's regulated area include the construction of an underground parking structure, which involves excavation, shoring, and a foundation. As shown in Figure 2, the flood hazard associated with East Morrison Creek is located within the Trafalgar Road

allowance and no development is proposed within the hazard. Access to the site is not impeded as there are temporary and permanent access points entirely outside the regulated area on Wheat Boom Drive.

Figure 2: Portion of proposed underground parking garage within the 7.5 metre regulatory allowance associated with the flood hazard of East Morrison Creek



Conservation Halton Policy Review

CH has regulatory policies that allow for redevelopment of existing uses and some new development within CH's regulatory allowances. For example, CH Policy 2.27.1 permits reconstructions or additions, Policy 2.27.2.1 permits non-habitable accessory structures on already developed lots, and Policy 2.27.2.3 allows non-structural works (grading). However, given that the site is currently a vacant lot, and the works are considered new development not redevelopment of existing uses, these policies cannot be met. CH's regulatory policies do not currently contemplate new development on vacant lots, even when regulations limits are expected to change before development of the site is completed.

The regulatory policy that would then apply to this situation is Policy 2.27.2.4: *Minor Valley Systems – Development within 7.5 metres of Flood Plain* which states:

2.27.4 Except as provided for in Policies 2.27.2.1 – 2.27.2.3, no new development or redevelopment is permitted within 7.5 metres of the stable top of bank of major valley features.

The intent of Policy 2.27.4 is to limit development within CH regulated lands if reasonable alternatives for redevelopment are possible onsite. The intent is also to provide for an access allowance to ensure there is a large enough safety zone for people and vehicles to enter and exit an area during an emergency (e.g., flood hazard).

Although all habitable components of the proposed 20 storey residential building will be located outside of CH's regulated area, a small portion of the proposed underground parking garage currently extends into CH's regulatory allowance (approximately 2 metre encroachment into the allowance). While the subject property will not to be regulated by CH after the Region completes the Trafalgar Road culvert upgrades, the proposed parking garage does not currently meet the Board-approved policy.

Strict adherence to CH's minor valley systems regulatory policies would limit redevelopment of this site or delay the construction until after the Trafalgar Road works have been completed (i.e., once regulation limit changes).

Recommendation

The applicant has demonstrated through the information submitted that the applicable regulatory tests (i.e., the control of flooding) can be met. They have confirmed that:

- a) redevelopment of the site is unlikely to affect the control of flooding or to create a condition or circumstance that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in damage or destruction of property;
- b) the proposed development is located entirely outside the flood hazard, as identified by review of a topographic survey;
- c) access to the site is not impeded as there are temporary and permanent access points entirely outside the regulated area; and
- d) the property will not be regulated by CH after the Trafalgar Road culvert upgrades are completed downstream of the subject property.

In light of the above, CH staff recommends that the CH Board approve the proposed construction of an underground parking garage including the excavation for the future structure, shoring and construction of the building foundation within 7.5m of the floodplain of East Morrison Creek at 3071 and 3079 Trafalgar Road, Town of Oakville (CH File No. A/22/O/62).

Impact on Strategic Priorities


This report supports the Momentum priority of Natural Hazards and Water.

Financial Impact

There is no financial impact resulting from this proposal.

Signed & respectfully submitted:

Approved for circulation:



Kellie McCormack
Director, Planning & Regulations



Hassaan Basit
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

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REPORT TO: Conservation Halton Board of Directors

REPORT NO: # CHBD 07 22 11

FROM: Kellie McCormack, Director, Planning and Regulations

DATE: November 17, 2022

SUBJECT: Spill Flood Hazard Policy Directions
CH File No.: ADM 343

Recommendation

THAT the Conservation Halton Board of Directors **endorses the recommendations and policy directions in the report entitled “Spill Flood Hazard Policy Directions”.**

Executive Summary

This report provides background information on spill flood hazards (“spills”), the regulatory and policy context, and an overview of the feedback received on Conservation Halton’s (CH) March 2022 discussion paper in the attached table (Appendix E). It also provides staff’s recommended policy approach/direction for managing risk associated with development in spills along with supporting rationale. Based on analysis of applicable policy and regulation, discussion paper feedback (Appendix E), and a legal opinion, staff recommends a risk-based policy approach be developed to deal with development in spills. Further, staff recommends a general, jurisdiction-wide spills policy be developed with the opportunity for area specific policies for areas that have undergone comprehensive study. The tests underpinning any draft policies would be that applicants would need to demonstrate that risks to public safety are addressed, new hazards are not created, and existing hazards are not adversely affected. The regulatory test related to the control of flooding would also need to be met. Following Board endorsement of the recommended spills policy directions, staff will develop detailed draft policies, which will be presented to the Board, public and stakeholders, as part of Phase 3B of the work plan early next year. Detailed spills policies will provide the public and stakeholders with greater certainty and transparency on CH’s requirements for developing in spills and enable consistent and efficient review of development proposals in spills by staff. CH staff is seeking Board of Directors’ endorsement of the recommended policy direction presented in this report.

Report

In September 2022, CH’s Board of Directors approved a revised work plan for CH’s spills policy review and update (CHBD 06 22 11). The revised work plan added another step (Phase 3A) to the policy review and update process to allow for a policy directions report to be presented to the Board, prior to staff developing and releasing draft spills policies.

The purpose of this report is to provide:

- i. background information on spills, as well as the regulatory and policy context;

- ii. an overview of the feedback received on the discussion paper entitled “CH Spill Flood Hazard Policy Review and Update Discussion Paper”, released in March 2022, and
- iii. staff’s recommended policy approach/direction for managing risk associated with development in spills along with supporting rationale.

Staff is seeking Board of Directors’ endorsement of the recommended policy direction presented in this report to enable staff to develop detailed draft policies, which will be presented to the Board, public and stakeholders, as part of Phase 3B of the spills policy review and update work plan.

Background and Context

Flooding is considered the most significant natural hazard in Ontario in terms of loss of life and social disruption and is the costliest type of natural disaster in Canada in terms of property damage.

[\(Ontario’s Special Advisor on Flooding Report to Government. An independent Review of the 2019 Flood Events in Ontario.](#)

Government, private corporations, and individuals have roles in preparing for and managing flooding risk before, during, and after it occurs. In Ontario, proactive approaches direct people and property away from flood hazards through regulation and policy. An effective approach to hazard mitigation and management includes three components: 1) defining hazards, 2) preparing hazard maps, and 3) developing regulations and policies for development.

Under Section 28 of the *Conservation Authorities Act*, Conservation Authorities (CAs) may develop regulations to prohibit or require permissions for development in hazardous areas. CH administers *Ontario Regulation 162/06*, which regulates development in river and stream valleys, wetlands, the Lake Ontario shoreline, hazardous lands, and adjacent lands within CH’s watershed jurisdiction. The purpose of the regulation is to protect life and property from natural hazards such as flooding and erosion, and to protect other features such as wetlands.

To better support the administration of CH’s regulation, and to better understand the nature and extent of flood hazards across CH’s jurisdiction, CH renewed its Floodplain Mapping Program in 2018. New technologies and tools, along with more available funding, offer opportunities to better understand and depict flood hazards. Advancements in technology enable CH to better define flood hazards, including hazards which were not historically feasible, such as spill flood hazards.

Spills occur when floodwaters leave a watercourse, its valley and floodplain, and continue to flow overland in multiple directions before rejoining the same watercourse downstream or spilling into another watershed. Spills often move through areas where inundation may not be anticipated and can flow in complex patterns. Spills can be caused by backwatering upstream of watercourse crossings or by ground conditions that slope away from the valley and floodplain. On the other hand, floodplains generally maintain their connection to a watercourse, following its direction and receding back to it when a storm subsides. Floodplain flows are generally more significant than spill flows and can convey heavier, more substantial materials/objects during a storm event.

The Province has confirmed that spills are regulated hazards; however, there is currently no provincial direction on how CAs should deal with spills. While the overall direction in the natural hazard policies of the Provincial Policy Statement (PPS) is to generally direct development to areas outside of hazardous lands, there are some provisions that would allow for development in hazardous lands if

the site has safe access or where the effects and risk to public safety are minor and can be mitigated in accordance with provincial standards, and where floodproofing standards are met, access/egress can be achieved, new hazards are not created and existing hazards are aggravated, and the use is not an institutional use or an essential emergency service, among others. Furthermore, PPS policies were likely developed to address development in traditional floodplains and may not have contemplated spills. The Provincial technical guides that support the PPS, including *Technical Guide, River & Stream Systems: Flooding Hazard Limit* (Ministry of Natural Resources, 2002) provides direction on assessing development in floodplains and floodplain mapping but there is minimal direction on spills.

As CAs update flood hazard regulatory mapping across their jurisdictions, additional spills will be identified and mapped within areas of existing development and within Strategic Growth Areas (SGA). When spill flood hazards occur in SGAs, there is a potential conflict between Provincial policies and objectives, as the Province generally directs development away from hazardous lands (Section 3 of the PPS) but also directs municipalities to plan for development in SGAs to accommodate significant population and employment growth (*A Place to Grow: Growth Plan for the Greater Golden Horseshoe*).

The lack of explicit provincial policy and technical direction on spills has resulted in CAs implementing different policy approaches to deal with development in spills. Some CAs require complete elimination of spills prior to development and apply floodplain policies when complete elimination is not feasible, while others may permit development where mitigation measures are implemented, and off-site impacts are addressed.

CH has an interim regulatory policy for development in spills, which enables staff to assess development on a case-by-case basis. This interim policy was put in place to allow staff time to develop and publicly engage on more robust policies that will address development within spills.

Conversely, CH has a specific set of regulatory policies related to development in floodplains. In general, CH's floodplain policies allow for replacements and minor additions to buildings and structures that already exist in a floodplain; however, no new development is permitted in the floodplain except for accessory structures, agricultural uses, stormwater management facilities, parking lots and minor floodplain alterations subject to specific requirements. Major alterations to floodplains including placement of fill to create, or enlarge, a building lot are generally not permitted and may only be considered on a broad, landscape level where justification is provided through a comprehensive study.

One of the key questions driving CH's spills policy review and update is whether spills should be treated differently than floodplains from a policy perspective. The question raises both technical and policy-based considerations, in terms of whether spills and floodplains present different risks and whether development proposals in these two hazard areas should be treated differently.

On March 25, 2022, staff released the "CH Spill Flood Hazard Policy Review and Update Discussion Paper" to provide the public and stakeholders with background information on spills and to engage on the policy approaches that CH could take to deal with development in spills. The table below was presented in the discussion paper and summarizes the range of potential policy directions.

Current CH Floodplain Policy	General Jurisdiction Wide CH Spill Policy	Area Specific CH Spill Policy	Case-by-Case CH Spill Policy (General Parameters)
<ul style="list-style-type: none"> Primarily hazard-based approach Views spill same as floodplain Provides clear/consistent direction to limit development in spills May not account for development in low-risk spills 	<ul style="list-style-type: none"> Hazard-and/or risk-based approach Differentiates spill from floodplain Provides clear/consistent direction to permit some development in spills Does not account for differences in local spill conditions Applicant responsible for undertaking technical studies 	<ul style="list-style-type: none"> Risk-based approach Differentiates different spill areas from each other and from floodplain Provides clear/consistent direction to permit some development in spills however, policies would be unique to specific areas Based on technical study for area and accounts for level of risk Potentially reduces technical study requirements for applicant 	<ul style="list-style-type: none"> Risk-based approach Differentiates spill from floodplain on case-by-case basis Potentially unclear/inconsistent direction to permit some development in spills on case-by-case basis Applicant responsible for technical studies

← RESTRICTIVE/FIRM/CERTAINTY PERMISSIVE/FLEXIBLE/UNCERTAINTY →

Staff has reviewed all discussion paper feedback received and an overview is presented in the section below. Please refer to the attached table (Appendix E) for a complete summary of feedback received and staff's responses.

Discussion Paper Feedback

The discussion paper was posted on CH's website, shared via social media and e-newsletter and circulated directly to stakeholders including CAs, municipalities, provincial ministries, land developers and Indigenous communities. Staff presented the discussion paper to the Greater Golden Horseshoe CA Planning Group, the Halton Area Planning Partnership group, the Floodplain Mapping Advisory Committee, and the BILD-CH Liaison Working Group. Individual meetings and discussions with municipalities and developers also took place.

Stakeholders expressed a high-level of interest in CH's spills policy review and, based on the feedback provided to CH, there is a broad range of thinking and viewpoints about what approach CH should take in the development of new spills policies. Most supported CH taking a different policy approach to manage risk from development in spills than floodplains. This is based on the common perspective that spills have different characteristics than typical floodplains (e.g., disconnected from watercourses; the extent, depth and velocity of flooding; ability to be eliminated at source or altered at a site level). Some stakeholders suggested that spills may present a potentially lower flood risk based on these characteristics. A table of all stakeholder feedback received, as well as staff's response, is appended to this report (Attachment E).

Some of the other key themes that emerged in the feedback received include:

- **Risk-based approach** - Many of the responses expressed general support for a risk-based policy approach that would consider spills characteristics (e.g., source, extent, depth, and flow velocity), the ability to mitigate flood risk, and the nature of the proposed development and provide flexibility to allow for development in lower risk spills, where specific criteria can be addressed.
- **General, Jurisdiction-Wide & Area Specific Policies** - There is general support for CH to develop general, jurisdiction-wide spills policies, while also allowing for area specific policies in areas where spills have been characterized and mapped through comprehensive studies supported by CH and municipalities.
- **Disconnection between watercourse/riparian system and spills** – There is general recognition that spills should be treated differently than floodplains because they may not return to the watercourse/riparian system, often mix with urban/pluvial flooding and may serve limited flood storage and ecological functions.
- **Elimination of spill flood hazards** – Policies that would allow spills to be eliminated was widely supported as a preferred management approach, where feasible. Elimination may occur at the source of the spill by modifying existing watercourse crossings or culverts to improve flow conveyance, changing road profiles, and/or grading to direct spill flows back into the floodplain.
- **Safe access** – Some feedback noted that a determinative factor for treating spills differently than floodplains is whether the site in the spill has safe access appropriate for the nature of the development as per the direction in PPS Policy 3.1.2.

CAs provided a range of responses with some supporting a more flexible, risk-based approach to address development in spills while others support a firmer, hazards-based approach that would treat development in spills the same as floodplains.

Municipalities stressed the importance of limiting the extent of spill regulation, especially in urban areas where spills combine with pluvial/urban flooding in the municipal drainage system that they are responsible to manage. Municipalities also expressed concern about additional permitting requirements for the construction and maintenance of roads and other municipal infrastructure given that spills are often conveyed by the municipal drainage system once they leave the watercourse system and flow overland.

CH's Approach to Mapping Spills

The ability to characterize and map spills is critical for confirming a spill's source, potential for elimination or mitigation, as well as flooding extent, depth and flow velocity. Confirming these characteristics are necessary to differentiate spills from floodplains, as well as riverine from urban flooding. It also is critical for determining the areas within the spill that are considered hazardous and where CH's regulation would apply.

In the comments received on the discussion paper, it was apparent that there is some confusion or questions about how CH maps spills, as well as how it is determined what areas are subject to *Ontario Regulation 162/06* (i.e., what areas are regulated by CH) and CH's regulatory policies. To clarify,

below is an overview of the steps CH takes to map spills, refine the mapping, and identify the areas where its regulation applies.

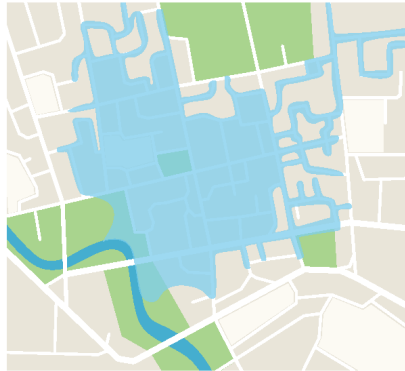


Figure 1: Map of full spill extent

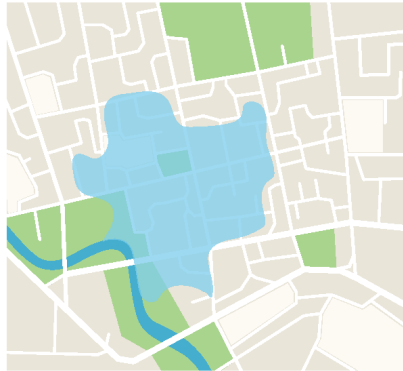


Figure 2: Map of regulated spill hazard

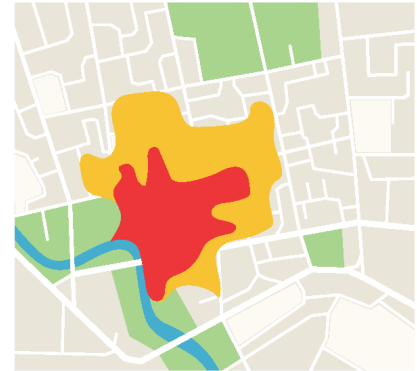


Figure 3: Map identifying areas of higher and lower potential flood risk within regulated spill hazard

■ higher risk ■ lower risk

Figure 1: The full extent of the spill is mapped based on the hydrologic and hydraulic modelling and topographic data.

Figure 2: As spills flow overland in multiple directions and often mix with urban/pluvial flooding, CH defines the hazardous portions of the spill based on thresholds for peak flow rate, flood depth, and velocity. The mapping is further refined based on these thresholds and other characteristics (e.g., pathway along public road). Spill areas that do not meet hazardous lands thresholds are removed from the mapping and are not considered regulated by CH.

Figure 3: With the extent of the regulated area confirmed, staff can identify areas of higher (red) and lower (yellow) potential flood risk within the regulated spill. Areas of higher risk potential are defined based on provincial technical guidance (e.g., areas with greater than 1 metre of flood depth and 1 metre per second velocity) and access/egress evaluation criteria.

CH's process for mapping regulated spills and then identifying higher and lower potential risk areas within the regulated area enables CH to consider implementing different regulatory policies depending on the nature of spill and the nature of the proposed development within the regulated spill. Understanding the source and characteristics of mapped/regulated spills is critical for informing where spill mitigation measures, such as infrastructure improvements, may be needed to address the hazard and unlock potential development opportunities. CH's mapping refinement process also confirms the hazardous portions of the spill where CH's regulation applies and the areas of urban or pluvial flooding where municipalities are responsible for managing.

Analysis

From a technical perspective, spills are distinct from typical floodplains in that spills are:

- disconnected from the watercourse, valley and floodplain with limited flood storage and ecological functions;
- generally easier to eliminate at their source through infrastructure improvements or alter through grading and/or other mitigation measures at the site level; and

- exhibit different flooding characteristics with generally shallower depths and slower flow velocities with less ability to move heavier objects during large storm events.

Furthermore, from a regulatory and policy perspective, as well as based on a legal opinion provided to CH, spills generally fit within the definition of hazardous lands rather than the floodplain criteria in O. Reg. 162/06. Under the *Conservation Authorities Act*, hazardous land means:

land that could be unsafe for development because of naturally occurring processes associated with flooding, erosion, dynamic beaches or unstable soil or bedrock.

The definition contains key qualifying language “could be unsafe for development”, which suggests only spills or parts of spill areas that could pose a safety risk are regulated. This also means that there would be no regulatory allowance associated with spills. Overall, this supports a risk-based approach to regulating and permitting development within a spill area.

Spills also fit the more expansive definition of hazardous lands under the PPS that contains the same key qualifying language. Except for the land uses listed in PPS Policy 3.1.5, development in spills is not outright prohibited by the PPS, subject to demonstrating safe access/egress, the effects and risk to public safety are minor and can be mitigated, new hazards are not created, existing hazards are not aggravated, and the use is not an institutional use or an essential emergency service (among other things). Overall, a risk-based approach rather than an absolute prohibition on development within spills would also be consistent with the PPS.

Policy Direction Recommendations

Considering the above, and based on stakeholder feedback, CH staff recommends a risk-based, flexible policy approach be taken to address development in spills. Further, staff recommends a general, jurisdiction-wide spills policy be developed with the opportunity for area specific policies for areas that have undergone comprehensive study.

Under general spill policies, development would be permitted if it can be demonstrated that there is no risk to public health and safety, new hazards are not created and existing hazards are not adversely affected, the use is appropriate, and regulatory tests related to the control of flooding can be met.

Among other things, specific policy criteria would require:

- Limitations on the type of development permitted in hazards (e.g., no sensitive or institutional uses);
- Demonstration that in the area of proposed developed, flood depths are less than one metre and velocities are less than one metre per second under regulatory storm conditions;
- Demonstration that flood elevations will not adversely increase as a result of development;
- Requirements for dry or wet floodproofing are implemented (depending on the type of proposed development); and,
- Demonstration of safe access and egress.

Staff expects that the ability for a proposal to meet these criteria will depend on whether the proposed development is located within a higher vs. lower potential flood risk area, as well as the nature of the proposed development.

Within the general policies, specific policies would be developed for a range of hazard scenarios and/or development types including policies for:

- **Existing Development in Spills** - Staff recommends policies to allow for replacements and additions to existing development in spills that may offer more flexibility than current floodplain policies in terms of size where specific criteria are met (e.g., no adverse impacts).
- **New Development in Spills** - Staff recommends policies that would permit new development in spills (e.g., single or multi-unit residential buildings and accessory structures, commercial, mixed use and employment buildings, storm water management facilities, etc.) where specific criteria are met.
- **Eliminating Spills** - Where it is cost-effective and easily implemented, staff recommends policies to allow for the elimination of spills at or near their source through infrastructure improvements (e.g., crossing/culvert upgrades, changes to road profiles, grading), where specific criteria are met. Proposed elimination of spills requiring more substantial works may need to be supported by a comprehensive study.
- **Altering Spills** - Where complete elimination is not achievable, staff recommends policies to allow for the alteration of spills by filling and/or grading a site or several sites to remove the hazard and/or alter its flow path, where specific criteria are met.
- **Area Specific Spill Policies** - Staff recommends a policy that would enable CH to develop area specific policies for areas that have undergone a comprehensive study supported by CH. Area specific policies would be based on the characteristics and risks associated with the specific spill.
- **Public Infrastructure and Recreational Uses** - Given the propensity for spills to occur along public right of ways, staff recommends including policies to provide clarity for municipally initiated infrastructure and recreation projects that do and do not require formal CH permission in spills
- **Development within regulatory allowance (i.e., 7.5 metres for minor systems and 15 metres for major systems)** – As spills meet the definition of hazardous lands a regulatory allowance would not be required.

As part of drafting policies for the above items, staff will also prepare a draft technical companion document to accompany the draft policies.

Conclusion/Recommendation

Staff is seeking Board of Directors' endorsement of the recommended spills policy direction presented in this report to enable staff to develop detailed draft policies, which will be presented to the Board, public and stakeholders, as part of Phase 3B of the spills policy review and update work plan early next year. All input received will be documented and staff anticipates making recommendations to the Board of Directors on the approval of new spills policies in Q2 2023. Detailed spills policies will provide the public and stakeholders with greater certainty and transparency on CH's requirements for

developing in spills and enable consistent and efficient review of development proposals in spills by staff.

Impact on Strategic Priorities

This report supports the Momentum priority of Natural Hazards and Water

Financial Impact

There is no financial impact to this report.
Signed & respectfully submitted:



Kellie McCormack
Director, Planning and Regulations

Approved for circulation:



Hassaan Basit
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

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Conservation Halton Spill Flood Hazard Policy Review & Update Discussion Paper (March 2022)
Stakeholder Comment Response Table
November 17, 2022

Conservation Halton (CH) staff thank all stakeholders who provided responses to the discussion paper. The following table includes stakeholder comments and CH responses.

Question 1: Should CH have different regulatory policies for spill flood hazards (“spills”) than floodplains? Why or why not?

	Stakeholder	Stakeholder Comment	CH Response
1	City of Burlington	<p>Yes. Spills represent a dynamic hazard that may respond more directly to mitigation efforts. Flood plain hazards tend to be more static where efforts to mitigate riverine flooding are more likely to have impacts (upstream/downstream) on the whole system.</p> <p>Different policies are necessary because the nature of floodplains is different from spills. A floodplain associated with a watercourse is an exclusive right-of-way for its flow. However, the spill is the flow that leaves the designated right of way.</p> <p>Spill mapping could change more frequently than floodplain mapping due to infrastructure upgrades, mitigative measures, or by taking floodproofing steps. Spill-lines, as opposed to flood lines, could change if spills are directed away from the dwelling space and towards safer outlets.</p> <p>Generally, and except under specific circumstances, no development is permitted within the floodplains. In contrast, acceptable floodproofing measures could be a reason to allow development within the spill areas.</p> <p>Floodplain management needs a hazard-based approach to limit development. Whereas development within the spill areas requires a risk-based approach. The risk-based approach to managing development within the spill areas should consider the severity of the spills and the site's level of vulnerability to determine the degree to which development restrictions need to be applied.</p> <p>Floodplain management is typically based on a One Zone Concept. Applying the same regulatory policies to spills will result in spills being integrated into the very restrictive One Zone Concept. Hence a new set of regulations for spills should be laid out that are less restrictive and allow the flexibility to manage the flooding caused by spills.</p>	<p>Staff's recommended spills policy direction aligns with this comment. Different regulatory policies are recommended for spills than floodplains based on a flexible, risk-based approach to existing and new development in spills, as well as eliminating and altering spills. Please refer to CH Board report CHBD 07 22 13 for more information.</p> <p>As spills meet the definition of hazardous lands, a regulatory allowance would not be required for safe access and egress.</p>

		Grouping spills and floodplains will result in the fringe areas being the same in terms of dimensions and development restrictions. For example, the floodplain fringe (usually referred to as the development setback) is 7.5 or 15 meters, with minimal potential for development. Since spills are characteristically different from floodplains, applying the exact same fringe dimensions and restrictions is neither necessary nor warranted.	
2	Central Lake Ontario Conservation Authority	Regulatory policies should be nested within the broader land use planning and development policy framework and, accordingly, should not conflict with the Provincial Policy Statement. Within the provincial policy direction for flood hazards, there is some flexibility for development via the one-zone, two-zone and Special Policy Area concepts. Otherwise, spill areas should be managed as one-zone flood plains.	<p>Acknowledged. Based on CH staff's policy and regulatory analysis and a legal opinion received, spills fit the definition of hazardous lands. Under the PPS, hazardous lands means property or land that could be unsafe for development because of naturally occurring processes. This definition, and particularly the key qualifying language "could be unsafe for development", suggests only spills or parts of spill areas that could pose a safety risk are regulated.</p> <p>Further, while there is limited Provincial policy direction specifically on spills, the legal opinion received by staff is that a risk-based approach rather than an absolute prohibition on development within spill areas would be consistent with the PPS. This would be subject to demonstrating safe access/egress, the effects and risk to public safety are minor and can be mitigated, new hazards are not created and existing hazards are aggravated, and the use is not an institutional use or an essential emergency service, among other things.</p>
3	Credit Valley Conservation Authority	It is suggested that the approach for regulatory policies for spills be different than for floodplains, mostly because floodplains and spills are different in nature. It is generally understood that riverine floodplains contain flow that has overtopped watercourse channel banks at various storm events. This water is held for a period of time and then recedes and returns to the system. In contrast, spills do not necessarily return to the system and may carry flow for an undefined length, may merge with other drainage areas, or may flow into municipal storm sewers etc. This very different characteristic of spills is what makes their treatment and management a policy implementation challenge, however the difference is defining and as such drives the policy.	Acknowledged. Please see response to Comment 1.
4	David Schaeffer Engineering Ltd. on behalf of Milton	We strongly support a different policy for spills than floodplains and note that a spill should not be considered a floodplain;	Acknowledged. Please see response to Comment 1.

	Education Village Landowners	<p>Spills may be contained and managed through man-made improvements or eliminated;</p> <p>The use of a 2D hydraulic models are supported to more accurately delineate spill limits and characteristics.</p>	The use of 2D hydraulic models is also supported by CH through its Floodplain Mapping Program to better define spills.
5	David Schaeffer Engineering Ltd. on behalf of Southwest Georgetown Landowners Group	<p>We strongly support a different policy for spills than floodplains and note that a spill should not be considered a floodplain;</p> <p>Spills may be contained and managed through man-made improvements or eliminated;</p> <p>The use of a 2D hydraulic models are supported to more accurately delineate spill limits and characteristics.</p>	Acknowledged. Please see responses to Comments 1 and 4.
6	Lake Simcoe Region Conservation Authority	Yes, because spills can behave differently with varying risks - low/high flows, contained/spread out, etc. Spill zones likely have shorter duration of inundation and potentially shallower depth of flooding compared to floodplains. Additionally, not all spill areas may be fully mapped, but there may be an awareness that a spill area exists. Having a separate policy may encourage further analysis of the spills area that may not be currently fully mapped.	<p>Acknowledged. Please see response to Comment 1.</p> <p>Spills may be mapped through CH's Floodplain Mapping Program, municipally-led studies, or proponent-led studies in support of development.</p>
7	Niagara Escarpment Commission	Yes, the use of different regulatory policies is justified because the while the two categories of phenomena may arise from related phenomena, they may also occur independently of each other and may exhibit different behaviour and results. In addition, by definition, spills occur outside of floodplains and warrant separate mitigation measures. The Niagara Escarpment Plan cites "other water-related hazard" outside of flooding hazard and wave uprush. While spills are not described here, this category would encompass spills outside of floodplains.	Acknowledged. Please see responses to Comments 1 and 2.
8	Region of Halton	CH should consider different regulatory policies for spills and floodplains. Section 3.1 of the Provincial Policy Statement (2020) directs development and site alteration to areas outside of the flooding hazard unless there are situations where a two-zone concept for floodplains or Special Policy Areas with appropriate floodproofing can be applied and approved by the Minister of Natural Resources and Forestry. Policy 118(10) of the Regional Official Plan requires that the Local Zoning By-law prohibit the construction and the expansion or replacement of existing non-conforming and applying appropriate setbacks within hazard lands.	Acknowledged. Please see responses to Comments 1 and 2.

		<p>Given that the nature of floodplains is different from spills, it is necessary for different regulatory policies as development is not permitted in floodplains, where development is permitted within spill areas with appropriate floodproofing and mitigation measures. Separate regulatory policies for spills will allow for existing communities, essential emergency services and agricultural operations to remain protected while also allowing for new development or redevelopment to accommodate more growth within existing urban areas as well as potential areas for urban boundary expansion that may fall within a spill area. For example, applying the same regulatory policies for floodplains to spills may be too rigid, given that spills are more dynamic in terms of how the extent to which flood flow may spread on the landscape. Therefore, applying similar prohibitions that are applicable to floodplains within spill area for future growth areas may limit opportunities to achieve compact and complete communities through development permissions for intensification and higher-density mixed-uses in the Settlement Area, including Built Up Area, Designated Greenfield Areas, and Strategic Growth Areas.</p>	
9	<p>Stonybrook Consulting & Urbantech Consulting on behalf of Milton Phase 4 (West) Landowners Group</p>	<p>The MP4 West Group strongly supports a different policy for spills than for floodplains. Flood hazards can vary substantially between spills and floodplains. Spills can cover relatively large areas beyond currently delineated floodplains that experience low depths of flooding, with low velocities. In newly developing areas, it is possible to eliminate or manage risks in these areas through appropriate development design and therefore policies that allow for modifications to eliminate/contain spills should be the preferred approach. If managed like floodplains, a no development policy would affect large areas and could have substantial implications on Growth Plan objectives, approved planning applications or community designs.</p>	<p>Acknowledged. Please see response to Comment 1.</p>
10	<p>Stonybrook Consulting & Urbantech Consulting on behalf of Milton Phase 4 Trafalgar Landowners Group</p>	<p>The Trafalgar Group strongly supports a different policy for spills than for floodplains. Flood hazards can vary substantially between spills and floodplains. Spills can cover relatively large areas beyond currently delineated floodplains that experience low depths of flooding, with low velocities. In newly developing areas, it is possible to eliminate or management risks in these areas through appropriate development design and therefore policies that allow for modifications to eliminate/contain spills should be the preferred approach. If managed like floodplains, a no development policy in these areas would affect large areas and could have substantial</p>	<p>Acknowledged. Please see responses to Comments 1 and 9.</p>

		implications that are not compatible with other Growth Plan objectives, approved planning applications or community designs.	
11	Town of Halton Hills	<p>There should be different regulatory policies for spills than floodplains. Spills are derivatives of the flows from the natural watercourse. Spills by nature are “surface flows” originating from the main riparian system. These surface flows are being accommodated by the uplands landscape outside of the riparian system and have no associated environmental purposes. From a hazards perspective, since the characteristics of spills are determined by the landscape only, elimination of spills is the most effective tool to mitigate risks in undeveloped areas.</p> <p>Spills do not possess natural riparian system characteristics such as riparian storage, nor do they serve an ecological function. Spills are overland drainage systems that provide for conveyance only and are subject to many losses due to their nature. Spill flows are disconnected from the riparian system, segmented, might be stagnant, and/or guided in different directions as governed by the landscape. Therefore, by their nature, spills are nuisances to the existing developed areas. In developed areas, spill flows are mostly being conveyed by the major overland flow routes (roads ROW, pathways) allowing for ponding, infiltration to the sewers, or up-taken by the existing intake structures, etc. before only a fraction of the original “surface flows” is re-joining the natural riparian system at some point. The connectivity between the riparian systems and spills is limited. Therefore, spills should not be treated the same as floodplains.</p>	Acknowledged. Please see response to Comment 1.
12	Town of Milton	Yes there should be different policies for spills and floodplains. Spills are not able to be mapped and identified as clearly as floodlines, therefore there should be different policy that speaks to that.	<p>Acknowledged. Please see response to Comment 1.</p> <p>New technologies and tools, along with more available funding, offer opportunities to better understand and depict flood hazards. Advancements in technology enable CH to better define flood hazards, including hazards which were not historically feasible, such as spills.</p>
13	Town of Oakville	Oakville is in support of different regulatory policies for spills than for floodplains, as set out below.	Acknowledged. Please see response to Comment 1.

Question 2: If CH were to have spill specific policies, should they follow a hazard-based, risk-based or hybrid approach? Why?

Stakeholder	Comment	CH Response
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14	City of Burlington	<p>A risk-based approach would best align with Provincial Policy (S. 3.1.7 PPS 2020) and would ensure the appropriate level of flexibility is maintained in low-risk areas or where risk is potentially unknown.</p> <p>A hybrid approach may be unavoidable depending on the level of spills risk and the applicable land use context. The general approach should still incorporate the accepted natural hazard approach of avoidance first unless area-specific/risk policies provide an alternative.</p>	<p>Staff's recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13 for more information.</p> <p>While there is limited Provincial policy direction specifically on spills, the legal opinion received by staff is that a risk-based approach rather than a hazards-based, absolute prohibition on development within spill areas would be consistent with the PPS. This would be subject to demonstrating safe access/egress, the effects and risk to public safety are minor and can be mitigated, new hazards are not created and existing hazards are aggravated, and the use is not an institutional use or an essential emergency service, among other things.</p>
15	Central Lake Ontario Conservation Authority	<p>It is recommended that a hybrid approach be utilized where the specific hazard characteristics of each spill area are assessed and that the approach recommended in response to comment no. 1 above, be employed.</p>	<p>Staff's recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13 for more information.</p> <p>CH's process for mapping regulated spills and then identifying higher and lower potential risk areas within the regulated area enables CH to consider implementing different regulatory policies depending on the nature of spill and the nature of the proposed development within the regulated spill. Understanding the source and characteristics of mapped/regulated spills is critical for informing where spill mitigation measures, such as infrastructure improvements, may be needed to address the hazard and unlock potential development opportunities.</p>
16	Credit Valley Conservation Authority	<p>Recognizing the uncertain nature of spills, it is recommended that the approach to policy be hybrid with an emphasis on risk. It is understood that the hazard associated with the spill needs to be determined however the true driver is the risk. Risk level can help determine the severity of the hazard and whether or not it will impact the proposed development. Factors such as depth, velocity, safe access, length/area of spill, etc. all assist in understanding impacts. For example, a broad shallow spill with 0.10m of flooding may be easily mitigated through grading with no off-site impact, essentially removing the hazard and allowing the site development potential. These are case-by-case scenarios that can be managed via a hybrid-policy approach. Allowing this flexibility in decision making better addresses the unique challenges associated with spill hazards.</p>	<p>Staff's recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13 for more information.</p> <p>CH staff has recommended a risk-based, flexible policy approach be taken to address development in spill flood hazards. Further, staff has recommended a general, jurisdiction-wide spill policy be developed with the opportunity for area specific policies for areas that have undergone comprehensive study.</p>
17	Lake Simcoe Region	<p>We suggest a hybrid approach with more emphasis on a risk-based decision-making. It allows for greater flexibility in locating</p>	<p>Acknowledged. Please see response to Comment 16.</p>

	Conservation Authority	developable areas while ensuring that public health, public safety, and property are appropriated protected from flood hazards. When determining the bounds of the hybrid approach, the level of available background information is important as more information allows for a greater level of risk assessment and understanding of the specific spill.	
18	Niagara Escarpment Commission	Policies should be risk or hybrid, in part because of the nature of our response to Question 1) and because potential spill areas are not as readily defined as hazard lands. Spill risk areas can be modeled, so level of spill risk can be graded by analysis but addressing them through hazard policies infers a higher level of risk predictability than the modeling would justify. The hybrid policy approach applies because while spill potential modeling is risk-based, the behavior of water is still consistent and so may be addressed by some hazard-model mitigation strategies.	Acknowledged. Please see response to Comment 16.
19	Region of Halton	While a risk-based approach may best align with Section 3.1.7 of the Provincial Policy Statement (PPS) Policy 3.1.7, a hybrid based approach may be beneficial in the context of spill specific policies given the level and characteristics of spill risk, applicable land use context (i.e. Settlement versus Rural Areas) and consideration for Strategic Growth Areas and Major Transit Station Areas (MTSAs). A hybrid-based approach could be applied in the Settlement Area where growth is already concentrated and where future growth will be directed in accordance with Regional Official Plan Sections 72 and 72.1. For example, Major Transit Station Areas (MTSAs) may already have existing development or can accommodate intensification and higher density mixed-uses. Preventing development from occurring in hazard prone areas may be challenging and could hinder opportunities for new types of compact built form. A hybrid-approach could still draw on the limits imposed by the hazard-based approach in terms of delineating the floodplain limit in areas where it is necessary (i.e., existing developed areas or highly constrained development sites), while at the same time drawing on the risk-based approach to allow for flexibility to permit intensified development in spill areas provided that spills and any residual impacts can be remediated and that potential risks can be reduced to an acceptable level through mitigation/management measures (i.e., floodproofing, water conveyance). Consultation with agricultural organizations and the broader agricultural community should occur on the spill specific policies to ensure that the regulatory policies do not impede current agricultural farm operations.	<p>Acknowledged. Please see response to Comment 16.</p> <p>Staff has recommended a policy that would enable CH to develop area specific policies for areas that have undergone a comprehensive study supported by CH. Area specific policies would be based on the characteristics and risks associated with the specific spill.</p> <p>The recommended policy directions and draft policies to follow are not intended to impede normal farming practices. Public and stakeholder engagement on the draft spill flood hazard policies will include agricultural organizations and the agricultural community.</p>

20	Town of Halton Hills	<p>It would be prudent to evaluate the extent of the areas potentially impacted by spills through the preparation of spill mapping. Ideally, the mapping would separate areas of no regulation, low-risk, and high-risk areas (see response to Question #3). Spill mapping should assist in the drafting of the proposed policies.</p> <p>The proposed policies should be based on a risk/benefit assessment and provide sufficient flexibility depending on development type and area (greenfield vs intensification). The policies should be for internal use only and to assist the local municipalities, geared towards the elimination of spills, and be practical given the nature of spills. The risk/benefit-based policies should be area specific and should be developed with input from the municipalities.</p>	<p>Recommended spills policy direction aligns with this comment. The ability to characterize and map spills is critical for determining the areas within the spill that are considered hazardous and where CH's regulation would apply.</p> <p>Please refer to CH Board report CHBD 07 22 13 for more information.</p> <p>As part of Phase 3B in the work plan, staff will develop draft spill flood hazard policies for public and stakeholder review and feedback. The intent is to provide the public and stakeholders with greater certainty and transparency on CH's requirements for developing in spills and enable consistent and efficient review of development proposals in spills by staff. Specific policies will be developed for a range of hazard scenarios and/or development types including policies for eliminating spills.</p>
21	Town of Milton	Hybrid approach. While the hazard based policy may be easier on the onset, it does leave some areas that do not fit in the hazard based policy open to interpretation. Having a bit more rigidity from the risk based approach paired with the hazard based may provide a more robust policy.	Acknowledged. Please see response to Comment 16.
22	Town of Oakville	<p>Oakville is in support of developing different regulatory policies for spills then floodplains following a risk based approach. Policies should primary focus on new development areas (i.e. greenfield development) and capture high risk spill areas.</p> <p>CH should consider limiting the extent of spill regulation for areas of existing development particularly in urban areas where spills by their nature often combine with pluvial systems that municipalities hold management responsibility for. CH's focus, as opposed to regulation in existing developed urban areas, should be supporting municipalities with their technical knowledge in mitigation of spills to prevent negative impacts and through emergency preparedness and flood forecasting and warning initiatives.</p>	Acknowledged. Please see response to Comments 16 and 20.

Question 3: If CH's spills policies followed a risk-based or hybrid approach should different policies be established for developing in low versus high flood hazard/risk spill areas? What criteria should be used to distinguish between areas of low flood hazards and high flood hazards?

Stakeholder	Comment	CH Response
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23	City of Burlington	<p>The development of a risk-based approach to assessing development in spill areas would be supported for the Urban Area and Strategic Growth Areas. A risk-based approach may not need to be applied watershed-wide and may only be required in areas where:</p> <ul style="list-style-type: none"> a) avoidance is not feasible; and b) where there are competing provincial and local objectives to achieve (i.e. MTSAs, SGAs). <p>Input from the agricultural community should be sought to ensure the application of spill policy outside of the Urban Area is appropriately applied to reduce the impact on agricultural objectives.</p> <p>Criteria needs to first establish how the hazard is mapped and assessed and consider what materials will be available for public/agency review in order to determine a base level of risk.</p> <ol style="list-style-type: none"> 1. When spills are mapped will the available mapping show low/med/high risk areas, or will a simple hazard overlay be applied? 2. Is risk mapping anticipated? Or will it be just the hazard-related component of the proposed risk equation that will be mapped? 3. Will CH regulatory mapping be updated to show spill areas? <p>Criteria for the spill characteristics should emanate from the technical work that maps them i.e. depth, velocity, source, and direction.</p> <p>The nature of spills (depth and velocity), level of impact, the potential for mitigation, off-site impacts, the sensitivity of the affected infrastructure and the existence of a safe ingress/egress are some examples of appropriate criteria to distinguish low flood hazards from high flood hazards.</p> <ol style="list-style-type: none"> 4. The spills policy should also consider equitable application to avoid the creation of a two-tiered system where restrictions apply in mapped spill areas but may not in areas where spills have not been mapped. 	<p>Staff's recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13 for more information.</p> <p>Public and stakeholder engagement on the draft spill flood hazard policies will include agricultural organizations and the agricultural community.</p> <p>The ability to characterize and map spills is critical for confirming a spill's source, potential for elimination or mitigation, as well as flooding extent, depth and flow velocity. Confirming these characteristics are necessary to differentiate spills from floodplains, as well as riverine from urban flooding. It also is critical for determining the areas within the spill that are considered hazardous and where CH's regulation would apply. A series of figures in the Policy Directions Report provides an overview of the steps CH takes to maps spills, refine the mapping, and identify the areas where its regulation applies.</p> <ol style="list-style-type: none"> 1. While CH flood hazard mapping studies will produce mapping that identifies varying flood depths, velocities and other characteristics for spills and floodplains, the current intent is to show flood hazards generally in CH's approximate regulation limit mapping available online. 2. CH studies typically only produce flood hazard mapping although information regarding risk factors such as flow depth and velocity is also generated. 3. Yes, spill flood hazards modelled and mapped through CH flood hazard mapping studies or other technical studies meeting regulatory standards will be reflected in CH's Approximate Regulation Limit mapping. 4. Mapping is required to practically implement fair and consistent policy decisions. Mapped spill flood hazards are regulated and development within the mapped areas will be subject to CH's spill flood hazard policies. In potential spill flood hazards that have not been mapped but are close to the regulated floodplain, CH will undertake a high-level assessment to confirm the likelihood of the spill occurring and may provide recommendations on how exposure to the flood risk could be reduced (e.g., no basement; design the site to convey flood waters away from buildings and underground parking
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	<p>5. What are the future resources that CH intends on expending to map spills across the entire watershed?</p> <p>6. Given the dynamic nature of spills and the continued evolution of the technology used to map them, should spill areas be evaluated more frequently than floodplains?</p> <p>7. How will existing spill mapping be updated/reassessed when upstream stormwater facilities are credited through future mapping exercises (ex. Roseland system)?</p> <p>Vulnerability should include assessment of risk to the proposed use, and the impact the proposed use might have on surrounding uses and the hazard itself. Population density (current and planned) for an area should also factor into a vulnerability and/or exposure assessment.</p> <p>Vulnerability may also include an assessment of the potential for economic impacts to a specific region (loss of function of agricultural lands, employment lands, supply chain disruption, etc.).</p> <p>Vulnerability should include the ability to mitigate site specific spills through various infrastructure improvements (traditional and LIDs) as well as traditional floodproofing and safety standards identified in S. 3.1.7 of the PPS.</p> <p>As population growth anticipated for Strategic Growth Areas will likely come from outside the Region and COB, vulnerability may also include an awareness component (i.e. societal memory of floods). The 2014 flooding event in COB remains at the forefront of the flood hazard and climate change discourse in COB, however new residents may not have this level awareness and could be more vulnerable as a result.</p> <p>In the assessment of overall risk, it may be prudent to first subcategorize factors as Hydrological factors (depth, velocity, system-state) and Human factors (governance, societal memory, engineering, population age, etc.). How the factors may fit into the provided equation can then be justified based on available data and technology; factors left out could form the basis for future investigation of risk.</p> <p>COB Staff understand the need to balance complexity of assessment with availability of resources; however, incorporating</p>	<p>entrances / access points without impacting adjacent lands; elevate 1st floor 300 mm above surrounding grade) but will typically not require an applicant to obtain a permit from CH. In limited situations where significant risk to life is a possibility, CH staff may recommend the proponent map the spill.</p> <p>5. CH's Floodplain Mapping Program will continue to update flood hazard mapping (floodplains and spills) across CH's watershed with a dedicated team over the next few years based on a work plan that has been shared with the Floodplain Mapping Advisory Committee for input and feedback.</p> <p>6. At this time, CH do not anticipate spill mapping will require more frequent updates than floodplain mapping; however, this will be monitored and future program workplans can be adjusted as necessary based on observations and municipal input. In addition to the watershed-based updates outlined in the response to Question 5, it is anticipated that updates to spill flood hazard mapping will occur through proposed elimination, reduction and alteration works by agencies and property owners.</p> <p>7. Existing spill mapping will be updated in the same fashion that existing floodplain mapping is updated through CH's Floodplain Mapping Program, with project initiatives supported by a Technical Advisory Committee and guided by a Project Charter. If a development or planning initiative has the potential to impact an existing mapped spill flood hazard, the development or initiative's proponent will be responsible for assessing potential impacts and updating the existing mapping, if necessary. With respect to Roseland Creek and the existing spill to the Rambo Creek system, CH anticipate studying the Roseland and Hager-Rambo systems concurrently as part of the Central Burlington Creeks Flood Hazard Mapping Study, currently scheduled to commence in 2023.</p> <p>The types of development set out in PPS Policy 3.1.5 such as institutional uses, essential emergency services and uses associated with hazardous substances are not permitted in hazardous lands (including spills).</p> <p>Through the public and stakeholder engagement component of its Floodplain Mapping Program, CH staff anticipate using a variety of</p>
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		socioeconomic vulnerability into flood risk assessment would provide a more complete picture of risk.	communication, education and engagement methods to raise awareness and involvement in its flood hazard mapping studies.
24	Central Lake Ontario Conservation Authority	In keeping with the requirements of the Provincial Policy Statement, we recommend that the ability to provide safe access be used as the determinative factor or threshold between one zone flood plain policy management and an approach where development interfacing with a flood plain spill may be permitted.	Recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13 for more information.
25	Credit Valley Conservation Authority	It is recommended that only one broad policy be established that has built-in flexibility to determine development feasibility based on hazard and risk. Establishing criteria is important to guide decision making, however having separate policies for low versus high flood hazard/risk spill areas may restrict creative options and opportunities (specifically in high risk areas), to resolve the hazard and mitigate the risk. Although it may leave a lot to interpretation, a more generalized policy covers many scenarios and is designed to find solutions.	Acknowledged. Please see response to Comment 23.
26	Jennifer Lawrence & Associates Ltd.	I would note that the discussion paper tends to focus on high and low risk spills and high and low vulnerability land uses however, there are moderate risk spills and moderate vulnerability land uses that should not be forgotten and should be permitted based on mitigation measures. Figure 5-2 in their paper identifies some such moderate risks -commercial and residential buildings with flood proofing for example.	Acknowledged. Please see response to Comment 23.
27	Lake Simcoe Region Conservation Authority	Yes, developments should be prohibited in high hazard/risk areas. More flexibility can be exercised in low hazard/risk areas if sufficient background information and analysis is provided. Potential criteria for defining low flood hazard include low flow depths (< 0.3 m?) and low flow velocities, subject to a review on proposed land use and/or obstruction to conveyance. It should be noted that the spills classification is based on available information at the time and may be subjected to change.	Acknowledged. Please see response to Comment 23.
28	Niagara Escarpment Commission	Different policies are implicit for the first question, although there is some contradiction in the question because low/high flood risk hazard areas (if this encompasses flood plains) exclude spill areas. If this is measuring low/high flooding vulnerability within spill risk modelling areas (which question 2 implies), then areas of higher risk would warrant different measures and therefore policy. Criteria for spill risk measurement would have some overlap with floodplain risk mapping (elevation in relation to watercourses/bodies and surrounding terrain (for example, areas behind a 100-year levee	Acknowledged. Please see response to Comment 23.

		but lower than the levee height, and valleys/gullies not associated with watercourses). In addition, other criteria can include ground and hard water absorption characteristics in urban, suburban and rural contexts, seasonal variation in these characteristics under drought and freezing conditions, water-wastewater infrastructure capacity limits and backflow controls, and seasonal precipitation/melt patterns along with peak precipitation intensity models (and directional trends inferred/modelled for climate change scenarios).	
29	Region of Halton	<p>Yes, it would be beneficial to have distinguishable policies for low versus high flood hazard/risk spill areas as this would account for varying land use contexts. Physical, economic, social, and environmental criteria could be considered, including the following:</p> <ul style="list-style-type: none"> • Economic cost of damage to buildings, personal property and infrastructure • Land use type (i.e., urban, rural, employment, institutional, recreational) • Scale and scope of development– i.e., low, medium, high density and existing uses/legal non-conforming uses) • Impacts to infrastructure (i.e., transportation, transit, servicing) capacity • Vulnerability and risk (i.e., existence of a safe access/egress and impacts resulting from climate change) • System-wide environmental constraints and impacts to Key Features of Halton's Natural Heritage System; • Criteria to address circumstances of conflict (i.e., where a growth related objective to achieve compact built form may have to supersede other matters). <p>An additional point here is re: Figure 5.2, and the notion of Social Vulnerability. There is considerable evidence to suggest that Social Vulnerability must be weighted much more heavily than other Vulnerabilities when determining the risks posed by flood hazards (Koks et al. 2015; Chakraborty et al. 2021). This might mean that if an area of new development may create a spill zone which impacts Built-Up Areas with high concentrations of Social/Demographic Vulnerability indicators, then this needs to be properly identified as significantly raising the risk level of that given spill area.</p> <p>Referring to the example within, a residential neighbourhood with high concentrations of Social Vulnerability represents just as much risk as the hospital with no ability to mitigate the spill. The hospital will know the conditions of its patients, have triage procedures, evacuation plans, and secondary-site transportation agreements in</p>	Acknowledged. Please see response to Comment 23.

		<p>place; vulnerable residents will not have those same supports in the immediate aftermath of a spill, and much more emergency response resources are required to respond to a neighbourhood of vulnerable residents than a full evacuation of a hospital. More generally, the risk tolerance should be considered very low for spills which may impact Built-Up Areas with high concentrations of Social Vulnerability.</p> <p>It may be prudent to establish criteria to characterize and map low versus high flood hazard/risk spill areas. This mapping can inform feasibility studies, vulnerability and risk assessments, as well as mitigation measures, for proposed projects, especially in areas where future growth can be accommodated through intensification and higher-density uses in the Urban Area, including in Strategic Growth Areas (i.e., MTSAs, Urban Growth Centres, Growth Corridors).</p>	
30	Town of Halton Hills	<p>The Discussion Paper should clarify CH's criteria for low vs high flow area. Is there a standard that the Ministry and/or CH uses to differentiate these areas? There are certain criteria for spills that should not be regulated:</p> <ul style="list-style-type: none"> • Since spills originate as weir flows, the head of the weir is a factor to estimate the flow. Thus, any spill with a head that is less than 0.3 m should not be regulated as it does not create a quantifiable risk. • Any spill areas with a 0.3 m depth of water should not be regulated as minimum stagnant ponding is easily mitigated through design solutions. • Any spills following the ROW or any designated roads with a depth of flow of 0.3 m should not be regulated. These are the typical criteria for municipal design as supported by the Ministry and their guideline. It is vital that future spills policies do not negatively impact municipalities' ability to maintain local infrastructure. <p>Future policies should establish different criteria for low vs high-risk spill areas where low-risk areas possess the characteristics starting from the conditions outlined above. Policies should be focusing on the elimination of spills based on controlling flood and potential risks to life and property as identified in technical studies. Area-specific policies for high-risk spill areas should be established in consultation with municipalities based on the risk/benefit approach (see a response for Question #4).</p>	<p>Acknowledged. The Province and conservation authorities do not have a single standard for differentiating high and low risk flood areas.</p> <p>A series of figures in the Policy Directions Report provides an overview of the steps CH takes to map spills, refine the mapping, and identify the areas where its regulation applies.</p> <p>CH's process for mapping regulated spills and then identifying higher and lower potential risk areas within the regulated area enables CH to consider implementing different regulatory policies depending on the nature of spill and the nature of the proposed development within the regulated spill. Understanding the source and characteristics of mapped/regulated spills is critical for informing where spill mitigation measures, such as infrastructure improvements, may be needed to address the hazard and unlock potential development opportunities. CH's mapping refinement process also confirms the hazardous portions of the spill where CH's regulation applies and the areas of urban or pluvial flooding where municipalities are responsible for managing.</p> <p>In regard to eliminating or altering spills, staff has recommended a policy direction to allow for the elimination of spills at or near their source through infrastructure improvements (e.g., crossing/culvert upgrades, changes to road profiles, grading), where specific criteria are met.</p>

			Staff has recommended a policy that would enable CH to develop area specific policies for areas that have undergone a comprehensive study supported by CH. Area specific policies would be based on the characteristics and risks associated with the specific spill.
31	Town of Milton	Yes, areas of concern or known flooding should be approached differently than areas with no known flooding or spill impact. Criteria that is similar in benchmarks/terminology amongst other industry documents should be a goal in distinguishing low vs high flood risks. This is to ensure consistency in ranking the hazards.	Acknowledged. The ability to characterize and map spills is critical for confirming a spill's source, potential for elimination or mitigation, as well as flooding extent, depth and flow velocity. Confirming these characteristics are necessary to differentiate spills from floodplains, as well as riverine from urban flooding. It also is critical for determining the areas within the spill that are considered hazardous and where CH's regulation would apply. The Province and conservation authorities do not have a single standard for differentiating high and low risk flood areas.
32	Town of Oakville	Oakville is supportive of CH establishing different policies pertaining to low vs. high flood hazard/risk spill areas. It is however, Oakville's opinion that eliminating low risk spill areas entirely from regulation should be considered and CH's roles be to provide advice/recommendations to landowners on mitigating their risks. High risk spill areas should consider current/future land use as it may not be necessary to regulate spill areas on agricultural lands, parklands, and other passive use lands. Oakville is in agreement with criteria such as flood depths, velocities, flood frequency and access and egress to establish high risk vs. low risk spills. Other criteria to be considered is potential for spill mitigation.	Acknowledged. Please see respond to Comment 30.

Question 4: Do the policy approaches presented in Section 5/Figure 5-3 cover the full range of policy approaches that could be taken to address development in spills? What other policy approaches could be considered? What policy approach is preferred and why?

	Stakeholder	Stakeholder Comment	CH Response
33	City of Burlington	A hybrid approach applying context specific policies is preferred. A risk-based approach would be preferred in strategic growth areas understanding that: o Avoidance may not be feasible in these areas.	Recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13for more information. Given the propensity for spills to occur along public right of ways, staff has recommended including policies to provide clarity for

		<p>o These areas generally represent where land use and infrastructure development will be focused broadening available approaches to mitigation.</p> <p>o There are competing provincial and local objectives in these areas that are tied to static infrastructure (transit, amenities). If certain growth objectives are impacted in these areas, growth would have to be shifted to areas where spills risk might be unknown.</p> <p>A risk-based approach similar to the existing approach to expansions/alterations of existing use/legal non-conforming uses within floodplain limits could be applied in the Urban Area, outside of Strategic Growth Areas where spills are known to occur (low-density residential).</p> <p>An approach specific to municipal infrastructure projects should be considered to clarify requirements for agency partners undertaking routine and large infrastructure projects alike.</p> <p>CH should consider creating a guidance document to guide applicants to complete technical studies.</p>	<p>municipally-initiated infrastructure and recreation projects that do and do not require formal CH permission in spills.</p> <p>As part of drafting policies, staff will also prepare a draft technical companion document to accompany the draft policies.</p>
34	Central Lake Ontario Conservation Authority	<p>We recommend that the degree of restrictive vs. permissive policy direction be bounded by the policy direction provided by Section 3 of the provincial policy statement, specifically Policy 3.1.2 c) and d) in order to provide for the greatest degree of alignment between Planning Act and Conservation Authorities Act in regulating development activity and land use change. The specific risk context associated with each individual spill area should be analyzed either by CH or a proponent through studies that are acceptable to CH within a policy framework established by CH for its watershed-wide jurisdiction.</p>	<p>Recommended spills policy direction aligns with this comment. Demonstration of safe access and egress is key factor to be met in addressing development in spills and ensuring alignment between PPS and CA Act regulations. Please refer to CH Board report CHBD 07 22 13 for more information.</p>
35	Credit Valley Conservation Authority	<p>CH has done a comprehensive review of policy options and Section 5/Figure 5-3 covers off the full range. In terms of what is preferred, CVC uses the Case-by-Case Risk Based approach and it has been successfully implemented over time in a variety of circumstances. As noted above, this policy approach puts emphasis on risk and recognizes the uniqueness of spill hazards depending on the site. In this regard, CVC staff support the use of this policy approach and recommend that CH strongly consider this option when creating the spill hazard policy.</p>	<p>Acknowledged. CH has an interim regulatory policy for development in spills, which enables staff to assess development on a case-by-case basis. This interim policy was put in place to allow staff time to develop and publicly engage on more robust policies that will address development within spills while enabling consistent and efficient review of development proposals in spills by staff. Under general and area-specific policies, a risk-based, flexible approach is recommended to address development in spill flood hazards.</p>

36	Jennifer Lawrence & Associates Ltd.	<p>CH has provided 4 options for spills policies in Figure 5-3 ranging from: (1) regulating spills in the same manner that they regulate flood plains (i.e., no new development and limited additions to existing development); (2) creating a jurisdiction wide CH spill policy; (3) area specific CH spill policy; and, (4) Case by Case CH Spill Policy (current approach)</p> <p>Based on my recent experience, I would strongly recommend against option 4. I also do not think it is appropriate to regulate spills in the same manner as flood plains (Option 1) - in my opinion and experience they are not the same and should not be treated the same in policy. My preference would be Option 3 however, given the number of spill areas that have been identified in CH's watershed, it will likely take a very long time to create specific policies for each area leaving proponents with the current interim spill policy in the meantime. In my opinion, this will be problematic and lead to excessive delays and confusion at a proponent level and opens the door to different interpretations by different staff members who are reviewing the projects on a case by case basis. I am not sure what the solution is other than CH committing to prioritizing the creation of specific policies for those areas that are under the most significant redevelopment pressure.</p>	<p>Recommended spills policy direction aligns with this comment. Staff has recommended a policy that would enable CH to develop area specific policies for areas that have undergone a comprehensive study supported by CH. Area specific policies would be based on the characteristics and risks associated with the specific spill. Please refer to CH Board report CHBD 07 22 13 for more information.</p>
37	Lake Simcoe Region Conservation Authority	<p>Yes. The "case-by-case CH spill policy" is preferred. The applicant is responsible for the background data collection, review, and analysis which reduces work by the CA. It also allows the greatest level of flexibility as spills come in different shape and sizes. However, flexibility can also decrease the clarity and consistency in policy interpretation. A clear internal guideline must be developed to ensure consistency through the review and approval process.</p>	<p>Acknowledged. Please see response to Comment 35.</p> <p>As part of drafting policies, staff will also prepare a draft technical companion document to accompany the draft policies.</p>
38	Niagara Escarpment Commission	<p>The approach in this hazard vs. risk matrix (5-2) and description of policy approaches doesn't cover the full range of scenarios or policies, but as an outline provides some sense of the continuum of broader policy vs. site-specific approaches. Presumably areas are being modelled for spill risk, will flag specific projects within those overall areas that are of higher spill-related flood risk and therefore subject to closer scrutiny, potentially warranting site-specific mitigation measures.</p>	<p>Acknowledged. Staff has recommended a policy that would enable CH to develop area specific policies for areas that have undergone a comprehensive study supported by CH. Area specific policies would be based on the characteristics and risks associated with the specific spill.</p>
39	Region of Halton	<p>The policy approaches presented in Section 5/Figure 5-3 seem to cover a good range of policy approaches to address development in spills. A combination of more than one of the policy approaches is preferred (i.e., a hybrid of the General Jurisdiction Wide and the</p>	<p>Acknowledged. Please see response to Comment 36.</p>

		<p>Area-Specific CH Spill Policy). The “General Jurisdiction Wide CH Spill Policy” can be applied consistently in all areas within the jurisdiction, and may therefore create less complexity. This policy approach also provides the opportunity to apply a hybrid approach of either a hazard/risk based approach (see response to question 2 above); differentiates between a floodplain and spill (see response to question 1 above); allows flexibility to permit some development – such as that to accommodate future growth in the Urban Area within areas prone to spills; and requires that a technical study(ies) be undertaken to support proposed development. However, this approach does not account for differences in local spill conditions, therefore integrating many of the approaches listed under the Area-Specific policy approach should be considered, especially in the Urban Area where avoidance of spills may not be feasible and where development permissions may need to be flexible to permit higher density uses and Regional infrastructure (i.e., transit) required to support growth objectives.</p>	
40	<p>Stonybrook Consulting & Urbantech Consulting on behalf of Milton Phase 4 (West) Landowners Group</p>	<p>It has been our experience that the nature of spills and approaches to their management vary considerably from site to site. A number of factors need to be considered when identifying spills and assessing appropriate management approaches including the amount of information available for delineation of spills, their location and extent, existing and future land uses, frequency and depth of flooding, velocities, and compatibility of alternative management approaches to planning and development of the affected lands. The approach to spill management could vary considerably depending upon these factors. As such, it is our opinion that the approach to spills policies should be a hybrid of spill policy approaches outlined in Figure 5-3 of the Discussion Paper to include a watershed-wide policy that permits some development and/or modifications in spill areas and allows for case-by-case study and determination of spill management recommendations on a risk-based approach. Policies should recognize that differing degrees of spill, and differing land uses in spill areas (i.e., current development and/or approved development permissions) warrant flexibility in policy approaches. Such an approach could include policy that:</p> <ul style="list-style-type: none"> a) acknowledges differing degrees of spill and conditions within spills; b) differentiates spills from floodplains and permits some development in spill areas on a risk-based approach; 	<p>Recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13 for more information.</p>

		<p>c) permits modifications to spill areas to eliminate or contain spills where feasible. This should be the preferred management approach in greenfield areas;</p> <p>d) requires site or area specific study and determination of appropriate spill management and development approaches on a case-by-case basis. These studies would be completed by the proponent or the municipality through the completion of MESPs, Development Area Functional Servicing Studies or Environmental Impact Studies; and</p> <p>e) outlines factors to be considered in case-by-case spill management studies.</p>	
41	<p>Stonybrook Consulting & Urbantech Consulting on behalf of Milton Phase 4 Trafalgar Landowners Group</p>	<p>It has been our experience that the nature of spills and approaches to their management vary considerably from site to site. A number of factors need to be considered when identifying spills and assessing appropriate management approaches including the amount of information available for delineation of spills, their location and extent, existing and future land uses, frequency and depth of flooding, velocities, and compatibility of alternative management approaches to planning and development of the affected lands.</p> <p>The approach to spill management could vary considerably depending upon these factors. As such, it is our opinion that the approach to spills policies should be a hybrid of spill policy approaches outlined in Figure 5-3 of the Discussion Paper to include a watershed-wide policy that permits some development and/or modifications in spill areas and allows for case-by-case study and determination of spill management recommendations on a risk-based approach. Policies should recognize that differing degrees of spill, and differing land uses in spill areas (i.e., current development and/or approved development permissions) warrant flexibility in policy approaches. Such an approach could include policy that:</p> <p>a) acknowledges differing degrees of spill and conditions within spills;</p> <p>b) differentiates spills from floodplains and acknowledges that some development is permitted in spill areas on a risk-based approach;</p> <p>c) permits modifications to spill areas to eliminate or contain spills where feasible. This should be the preferred management approach in greenfield areas;</p>	<p>Acknowledged. Please see response to Comment 40.</p>

		<p>d) requires site or area specific study and determination of appropriate spill management and development approaches on a case-by-case basis. These studies would be completed by the proponent or the municipality through the completion of Master Environmental Servicing Plans, Development Area Functional Servicing Studies or Environmental Impact Studies; and</p> <p>e) outlines factors to be considered in case-by-case spill management studies.</p>	
42	Town of Halton Hills	<p>Other approaches can include the application of the benefit/risk approach similar to a typical EA assessment.</p> <p>Further on that, in Pg. 13 it's stated, that "the existing Policy (aka the Policy with no spills) has been estimated to reduce the cost associated with on-going flood and natural hazard management including the cost associated with the operation and maintenance of flood and erosion control infrastructure by 20% to 80%." Application of the benefit/risk approach will help to crystalize the goal of the proposed regulation. When defining benefits, CH could clarify the extent to which the proposed new regulation will be able to reduce risks and further reduce costs associated with the operation and maintenance of public infrastructure from a practical perspective.</p> <p>Another option that should be considered would be to not regulate spills. Considering the limited direction from the Province on spills policies, there are a number of Conservation Authorities that have chosen to not regulate spills and address them through flexible approaches.</p> <p>A review of the specific policies being proposed is required to ensure flexibility and assess potential issues with implementation.</p>	<p>Acknowledged.</p> <p>Draft spills policies will be supported by rationale that will be shared for public and stakeholder review and feedback.</p> <p>Background information is provided in the Policy Directions Report on the steps CH takes to maps spills, refine the mapping, and identify the areas where its regulation applies.</p>
43	Town of Milton	<p>A more permission approach of distinguishing spills from floodplains and potentially permitting a broader range of development types in spills that have been characterized as low risk is preferred.</p>	<p>Acknowledged. Please see response to Comment 40.</p>
44	Town of Oakville	<p>An Area Specific CH Spill Policy would be Oakville's preferred approach given that it recognizes that spill areas are different from floodplains and policies can be tailored to the level of risk.</p> <p>A regulated allowance applied to spill areas should be removed from consideration as it would create additional lands to be managed and do not appear to provide any benefit from risk reduction perspective.</p>	<p>Recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13 for more information.</p> <p>As spills meet the definition of hazardous lands a regulatory allowance would not be required.</p>

		Policies should not eliminate the ability to mitigate spills through structural means (such as barriers and diversions) which in some instances are prohibited within floodplains.	
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Question 5: Should CH have different policies for different types of land uses in spills

	Stakeholder	Stakeholder Comment	CH Response
45	City of Burlington	<p>PPS S. 3.1.5 should be considered in the context of land uses on hazardous lands (flood hazard) which would prevent institutional uses, essential emergency service uses, and uses storing hazardous substances. COB New Official Plan (2020) policy 4.4.2 (3) (c) mirrors the PPS direction.</p> <p>Policies should consider how CH will approach infrastructure as a land use and form of development given the propensity for spills to occur along public ROWs. A stand-alone section in the policy dealing with infrastructure would provide clarity for City initiated infrastructure projects in known spill areas. This consideration could include what permissions/permits may be required, and what level of assessment may be required to justify the various types of infrastructure works that may be carried out in spills-prone ROWs, as noted above.</p> <p>The policies should be based on the level of hazard and the impact the hazard has on the land use and its inhabitants. Figure 5-2: Spill Risk Management Matrix is a good representation of the severity of spill hazard risk and vulnerability & exposure. The policies to regulate spills should follow the same variation and range.</p>	Recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13 for more information.
46	Central Lake Ontario Conservation Authority	Yes, in all instances, the land uses identified in Policy 3.1.5 of the Provincial Policy Statement, 2020 should not be located in spill areas, even if safe access and flood proofing measures can be provided.	Recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13 for more information.
47	Credit Valley Conservation Authority	It is recommended that CH apply similar restrictions related to sensitive land uses (i.e. nursing homes, childcare, hospitals etc.) as in floodplain policies when crafting a generalized risk-based spill hazard policy. Essentially, this would create a provision that forces extra consideration for sensitive uses, but also allows risk to be assessed (i.e. if it can be mitigated, removed etc.). Further, safe access should also be considered as per typical floodplain policies.	Recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13 for more information.

48	Lake Simcoe Region Conservation Authority	Yes, different land uses have varying level of risk tolerance.	Acknowledged.
49	Niagara Escarpment Commission	Yes, that is justifiable, given that broad categories of land use type warrant similar treatment within those categories that may overlap with, but are distinct from, those policy clusters for different types of land use (rural, suburban, urban, commercial/industrial, etc.)..	Acknowledged.
50	Region of Halton	It would be beneficial to consider different policies for different types of land uses in spills. Providing policy guidance for different land use types is important to account for the variation in vulnerability and risk that might be present depending on existing land use and conditions. The implications of spills in urban areas that can accommodate future growth – including the Built Up Area, Designated Greenfield Areas, and Strategic Growth Areas and supporting Regional infrastructure, including transportation and urban servicing -- may be different than the potential impacts in natural heritage or agricultural areas. It is also important to consider a different policy approach to recognize these land use differences because vulnerability and exposure factors can vary depending on development types (i.e., developed urban areas). Consideration should also be given to Section 3.1.5 of the Provincial Policy Statement (2020) in the context of essential emergency services uses as it could limit this uses in terms of redevelopment/expansions within spills. Further, there should be a discussion about the policy approach for municipal infrastructure projects and consideration on permissions that may be required to permit these projects.	Recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13 for more information.
51	Town of Halton Hills	See response for Question #2	See response for Question #2
52	Town of Milton	Yes. Land uses that have higher risk to life and property should be prioritized. (ie. hospitals, schools, etc)	Recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13 for more information.
53	Town of Oakville	Yes, policies should consider type of land use as indicated above. Spill areas, particularly in urban settings will undoubtedly include Regional and Municipal roads as often these areas are flow routes for spills and are often specifically designed as major overland flow routes for urban drainage systems. It is unclear from the discussion paper as to the benefit of proposing regulation on such municipal infrastructure. Nevertheless should these areas become part of the	Recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13 for more information.

		regulated extent, regardless of high risk vs. low risks. exemptions for obtaining CH permits for infrastructure works must be considered (i.e. infrastructure works such as road and sewer upgrades, SWM, watermains, telecommunications, etc.).	
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Question 6: Are there any other things CH should consider when developing new spills policies?

	Stakeholder	Stakeholder Comment	CH Response
54	City of Burlington	<p>Clarity should be provided on the wording chosen for the level of CH regulatory involvement in various circumstances. Existing and New COB OP policies utilize language that applicants/public seek CH permission in hazard areas. Section 28 of the CAA provides many language options in this regard, but specificity is sought regarding when CH will require a permit and when CH will not.</p> <p>The spill policy should also include the CH position on spill mitigation. Including but not limited to:</p> <ul style="list-style-type: none"> o Consider creating a list of dos and don'ts in the spill zones. o CH approach towards managing/altering spills by the property owners on their properties o Steps that could be taken to prevent spills or to redirect spills to reduce vulnerability and risk o A strategy to regularly update spill mapping if spills change as a result of grading changes on the property or due to infrastructure upgrades. o Develop a modeling approach that is consistent with the typical modeling convention and does not result in double-counting of spill flows in either a part of the channel where the spills rejoin the system or for the entire channel where spills permanently exit the flow regime. 	<p>Acknowledged. To clarify how CH maps spills, as well how it is determined what areas are subject to <i>Ontario Regulation 162/06</i> (i.e., what areas are regulated by CH) and CH's regulatory policies, an overview of the steps CH takes to maps spills, refine the mapping, and identify the areas where its regulation applies is included in the Policy Directions Report. Please refer to CH Board report CHBD 07 22 13 for more information.</p> <p>Staff will also prepare a draft technical companion document to accompany the draft policies.</p>
55	Central Lake Ontario Conservation Authority	Yes, policy direction for flood protection measures, including public infrastructure measures, such as road profile changes, that could be employed to either eliminate flood spill areas or reduce the severity of risk associated with them, should be considered for each identified flood spill area. Emphasis should be provided on reducing the spatial extent and risk associated with each spill area, wherever possible. Spill areas, which are riverine or lake-based, should also be analyzed in the context of urban flooding risk, where appropriate.	Recommended spills policy direction aligns with this comment. Please refer to CH Board report CHBD 07 22 13 for more information.
56	Credit Valley Conservation Authority	CVC staff recommend that CH develop guiding principles and criteria to help shape the policy, but also as an internal reference tool for staff to use when assessing various spill hazard scenarios.	Acknowledged. Staff will also prepare a draft technical companion document to accompany the draft policies.

		Essentially, the criteria should consider depths, velocities, distance of spill, and consideration of when to regulate. Solid criteria is necessary for informing decision making with transparency and consistency. CVC is developing a criteria document for internal use (we have shared a draft with CH) and we will pass along any refinements to the document as we work through this process.	
57	Lake Simcoe Region Conservation Authority	In addition to developing an internal review guideline mentioned in response #4, a clear guideline of minimum requirements for spills analysis (modelling software, level of hydraulic modelling, minimum data requirements, etc) will also be helpful to guide potential applicants. If the risk-based approach is selected, a clear definition of low/high (or low/medium/high) risk should be developed.	Acknowledged. Please see response to Comment 56.
58	Niagara Escarpment Commission	While mentioned by name, the implications of climate change for such hazard/risk modelling are not delved into in the discussion. For example, with the change implied, what influence does this have on floodplain hazard modelling, and if the delta is an increase in flood elevations and/or frequencies, what impact does this have on future expansion of floodplain hazard mapping into spill risk mapping (and therefore policy for areas now subject to higher spill risk, but potentially within future floodplain hazard areas). Our non-specialist understanding/presumption is of precipitation modeling based on a 'normal' (symmetrical) statistical distribution curve: if true, this may expose hazard or risk modeling to unknown levels of liability if the distribution curve is or becomes asymmetrical (whether by the nature of the patterns(s) like precipitation being observed, or due to a directional change in the event being observed). Similarly, it may be useful to examine the range of variables like water absorption as they exist now, and whether they are subject to change (and in what direction) under the presumption of climate change. These may be addressed in the technical modeling behind policy papers like this, but it would be useful to know whether they are being considered.	Acknowledged. CH's Floodplain Mapping Program is developing floodplain mapping guidelines that will be circulated in draft with opportunities for public and stakeholder engagement. The guidelines are anticipated to address incorporating climate change into flood hazard modelling and mapping until more detailed provincial guidance becomes available. The impact and implications of incorporating climate change adjustments to specific flood hazard limits, including policy implications, will be evaluated at the time of a flood hazard study.
59	Region of Halton	<p>The discussion paper provides a good background analysis as it pertains to the development of spills policies. Further discussion is necessary with regards to CH's role and responsibilities within integrated system for planning in Halton and the planning services in the context of Section 3.1 of the Provincial Policy Statement that is provided to the Region and Local Municipalities.</p> <p>A climate change lens and sustainable land use approach should be considered when developing spills policies. The efficient use of</p>	<p>Acknowledged.</p> <p>Draft spills policies will be supported by rationale that will be shared for public and stakeholder review and feedback.</p>

		<p>land and infrastructure can contribute to climate change resilience through identifying areas where compact built form and an appropriate capacity of urban services can support both existing communities and future growth. Climate change considerations should be considered in terms of mitigation measures or management measures to address potential risk and vulnerabilities of Regional buildings and infrastructure to spills and to ensure resilience of these systems to climate change impacts. For example, infrastructure to contain and drain spills, nature based solutions, stormwater management, planning low impact development, and green infrastructure.</p> <p>The spill policy should also consider the development of an implementation guidance document that would provide direction and assist landowners understand what can occur within spills for existing Built-Up Areas and on Agricultural and Rural Lands.</p>	
60	Town of Halton Hills	<p>No setbacks or allowances should be associated with spills.</p> <p>There is a need to clarify how the regulation of spills and proposed policies are going to impact future Secondary Plans and ongoing Studies.</p> <p>What are the impacts of having policies for spills on future intensification/ densification development? This should be clearly communicated as most growth in Halton is projected to be within the built-up area.</p>	<p>As spills meet the definition of hazardous lands a regulatory allowance would not be required.</p> <p>Staff has recommended a policy that would enable CH to develop area specific policies for areas that have undergone a comprehensive study supported by CH. Area specific policies would be based on the characteristics and risks associated with the specific spill. Please refer to CH Board report CHBD 07 22 13 for more information.</p>
61	Town of Milton	No additional comments at this time.	Acknowledged.
62	Town of Oakville	<p>A decision on how to manage or regulate spills should also consider available resources (for example staffing resources). Has CH considered their ability to effectively deliver a Spill Hazard Risk Management program under current resources and maintain existing floodplain management priorities based on the estimate of additional regulated area that spills would contribute?</p> <p>Roles and responsibilities between the municipality and CH need to be clearly defined in regards to technical review of development within spill areas. For instance, flood proofing measures, who will be responsible for reviewing such aspects. Note that municipalities (i.e. Oakville) are likely not equipped to review such details.</p>	<p>Acknowledged.</p> <p>Detailed spills policies will provide the public and stakeholders with greater certainty and transparency on CH's requirements for developing in spills and enable consistent and efficient review of development proposals in spills by staff.</p> <p>Draft spills policies will be supported by rationale that will be shared for public and stakeholder review and feedback along with a draft technical companion document to clarify CH's technical requirements for reviewing development proposals in spills.</p>

General Comments

	Stakeholder	Stakeholder Comment
63	City of Burlington	<p>The discussion paper represents a good step in the policy formulation process for a hazard type that as lacked definition in Ontario land use planning. Collecting all the research and practices into one place helps the reader in understanding the broader context of spills as flood hazards.</p> <p>The spills policy formulation has the potential to impact concurrent work focused on planning for Major Transit Station Areas (MTSAs); both from a growth and hazard perspective.</p> <p>Mapping spills and formulating an efficient policy approach is supported by COB Staff in the effort to protect life and property and to address the impacts of a changing climate.</p> <p>COB Staff have a good working relationship with CH staff and intend on remaining involved as the policy formulation and engagement process evolves.</p> <p>COB Staff look forward to reviewing the draft policies that may emanate from this discussion paper and providing feedback as applicable.</p>
64	Central Lake Ontario Conservation Authority	<p>Flood Plain Spill Areas General Principles / Commentary:</p> <p>Spill areas, absent fulsome analysis, represent increased uncertainty with respect to the flood risks present in the community, to landowners, residents, and the conservation authority's regulatory jurisdiction, which may be avoided through further analysis.</p> <p>While sometimes necessary due to the limitations associated with flood plain mapping studies, the identification of spill areas on flood plain maps should be avoided wherever possible by expending the resources necessary to define a flood plain to its full spatial extent.</p> <p>Identification of undefined spill areas in urban areas with concentrations of people and development is especially problematic given the inherent risks from flooding to people and property and should be prioritized for further analysis.</p> <p>There is a broad variation in the hydraulic and spatial characteristics in flood spill areas and resultant risks.</p> <p>Prioritization of spill area studies should take place followed by detailed characterizations, which should lead to a comparative assessment of risks followed by a policy approach that is grounded in provincial natural hazard management policy and the specific risk context associated with each individual spill area.</p> <p>Unless safe access pursuant to provincial standards can be assured through acceptable analysis, spill areas, once defined, should be managed as one zone flood plains pursuant to the Provincial Policy Statement, 2020, Policy 3.1.2 c) and d).</p>
65	Credit Valley Conservation Authority	<p>Thank you for providing us with an opportunity to review the Conservation Halton (CH) Spill Flood Hazard Policy Review and Update Discussion Paper. CVC staff have reviewed the document and generally find that the discussion paper outlines the issues of spills flood hazard comprehensively and accurately identifies the various challenges associated with the management of these hazards and policy implications.</p>

		<p>As you are aware, CVC assesses spill flood hazards (or 'spills') by a risk-based approach recognizing the various challenges associated with spills including accurately defining depths, velocities, extent of spill, whether it returns to the system, and if the risk can be mitigated. Additionally, up-to-date mapping is key and may not be available for all watercourses, therefore the approach is applied case by case giving some flexibility as warranted. When managing spills, the main focus should be understanding if the risk can be mitigated. Once this baseline is understood then subsequent assessment takes place to determine if the development can proceed and what mitigation is necessary and/or applicable.</p> <p>Based on the variety of challenges, CVC has implemented a broad and flexible policy to address spill hazard in the watershed. With that in mind, staff have reviewed the questions in the discussion paper and provide the following responses for your consideration.</p>
66	Jennifer Lawrence and Associates Ltd.	<p>The discussion paper provides an excellent overview of CH's regulatory responsibilities and the historic challenges related to regulating spill areas;</p> <p>I have recently been involved in a few projects within existing urban areas where the current interim spill policy has created a lot of additional work for the landowner, some confusion and angst. Under the current interim policy, each proposed development within a spill area is assessed on a case by case basis with all of the burden falling on the landowner to undertake additional studies to satisfy sometimes vague requirements. This results in a lot of additional time and uncertainty in the process as proponents are tasked with fairly expensive studies without even knowing whether the studies will demonstrate that their proposed development is feasible from a policy perspective (since there is not a specific policy to evaluate it against); ...</p> <p>... Any policy that is created should be clear, easily understandable and provide specific study requirements so that there is no ambiguity in the approvals process; ...</p> <p>... One of the biggest concerns is that some of the spills are within areas that have been approved at a Provincial level for significant intensification (i.e., the lands surrounding the Oakville and Burlington GO Stations for example). Property has been purchased in this area (pre-spill mapping) and policies have been created at the municipal level to facilitate the provision of significant density, etc. to achieve Provincial targets. It will be important to be mindful of the ripple effect that the spill policy approach will have on areas like this and perhaps provide for an acknowledgement and flexibility in approach to these areas given the significant time and resources that have been invested at an agency and landowner level.</p>
67	Mississaugas of the Credit First Nation - DOCA	The MCFN has no comments regarding the Spill Flood Hazard Policy Review & Update Discussion Paper at this time
68	Nottawasaga Valley Conservation Authority	<p>Further to our discussion yesterday regarding Halton's spill policy development, please find below the links to the Town of Collingwood's Official Plan (OP). Section 3.9.3 of the OP speaks to the Pretty River 2 Zone. Please advise on any questions or information needs on this matter.</p> <p>https://www.collingwood.ca/building-business/land-use-planning-services/official-plan https://www.collingwood.ca/sites/default/files/uploads/documents/1officialplanupdatedjan2019_0.pdf</p>
69	Stonybrook Consulting & Urbantech Consulting on behalf of Milton	We are writing on behalf of the Milton Phase 4 (West) Landowners Group (MP4 West Group) who own a substantial portion of the Britannia West Secondary Plan area in Milton. The attached figure illustrates the location of the Britannia West Secondary Plan area that lies within an approved Settlement Area.

	Phase 4 (West) Landowners Group	<p>On behalf of the MP4 West Group, Stonybrook Consulting Inc. and Urbantech have reviewed Conservation Halton's "Spill Flood Hazard Policy Review and Update Discussion Paper" (March 2022) and are pleased to provide the following comments on this paper. Over the past several decades, Urbantech and Stonybrook have had experience with spill management within CH's jurisdiction as well as other Greater Toronto Area (GTA) conservation authority watersheds.</p> <p>The Britannia Secondary Plan area lies within an approved Settlement Area. The Town of Milton is preparing a Secondary Plan for this new residential community. Should spills exist within the Britannia Secondary Plan area, they would have to be appropriately managed to accommodate future land uses and address flood risk. Floodplain mapping will be finalized as part of the Britannia West Master Environmental Servicing Plan (MESP) being prepared in support of the Secondary Plan for this area.</p> <p>Conservation Halton has an interim spill policy and a review of the interim policy is underway with the intent to prepare spill policy recommendations to CH's Board of Directors for approval in the fall of 2022. The Discussion Paper includes background information on spills, and overview of spill hazard approaches in other jurisdictions, potential risk management and policy approaches, next steps in the policy review and questions for feedback from this consultation process.</p> <p>On behalf of the MP4 West Group, we are providing the following comments for your consideration as you draft updated spill management policies. These comments focus on policies related to spill management in greenfield development. We acknowledge that differing or additional policies may be warranted in spill areas in existing built-up areas ...</p> <p>... In future development areas, a no development approach to spills could unintentionally sterilize large areas excluding them from development, resulting in an unnecessary decrease in housing supply. Subwatershed studies prepared in support of development include floodplain mapping, but typically do not have enough data at the level of detail required to accurately delineate spills; delineation and management is addressed when more information is available with respect to development planning at a local level. We have seen several circumstances, including on the MP4 West lands, where spill areas identified at the SWS level do not exist when more detailed assessments are completed. A no development policy identified early in the development process based on preliminary spill assessments could result in unintended or inaccurate spill delineation that places limits on development and affects the efficient use of land in developing areas.</p> <p>Areas with current planning approvals but not yet developed would be negatively affected by a no development policy when the implementation of various management measures identified through site specific studies could eliminate or contain spill areas. Some spills are a result of man-made infrastructure where improvements could be made to reduce or eliminate spills. We suggest that policies should identify the objective to eliminate/contain spills as a preferred management approach.</p> <p>Case-by-case studies would address delineation and characterization of spills, works to eliminate or contain spills, identification of potential land uses in spills that remain and appropriate flood hazard mitigation measures, and hydraulic analyses of offsite impacts. Other policy considerations include:</p> <ul style="list-style-type: none"> • The Discussion Paper summarizes policy approaches from several other conservation authorities in the Greater Toronto Area (GTA). Current policy approaches in other CAs provide flexible and guiding policies that allow for case-by-case assessments and determination of appropriate approaches based on local factors. • Spill management principles should be similar between various conservation authorities in the GTA. Over the past many years, there have been many initiatives to provide coordination and consistency across various conservation authorities including content and implementation of CA regulations, sharing and/or collaboration on guidance documents, etc. Differing spill management principles between CAs are not supported by the MP4 West Group. • Policy approaches may vary for spills containing existing development and spill areas that are not currently developed but are planned for future development uses.
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		<ul style="list-style-type: none"> • Use of 2D hydraulic models are supported to more accurately delineate spill limits and characteristics.
70	<p>Stonybrook Consulting & Urbantech Consulting on behalf of Milton Phase 4 Trafalgar Landowners Group</p>	<p>We are writing on behalf of the Milton Phase 4 Trafalgar Landowners Group (Trafalgar Group) who own a substantial portion of the Trafalgar Secondary Plan area in Milton. The attached figure illustrates the location of the Trafalgar Secondary Plan area. DSEL, J. F. Sabourin & Associates and Stonybrook Consulting Inc. have reviewed the “Spill Flood Hazard Policy Review and Update Discussion Paper” (March 2022) and are pleased to provide Conservation Halton with the following comments on this paper. Over the past several decades, all three companies have had experience with spill management within CH’s jurisdiction as well as other Greater Toronto Area (GTA) conservation authority watersheds.</p> <p>Not unlike other areas in watersheds within the Conservation Halton’s jurisdiction, some spills exist within and adjacent to the Trafalgar Secondary Plan area. As you may know, the Trafalgar Secondary Plan lies within an approved Settlement Area. The Secondary Plan was adopted by Town Council in March 2019 and final approval of the Secondary Plan from the Region of Halton is imminent. Spills exist within the Trafalgar Secondary Plan area as defined by the Milton Urban Expansion Area Subwatershed Study (2021). These spill areas must be appropriately managed to accommodate future land uses and address flood risk. Analyses to address spill management recommendations are underway as part of the Master Environmental Servicing Plan being prepared in support of the Tertiary Plan for this area.</p> <p>Conservation Halton has an interim spill policy and a review and updates to the interim policy are underway with the intent to prepare spill policy recommendations to CH’s Board of Directors for approval in the fall of 2022. The Discussion Paper includes background information on spills, and overview of spill hazard approaches in other jurisdictions, potential risk management and policy approaches, next steps in the policy review and questions for feedback from this consultation process.</p> <p>On behalf of the Trafalgar Group, we provide the following comments for your consideration as you draft updated spill management policies. These comments focus on policies related to spill management in greenfield development. We acknowledge that differing or additional policies may be warranted in spill areas in existing built-up areas ...</p> <p>... In future development areas, a no development approach to spills could unintentionally sterilize large areas excluding them from development resulting in an unnecessary decrease in housing supply. Subwatershed studies prepared in support of development include floodplain mapping, but typically do not have enough data at the level of detail needed to accurately delineate spills; delineation and management is addressed when more information is available with respect to development planning at a more local level. We have seen several circumstances where a spill area may be identified at the SWS level but does not exist when more detailed assessments are completed. A no development policy identified early in the development process based on preliminary spill assessments may result in unintended or inaccurate spill delineation that places limits on development and affects the efficient use of land in developing areas.</p> <p>Areas with current planning approvals but not yet developed would be negatively affected by a no development policy when the implementation of various management measures identified through site specific studies could eliminate or contain spill areas. Some spills are a result of man-made infrastructure where improvements could be made to reduce or eliminate spills. We suggest that policies should identify the objective to eliminate/contain spills as a preferred management approach.</p> <p>Case-by-case studies would address delineation and characterization of spills, works to eliminate or contain spills, identification of potential land uses in spills that remain and appropriate flood hazard mitigation measures, and hydraulic analyses of offsite impacts.</p> <p>Other policy considerations include:</p>

		<ul style="list-style-type: none"> The Discussion Paper summarizes policy approaches from several other conservation authorities in the Greater Toronto Area (GTA). Current policy approaches in other CAs provide flexible and guiding policies that allow for case-by-case assessments and determination of appropriate approaches based on local factors. Spill management principles should be similar between various conservation authorities in the GTA. Over the past many years, there have been many initiatives to provide coordination and consistency across various conservation authorities including content and implementation of CA regulations, sharing and/or collaboration on guidance documents, etc. Differing spill management principles between CAs are not supported by the Trafalgar Group. Policy approaches may vary for spills containing existing development and spill areas that are not currently developed but are planned for future development uses. Use of 2D hydraulic models are supported to more accurately delineate spill limits and characteristics
71	Town of Halton Hills	<p>As mentioned during the Floodplain Mapping Advisory Committee meeting on March 23, 2022, Town staff would kindly request that Conservation Halton staff provide a presentation regarding this program to our local Council. Although two Councillors are part of CH's Board of Directors, it is crucial for all local Councillors to learn about this program, its implications for the Town and potential impacts on future intensification, greenfield development, and capital works. Halton Hills Council has the following upcoming Council dates: May 24, June 13, and July 4, 2022. Town staff would be happy to coordinate with CH's staff to arrange the Council presentation based on your availability.</p> <p>As CH staff are aware, the Town of Halton Hills is located within the jurisdiction of three different Conservation Authorities: Credit Valley Conservation, Conservation Halton, and the Grand River Conservation Authority. Conservation Halton's ability to identify spills by 2D models as part of the floodplain mapping program is supported in principle by the Town of Halton Hills. This information would be beneficial to the agencies when completing internal reviews and analyses of site-specific development applications and to plan for emergency and capital works. Overall, the Town of Halton Hills encourages a flexible policy approach to address spills which aligns with the approaches of CVC and GRCA.</p> <p>In general, the discussion paper could expand on the analysis of the nature of spills, spill mitigation and weighted risks/benefits, as clarified below. We look forward to working with CH in developing an appropriate and balanced policy approach to address spills in Halton Hills while satisfying Provincial direction.</p>
72	Town of Milton	<p>Page 10 – last paragraph: We agree with the distinction made between 'riverine flood hazards' and 'urban flooding'</p> <p>Page 11 – last paragraph: snow banks/drifts in the winter can also be a barrier</p>

Other questions directed to CH

	Stakeholder	Stakeholder Comment	CH Response
74	Central Lake Ontario Conservation Authority	<p>New technology may enable modelling of spills (example: through 2 Dimensional models coupled with GIS technology). New standards will need to be set for determining situations where new technologies are appropriate, as well as model conditions:</p> <ol style="list-style-type: none"> What additional benefits does the 2D modelling assessment provide in the way of accuracy over the 1D modelling and has 	<ol style="list-style-type: none"> 2D modelling has been valuable in understanding large and complex spill pathways, particularly in instances where flow direction is not clear, or where there are rapid changes in flow direction, such as at adversely angled confluences. CH has assessed differences in predicted floodplains based on 1D, coupled 1D/2D, and fully 2D models at a number of localized areas across our jurisdiction, including in rural and urban

	<p>any verification of 2D models been conducted at CH to support the use of 2D modelling results?</p> <ol style="list-style-type: none"> Are 2D models less conservative than traditional floodplain modelling? Will non-steady state modelling or storage considerations be acceptable for spill modelling? Will spill flow be quantified and removed from the primary floodplain model? If it enters another watershed, will it be added to that floodplain model? Is it CH's intent to update existing regulatory floodplain models to include flood spills, or have 2 sets of models, one for managing the floodplain and one for spills? Would spill models account for available 'storage' in the watershed such as SWM facilities, storage behind embankments, wetlands, and low lying areas? Would it be acceptable to prevent a flood spill through earthworks to block the floodplain? 	<p>settings. Where data is available, we have compared the results of 2D spill analysis to past flooding events and have found good agreement, allowing for a good base model before addressing storage/flow attenuation upstream of structures in alignment with Provincial guidelines.</p> <ol style="list-style-type: none"> CH staff cannot make a conclusive statement as to whether 2D models are more or less conservative. Where 1D models provide reasonable results, we have found that in certain circumstances 2D modelling predicts lower flood elevations by comparison while in other circumstances they predict higher flood elevations or identify additional areas that flood. 2D modelling has identified spills in areas where spills were not previously predicted by the 1D model - particularly where historical hardening/anthropogenic change has resulted in adversely aligned confluences or sharp bends within the constructed valley system. We've also identified areas where 2D modelling has generated minor but near universal increases in floodplain elevation as compared to the 1D model. This may be attributable to a multitude of factors including increased roughness effects in areas of shallow overland flow, recognition of energy losses associated with transverse flows and turbulence, increased resolution of terrain data, terrain data that has not been hydrologically re-enforced to pick up effects of driveway culverts, etc. CH has identified areas where steady-state modelling techniques would generate infeasible floodplain limits (e.g. flood volume associated with a backwater area exceeds the available runoff volume) when applying both 1D and 2D modelling techniques. In these instances, non-steady state modelling or modified modelling and/or mapping techniques are required. CH has looked into ways to replicate MNRF guidance related to crediting and not crediting spills and accounting for storage within a 2D model scenario, and applies differing approaches based on the spill flood hazards sensitivity to flood volumes. Where spills leaving the system meet the requirements of the MNRF Technical Guide, downstream flows will be reduced. In all other cases, spill flows will be maintained downstream. When floodplain mapping for receiving systems is updated, the hydrograph associated with significant spills entering the system will be added to the receiving system's hydrologic
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			<p>model to confirm changes in peak flow, and subsequently incorporated into the updated floodplain model.</p> <p>5. We intend to model and map significant spills as part of current and future flood hazard mapping studies. 1D modeling will typically be used for floodplains and 2D models will generally be applied to define the spill flow pathways. Both the 1D and 2D models become regulatory models, and where the two models overlap, the model deemed most appropriate would govern establishment of the floodplain.</p> <p>6. Current 2D spill modelling being developed by CH does not generally recognize storage associated with embankments within the riverine valley system or within SWM ponds, but may recognize and allow for storage along the spill pathway that is outside the riverine valley. CH studies have applied a suite of tools to limit crediting of anthropogenic storage within the riverine valley - including use of a quasi-steady state model, adjusting flow hydrographs downstream of riverine crossings, adjusting terrain to fill in SWM ponds, etc. Treatment of storage associated with wetlands and low-lying areas would be dependent of how these features were accounted for within the hydrologic model, to ensure storage effects are not 'double-counted'.</p> <p>7. CH envisions including policies that would allow for eliminating spills in certain circumstances, with the level of study required dependant on the nature of the spill and the proposed works.</p>
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REPORT TO: Conservation Halton Board of Directors

REPORT NO: # CHBD 07 22 12

FROM: Kellie McCormack, Director, Planning & Regulations

DATE: November 17, 2022

SUBJECT: **Proposed re-development of 2082, 2086, 2090 James Street, City of Burlington**
Site Plan Application 535-007/20

Recommendation

THAT the Conservation Halton Board of Directors **approves site-specific permit requirements to allow for the redevelopment of 2082, 2086, 2090 James Street, City of Burlington.**

And

THAT the Conservation Halton Board of Director **directs staff to issue a permit for the proposed construction of a new multi-unit residential building and associated driveway/walkways, retaining walls, underground parking structure, grading and watercourse alteration within the erosion and flooding hazards and related allowances associated with Lower Rambo Creek if all requirements are met.**

And

THAT the Conservation Halton Board of Directors **receives the Staff report entitled “Proposed re-development of 2082, 2086, 2090 James Street, City of Burlington” (CHBD 07 22 12).**

Executive Summary

In March 2018, the City of Burlington received applications for an Official Plan Amendment (OPA) and Zoning Bylaw Amendment (ZBA), and in April of 2020 a Site Plan application (the “Development Applications”), to re-develop a site located at 2082, 2086 and 2090 James Street, Burlington (the “Subject Property”). The applicant is proposing a new multi-unit residential building and associated driveway/walkways, retaining walls, underground parking structure, grading and watercourse alteration within the erosion and flooding hazards and related allowances associated with Lower Rambo Creek.

The circumstances related to the above-referenced proposal/site are unique in that:

1. the Development Applications were submitted prior to:
 - a. the finalization of the City of Burlington’s Phase 1 Flood Hazard and Scoped Stormwater Management Assessment, which revealed that the extent of the flood hazard in the Lower Rambo watershed is greater than previously understood;
 - b. the change in regulatory status of the Lower Rambo watershed, following the City’s study, which brought the subject property into CH’s regulated area;

2. the Rambo Creek system is heavily engineered, urbanized, and degraded (i.e., creek is piped for several kilometres upstream, invasive riparian corridor and existing hardened banks) and was historically managed as municipal drainage; and
3. the Development Applications have all been approved by the Ontario Land Tribunal (OLT). At the time of the approval of the OPA and ZBA, CH did not regulate the subject property.

The scenario raised by the proposed development for the site is not contemplated within CH's current policy framework and is one that CH staff believes has not previously been encountered by CH. However, the applicant has demonstrated that the tests under the *Conservation Authorities Act* (i.e., the control of flooding, erosion, pollution, and conservation of land) can be met which could allow this OLT approved development to proceed, provided that the works are permitted by the Board. Since CH staff can only issue permits that meet CH's Board-approved regulatory policies, any policy exception requires Board of Directors' approval.

Report

Background

Regulatory Status of Lower Rambo Creek Watershed

On October 21, 2021, staff presented a report to the Conservation Halton (CH) Board of Directors regarding a change to the regulatory status of the Lower Rambo Creek and associated hazards (CHBD 07 21 06). As part of the City of Burlington's Downtown Re-examination Study, the City undertook a Phase 1 Flood Hazard and Scoped Stormwater Management Assessment. The study revealed that the extent of the flood hazard in the Lower Rambo watershed is greater than previously understood. Although the limits of the flood hazards are subject to further refinement through a Phase 2 study, and the mapping has not yet been approved by the Board, the Phase 1 study is considered the best available information for understanding the magnitude and extent of the hazard, assessing potential risk to life and property, identifying areas requiring further analysis, and/or decision making when development is contemplated in hazardous areas.

Based on the Phase 1 study findings, the characteristics of the watershed, and the text of *Ontario Regulation 162/06*, any areas within the Lower Rambo watershed that meet those described in the regulation, are considered regulated by CH. This includes the flooding and erosion hazards associated with Lower Rambo Creek, as well as an associated 7.5m regulatory allowance. CH provided notification to the public of the change in regulatory status in the Burlington Post and on CH's website on November 18, 2021. CH staff supported City staff and their consultants through the review and development of the Phase 2 study and is awaiting a finalized copy of that study before undertaking additional public engagement.

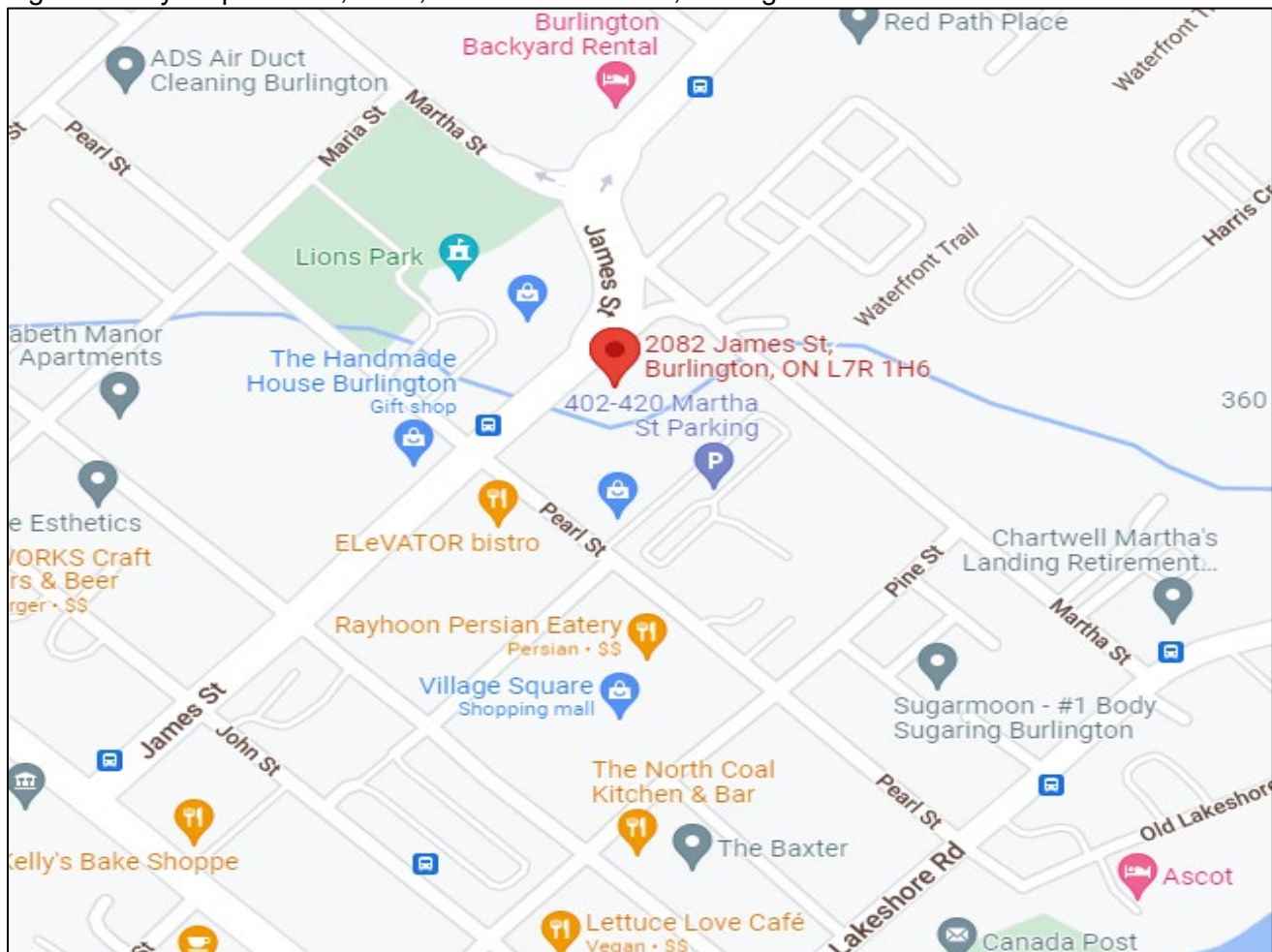
Subject Property

The Subject Property is located at 2082, 2086 and 2090 James Street, Burlington (Figure 1). The site is approximately 0.234 hectares in size and is currently vacant. The surrounding neighbourhood is comprised of mostly multi-residential properties. The City of Burlington's Waterfront Trail runs to the southeast of the site.

Rambo Creek runs along the western and southern side of the site. Rambo Creek was previously managed as part of the municipal storm drainage system. The watercourse and associated valley are highly engineered, urbanized and degraded in this corridor, as it is piped for several kilometres upstream, contains invasive vegetation, and has hardened banks.

The Subject Property is traversed by Rambo Creek and contains the flooding and erosion hazards associated with this watercourse. As noted in the above section, any areas within the Lower Rambo watershed that meet those described in the regulation, are considered regulated by CH. This includes the flooding and erosion hazards associated with Lower Rambo Creek, and the associated 7.5m regulatory allowance.

Figure 1: Key Map of 2082, 2086, 2090 James Street, Burlington



In March 2018, the City of Burlington received applications for an Official Plan Amendment (OPA) and Zoning Bylaw Amendment (ZBA), and a Site Plan application in April 2020, to re-develop the Subject Property.

Figure 2: Site Plan



Appeals to the Ontario Lands Tribunal

The above-referenced applications were appealed to the Ontario Lands Tribunal (OLT) on February 26, 2020, for lack of decision by the City of Burlington. At the time of application and appeal, Lower Rambo Creek south of the diversion channel was not considered regulated under the *Conservation Authorities Act* and was considered part of the municipal storm drainage system. As such, CH staff's review and comments were limited to advisory feedback provided through the Memorandum of Understanding (MOU) with the Region of Halton and the City. When the *Planning Act* applications were appealed, CH did not seek party status as the properties were not considered regulated at that time (i.e., the City of Burlington's Phase 1 Flood Hazard and Scoped Stormwater Management Assessment had not been completed at that time). The applicant, City of Burlington, and Region of Halton, entered into a settlement agreement and the OLT approved the OPA and ZBA in May 2021.

Following the settlement, CH received a Site Plan re-submission for review. CH provided comments on the Site Plan Application (535-007/20) on September 24, 2021. In this letter, CH staff advised the applicant of the recent change in regulatory status and confirmed that CH's regulatory policies do not contemplate the proposed development scenario. The applicant was notified that approval from the CH Board of Directors would be required and that for staff to recommend approval, it would have to be demonstrated that the tests of CH's regulation were met.

On January 12, 2022, CH staff recommended deferral of the Site Plan application to the City and applicant. However, CH staff advised that if the City and applicant wished to proceed with Site Plan approval at the final OLT Hearing in late January 2022, we recommended a condition of Site Plan approval include a requirement for the applicant to obtain a CH permit prior to development. The OLT conditionally approved the Site Plan application, including a condition to receive a CH permit, on January 28, 2022.

Policy Review

CH has regulatory policies that allow for replacements of existing buildings or structures in a valley or additions to that are minor in nature, subject to conditions (CH Policy 2.37). CH also has regulatory policies that allow for replacements and relocations of existing buildings and structures, as well as minor additions, within the floodplain subject to conditions (CH Policy 2.22). Non-habitable accessory structures, parking lots, and stormwater management facilities are also permitted within floodplains, subject to conditions. However, given that the subject site is currently vacant, and the works are considered new development not redevelopment of existing uses, this scenario is not contemplated within the current policy framework. Since CH staff only have delegated authority to issue permissions for works that meet CH's Board approved regulatory policies, Board of Director approval is required for any policy exception. The applicant is seeking an exception to CH's regulatory policies to enable CH staff to issue a permit for the proposed development, which is a condition of their OLT approved Site Plan Application.

The circumstances related to the above-referenced proposal/site are unique in that:

1. the Development Applications were submitted prior to:
 - a. the finalization of the City of Burlington's Phase 1 Flood Hazard and Scoped Stormwater Management Assessment, which revealed that the extent of the flood hazard in the Lower Rambo watershed is greater than previously understood;
 - b. the change in regulatory status of the Lower Rambo watershed, following the City's study, which brought the Subject Property into CH's regulated area;
2. the Rambo Creek system is heavily engineered, urbanized, and degraded (i.e., creek is piped for several kilometres upstream, invasive riparian corridor and existing hardened banks) and was historically managed as municipal drainage; and
3. the Development Applications have all been approved by the Ontario Land Tribunal (OLT). At the time of the approval of the OPA and ZBA, CH did not regulate the Subject Property.

Considering the above, staff has worked with the applicant to confirm if the regulatory tests set out in the *Conservation Authorities Act* (i.e., "the five tests") could still be met, as the development scenario is not contemplated within CH's current policy framework.

The five tests of the *Conservation Authorities Act* include the control of flooding, erosion, dynamic beaches, pollution, and conservation of land. The applicable tests for this site are listed below, as well as the general criteria used to demonstrate that the test is met.

Control of Flooding and Control of Erosion

- Flooding and erosion risks have been mitigated so that there is no increased risk to life and property.
- Vehicles and people can safely enter and exit the site during times of flooding or erosion.
- Neighbouring properties will not be negatively impacted by development.

Control of Pollution

- No adverse impacts on regulated features by contaminants generated by development (i.e., development will not increase sedimentation in watercourse).

Conservation of Land

- No adverse environmental impacts to existing natural features by development (e.g., soil disturbance and impacts to valley vegetation are mitigated).

In addition to the above, staff has reviewed the proposal based on CH's delegated responsibilities to represent the Provincial interest on the natural hazard policies of the Provincial Policy Statement (i.e., Sections 3.1.1-3.1.7 of the PPS). The objectives of the natural hazard policies of the PPS are to direct development away from areas of natural hazards "where there is an unacceptable risk to public health or safety or of property damage" and it is also to ensure that development does not "create new or aggravate existing hazards." Section 3.1.1 of the PPS states that "development shall generally be directed" outside of flooding and/or erosion hazards and Section 3.1.2 states that development shall not be permitted within flooding and/or erosion hazards "unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard." The applicant has demonstrated that new hazards are not created and existing

hazards are not aggravated as a result of the proposed development. The applicant has also demonstrated that there is safe access to the site.

Analysis

Since OLT approval, the applicant has worked with CH staff through a series of technical submissions to demonstrate that the applicable regulatory tests (i.e., the control of flooding, erosion, and pollution and conservation of land) can be met.

Control of Flooding

Overview:

- No increased risk to life and property: The proposal relies on a retaining wall and the underground parking structure's foundation wall to function as a flood wall under flood conditions. To mitigate flood risk to the building, the applicant's structural engineer confirmed that the walls are designed to prevent ingress of flood waters and to withstand hydrodynamic forces anticipated under flood conditions (i.e., the structure achieves dry floodproofing requirements). Structural measures are typically not permitted for floodproofing new development due to broader implications, including long-term maintenance; however, given the unique circumstances associated with the Subject Property as outlined above, including that the structural measures are proposed in an already engineered, urbanized, and degraded system that was previously not identified as regulated, and the Development Applications have already been approved by the OLT, CH staff is willing to support these measures provided they are not treated as precedents elsewhere.
- Safe access and egress: The Site Plan drawings submitted indicate that flood free access is available for pedestrians to the main entrance of the building, adjacent to the corner of James Street and Martha Street. The provincial guidance for safe access has been met for pedestrians and vehicles entering or existing the underground parking garage from Martha Street.
- Impacts on adjacent properties: The applicant's engineer submitted detailed 2D modelling that demonstrates the proposed works on the site does not result in increases in flood elevations or velocities on private lands. Minor increases in flood depths and velocities are predicted for the Martha Street road allowance, the City owned parking lot to the south of the site, and the downstream Waterfront Trail (i.e., all City-owned properties). No public safety concerns are anticipated with these minor increases, as there will be no loss of existing safe access, and both Martha Street and Waterfront Trail users have alternative access routes in the event of a flood. Given the unique circumstances associated with the subject lands as outlined above, as well as CH's current regulatory policies and requirements, we do not anticipate that this scenario is likely to arise elsewhere and, therefore, cumulative impacts associated with future developments in the flood hazard are not anticipated.

Conclusion:

- The applicant has demonstrated that flooding risks associated with the proposed development can be addressed and mitigated and that there will be no increased risk to life and property. The applicant has also demonstrated that the building, including underground parking, can be designed to prevent the ingress of floodwaters into the structure and that it can withstand hydrodynamic forces anticipated during times of flooding. Safe access for people and vehicles is provided during times of flooding and there will be no increases in flooding on privately owned lands. Although minor increases in flooding are anticipated on the adjacent City-owned properties

safe access conditions will be unaffected. City staff has been notified and we are awaiting written confirmation that they accept the minor increases in flooding and erosion.

Site Specific Permit Requirements:

1. Final detailed designs, supporting analysis, and signoffs by qualified professionals (i.e., P. Eng.) are provided that continue to demonstrate the control of flooding will be met, to the satisfaction of CH staff.
2. City of Burlington provides confirmation that they accept the minor increases in flooding on city owned properties.
3. City of Burlington agrees to any necessary flood mitigation works/retaining walls on City-owned property (i.e., City sign the permit for works on City lands).
4. An on-title agreement to support maintenance of the proposed privately owned retaining walls and foundation/flood walls in perpetuity.

Control of Erosion

Overview:

- No increased risk to life and property: A retaining wall is proposed on the north side of the channel, and on the west side of the site, a retaining wall forms the valley slope. Where the retaining wall is integrated with the underground parking foundation wall, the retaining wall is the limit of an unconfined erosion hazard limit. The applicant has demonstrated that the proposed five-storey underground parking foundation and retaining walls can be designed and maintained to address the control of erosion. Structural measures are typically not credited from a slope stability perspective; however, given the unique circumstances associated with this file as outlined above, as well as CH's current regulatory policies and requirements, we do not anticipate that this scenario is likely to arise elsewhere.
- Safe access and egress: An erosion access allowance of 6 metres has been (as per PPS policy), which ensures there is a safety zone for people and vehicles to enter and exit during an emergency and also provides sufficient area to access and maintain any works within the valley. The underground parking is located in the access allowance; however, since it is below grade, it does not obstruct access.
- Impacts on adjacent properties: The proposed retaining wall on the south side of the watercourse results in a minor increase in erosion hazard limits on City owned property. City staff has been notified and we are awaiting written confirmation that they accept the minor increases in flooding and erosion.

Conclusion:

- The applicant has demonstrated that erosion risks can be addressed and mitigated so that there is no increased risk to life and property. The applicant has also demonstrated that there will be safe access for people and vehicles during times of erosion, including a 6 metre erosion access allowance (i.e., meets PPS requirements). There will be no increases in erosion hazards on privately owned lands and minor increases in the erosion hazard on the adjacent City-owned lands.

Site Specific Permit Requirements:

5. Final detailed design, supporting analysis, and professional signoffs are provided that continue to demonstrate the control of erosion will be met, to the satisfaction of CH staff.

6. City of Burlington provides confirmation that they accept the minor increases in erosion on city owned properties.
7. City of Burlington agrees to any necessary retaining walls on City-owned property (i.e. sign the permit for works on City lands).
8. An on-title agreement to support maintenance of the proposed privately owned retaining walls and foundation/flood walls in perpetuity.

Control of Pollution

Overview:

- Through the planning applications, the applicant submitted a hydrogeological investigation that suggests that the subdrain/groundwater control discharge must be monitored to ensure that it meets Provincial Water Quality Objectives. Further, a subdrain system will be incorporated into the building design, should the monitoring indicate deficiencies in discharge.
- The applicant has committed to providing detailed sediment and erosion control plans to support the permit application.

Conclusion:

- The applicant has demonstrated that Rambo Creek should not be adversely impacted by contaminants generated by the development provided the above items are carried out.

Site Specific Permit Requirements:

9. Erosion and sediment control plans, to the satisfaction of CH staff.

Conservation of Land

Overview:

- Concept plans for the proposed channel design, as well as an Environmental Impact Assessment, fluvial geomorphic memorandum, and channel cross section drawings, were submitted and demonstrate natural channel design, to the extent possible. The applicant has demonstrated that the post-development condition of the channel will be equal to or better than the existing condition, from a channel morphology perspective. Detailed designs would be finalized as part of a permit application. The creek block will be planted and stabilized appropriately, per the submitted Creek Restoration Plan.

Conclusion:

- Until recently, Rambo Creek was managed as part of the municipal storm drainage system. The existing creek system is heavily engineered, urbanized and degraded (i.e., creek is piped for several kilometres upstream, invasive riparian corridor and existing hardened banks). The applicant has demonstrated that the features and functions of Rambo Creek will not be adversely impacted, as the post-development condition will be equal to or better than the existing condition, provided the creek block is planted and stabilized as per the Creek Restoration Plan.

Site Specific Permit Requirements:

10. Landscape plan, based on natural channel design principles, to the extent possible, shall be provided to the satisfaction of CH and City of Burlington staff.

Conclusions and Recommendation

The circumstances related to the above-referenced proposal/site are unique in that:

1. the Development Applications were submitted prior to:
 - a. the finalization of the City of Burlington's Phase 1 Flood Hazard and Scoped Stormwater Management Assessment, which revealed that the extent of the flood hazard in the Lower Rambo watershed is greater than previously understood;
 - b. the change in regulatory status of the Lower Rambo watershed, following the City's study, which brought the Subject Property into CH's regulated area;
2. the Rambo Creek system is heavily engineered, urbanized, and degraded (i.e., creek is piped for several kilometres upstream, invasive riparian corridor and existing hardened banks) and was historically managed as municipal drainage; and
3. the Development Applications have all been approved by the Ontario Land Tribunal (OLT). At the time of the approval of the OPA and ZBA, CH did not regulate the Subject Property.

The development scenario is not contemplated within CH's current regulatory policy framework; however, the applicant has demonstrated that the tests of the *Conservation Authorities Act* (i.e., the control of flooding, erosion, pollution, and conservation of land) can be met, which could allow this OLT approved development to proceed, provided that the works are permitted by the Board. Given the unique circumstances associated with this file, as well as CH's current regulatory policies and requirements, we do not anticipate that this scenario is likely to arise elsewhere.

The applicant has demonstrated that new hazards are not created and existing hazards are not aggravated as a result of the proposed development based on the objectives of the PPS. The applicant has also demonstrated that there is safe access to the site.

CH staff recommends that the CH Board approve site-specific permit requirements (items # 1-10 above) to allow for the redevelopment of the Subject Property, and that, if met, allow staff to issue a permit for the proposed construction of a new multi-unit residential building and associated driveway/walkways, retaining walls, underground parking structure, grading and watercourse alteration within the erosion and flooding hazards and related allowances associated with Lower Rambo Creek.

Impact on Strategic Priorities

This report supports the Momentum priority of Natural Hazards and Water.

Financial Impact

There is no financial impact resulting from this proposal.

Signed & respectfully submitted:



Kellie McCormack
Director, Planning & Regulations

FOR QUESTIONS ON CONTENT:

Approved for circulation:



Hassaan Basit
President & CEO/Secretary-Treasurer

Leah Smith, Manager, Environmental Planning,
lsmith@hrca.on.ca

REPORT TO: Conservation Halton Board of Directors

REPORT NO: # CHBD 07 22 13

FROM: Kellie McCormack, Director, Planning & Regulations

DATE: November 17, 2022

SUBJECT: **Proposed 2023 Plan Review and Permit Application Fees**
CH File Number: ADM 049

Recommendation

THAT the Conservation Halton Board of Directors **approves the proposed 2023 fees outlined in the staff report entitled “Proposed 2022 Plan Review and Permit Application Fees,” dated November 17, 2022, with an effective date of January 1, 2023;**

And

THAT the Conservation Halton Board of Directors **directs staff to provide appropriate notice to municipalities and neighbouring conservation authorities and post the revised fee schedules to Conservation Halton’s website.**

Report

In 2018, Conservation Halton (CH) retained Watson & Associates Economists Ltd. (Watson) to undertake a Rates and Fees Study. Completed in January 2019, Watson’s analysis revealed that CH was recovering an average of 74% of the review cost for all categories of planning applications and 72% of the costs for all categories of permit applications.

In February 2019, the CH Board of Directors approved a target cost recovery rate of 100% for the review and processing of planning and permit applications. To close the gap and achieve this cost recovery target, substantial changes were made to CH’s fee schedules in March 2019. Except for three fee categories, CH’s fees were increased by 2% last year to cover inflation and increased direct and indirect costs anticipated for 2022.

CH’s fees fall into three discrete categories: 1) fees for permit applications under Ontario Regulation 162/06; 2) fees for planning applications under the Planning Act; and 3) fees for technical reviews and miscellaneous services not associated with permit or planning applications.

The proposed fees for 2023 have been calculated by applying a 3% increase to the 2022 fees for all file categories, except Environmental Assessments. That category was increased by 5%, as our recovery rate for that file type falls below the target cost recovery rate of 100% approved by the CH Board of Directors in 2019. In addition, minor edits were made to the fee notes to remove redundancies. No other substantive changes have been made to the fees (Appendix F).

The proposed 3% increase reflects inflationary pressures and is consistent with costs identified in CH's 2023 budget. It also generally aligns with increases proposed by Halton municipalities and most Conservation Authorities within the Greater Golden Horseshoe area. The proposed review fees will enable CH to maintain industry-leading service standards and respond to the significant increases in file volumes over the last few years (e.g., 17% increase in the number of planning reviews undertaken in Q1-Q3 2022 vs. same period in 2021).

The proposed fees have been reviewed with the development community through the Halton Chapter of the Building Industry and Land Development Association (Canada) (BILD), as suggested in guidelines provided by the Ministry of Natural Resources and Forestry. A response from BILD was received on November 7, 2022 (Appendix G).

Impact on Strategic Priorities

This report supports the Momentum priority of Natural Hazards and Water.

Financial Impact

There is no financial impact to this report.

Signed & respectfully submitted:



Kellie McCormack, MA, MCIP, RPP
Director, Planning and Watershed Management

Approved for circulation:



Hassaan Basit
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

Kellie McCormack, Director, Planning & Regulations; 905-336-1158 x 2228; kmccormack@hrca.on.ca

CONSERVATION HALTON PERMIT FEES 2023
Development, Interference or Alteration Applications
Pursuant to Ontario Regulation 162/06 - Effective January 1, 2023

Category	Type		2022 Fee	Proposed 2023 (rounded)
Letter of Permission	No site visit or technical review	PL(a)	\$270	\$278.00
(Note 1)	Technical Site visit or technical review	PL(b)	\$525	\$540.00
	Technical Site visit and technical review	PL(c)	\$1,714	\$1,753.00
Private Landowner	Minor	P(a)	\$525	\$540.00
Single Residential/Single Farm	Intermediate	P(i)	\$1,714	\$1,753.00
	Major	P(b)	\$5,583	\$5,750.00
Residential Multi-Unit Lots (RM)	Minor	RM(a)	\$2,040	\$2,100.00
Local Municipality, Utility (G)	Intermediate	RM(i)	\$4,286	\$4,415.00
Industrial/Commercial	Major	RM(b)	\$22,144	\$22,808.00
Institutional (ICI)	Major Scale	RM(c)	\$29,470	\$30,354.00
Fill Placement	Small ($\leq 30m^3$)	FP(a)	\$525	\$540.00
(Not Associated with a Planning Application)	Medium ($> 30m^3$ but $\leq 200 m^3$)	FP(b)	\$3,746 + $0.61/m^3$	\$3,858.00 + $0.61/m^3$
	Large ($> 200 m^3$)	FP(c)	\$12,862 + $1.12/m^3$	\$13,248.00 + $1.12/m^3$
Environmental Projects		EP	\$140	\$145.00
Fish Timing Window Extension		FTW	\$535	\$550.00
Red-Line Revisions by CH	Minor (≤ 2 hr. to complete) (% of current fee)			
	Major (> 2 hr. to complete)		\$1649	\$1,700.00
Category	Type			
Client-Driven Changes	Minor Changes to applications in progress		35%	
(% of current fee)	Major Changes to applications in progress		75%	
	Minor Changes to approved permits		50%	
	Major Changes to approved permits (new permit required)		100%	
Technical Resubmissions	Percentage of current fee for each additional technical submission after 1 st resubmission		50%	
Additional Site Visit (Single Residential/Single Farm)			\$240	\$247.00
Additional Site Visit (Major; Major scale) (per visit)			\$1,950.00	\$2,009.00
Agreements	(Note 2)			



CONSERVATION HALTON PERMIT FEES 2023
Development, Interference or Alteration Applications
Pursuant to Ontario Regulation 162/06 - Effective January 1, 2023

**Definitions:**

Minor: works are small; no technical studies are required (e.g., accessory buildings less than 20m²; additions less than 50% floor area; on-title agreement not required; generally involving less than 30 m³ of fill; small works such as pond outlets, maintenance dredging of intermittent watercourse and simple culvert replacement; minor repairs /maintenance of shoreline protection works).

Intermediate: works require one technical study or detailed plan; an on-title agreement may be required.

Major: works require more than one technical study; an on-title agreement may be required; multi-disciplinary technical review is required

Major Scale: works are significant in scale/scope/complexity (e.g., major creek realignments; bridge crossings; significant shoreline protection works); technical studies are required; multi-disciplinary technical review is required.

Major Changes: Changes to the nature and extent of the development approved by permit including but not limited to: size, location, footprint, number of dwelling units, use of the building or structure, or grading.

Environmental Projects: Land and water stewardship projects for environmental improvement not associated with compensatory or offsetting requirements/arrangements through other approval processes.

Development: Development is defined in the *Conservation Authorities Act* to mean:

- the construction, reconstruction, erection or placing of a building or structure of any kind (e.g., all buildings, including accessory non-habitable structure such as gazebos, decks, storage sheds, docks, stairs, retaining walls, etc.),
- any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- site grading, or;
- the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere

Alteration: any works that result in changes to a watercourse, wetland or Great Lakes shoreline.

Interference: any act or instance which hinders, disrupts, degrades or impedes the natural features or hydrologic and ecologic functions of a wetland or watercourse.

General Provisions:

- All applications must be deemed complete including all technical studies and fees before the submission can be processed.
- Pre-consultation to determine the scale and scope of issues and the technical reports/studies required for the application to be deemed complete is encouraged. The applicant is responsible for undertaking required technical reports/studies. Fees determined through the pre-consultation process, including fees noted in formal checklists, are approximate only and based on the fee schedules in place and information available at the time of pre-consultation. The final fee may change at the time of submission if the technical review requirements have changed due to the availability of new information or if the fee schedule has changed subsequent to the pre-consultation.
- Fees charged are for administration purposes and are non-refundable. Permit applications will be closed if additional information/studies have been requested by Conservation Halton and no submissions have been received from the applicant within one year.
- Conservation Halton reserves the right to charge additional fees, at a rate of \$155.00/hr) **(3.0% - 160.00)**
- Peer reviews may be required for technical reports, as necessary. The cost of peer review will be charged to the applicant.
- Where an application exceeds one year to process due to other approval processes (e.g., site plan; Niagara Escarpment Development Permit, etc.), it may remain active for a period of two years, if there are no major revisions. Where there are major revisions, a new permit application will be required.
- Except where specifically stated in the fee schedule (e.g., Letter of Permission, Inquiries), permit fees include one site visit. For major or major-scale permits not associated with single residential/single farm applications, the fee includes three site visits. A fee will be charged for additional site visits.
- Permits will be issued for the maximum of two years. Requests for permit issuance beyond the standard two-year time period (up to 5 years) will be considered for large projects such as municipal infrastructure. These permits require approval from the Conservation Halton Board of Directors and will be subject to an additional fee of 50% for each year the permit is valid beyond the standard two-year time period.
- Permit extensions and/or renewals will not be granted. However, applicants may re-apply for re-issuance of a permit for the original approved works in accordance with the most recent technical requirements. An additional fee of 50% of the current fee will be charged for each year the re-issuance of the permit is valid (up to two years). An expired permit is not valid. A new permit is required for any work which extends beyond the expiry date at the current fee rate.
- Permits are issued to current landowners and cannot be transferred to new owners. A change in ownership will require the submission of a new, complete permit application.
- In areas under the jurisdiction of the Niagara Escarpment Commission (NEC), Conservation Halton cannot issue a permit under Ontario 162/06 until a NEC Development Permit or Exemption Letter has been issued.
- Any dispute of fee calculations that cannot be resolved through consultation with Conservation Halton's, Director of Planning and Regulations, and/or CAO's office, can be appealed to the Board of Directors.

Notes

1. Letters of Permission are issued for certain activities adjacent to wetlands as per Policies 2.39.4 and 2.40.4 in the *Policies and Guidelines for the Administration of Ontario Regulation 162/06 and Land Use Planning Policy Document (as amended)* **or** for minor works located within the regulated area but outside of the flood or erosion hazard that are less than 10 m² and require a municipal building permit, but no site visit or technical review.
2. **Restoration Agreements** will be applied where violations can be fully removed from the regulated area. An administration fee based on the current applicable category plus a 100% surcharge will be charged, except for fill removal, where an administration fee equal to the base permit application fee for **ment** will be charged. **Compliance Agreements** will be applied for violations that can meet Conservation Halton policies and regulatory req **197** s. An administration fee based on the current applicable category fee plus a 100% surcharge will be charged.

CONSERVATION HALTON PLAN REVIEW FEES 2023 **DRAFT**

EFFECTIVE January 1, 2023

APPLICATION TYPE	CATEGORY	2023 FEE(\$)	HST (\$)	TOTAL 2023 FEE (\$)	TOTAL 2022 FEE (\$)
Subdivisions - Residential/Condominium Multi-Residential/Mixed Use (Note 1)	Base fee	\$ 6,588.50	\$ 856.50	\$ 7,445.00	\$ 7,228.00
	Residential per unit/lot fee				
	Residential per unit/lot (≤ 25 units/lots)	\$ 297.35	\$ 38.65	\$ 336.00	\$ 326.00
	Residential per unit/lot (26-100 units/lots)	\$ 238.94	\$ 31.06	\$ 270.00	\$ 262.00
	Residential per unit/lot (101-200 units/lots)	\$ 190.27	\$ 24.73	\$ 215.00	\$ 209.00
	Residential per unit/lot (200+ units/lots)	\$ 150.44	\$ 19.56	\$ 170.00	\$ 165.00
	Per net hectare (Note 1)				
	≤ 2 ha	\$ 6,870.80	\$ 893.20	\$ 7,764.00	\$ 7,538.00
	> 2 ha but ≤ 5 ha	\$ 5,348.67	\$ 695.33	\$ 6,044.00	\$ 5,868.00
	> 5 ha but ≤ 10 ha	\$ 4,281.42	\$ 556.58	\$ 4,838.00	\$ 4,697.00
	> 10 ha	\$ 3,495.58	\$ 454.42	\$ 3,950.00	\$ 3,837.00
	Clearances per phase (tech review required) (Note 2)	\$ 3,623.89	\$ 471.11	\$ 4,095.00	\$ 3,976.00
	Clearances per phase (no tech review required)	\$ 1,217.70	\$ 158.30	\$ 1,376.00	\$ 1,336.00
Subdivisions - Industrial/Commercial	Base fee	\$ 6,588.50	\$ 856.50	\$ 7,445.00	\$ 7,228.00
	Per net hectare	\$ 6,428.32	\$ 835.68	\$ 7,264.00	\$ 7,052.00
	Clearances per phase (tech review required) (Note 2)	\$ 3,623.89	\$ 471.11	\$ 4,095.00	\$ 3,976.00
	Clearances per phase (no tech review required)	\$ 1,217.70	\$ 158.30	\$ 1,376.00	\$ 1,336.00
Subdivisions - Revisions/Redlines	Major/Intermediate (Note 3)	\$ 3,800.00	\$ 494.00	\$ 4,294.00	\$ 4,169.00
Official Plan Amendments	Minor (Note 3)	\$ 824.78	\$ 107.22	\$ 932.00	\$ 905.00
	Large (> 2ha)	\$ 17,659.29	\$ 2,295.71	\$ 19,955.00	\$ 19,374.00
	Major	\$ 6,349.56	\$ 825.44	\$ 7,175.00	\$ 6,966.00
	Intermediate	\$ 4,199.12	\$ 545.88	\$ 4,745.00	\$ 4,607.00
	Minor	\$ 1,221.24	\$ 158.76	\$ 1,380.00	\$ 1,339.00
Zoning By-Law Amendments	Large (> 2ha)	\$ 17,659.29	\$ 2,295.71	\$ 19,955.00	\$ 19,374.00
	Major	\$ 6,349.56	\$ 825.44	\$ 7,175.00	\$ 6,966.00
	Intermediate	\$ 4,199.12	\$ 545.88	\$ 4,745.00	\$ 4,607.00
	Minor	\$ 1,221.24	\$ 158.76	\$ 1,380.00	\$ 1,339.00
Consents	Major	\$ 3,828.32	\$ 497.68	\$ 4,326.00	\$ 4,492.00
	Intermediate (staking or one technical review)	\$ 2,952.21	\$ 383.79	\$ 3,336.00	\$ 3,239.00
	Minor	\$ 2,163.72	\$ 281.28	\$ 2,445.00	\$ 2,374.00
Minor Variances	Major	\$ 1,818.58	\$ 236.42	\$ 2,055.00	\$ 1,997.00
	Intermediate (staking, visual assessment or one technical review)	\$ 608.85	\$ 79.15	\$ 688.00	\$ 667.00
	Minor (visual inspection)	\$ 247.79	\$ 32.21	\$ 280.00	\$ 270.00
	Minor (no site visit or technical review)	\$ 139.82	\$ 18.18	\$ 158.00	\$ 153.00
Site Plans - Single Residential	Major	\$ 1,768.14	\$ 229.86	\$ 1,998.00	\$ 1,940.00
	Intermediate (staking, visual assessment, or one technical review)	\$ 608.85	\$ 79.15	\$ 688.00	\$ 667.00
	Minor (visual inspection)	\$ 247.79	\$ 32.21	\$ 280.00	\$ 270.00
	Minor (no site visit or technical review)	\$ 139.82	\$ 18.18	\$ 158.00	\$ 153.00
Site Plans - Commercial/Industrial/Institutional/Multi-Residential > 2ha	Major (per gross ha)	\$ 6,070.80	\$ 789.20	\$ 6,860.00	\$ 6,660.00
	Intermediate	\$ 10,597.35	\$ 1,377.65	\$ 11,975.00	\$ 11,628.00
	Minor	\$ 2,207.96	\$ 287.04	\$ 2,495.00	\$ 2,423.00
	Clearance (technical review required) (note 3)	\$ 4,097.21	\$ 532.64	\$ 4,629.85	\$ 4,495.00
	Clearance (no technical review required)	\$ 1,392.04	\$ 180.96	\$ 1,573.00	\$ 1,528.00
Site Plans - Commercial/Industrial/Institutional/Multi-Residential < 2ha	Major	\$ 10,530.97	\$ 1,369.03	\$ 11,900.00	\$ 11,552.00
	Intermediate	\$ 6,840.71	\$ 889.29	\$ 7,730.00	\$ 7,506.00
	Minor	\$ 1,474.34	\$ 191.66	\$ 1,666.00	\$ 1,618.00
	Clearance (technical review required) (Note 3)	\$ 1,862.83	\$ 242.17	\$ 2,105.00	\$ 2,041.00
	Clearance (no technical review required)	\$ 792.04	\$ 102.96	\$ 895.00	\$ 870.00
Municipal Site Alteration Applications	Major/Intermediate	\$ 3,396.46	\$ 441.54	\$ 3,838.00	\$ 3,727.00
	Minor	\$ 938.05	\$ 121.95	\$ 1,060.00	\$ 1,029.00
	Prior to draft plan approval (note 5)	\$ 9,603.54	\$ 1,248.46	\$ 10,852.00	\$ 10,536.00
Applicant-Driven Revisions (requiring re-circulation)	Major changes (% of current fee)	75%		75%	
	Minor changes (% of current fee)	25%		25%	
Resubmission Due to incomplete application	% of current applicable application fee	\$ 10,563.72	\$ 1,373.28	\$ 11,937.00	\$ 11,589.00
Technical Study/Design Resubmission	Third Submission (Note 4)			25% up to \$13,050.00	25% up to \$12,750.00
	Subsequent Submissions (per submission) (Note 4)			50% up to \$27,050.00	50% up to \$26,520.00
Additional Site Visit	Single residential/Single farm (private landowner)	\$ 247.79	\$ 32.21	\$ 280.00	\$ 270.00
	Commercial/Industrial/Institutional/Residential	\$ 2,008.85	\$ 261.15	\$ 2,270.00	\$ 2,205.00
File reactivation (inactive for 2 or more years)	Minor (Note 5)	\$ 557.52	\$ 72.48	\$ 630.00	\$ 612.00
	Intermediate/Major (Note 5)	\$ 1,128.32	\$ 146.68	\$ 1,275.00	\$ 1,235.00
Aggregate Extraction Technical Review Associated with a Planning Application		\$ 85,728.32	\$ 11,144.68	\$ 96,873.00	198 2.00

DEFINITIONS

Minor: The application is within or adjacent to the area of interest to Conservation Halton (e.g., natural heritage, natural hazard areas), but no technical studies are required by Conservation Halton

Intermediate: One technical study is required for review by Conservation Halton

Major: More than one technical study is required for review by Conservation Halton

Incomplete Submission: The application has not met all Conservation Halton's requirements as indicated in the checklist generated through the municipal pre-consultation process, including fees

Applicant-Driven Revision: An amendment or revision to an application initiated by the applicant after municipal approval has been granted

Gross Hectare: The entire area subject to a planning application or technical study

Net Hectare: The total developable area of the property including development blocks, roads, parks, schools, and stormwater management facilities, but excluding areas regulated by Conservation Halton (CH) or other natural heritage system (NHS) areas.

GENERAL

- **Plan Review Fees** – Conservation Halton's plan review fee will be paid to the municipality when the application is filed. Other review fees will be paid directly to Conservation Halton.
- **Pre-application Technical Review** – A fee will apply for the review of a technical study/analysis where a planning submission has not yet been submitted as outlined on **Schedule B – Fees for Other Services**. This fee will be paid directly to Conservation Halton and must be paid prior to review. The review of one technical submission prior to a formal application will be deducted from the cost of the planning application at the time it is submitted. Any additional technical submissions received for review prior to a formal application will be charged separately and no additional deduction will be made.
- **Pre-consultation** – Applicants are encouraged to consult with CH staff prior to the submission of a planning application to confirm the nature and extent of the information required and the appropriate fee. CH reserves the right to request a pre-consultation fee. This fee will be deducted from the application fee if a formal application is submitted within **12 months (one year)** of the pre-consultation.
- **Concurrent Applications** – Planning applications submitted concurrently for the same property will be charged at 100% of the highest fee rate and 75% of the fee rate for each additional planning application. Fees for the technical review of EIR/FSS/SIS's or equivalent studies will be charged separately. Where it has been agreed by the municipality and Conservation Halton that concurrent planning applications can be submitted and reviewed concurrently with an EIR/FSS/SIS or an equivalent study for the same property, the technical review fee will be charged at 100% of the fee rate and the planning applications will be charged 75% of the current fee rate.
- **Peer Review Fees** – The cost for peer review of technical submissions will be borne by the applicant.
- **Additional Fees** – CH reserves the right to request additional fees, at a rate of \$175/hour (**3% - \$180.00**) (inclusive of HST). Additional fees are required for all applicant-initiated revisions.
- **Fee Appeal Process:** - Any dispute of fee calculations that cannot be resolved through consultation with Conservation Halton's Manager, Environmental Planning, Director of Planning and Regulations, and/or CAO's office, can be appealed to the Board of Directors

NOTES

1. **Subdivision Fees** – In addition to the base fee, 1) the per unit graduated fee applies to the areas of the plan that contain residential singles, duplexes, standard townhouses, and lane-based townhouses, 2) the net hectare fee applies to the areas of the plan that contain multi-unit/mixed use residential (including, but not limited to, stacked townhouses, back-to-back townhouses, live-work units, and medium and high-rise units), industrial/commercial/institutional uses, and 3) the net hectare fee applies to all other blocks as identified in the Net Hectare definition above.

Subdivision fees include: 1) review of first and second submissions of all studies and technical analysis required to support draft plan approval; subsequent submissions will be charged as per the current CH Planning Fee Schedule, 2) one site visit prior to draft plan approval, 3) three (3) consultation meetings, 4) preparation of draft plan conditions, 5) review of the first and second submissions of all detailed design drawings and other submissions required to clear draft plan conditions; subsequent submissions will be charged as per the current CH Planning Fee Schedule, and 6) up to 2 site visits during the detailed design process (if required). The subdivision fee assumes a single phase of detailed design and registration. If the subdivision is phased after draft plan approval, additional fees for review of detailed design at a rate of 15% of the current total subdivision fee will apply. All works associated with municipal alteration applications and CH permit applications are separate from the subdivision review process and associated fees.

2. **Revision and Clearance Fees** – Fees will be paid directly to CH and must be paid prior to issuance of revised draft conditions, removal of a holding provision under an attendant zoning by-law, or the final clearance letter (registration, pre-servicing and assumption). A draft plan modification fee will be applicable to applicant-driven revisions to a subdivision or condominium application. The prescribed fee assumes a standard approach to the issuance of the CH clearance. Should the applicant want to consider a different approach, CH will charge additional fees to cover administrative and any legal costs. The payment of additional fees does not guarantee that the alternative approach will be accepted.
- ~~3. **Additional Subdivision Fees** – Where a subdivision has received draft plan approval, but conditions have not been cleared for a period of one (1) year after draft plan approval, CH reserves the right to request an additional plan review fee which represents the difference between the subdivision fee paid at the time of the initial review and the current subdivision fee. Similarly, where a subdivision has been draft plan approved and applicant driven revisions are submitted subsequent to the approval, an additional plan review fee will be required.~~
3. **Technical Study/Design Resubmission** – A fee will be charged directly to the applicant when technical reviews of required studies, plans, drawings and models go beyond two submissions. A graduated fee of 25% of the current fee for the third submission and 50% of the current fee for subsequent submissions will be charged.
4. **File Reactivation** – A file reactivation fee will be charged for applications that have been inactive for two or more years. This fee will be charged in addition to the difference in the application fee paid with the original submission and the current approved fee. After five (5) years of inactivity, any technical or planning review will be charged the full current application submission fee.
5. **Large Official Plan Amendments/Zoning Bylaw Amendments** – A “large” fee will be required where the site is > 2ha and a stormwater management facility and/or watercourse realignment is proposed, or the application is supported by a comprehensive study (e.g. EIR/FSS/SIS or equivalent).

DRAFT
CONSERVATION HALTON FEES FOR OTHER SERVICES 2023
 Effective January 1, 2023

CATEGORY	FEE	HST	Proposed 2023 (incl. HST if applicable - rounded)	Proposed 2023 (incl. HST if applicable - rounded)	2022 TOTAL FEE
<u>Fees Not Requiring HST</u>					
Solicitor, Real Estate, Appraiser Inquiries (Note 1)	\$350.00		\$360.00		\$350.00
Clearance/No Objection Letters					
No Site Visit	\$140.00		\$145.00		\$140.00
With Site Visit (visual inspection)	\$240.00		\$247.00		\$240.00
With Site Visit (staking; field assessment)	\$435.00		\$448.00		\$435.00
With Site Visit & Technical Review (includes review of one report; additional reviews are charged at the rate of \$685.00 per submission)	\$700.00		\$720.00		\$700.00
Pre-Application Requests (no permit or planning application has been submitted) (Private Landowner Single Residential, Single Farm) (Note 2)					
With Site Visit (visual inspection)	\$240.00		\$247.00		\$240.00
With Site Visit (staking; field assessment) (per visit)	\$435.00		\$448.00		\$435.00
With One Technical Review	\$700.00		\$720.00		\$700.00
Pre-Application Requests (no permit or planning application has been submitted) (Other) (Note 2)					
With Site Visit (visual inspection) (per visit/per staff person)	\$240.00		\$247.00		\$240.00
With Site Visit (staking; field assessment) (per visit/per staff person)	\$435.00		\$448.00		\$435.00
With One Technical Review	\$1955.00		\$2013.00		\$1955.00
<u>Fees Requiring HST</u>					
Hard Copy Maps (per property)	\$19.47	\$2.53	\$22.00		\$21.00
Photocopies (per sheet up to 11" x 17")	\$0.97	\$0.13	\$1.10		\$1.05
Technical Review - EIR/FSS/SIS (or equivalent)					
Base Fee (≤ 25ha)	\$11,265.49	\$1,464.51	\$12,730.00		\$12,360.00
Base Fee (> 25ha but ≤ 50ha)	\$22,539.82	\$2,930.18	\$25,470.00		\$24,727.00
Base Fee (> 50ha)	\$33,816.81	\$4,396.19	\$38,213.00		\$37,100.00
Per gross hectare (Note 3)	\$464.60	\$60.40	\$525.00		\$510.00
Terms of Reference Technical Review	\$1,646.02	\$213.98	\$1860.00		\$1,805.00
EA Review (Notes 4 & 5)					
Master Plan	\$15,703.54	\$2,041.46		\$17,745.00	\$16,900.00
Individual EA	\$15,703.54	\$2,041.46		\$17,745.00	\$16,900.00
Schedule A or A+					
Schedule B (or equivalent)	\$6,543.36	\$850.64		\$7,394.00	\$7,042.00
Schedule C (or equivalent)	\$10,469.03	\$1,360.97		\$11,830.00	\$11,266.00
EA Addendum Reports	\$2,710.62	\$352.38		\$3,063.00	\$2,974.00
Niagara Escarpment Plan Amendments (Applicant Driven)	\$18,004.42	\$2,340.58	\$20,345.00		\$19,377.00
Parkway Belt Applications	\$3,376.11	\$438.89	\$3,815.00		\$3,633.00

Notes

1. Solicitor, real estate, or appraiser inquiries for information specific to a PIN (Property Identification Number) will be charged the inquiry fee for each PIN.
2. The pre-application fee will be deducted from the cost of an application, **if** it is received within **one (1) year** of completing the site visit or technical review. Additional technical submissions received for review prior to a formal application will be charged separately and no additional deduction will be made.
3. A gross hectare is calculated based on the geographic extent of the study area.
4. When technical reviews of studies associated with an EA, EIR/FSS/SIS (or equivalent) go beyond two submissions, a graduated fee of 25% of the current fee (up to \$13,750) (**3% - \$14,438.00**) for the third submission and 50% of the current fee (up to \$28,600) (**3% - \$29,458.00**) for subsequent submissions will be charged.
5. Review fees do not apply for Region of Halton infrastructure projects as the Region funds a CH Regional Infrastructure Team.

DRAFT



November 7, 2022

Ms. Kellie McCormack, MA, MCIP, RPP
Director, Planning and Regulations
Conservation Halton
2596 Britannia Road West
Burlington, ON L7P 0G3

Sent via email to kmccormack@hrca.on.ca.

Dear Ms. McCormack,

RE: Conservation Halton's Proposed 2023 Planning and Permit Application Review Fees

The Building Industry and Land Development Association (BILD) is in receipt of Conservation Halton's (CH) proposed 2023 Planning and Permit Application Review Fees, which we understand will be brought forward to the Board of Directors for approval on November 17, 2022. In advance of the Board's consideration, we would like to provide the following acknowledgements.

To begin, we would like to take this opportunity to thank you for reaching out to BILD in advance of the November 17th Board of Directors meeting with the purpose of seeking BILD's consideration of these proposed fees. BILD greatly appreciates the open dialogue that you and staff continue to provide us with, and we look forward to our continued working relationship in future.

In this regard, we acknowledge that the revisions to the Planning and Permit Application Review Fees are the result of an inflationary increase of 3% for all file categories, except Environmental Assessments, which are being increased by 5%. BILD has apprised our Halton Chapter members of these revisions and have not received any apprehensions with the aforementioned. Please note that this acknowledgement letter does not refrain our members from commenting any concerns for this item under separate cover.

As your community building partners, we look forward to a continued positive and transparent working relationship in 2023. Should you have any questions please do not hesitate to contact the undersigned.

Sincerely,

Sophie Lin
Planner, Policy & Advocacy

cc: Kevin Singh, Halton Chapter Co-Chair
Shane Cooney, Halton Chapter Co-Chair
Victoria Mortelliti, Manager of Policy & Advocacy

REPORT TO: Conservation Halton Board of Directors

REPORT NO: # CHBD 07 22 14

FROM: Marnie Piggot, Director Finance

DATE: November 17, 2022

SUBJECT: Conservation Halton Fee Policy

Recommendation

THAT the Conservation Halton Board of Directors **approves the Conservation Halton Fee Policy attached to this report.**

Report

Conservation Authorities Act Fee Policy Requirements

On January 1, 2023, new Section 21.2 of the *Conservation Authorities Act* will be enacted requiring all Conservation Authorities (CAs) to have a written fee policy in place approved by their Board of Directors with respect to the fees that it charges for the programs and services it provides.

The CA Act will be amended by repealing 21 (1) (m.1) related to the power of CAs to charge fees for services approved by the Minister of Natural Resources and Forestry and it will be replaced by new section 21.2 (1)-(12) "Fees for Programs and Services".

The new Section 21.2 (1) enables the Minister to determine the classes of programs and services in respect of which a CA may charge a fee and (2) requires the Minister to publish a List in a policy document. The Minister published the attached list *Policy: Minister's list of classes of programs and services in respect of which conservation authorities may charge a fee* ("Minister's List") (Appendix H) on April 11, 2022.

Conservation Halton (CH) may only charge a fee for a program or service that it provides if it is included in the Minister's List. The Minister's List replaces the 1997 *Policies and Procedures for the Charging of Conservation Authority Fees* which was approved by the Minister of Natural Resources and Forestry.

The Minister's List established three classes of programs and services where a CA may charge a fee, along with specific criteria for each class. CH has developed a Programs & Services Inventory that outlines the programs and services provided by CH consistent with the categories included in the Minister's List.

The requirement to publish a fee policy and fee schedule is intended to increase transparency and accountability surrounding the establishment and charging of CA fees.

Policy Scope

The attached CH Fee Policy (Appendix I) is a comprehensive document that outlines key information on CH programs and services fees. The CH Fee Policy meets the requirements of Section 21.2 (7) of the *Conservation Authorities Act* and includes the following:

- Fee Schedule with links provided to the fees posted on the CH website;
- Frequency of the CH Fee Policy and fee schedule review to be completed annually;
- Process for carrying out the CH Fee policy and Fee Schedule review;
- Public notification of proposed increases or revisions to the CH Fee Policy or Fee Schedule through posting on the CH website. Plan review and permitting activities will continue to further provide for consultation for services developed in conjunction with planning authorities; and,
- Circumstances in which a person may request that the CH reconsider a fee that was charged to the person and the procedures applicable to the reconsideration.

This policy does not include instances where CH is already authorized under another statute to charge a fee for a program or service (e.g., Freedom of Information request).

The CH Fee Policy provides that fees charged by CH for its programs or services are:

- a) The amount prescribed by the regulations; or
- b) If no amount is prescribed, the amount determined by CH with fees based on the user-pay principle.

Fees set by CH based on the user-pay principle are user fees charged to a person or organization for a service that they specifically benefit from. The user-pay principle results in fees and revenues generated that are designed to assist with recovering the costs associated with administering and delivering the services of the program. CH established standards with the Watson & Associates Planning, Permit and Park Rates and Fees review and staff report in February 2019 that the costs associated with administering and delivering a program or service be fully recovered by the user fee.

CH is in the process of completing memorandums of understanding (MOUs) with its watershed municipalities for Category 2 Municipal programs and services in advance of the new regulation requirements by January 1, 2024. The finalization of these MOUs/agreements may result in amendments to CH's Fee Schedule that will be updated as part of the annual review of fees.

No date has been announced for proclamation of CA Act subsections 21.2 (13)-(21) which address reconsideration of fees for permit applications. It is expected that these clauses will be enacted once a new Section 28 regulation is enacted.

Updates to Permitting & Planning Services fees being considered at the November Board of Directors meeting effective for 2023 will be updated on the fee schedule through posting on the CH website. CH park fees are also currently in the process of being reviewed and updated. Notification of the revised park fees will be posted on the CH website

Impact on Strategic Goals

This report supports the Momentum priority of Organizational Sustainability.

Financial Impact

There is no direct financial impact related to this report. The fees charged by CH increase opportunities for CH to generate revenue and reduce reliance on municipal funding to finance the programs and services it provides. The CH Fee Policy will assist with the full cost recovery of associated program costs to ensure CH's long-term financial sustainability.

Signed & respectfully submitted:



Marnie Piggot,
Director, Finance

Approved for circulation:



Hassaan Basit
CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

Marnie Piggot; Director Finance
905-336-1158, ext. 2240; mpiggot@hrca.on.ca;

Policy: Minister's list of classes of programs and services in respect of which conservation authorities may charge a fee

April 11, 2022

Preamble

A conservation authority is permitted to charge a fee for a program or service only if the program or service is included in the Minister's list of classes of programs and services in respect of which a conservation authority may charge a fee. The Minister's published list of classes of programs and services in respect of which a conservation authority may charge a fee ("Minister's Fee Classes Policy") is provided as per the provisions set out in section 21.2 of the *Conservation Authorities Act*. From time to time, the Minister may make changes to the list and will promptly update this document and distribute it to each conservation authority.

Fees that a conservation authority may charge under the *Conservation Authorities Act*

Section 21.2 of the *Conservation Authorities Act* requires a conservation authority to administer the charging of fees in a transparent and accountable manner by adopting and publishing a written fee policy, which includes a fee schedule that lists the programs and services for which an authority charges a fee and the amount to be charged. Conservation authorities must maintain their fee schedule and if an authority wishes to make changes to its fee schedule, it must notify the public of the proposed change (e.g., on its website). In its fee policy, a conservation authority must also set out the frequency with which it will conduct a review of its fee policy, including its fee schedule, the process for carrying out a review of the fee policy, including the rules for giving notice of the review and any changes as a result of a review, and the circumstances under which any person may request the authority to reconsider a fee that was charged to the person and the procedures applicable to the reconsideration. Decisions regarding the fee policy and fee schedule are made by the members of a conservation authority, comprised of representatives appointed by the participating municipalities and the agricultural sector representative member, where appointed by the Minister of the Environment, Conservation and Parks.

Reconsideration of fee charged

A conservation authority's fee policy must define the circumstances in which a person may request that the authority reconsider a fee that was charged and the procedures applicable to the reconsideration. Where the authority's fee policy permits a person to request the authority to reconsider the fee it has charged that person because it is contrary to the authority's fee schedule or excessive in relation to the program or service for which it was charged, that person may apply to the authority, in accordance with the procedures set out in the authority's fee policy, to request a reconsideration of the fee.

After receiving and considering the request, the authority may vary the amount of the fee to be charged to an amount the authority considers appropriate, order that no fee be charged, or confirm the original amount of the fee.

Fees that a conservation authority may charge as prescribed by other legislation

The Minister's Fee Classes Policy does not include those instances where the authority is already authorized under another statute to charge a fee for a program or service. For example, where an authority administers an on-site sewage system program under the *Building Code Act, 1992*, the authority has the power to charge fees for that program. Similarly, under Part IV of the *Clean Water Act, 2006*, a municipality has enforcement responsibility to regulate significant drinking water threats in wellhead protection areas and intake protection zones and may delegate that responsibility to a conservation authority. When this delegation occurs, the conservation authority is also given the power to charge fees as the enforcement body under that Act.

User-Pay Principle

The fees that conservation authorities charge, in accordance with the Minister's Fee Classes Policy, are considered 'user fees.' 'User fees' are fees paid to an authority by a person or organization for a service that they specifically benefit from. This includes use of a public resource (e.g., park access or facility rental) or the privilege to do something (e.g., receive an approval through a permit or other permission to undertake a regulated activity).

For the purposes of this Minister's Fee Classes Policy, a fee may only be applied when the User-Pay Principle is considered appropriate, which is when there is a class of persons that directly benefits from a program or service delivered by an authority ("User-Pay Principle") (note: other restrictions may apply; see Table 1 below).

Enabling authorities to charge a fee for programs and services where the User-Pay Principle is considered appropriate increases opportunities for an authority to generate revenue. This may reduce an authority's reliance on the municipal levy (now called an "apportionment") to finance the programs and services it provides. However, it is up to a conservation authority to decide the proportion of the costs associated with administering and delivering a program or service that should be recovered by a user fee versus those costs that are offset by other funding sources, such as the municipal levy. Beginning with the 2024 calendar year budgets, if an authority considered opportunities to raise and use self-generated revenue such as fees to finance its operations, the authority will be required to include in its budget a description of what the authority considered.

Fee amounts

A conservation authority may determine the amount of a fee to be charged for a program or service that it provides. If a fee is to be charged for a program or service, the amount to be charged or the manner for determining the amount must be listed in the conservation authority's fee schedule. Some fee amounts cannot exceed the authority's costs for administering and delivering a program or service. For example, fees for planning services should be developed in conjunction with the appropriate planning authorities and set to recover but not exceed the costs associated with administering and delivering the services on a program basis. Similarly, fees for permitting services should be developed to recover but not exceed the costs associated with administering and delivering the services on a program basis. Other fees set by the authority for a program or service are not subject to this restriction, such as fees for selling products or fees for rentals. Fees that are not subject to this restriction can provide the authority with a source of revenue to help offset costs for other programs and services offered by the authority.

Minister's fee classes

The following is the list of classes of programs and services in respect of which an authority may charge a fee.

Table 1. Classes of programs and services for which conservation authorities may charge a fee

Classes of programs and services	Criteria	Examples
Category 1 mandatory programs and services (section 21.1 of the <i>Conservation Authorities Act</i>)	Category 1 programs and services where the following requirement is met: <ul style="list-style-type: none">The User-Pay Principle is appropriate.	Examples may include: <ul style="list-style-type: none">Administration of section 28 natural hazards development permits (current section 28 and unproclaimed section 28.1), including related technical advice and studies.Responses to legal, real estate and public inquiries regarding a section 28 permit (and unproclaimed section 28.1) and natural hazard inquiries under the <i>Planning Act</i>.Activities requiring a permit made pursuant to section 29 of the <i>Conservation Authorities Act</i>.Review and commenting on applications under other

		<p>legislation noted under the Mandatory Programs and Services Regulation (O. Reg. 686/21) and associated inquiries.</p> <ul style="list-style-type: none"> – Access to authority owned or controlled land for recreational activities not requiring direct authority or other staff involvement.
<p>Category 2 municipal programs and services – i.e., those programs and services an authority provides on behalf a municipality pursuant to a memorandum of understanding or service level agreement (or other agreement) (section 21.1.1 of the <i>Conservation Authorities Act</i>)</p>	<p>Category 2 programs and services where the following requirements are met:</p> <ul style="list-style-type: none"> • The User-Pay Principle is appropriate; and • The parties agree through provisions in a memorandum of understanding, service level agreement, or other agreement governing the provision of the Category 2 program or service that the authority should be permitted to charge a fee for that program or service. 	<p>Examples may include commenting on <i>Planning Act</i> applications for technical and policy matters other than for consistency with natural hazard policies, such as related to natural heritage, storm water management, or other matters requested by a municipality.</p>
<p>Category 3 authority determined programs and services (section 21.1.2 of the <i>Conservation Authorities Act</i>) that are financed in whole or in part by the municipal levy and on or</p>	<p>Category 3 programs and services that are financed in whole or in part by the municipal levy, where the following requirements are met:</p> <ul style="list-style-type: none"> • The User-Pay Principle is appropriate; and • Where a cost apportionment agreement has been entered into for a Category 3 program or service, the agreement includes provisions permitting the authority to charge a fee for the program or service. This requirement does not apply where the cost apportionment agreement 	<p>Examples may include private land stewardship or extension services that are partially funded by municipal levy.</p>

after January 1, 2024 will require a cost apportioning agreement	<p>relates to any of the following Category 3 programs and services:</p> <ul style="list-style-type: none"> i) Recreational activities that are provided on land that is owned or controlled by the authority with the direct support or supervision of staff employed by the authority or by another person or body, or with facilities or other amenities maintained by the authority, including equipment rentals and renting facilities for special events. ii) Community relations to help establish, maintain, or improve relationships between the authority and community members. iii) Public education services to improve awareness of issues relating to the conservation, restoration, development, and management of natural resources in watersheds in Ontario. iv) The provision of information to the public. v) The sale of products by the authority. 	
Category 3 authority determined programs and services (section 21.1.2 of the <i>Conservation Authorities Act</i>) that are not financed in whole or in part by the municipal levy	<p>Category 3 programs and services that are not financed in whole or in part by the municipal levy, where the following requirement is met:</p> <ul style="list-style-type: none"> • The User-Pay Principle is appropriate. 	Examples may include those listed in the row above that are not financed in whole or in part by municipal levy.

Disclaimer

This Minister's Fee Classes Policy summarizes some of the requirements in the *Conservation Authorities Act* with respect to the charging of a fees by a conservation

authority for programs and services. This document should not be construed as legal advice or a substitute for seeking independent legal advice. Anyone seeking to fully understand how the Act may apply to the charging of fees by a conservation authority for programs or services should refer to the Act. In the event of any inconsistency between the *Conservation Authorities Act* and this policy, the Act will always take precedence.



FEE POLICY (DRAFT)

November 2022

Conservation Halton Fee Policy

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Background

Amendments to the *Conservation Authorities Act* and regulation O. Reg. 686/21 *Mandatory Programs and Services* provided additional clarity regarding the programs and services that conservation authorities (CAs) deliver and are required to provide.

CAs may charge a fee for a program or services that it provides if it is set out in [Policy: Minister's list of classes of programs and services in respect of which conservation authorities may charge a fee](#) ("Minister's List") (Appendix H). The Minister's List identifies that CAs may charge a fee for mandatory, municipal and other programs and services where the user-pay principle is appropriate.

Legislation

Section 21.2 of the *Conservation Authorities Act* requires Conservation Halton (CH) to administer the charging of fees in a transparent and accountable manner by adopting and publishing a written fee policy, including a fee schedule that lists the programs and services for which CH charges a fee and the amount to be charged.

Under the *Conservation Authorities Act*, programs and services delivered by conservation authorities include:

- **Category 1** - Mandatory programs and services that CH is required to provide and described in O. Reg. 686/21. These services may be funded by municipal apportionment, provincial and other grants, and / or self-generated revenue (e.g., user fees) where the user-pay principle is appropriate.
- **Category 2** - Programs and services that CH agrees to provide on behalf of a municipality under a Memorandum of Understanding (MOU) or agreement. The program or service may be funded by the municipality or by other funding mechanisms (e.g., user fees where the user-pay principle is appropriate) as per the MOU or agreement.
- **Category 3** - Programs and services that CH considers advisable to further the purposes of the CA Act. The program or service may be funded by the municipality or by other funding mechanisms (e.g., user fees where the user-pay principle is appropriate) as per the municipal cost apportioning agreement and the Minister's List.

CH has developed a Programs & Service Inventory document that outlines the categories of programs and services provided by CH.

Policy Scope

This policy applies to all classes of programs and services for which CH charges a fee. This policy does not include those instances where CH is already authorized under another statute to charge a fee for a program or service (e.g., Freedom of Information request).

The amount of a fee charged by CH for a program or service it provides shall be:

- a) The amount prescribed by the regulations; or
- b) If no amount is prescribed, the amount determined by CH with the fee schedules based on the user-pay principle.

User-Pay Principle

Fees set by CH based on the user-pay principle are user fees paid by a person or organization for a service that they specifically benefit from. The user-pay principle results in fees and revenues generated that are designed to assist with recovering the costs associated with administering and delivering the services provided by a program.

CH has established cost recovery standards such that the costs associated with administering and delivering a program or service be fully recovered by the respective user fee.

Policy Principles

When developing fee schedules, CH applies the following policy principles:

- Fees are established by CH with regard to legislative requirements, ability to sustain programs and reflect a user-pay principle.
- CH fee recovery standards for programs and services are approved by the CH Board of Directors.
- Fees for permitting and planning services are set to recover but not exceed the costs associated with administering and delivering the services on a program basis.
- Direct and indirect costs associated with the program or service are included in the calculation of the overall cost.
- For fees associated with municipal and other programs and services, the MOU or cost apportioning agreement will include provisions to enable the charging of fees except where already authorized through the Minister's List.

Implementation Process

When developing and establishing fees, CH considers several factors including cost recovery for certain services, the fees of neighbouring CAs, the nature and level of fees charged by local municipalities and provincial agencies for related services and in some cases, the value of similar services provided by local agencies or the private sector.

Costs to be recovered include estimated staff time, travel, equipment, materials, capital infrastructure, inflation and a reasonable charge to cover the administration of the program, including an allocation for shared corporate support.

The Fee Policy is approved by the CH Board of Directors and is administered and applied by CH staff.

CH has established fee schedules for the following program and services:

1. Permitting & Planning Fees (Section 28 Permit Fees, Planning Act and Technical Reviews)

CH Permitting & Planning fees aim to achieve full cost recovery for the plan review and permit function to safeguard the planning and regulations program and its services against economic volatility and subsequent budgetary uncertainty. These fees reflect that significant effort and resources are used for pre-consultation related to activities, proposals and inquiries prior to application submissions as well as compliance activities.

Plan review and Permit fee schedules are based on the complexity of the application and technical review required, which influences the staff time and resources needed for the review. Annual review of the fee schedule for determining revisions may consider the following issues and data:

- Analysis of trends in workload changes as a result of shifts in the development market and the types and numbers of applications received;
- Consultation with developers and municipalities about streamlining of work effort and new planning and legislative requirements;
- Status of cost recovery;
- Level of service review expectation for processing timing;
- Areas of improvement of level of service and staffing demands;
- Identification of specialized municipal requirements;
- Trends in legal costs associated with appeals to the Ontario Lands Tribunal (formerly the Ontario Municipal Board, Local Planning Appeal Tribunal, Mining and Lands Tribunal), and other legal services.

CH staff also considers the client service objectives outlined in the *Policies and Procedures for Conservation Plan Review and Permitting Activities* as well as the *Conservation Ontario Client Service Standards for Conservation Authority Plan and Permit Review*.

2. Conservation Halton Park Fees

CH conservation areas or park fees are reviewed annually by CH management.

Criteria for setting fees are:

- Anticipated operational expenses and inflationary pressures that will be incurred;
- Investment in anticipated capital infrastructure expenses including technology, risk management and risk mitigation;
- Comments and feedback from park visitors;
- Comparison to similar operations, opportunities and trends in the industry;
- Objectives contained within the CH's Conservation Areas Strategy to be completed by December 31, 2024 (Section 9. (1) 1 O. Reg. 686/21)

As part of the fee setting process, staff also review operational policies that pertain to the various aspects of the CH parks programs and services such as e-commerce transaction fees. Refund policies are included in this review and adjusted as necessary. Information pertaining to these policies is shared on the CH website.

Timing of changes to existing fees for park programs and services may consider factors such as advertising, seasonality of program offerings, digital and e-commerce platform requirements and optimal timing for posting the revised rates on the CH and Glen Eden websites for maximum transparency.

3. Education Program Fees

CH education and community outreach program fees are reviewed annually. CH education programs and services are funded through a number of sources. These include fees charged directly to the school or classes participating in the program, as well as through grants, funds raised by Conservation Halton Foundation (CHF), corporate sponsorships or other funding for specific programs.

CH offers programs on site at the conservation areas or parks, off site, online (virtual) and school. There is a minimum fee per program.

To determine the fees charged directly for education programs a number of factors are considered including:

- Cost of delivering the program

- Availability or subsidies, grant of other funding to reduce fees for school and students;
- Prices charged organizations offering similar services; and
- Demand for the program.

4. Nature & Environment Services Fees

Nature & Environment services fees are generally provided on an application or request for quotation basis. Fees for services such as forestry, tree planting, environmental restoration and stewardship are reviewed and updated annually and calculated on project specific basis. An attempt is made to balance program costs with user fees and potential cost-sharing opportunities such as provincial and federal grants or through contributions made by CHF.

Fees for providing these services are based on full cost recovery including an administrative allocation and further considers:

- Materials and services will be acquired in accordance with the CH Purchasing Policy;
- Material plant costs include costs associated with delivery and storage requirements;
- Staffing and equipment costs of providing the service including machine or hand planting;
- Restoration services provided to other agencies to comply with by-law or permit requirements.

Exemptions and In-Kind Services

Requests for exemptions and waivers in lieu of in-kind services can be submitted to the Chief Executive Officer of CH in writing. Such requests will be considered on an exceptional case-by-case basis.

To be consistent with Accessibility Standards for Customer Service Regulation (*O. Reg. 429/07*) and the Human Rights Code, CH permits people with disabilities who use a support person to bring that person with them while accessing goods or services on premises open to the public or third parties, free of charge.

Refunds

CH does not issue refunds for its programs or services once the application or order is submitted and the payment has been processed unless otherwise noted.

CH does issue refunds for fees if an incorrect fee is paid and if the service is not provided.

CH's conservation areas or parks may have policies regarding refunds specific to the different programs and services offered by the parks. Policies regarding refunds are posted on the CH website. These policies are revised as and when needed and posted on the website as well as communicated through dedicated campaigns and product information materials where appropriate.

Refunds are not offered for inclement weather or when a permit holder is being evicted from the premises.

Refunds may result in an associated administrative charge to the user.

Reconsideration of Fees / Appeal Process

CH senior staff will make every effort to resolve fee disputes on a case-by-case basis.

Nevertheless, any person who considers that the fee charged is contrary to the fee schedule, or that the fee set out in the fee schedule is excessive in relation to the service or program for which it is charged,

has the right to request reconsideration of the fee. Section 21.1(11) of the *Conservation Authorities Act* allows for this administrative review.

Section 21.2(11) of the *Conservation Authorities Act* provides that a person may apply to request to reconsider the fee that was charged.

Request for an administrative review of the fee charged by CH must be submitted in writing to the Chief Executive Officer or designated alternate and specify the reason(s) for the request for review. Upon reconsideration of a fee that was charged, CH may:

- a) order the person pay the fee in the amount originally charged;
- b) vary the amount of the fee originally charged, as CH considers appropriate; or
- c) order that no fee be charged for the program or service

CH will make its decision within 30 days after receiving the request. If not satisfied with the outcome of the review by the Chief Executive Officer or designated alternate, an appeal will be referred to the CH Board of Directors. Appeals will be dismissed or upheld through a resolution by the Board of Directors. The appellant will then be notified in writing of the Board's decision.

If a refund is approved, an associated administration charge may result.

For the process of reconsideration of fees related to an application for a permit, please refer to the *Conservation Authorities Act* Section 21.2 (13-21). Note, this section is still to be proclaimed.

Policy Review and Public Notification

This fee policy and schedules will be reviewed annually by the CH Senior Leadership Team, in conjunction with the annual budgeting process. The Senior Leadership Team will seek information regarding fees, from various sources as identified in this policy; prepare proposed revised fee schedules for approval by the Chief Executive Officer. For Permitting and Planning fees prepare a report and recommendation will be submitted to the Board of Directors.

The public will be notified of any revision to the Fee Policy or Schedule by way of public posting on the CH website. This may be done either through a specific report to the Board of Directors or through the posting of revised CH Fee Policy and Fee Schedule on the CH website.

Date of Effect

The Fee Policy becomes effective as of the date of CH Board of Directors approval unless stated otherwise.

FEE SCHEDULES

Schedule 1: Permitting & Planning Fees

Permitting – Permit Fees <https://www.conservationhalton.ca/permitting/>

Planning and Advisory – Plan Review Fees <https://www.conservationhalton.ca/planning-and-advisory/>

Schedule 2: CH Park Fees

Membership Rates and Gate Fees <https://www.conservationhalton.ca/park-fees-membership-rates/>

Programs and Events <https://www.conservationhalton.ca/events/>

Glen Eden <https://gleneden.on.ca/plan-your-visit/>

Schedule 3: Education Program Fees

Education Program Fees <https://www.conservationhalton.ca/education/>

Schedule 4: Nature & Environment Fees

Forestry Tree Planting <https://www.conservationhalton.ca/forestry/>

Restoration and Conservation Services <https://www.conservationhalton.ca/restoration/>

REPORT TO: Conservation Halton Board of Directors

REPORT NO: # CHBD 07 22 13

FROM: Garner Beckett, Executive Director

DATE: November 17, 2022

SUBJECT: Temporary Reappointment of Conservation Halton Foundation Board Members

Recommendation

THAT the Conservation Halton Board of Directors **approves the temporary reappointment of the following Board member until the Conservation Halton Foundation Annual General Meeting (AGM) on April 5, 2023:**

- Don Ford

Report

As per the Foundation By-law, members should be reappointed at the Foundation AGM:

2.03 At each Annual Meeting of Members the Members shall be elected from their number up to fifteen Directors to hold office for a term of 2 years, except in the case of absence, resignation, death, or removal. All Directors Members shall be eligible for re-election for further two-year terms at the will of the membership.

Since 2019, the Foundation has grown its Board and appointed members at different times throughout the year. To align with the Foundation By-law and for consistency, the foundation will reappoint board members for a temporary term until the next AGM at which point the board member will be reappointed for a further two-year term.

The individual named above has demonstrated a commitment to the values and long-term strategic objectives of both Conservation Halton and the Conservation Halton Foundation. The individual has demonstrated leadership in guiding the Foundation through a difficult two-year period and should be credited with much of the Foundation's current success and growth.

The individual listed above has confirmed that he will let his name stand for re-appointment.

In accordance with the Foundation's By-Law, member renewal must also be approved by the Conservation Halton Board of Directors.

Impact on Strategic Goals

This report supports the Momentum priority of Organizational Sustainability.

Financial Impact

There is no financial impact associated with this report.

Signed & respectfully submitted:



Garner Beckett
Executive Director, Foundation



Hassaan Basit
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

Garner Beckett, gbeckett@hrca.on.ca
Tel: 905.336.1158 ext. 2256

REPORT TO: Conservation Halton Board of Directors

REPORT NO: # CHBD 07 22 16

FROM: Marnie Piggot, Director Finance

DATE: November 17, 2022

SUBJECT: **Budget Variance Report for the Period Ended September 30, 2022, and 2022 Projected Year-End Amounts**

Recommendation

THAT the Conservation Halton Board of Directors **approves an increase in the capital budget of \$640,750 for park capital projects noted on the Capital Project Financial Appendix and funded by additional grants and other funding;**

And

THAT the Conservation Halton Board of Directors **approves a transfer to the Conservation Areas Revenue Stabilization Reserve totaling \$416,000 to meet the 2022 reserve target level from the 2022 projected parks operating surplus;**

And

THAT the Conservation Halton Board of Directors **receives for information the staff report dated November 17, 2022 on the Budget Variance Report for the period ended September 30, 2022 and 2022 Projected Year-End Amounts;**

Executive Summary

An operating surplus for 2022 of \$2,185,585 is projected in the attached Budget Variance Report (Appendix J) and is summarized in the revenue and expense table below for the period ended September 30, 2022. Projected year end amounts are based on conservative estimates by staff for the remainder of the year. The projected surplus is a favourable increase of \$1,813,466 compared to the budgeted surplus of \$372,118 and an increase of \$560,074 compared to the projected year end surplus of \$1,625,510 for the July 31, 2022, report.

The surplus is primarily driven by a favourable Conservation Areas projected surplus totaling \$1,613,582. With a successful Glen Eden winter ski season completed for fiscal 2022 and the reduced impact of COVID-19 measures on park operations, there is an overall increase of program revenues across the Parks combined with a decrease in operating expenses as operations begin to normalize. The remaining surplus is attributed to the Watershed Management & Support Services programs (WMSS), totaling \$572,003 primarily due to higher-than-expected Planning & Regulation fees.

The table below provides a summary of the projected year end surplus compared to the budgeted year end balances, as well as the total actuals amounts as of September 30, 2022.

Budget Summary	Projected Dec 31, 2022	Budget Dec 31, 2022	Budget Variance	Actual Sept 30, 2022
Revenue				
Program Revenue	\$ 20,237,939	\$ 19,135,296	\$ 1,102,643	\$ 17,871,540
Municipal Funding	10,188,345	10,172,173	16,172	7,629,129
Other Funding & Municipal Special Levies	1,656,004	1,341,113	314,891	1,082,779
Internal Chargeback Recoveries	1,880,306	1,891,702	(11,396)	1,248,580
Transfers from Reserves	15,381	142,500	(127,119)	885
Provincial Funding	704,629	659,875	44,754	384,094
Total Revenues	\$ 34,682,604	\$ 33,342,659	\$ 1,339,945	\$ 28,217,008
Expenses				
Corporate Services	\$ 6,286,773	\$ 6,372,829	(\$ 86,056)	\$ 4,673,580
Natural Hazards & Watershed Management	4,828,633	5,091,964	(263,331)	3,390,461
Permitting & Planning	5,097,609	4,748,905	348,704	3,718,705
<i>Conservation Lands & Recreation</i>				
Land Management	1,520,032	1,617,647	(97,615)	1,136,268
Parks & Recreation	13,637,921	14,013,145	(375,224)	10,082,647
Debt Financing	620,551	620,551	-	37,000
Transfers to Reserves	505,500	505,500	-	-
Total Expenses	\$ 32,497,019	\$ 32,970,541	(\$ 473,522)	\$ 23,038,660
Total Operating Surplus	\$ 2,185,585	\$ 372,118	\$ 1,813,467	\$ 5,178,347

Further details on the projected surplus and capital project life to date costs are provided in the attached Budget Variance Report (Appendix J) and in the information contained in this report.

Additional appendices provided with this report include:

- Capital Project Summary Financial Appendix (Appendix K) and
- Reserve Continuity schedule (Appendix L) with reserve balances projected to the end of year.

Report

Operating Program

The Budget Variance Report (Appendix J) provides explanations by department for variances that are projected to be greater than 10% that exceed \$10,000 from the 2022 budget amounts.

In consultation with Conservation Halton (CH's) auditor, the Canadian Emergency Wage Subsidy (CEWS) claims received in 2021 continue to be excluded until Conservation Halton staff confirm eligibility requirements with more certainty. In the potential event that CEWS funds were reassessed there would be an associated interest liability incurred at that time. Although the impacts of COVID-19 are lessened compared to prior year, CH staff continue to monitor the potential uncertainties surrounding the pandemic and continue to take a conservative approach for any estimates related to fiscal 2022.

Revenue

Total revenue is projected to exceed the budget target by \$1,339,945. Significant variances of note contributing to the overall revenue increase are detailed in the chart below.

Revenue	Projected Dec 31, 2022	Budget Dec 31, 2022	Budget Variance	Actual Sept 30, 2022
Various Departments				
Total Internal Chargeback Recoveries from Parks - increase for staff changes	1,393,500	1,364,100	29,400	1,023,093
Corporate Services				
Program & other revenue increase (CH Foundation administration recovery, investment, employment grants)	468,858	355,200	113,658	526,170
Permitting & Planning				
Planning & Regulations fees and other revenue increase	3,859,973	2,921,100	938,873	3,179,614
Partnership Projects				
Project revenue decrease fully offset by lower expenses	1,201,289	1,828,397	(627,108)	763,847
Conservation Areas				
Park revenue total increase	15,251,502	14,385,263	866,239	13,616,280
Various other increases			18,883	
Total Revenue Variance from Budget			\$1,339,945	

Expenses

Total expenses are projected to be lower than the 2022 budget by \$473,522. Significant variances of note contributing to the overall decrease in expenses are detailed in the chart below.

Expenses	Projected Dec 31, 2022	Budget Dec 31, 2022	Budget Variance	Actual Sept 30, 2022
WMSS Various Departments				
Staff salaries & benefits - staff changes	13,094,800	12,721,543	373,257	9,728,515
Planning & Watershed Management				
Legal fees increase	622,382	392,500	229,882	381,882
Operations				
Property management and Forestry purchased services	347,837	474,239	(126,402)	279,937
Partnership Projects				
Project expenses decrease fully offset by matching lower funding	1,201,289	1,828,397	(627,108)	763,847
Conservation Areas				
Park expenses total decrease	13,637,921	14,013,145	(375,224)	10,082,647
Various other increases (decreases)			52,072	
Total Expense Variance from Budget			(\$473,522)	

Conservation Areas

The Park Operating Summary chart below provides further details on the significant projected revenue and expense variances.

Parks Operating Summary	2022 Projected	2022 Budget	Budget Variance	Actual Sept 30, 2022
Revenue				
Ski (season passes, lift fees, lessons, rentals, retail)	\$ 6,742,166	\$ 6,674,000	\$ 68,166	\$ 6,742,166
Entry fees	3,000,963	2,269,000	731,963	2,325,963
Program & other	3,593,081	3,980,800	(387,719)	3,064,659
Annual park memberships	1,570,001	1,100,000	470,001	1,197,359
Municipal funding - Education & Outreach	345,291	361,463	(16,172)	286,132
Total Revenue	\$ 15,251,502	\$ 14,385,263	\$ 866,239	\$ 13,616,279
Expenses				
Staff salaries & benefits - full time	\$ 2,960,986	\$ 3,399,892	(\$ 438,906)	\$ 1,800,100
Staff salaries & benefits - part time	4,881,079	4,475,158	405,921	3,785,329
Materials & supplies and Purchased services	4,402,356	4,773,995	(371,639)	3,474,125
Internal chargeback - WMSS support services	1,393,500	1,364,100	29,400	1,023,093
Total Expenses	\$ 13,637,921	\$ 14,013,145	(\$ 375,224)	\$ 10,082,647
Parks Operating Surplus	\$ 1,613,582	\$ 372,118	\$ 1,241,464	\$ 3,533,632

With the full season for Kelso Glen Eden ski programs and the expected lessened impacts of COVID across the Parks, total revenues are estimated to be higher than the 2022 budget amount by \$866,239. This is primarily attributed to an increase in entry fees and annual park memberships, offset by lower program revenues. The lower program revenue is mainly related to reduced offerings for Education and Maple Town programs that have not returned to the level anticipated in the 2022 budget. Additionally, Park expenses are projected to be favourable compared to budget by (\$375,224) due to lower-than-expected staffing costs, with staffing vacancies and a decrease in general program expenses in line with the decrease in program revenues.

A transfer to the Stabilization Reserve of \$416,000 is recommended based on the projected parks operating surplus and anticipated capital savings. The reserve transfer will bring the Stabilization reserve to the target level in Conservation Halton Budget Principles of 5 to 10% of program revenues.

Capital Program

The Capital Project Report (Appendix J) attached includes current capital projects, the respective approved project budget, life to date costs and the budget remaining to be spent. As of September 30, 2022, life to date capital expenses total \$4,904,446 or approximately 46% of the total capital budget.

The capital project budget is recommended to be increased by a total of \$640,750 as a result of successful grant funding. The capital budget increases are noted on the Capital Project Report (Appendix I). A grant from the Canada Community Revitalization Fund (CCRF) totalling \$490,750 was approved to further Kelso Quarry Park/Area 8 infrastructure initiatives of \$286,750 and \$204,000

for work at the Mountsberg Cameron Courtyard. The remaining \$150,000 is related to various grants and Foundation fundraising for Kelso Quarry restoration work.

Dams and channels capital projects completed by March 31st to meet the provincial MNRF Water and Erosion Control Infrastructure (WECl) funding period are closed as noted on the Capital Project Financial Appendix.

Investments

Information on investment balances and investment revenue earned to September 30, 2022, is provided in the chart below. Current investments, including the long-term Water Management System fund, total almost \$44 million. Total market values for the investments held exceed the cost of the total investments. Investment balances have increased since December 31, 2021, with the successful Glen Eden operating season and the timing of municipal funding payments.

Investment	Investment Cost Book Value Sept. 30, 2022	Current Rates of Return	Operating & Reserve funds 2022 YTD Investment Revenue	Investment Fair Market Value Sept. 30, 2022	Investment Cost Book Value Dec. 31, 2021	Investment Fair Market Value Dec. 31, 2021
Bank Business Investment Account	\$ 4,686,943	2.70%	\$ 12,057	\$ 4,686,943	\$ 5,203,184	\$ 5,203,184
Bank 31 day Notice Plan	10,236,101	3.90%	150,295	10,236,101	10,085,806	10,085,806
GICs (Guaranteed Investment Certificates)	8,000,000	.75%-4.85%	88,811	8,000,000	5,000,000	5,000,000
One Investment - High Interest Savings	7,348,735	3.72%	33,239	7,348,735	2,314,090	2,314,090
One Investment - Corporate Bond Fund	4,512,292	3.05%	68,915	4,052,518	4,443,377	4,449,249
One Investment - Equity Fund	614,604	0.00%	-	1,236,917	614,604	1,438,426
Subtotal - Operating and Reserve funds	35,398,675		353,317	35,561,213	27,661,061	28,490,755
Long-term Water Management System Fund	12,463,727	.95%-4.15%	112,110	12,081,055	12,351,617	13,495,435
Total	\$ 47,862,402		\$ 465,427	\$ 47,642,268	\$ 40,012,678	\$ 41,986,190

Funds continue to be invested in accordance with the Conservation Halton Investment Policy in the following instruments:

- Bank Business Investment and Notice Plan Accounts;
- Bank short term money market instruments such as GICs; and
- One Investment High Interest Savings, Long-term Bond and Equity Pooled Funds.

The current investment market is subject to increased market fluctuations with recent interest rate increases by the Bank of Canada totaling 3.50% from March through October. As a result, investment revenue is projected to exceed the 2022 budget amounts. Investments held have varying maturity dates that will allow for reinvestment at higher rates. The investment funds include the CEWS funds received in 2021.

Impact on Strategic Goals

This report supports the Momentum priority of Organizational Sustainability.

Financial Impact

The report Recommendation outlines the financial impacts of the Budget Variance Report (Appendix H) for the period ended September 30, 2022, and the 2022 projected year end amounts.

Signed & respectfully submitted:



Marnie Piggot,
Director, Finance

Approved for circulation:



Hassaan Basit
President & CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

Marnie Piggot; Director Finance
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Appendix J

Conservation Halton Budget Variance Report Financial Appendix

	NOTES	ACTUAL SEPT 30 2022	PROJECTED DEC 31 2022	BUDGET DEC 31 2022	\$ VARIANCE OVER / (UNDER) BUDGET	% VARIANCE OVER / (UNDER) BUDGET
WATERSHED MANAGEMENT & SUPPORT SERVICES (WMSS)						
CORPORATE SERVICES						
<u>Expenditures</u>						
Salaries and Benefits		3,594,263	4,843,264	4,778,062	65,202	1.4%
Total Materials & Supplies and Purchased Services, Finance & other		1,079,317	1,443,509	1,594,767	(151,258)	(9.5%)
Debt Financing Charges		37,000	620,551	620,551	-	0.0%
Transfer to Reserves - Land Securement		-	25,000	25,000	-	0.0%
Transfer to Reserves - State of Good Repair Levy		-	480,500	480,500	-	0.0%
Total Expenditures		4,710,579	7,412,824	7,498,880	(86,056)	(1.1%)
<u>Revenue</u>						
Program & Other Revenue	1	526,170	468,858	355,200	113,658	32.0%
Provincial Funding		-	-	-	-	0.0%
Municipal Funding		7,629,129	10,188,345	10,172,173	16,172	0.2%
Internal Chargeback Recoveries		801,564	1,046,300	1,091,500	(45,200)	(4.1%)
Reserve Funding	2	-	-	20,000	(20,000)	(100.0%)
Total Revenues		8,956,863	11,703,503	11,638,873	64,630	0.6%
TOTAL CORPORATE SERVICES		4,246,284	4,290,679	4,139,993	150,686	3.6%

Notes:

Corporate Services category includes: Office of the CEO, CH Foundation Administration, Finance, Human Resources, Marketing & Communications, Office of the COO, GIS, IT, Project Management Office, Risk & Health and Fleet Operations.

1. Other revenue includes investment revenue allocated to the Watershed Management & Support Services program that is anticipated to be significantly higher than the 2022 budget amount as a result of increasing interest rates in 2022.

2. Reserve funding for revised staff office workspace needs because of COVID-19 impacts is not anticipated to be required due to savings in other costs.

Conservation Halton
Budget Variance Report Financial Appendix

	NOTES	ACTUAL SEPT 30 2022	PROJECTED DEC 31 2022	BUDGET DEC 31 2022	\$ VARIANCE OVER / (UNDER) BUDGET	% VARIANCE OVER / (UNDER) BUDGET
NATURAL HAZARDS & WATERSHED MANAGEMENT						
<u>Expenditures</u>						
Salaries and Benefits		2,548,378	3,574,851	3,397,701	177,150	5.2%
Total Materials & Supplies and Purchased Services	3	842,083	1,253,782	1,694,263	(440,481)	(26.0%)
Total Expenditures		3,390,461	4,828,633	5,091,964	(263,331)	(5.2%)
<u>Revenue</u>						
Program & Other Revenue	3	754,361	993,852	1,785,966	(792,114)	(44.4%)
Provincial Funding	3	290,344	579,629	534,875	44,754	8.4%
Other Municipal Funding	3	207,707	339,415	110,000	229,415	208.6%
Federal Funding	3	226,681	393,855	190,000	203,855	107.3%
Reserves	4	885	-	122,500	(122,500)	(100.0%)
Internal Chargeback Recoveries		221,577	530,229	546,032	(15,803)	(2.9%)
Total Revenues		1,701,555	2,836,980	3,289,373	(452,393)	(13.8%)
TOTAL NATURAL HAZARDS & WATERSHED MANAGEMENT		(1,688,906)	(1,991,653)	(1,802,591)	(189,062)	10.5%

Notes:

Natural Hazards & Watershed Management category includes: Flood Forecasting, Monitoring Ecology, Land Owner Outreach & Restoration, Restoration & Conservation, Hamilton Harbour Remedial Action Plan (HHRAP), Partnership Projects, Source Protection, and Watershed Strategies & Climate Change (WSCC).

3. Total Operations and Partnership Projects costs for Salaries, Materials & Supplies, and Purchased Services, are estimated to be less than the budget amount by (\$440,481). This will be offset by the allocation of Program & Other Revenue and confirmed grants to other programs such as Partnership Projects with minimal impact to the overall operating surplus.

4. Reserve funding included in the budget related to funding of Legal and Landowner Outreach program expenses is not anticipated to be required as a result of cost savings and increased other revenues.

Conservation Halton
Budget Variance Report Financial Appendix

	NOTES	ACTUAL SEPT 30 2022	PROJECTED DEC 31 2022	BUDGET DEC 31 2022	\$ VARIANCE OVER / (UNDER) BUDGET	% VARIANCE OVER / (UNDER) BUDGET
PERMITTING & PLANNING						
<u>Expenditures</u>						
Salaries and Benefits		3,336,175	4,455,075	4,333,255	121,820	2.8%
Total Materials & Supplies and Purchased Services	5	382,530	642,534	415,650	226,884	54.6%
Total Expenditures		3,718,705	5,097,609	4,748,905	348,704	7.3%
<u>Revenue</u>						
Program & Other Revenue	6	3,179,614	3,859,973	2,921,100	938,873	32.1%
Provincial Funding		-	-	-	-	0.0%
Other Municipal Funding	7	287,254	391,404	522,650	(131,246)	(25.1%)
Internal Chargeback Recoveries		25,232	40,232	-	40,232	0.0%
Total Revenues		3,492,100	4,291,609	3,443,750	847,859	24.6%
TOTAL PERMITTING & PLANNING		(226,605)	(806,000)	(1,305,155)	499,155	(38.2%)

Notes:

Permitting & Planning category includes: Planning & Regulations, Floodplain Mapping, and the Regional Infrastructure Team (RIT).

5. Purchased Services include legal expenses that exceed the budget by \$226,884 primarily due to increased legal costs under Planning & Regulations.

6. Program & Other Revenues are projected to exceed the budget amount by \$938,873 as a result of increased planning, permits and other services in year. Included in this increase is Ecological Services Agreement funding of approximately \$241,000 not included in the 2022 budget with the approval of the agreement after the budget was prepared.

7. Other municipal funding is projected to be lower than budget by (\$131,246) for the Regional Infrastructure Team (RIT). As RIT funding is based on actual expenses, there are savings in salaries and benefits primarily due to staffing vacancies with no impact on RIT work.

Conservation Halton
Budget Variance Report Financial Appendix

	NOTES	ACTUAL SEPT 30 2022	PROJECTED DEC 31 2022	BUDGET DEC 31 2022	\$ VARIANCE OVER / (UNDER) BUDGET	% VARIANCE OVER / (UNDER) BUDGET
CONSERVATION LANDS & RECREATION (LAND MANAGEMENT)						
<u>Expenditures</u>						
Salaries and Benefits		915,100	1,258,833	1,232,227	26,606	2.2%
Chargeback - Parks staff support		53,829	70,360	71,770	(1,410)	(2.0%)
Total Materials & Supplies and Purchased Services	8	167,339	190,839	313,650	(122,811)	(39.2%)
Total Expenditures		1,136,268	1,520,032	1,617,647	(97,615)	(6.0%)
<u>Revenue</u>						
Program & Other Revenue		170,043	242,193	236,000	6,193	2.6%
Provincial Grants		93,750	125,000	125,000	-	0.0%
Other Municipal Funding		40,039	40,039	42,000	(1,961)	(4.7%)
Internal Chargeback Recoveries		146,378	191,775	182,400	9,375	5.1%
Total Revenues		450,211	599,008	585,400	13,608	2.3%
TOTAL CONSERVATION LANDS & RECREATION (LAND MANAGEMENT)		(686,057)	(921,024)	(1,032,247)	111,223	(10.8%)
Notes:						
Conservation Lands & Recreation (Lands Management) includes: Forestry, Property Management, and Security.						
8. Purchased Services are projected to be lower than budget by (\$122,811) primarily due to lower than expected Property Management and Forestry operating costs and project costs funded by grants such as 2 Billion Trees.						
TOTAL WMSS REVENUE		14,600,728	19,431,101	18,957,396	473,705	2.5%
TOTAL WMSS EXPENDITURES		12,956,014	18,859,098	18,957,396	(98,298)	(0.5%)
TOTAL		1,644,715	572,003	-	572,003	

Conservation Halton
Budget Variance Report Financial Appendix

	NOTES	ACTUAL SEPT 30 2022	PROJECTED DEC 31 2022	BUDGET DEC 31 2022	\$ VARIANCE OVER / (UNDER) BUDGET	% VARIANCE OVER / (UNDER) BUDGET
CONSERVATION LANDS & RECREATION (RECREATION)						
<u>Expenditures</u>						
Salaries and Benefits		5,951,521	7,849,531	8,057,964	(208,433)	(2.6%)
Total Materials & Supplies and Purchased Services		3,108,033	4,394,890	4,591,081	(196,191)	(4.3%)
Internal Chargeback - WMSS Support Services to Parks		1,023,093	1,393,500	1,364,100	29,400	2.2%
Total Expenditures		10,082,647	13,637,921	14,013,145	(375,224)	(2.7%)
<u>Revenue</u>						
Program Revenue		13,241,352	14,673,060	13,837,030	836,030	6.0%
Other Revenue	9	-	96,000	65,000	31,000	47.7%
Municipal Funding		321,098	395,291	411,463	(16,172)	(3.9%)
Reserve Funding (Outreach)		-	15,381	-	15,381	0.0%
Internal Chargeback Recovery - Parks to WMSS		53,829	71,770	71,770	-	0.0%
Total Revenues		13,616,280	15,251,502	14,385,263	866,240	6.0%
TOTAL - TRANSFER TO CONSERVATION LANDS & RECREATION (RECREATION)		3,533,632	1,613,582	372,118	1,241,464	333.6%

Notes:

Conservation Land & Recreation (Recreation) includes: Education & Awareness, Recreation, Risk Management, and Visitor Experience programming.

9. Other revenue consists of investment revenue allocated to the parks operating program and is anticipated to be higher than the 2022 budget amount due to increasing interest rates.

Appendix K

CONSERVATION HALTON CAPITAL PROJECT FINANCIAL APPENDIX AS AT SEPTEMBER 30, 2022

Capital Project Description	Capital Budget Prior to Increase	Budget Increase to be approved	Total Capital Budget	Prior Years Capital Costs	2022 Capital Costs	Total Capital Costs	Total Unspent	Project to be Closed	Capital Project Funding
Watershed Management & Support Services (WMSS)									
Hilton Falls Dam Diversion Structure Upgrade Construction Phase 2	609,000		609,000	\$630,992	-	630,992	(21,992)	CLOSED	50% Provincial; 50% Reserve
Milton Channel Main & Millside Slab Repair	255,927		255,927	\$175,905	-	175,905	80,022	CLOSED	50% Provincial; 50% Reserve
Kelso Dam Lift Gates and Hoists Refurbishment - West Gate	173,000		173,000	\$5,409	167,591	173,000	0	CLOSED	50% Provincial; 50% Reserve
Kelso Dam Lift Gates and Hoists Refurbishment & East Gate	395,970		395,970	\$49,791	43,217	93,008	302,962		50% Provincial; 50% Reserve
Milton Channel - Kingsleigh Court	190,000		190,000	-	115,894	115,894	74,106		50% Provincial; 50% Reserve
Hilton Falls Dam - 96" Actuator & Trashrack	130,000		130,000	-	29,655	29,655	100,345		50% Provincial; 50% Reserve
Mountsberg Dam Safety Review	80,000		80,000	-	13,476	13,476	66,524		50% Provincial; 50% Reserve
Scotch Block Dam Intake Assessment	25,000		25,000	-	5,959	5,959	19,041		50% Provincial; 50% Reserve
Emerald Ash Borer **	877,664		877,664	-	654,231	654,231	223,433		Municipal - EAB; Lumber sales
Flood Forecasting & Warning **	215,862		215,862	-	19,928	19,928	195,934		Municipal
Floodplain Mapping - 2019 (Urban Milton; Morrison-Wedgewood)	506,626		506,626	\$469,638	-	469,638	36,988		50% Federal NDMP; 50% Municipal
Floodplain Mapping - 2020	330,000		330,000	\$111,335	121,620	232,955	97,045		Other Municipal Halton Region
Floodplain Mapping - 2021 (East Burlington)	975,000		975,000	\$270,816	146,203	417,019	557,981		50% Halton Region; 50% NDMP
Floodplain Mapping - 2022	525,000		525,000	-	-	-	525,000		Other Municipal Halton Region
Watershed Planning	80,000		80,000	-	-	-	80,000		Municipal \$50K; Grant
Watershed Database Management System**	43,269		43,269	-	-	-	43,269		Municipal
WMSS Facility & Admin. Office Renovations - non SOGR **	154,564		154,564	-	8,306	8,306	146,258		Reserve - Building
WMSS Facility & Admin. Office - State of Good Repair (SOGR) **	217,854		217,854	-	109,070	109,070	108,784		Reserve - Building SOGR
Green Infrastructure Low Impact Development - Admin. Office	798,000		798,000	-	136,164	136,164	661,837		Debt Financing \$500K; CCRF Grant
Operations Centre Study and Design	100,000		100,000	-	6,100	6,100	93,900		Reserves
Information Technology - WMSS **	105,108		105,108	-	31,963	31,963	73,145		Municipal
Digital Transformation - WMSS **	401,047		401,047	-	-	-	401,047		Municipal; Reserves \$200K
Asset Management Plan	40,000		40,000	\$2,621	21,315	23,936	16,064		Municipal
Compensation Review	30,000		30,000	-	-	-	30,000		Municipal
Financial system upgrades	75,000		75,000	-	-	-	75,000		Municipal
Website Upgrade	100,000		100,000	\$58,969	14,554	73,523	26,477		Municipal; Reserves
Payroll System Upgrade - Phase 2 (Phase 1 Completed)	89,500		89,500	\$69,736	-	69,736	19,764		Municipal; Reserves
GIS Imagery Data Acquisition (Lidar; Ortho)	115,000		115,000	\$21,168	-	21,168	93,832		Municipal
Fleet Vehicle and Equipment Replacements - WMSS	94,000		94,000	-	4,547	4,547	89,453		Reserve; Vehicle Sales
Property Management	75,000		75,000	-	-	-	75,000		Municipal
Speyside Weir Removal	176,000		176,000	-	4,088	4,088	171,912		Reserve
Roots Ridge Acquisition & Restoration	61,250		61,250	-	28,833	28,833	32,417		Federal; Reserve
Fuciarelli Restoration	43,000		43,000	-	10,099	10,099	32,901		Federal
NSCS Burlington Beach	-		-	-	2,235	2,235	(2,235)		NSCS Federal funding through Conservation Ontario to CH
Conservation Areas Facility & Infrastructure:									
Kelso/Glen Eden - Water/Wastewater Servicing	704,035		704,035	\$627,593	-	627,593	76,442		Reserve; Dev. Contribution funds \$59,548
Kelso & Crawford Lake Visitor Centres (Dev. Contr'n Projects)	625,000		625,000	\$162,521	-	162,521	462,479		Dev. Contribution funds
Crawford Lake Boardwalk	2,280,000		2,280,000	\$5,283	34,945	40,228	2,239,772		ICIP Grant; Dev. Contr'n funds 26.67%
Kelso/Glen Eden - Ski/Snowboarding Capital Expenditures	950,000		950,000	-	65,061	65,061	884,939		Reserve
Kelso Quarry Park	100,000	286,750	386,750	-	18,455	18,455	368,295		Reserve; CCRF Grant & Other Funding
Kelso Quarry Park (Spirit of Giving)	-	150,000	150,000	\$6,005	115,991	121,996	28,004		Grants & Other Funding
Facility and Infrastructure Major Maintenance **	515,171	204,000	719,171	-	3,831	3,831	715,340		Reserve; CCRF Grant
Enhancing Trail Systems and Park Infrastructure	1,041,500		1,041,500	\$45,132	240,786	285,918	755,582		ICIP Grant
Foundation Funded Capital Projects	100,000		100,000	-	-	-	100,000		CH Foundation
Information Technology Infrastructure - Conservation Areas **	156,703		156,703	-	9,959	9,959	146,744		Reserve
Fleet Vehicle and Equipment replacements - Conservation Areas	269,903		269,903	-	7,456	7,456	262,447		Reserve; Vehicle Sales
Total Capital Projects	\$14,829,953	\$640,750	\$15,470,703	\$2,712,913	\$2,191,533	\$4,904,446	\$10,566,257		

CONSERVATION HALTON
Reserve Continuity
September 30, 2022

Reserve	Reserve Balances Jan 1, 2022	Budgeted & Previously Approved Transfers	Reserve Balances Prior to Transfers to be Approved	Reserve Transfers to be Approved Nov. 17, 2022	Projected Reserve Balances Dec 31, 2022
Watershed Management & Support Services					
Vehicle and equipment	704,901	(94,000)	610,901		610,901
Building - State of Good Repair	418,674	164,000 (217,854)	364,820		364,820
Building	316,872	(200,000)	116,872		116,872
Watershed Management Capital - Municipal Funds	740,360	316,500 (350,485)	706,375		706,375
Watershed Management Capital - Self Generated Funds	434,911	-	434,911		434,911
Watershed Management & Support Services Stabilization	1,789,212	(470,000)	1,319,212	-	1,319,212
Debt Financing Charges	471,596	-	471,596		471,596
Digital Transformation	278,400	(200,000)	78,400		78,400
Legal - Planning & Watershed Management	941,995		941,995	-	941,995
Legal - Corporate	200,000		200,000	-	200,000
Water Festival	188,911	(10,000)	178,911		178,911
Land Securement	88,739	25,000	113,739		113,739
Property Management	1,084,043		1,084,043		1,084,043
Stewardship and restoration	409,051	(63,500)	345,551	-	345,551
Conservation Areas					
Capital	2,629,691	372,118 (1,532,903)	1,468,906		1,468,906
Revenue Stabilization	730,490		730,490	416,000	1,146,490
Total Reserves	\$11,427,846	\$ (2,261,124)	\$ 9,166,722	\$ 416,000	\$ 9,582,722

REPORT TO: Conservation Halton Board of Directors

REPORT NO: # CHBD 07 22 17

FROM: Marnie Piggot, Director Finance

DATE: November 17, 2022

SUBJECT: 2023 Budget & Business Plan

Recommendation

THAT municipal funding of \$11,298,835 in the 2023 budget **be approved by a weighted majority vote by Conservation Halton Board of Directors based on the 2023 budget municipal apportionment;**

And

THAT transfers to and from Reserves in the 2023 budget **be approved as outlined in this report;**

And

THAT the 2023 Budget & Business Plan **be approved as presented.**

Executive Summary

The 2023 Budget & Business Plan (Appendix M) provided in the meeting package is presented for approval by the Conservation Halton (CH) Board of Directors. The Finance & Audit Committee recommended at the November 1 meeting that the 2023 budget be approved by the CH Board of Directors.

CH staff have met with Halton and Peel Regional senior staff to review the proposed budget and municipal funding request. Budget presentations to municipal councils are planned for Halton Region and Hamilton on January 11, 2023, Peel Region on February 2, 2023, with Puslinch to be confirmed.

The 2023 budget will allow CH to continue to meet its strategic priorities as outlined in Momentum and build on our successes to date. The 2023 budget balances delivery of core programs and services, with other strategic priorities, inflationary and growth-related pressures.

The 2023 budget of \$42.5 million is summarized in the chart below. The amounts are categorized according to the CH Halton Programs & Services Inventory presented earlier this year to align with the new Conservation Authority (CA) Act regulation requirements. The combined operating budget totals approximately \$37.2 million and the capital budget totals \$5.3 million.

Budget Summary	2023 Budget	2022 Budget	Increase / (Decrease)
Revenue			
Program Revenue	\$ 18,713,896	\$ 17,154,550	\$ 1,559,346
Municipal Funding	11,298,835	10,795,636	503,199
Grants, other funding & municipal special levies	6,244,081	5,785,373	458,708
Internal Chargeback Recoveries	3,022,997	2,283,751	739,246
Transfers from Reserves	2,411,299	2,570,888	(159,589)
Provincial Funding	810,438	1,601,584	(791,146)
Total Revenue	\$ 42,501,546	\$ 40,191,782	\$ 2,309,764
Expenses			
Corporate Services	\$ 6,968,715	\$ 6,372,829	\$ 595,886
Natural Hazards & Watershed Management	6,311,409	4,773,484	1,537,925
Permitting & Planning	5,322,854	5,067,385	255,469
Conservation Lands & Recreation			
Land Management	1,835,300	1,617,647	217,653
Parks & Recreation	15,634,756	14,385,263	1,249,493
Debt Financing	580,126	620,551	(40,425)
Transfers to Reserves	565,000	505,500	59,500
Capital	5,283,386	6,849,123	(1,565,737)
Total Expenses	\$ 42,501,546	\$ 40,191,782	\$ 2,309,764
Budgeted Surplus	\$ -	\$ -	\$ -

Municipal funding in the 2023 budget has been revised to a 4.7% increase or \$89,000 in additional base municipal funding rather than 3.8% and \$179,000 Special Levy to Halton Region included in the preliminary budget. The increase in municipal funding is 4.7% for 2023 and in line with the Halton Region guideline of 4.7%. This has been achieved through continued operating improvements that do not affect service levels along with increased other revenues such as grants. Most of the budget continues to be funded through self-generated revenues and base municipal funding remains at less than 30% of the total funding sources. Specific guidelines have not been received from the other three funding municipalities.

Municipal State of Good Repair (SOGR) levies are proposed to increase in total by \$59,500. The increase includes \$46,200 for dams and channels to provide for the municipal funding level to reach the target amount plus inflation by 2028 based on the recently updated Asset Management Plan for Dams and Channels. The target municipal funding has been achieved for facilities in the 2023 budget with the increase of \$13,300 in the SOGR levy for buildings.

Debt financing of \$1 million is requested in the 2023 budget, consistent with the 2022 budget forecast related to the new Central Works Operations Centre project.

The anticipated Conservation Areas operating surplus in the 2023 budget of \$427,337 is higher than the 2022 budget surplus of \$372,118. Revenues are conservatively estimated based on 2021-2022 activity. Revenue increases are offset by increased park expenses for higher credit card charges with most sales now processed online, higher insurance premiums, facility maintenance and part time staff

expenses including OMERS pension costs with the requirement to offer OMERS to all employees starting in 2023.

2023 Budget highlights:

Major drivers of the 2023 budget increase of \$2.3 million over 2022 budget amounts are:

- \$1,490,000 in total staff salary and benefits costs including a 3.0% inflation increase to the salary bands and compensation increases associated with the compensation review undertaken in 2022 for implementation in 2023.
- \$515,000 for five new full-time equivalents (FTE) staff positions that are fully funded through new funding agreements and increased internal chargeback recoveries with no municipal funding impact. Four staff positions are included in the operating budget and one FTE has been included in the capital budget for the development of a Watershed Strategy to be completed as per the CA Act regulations by 2024.
- \$754,000 for increased part time and project contract staff that are fully funded by increased program revenues and project grants.
- \$118,000 in increased insurance expenses based on 2022 insurance premiums with \$98,000 of that related to the Glen Eden ski operation.
- Operating expenses increases are offset by a decrease in the Capital budget of \$1,565,737 because of changes in the projects proposed for 2023.

Report

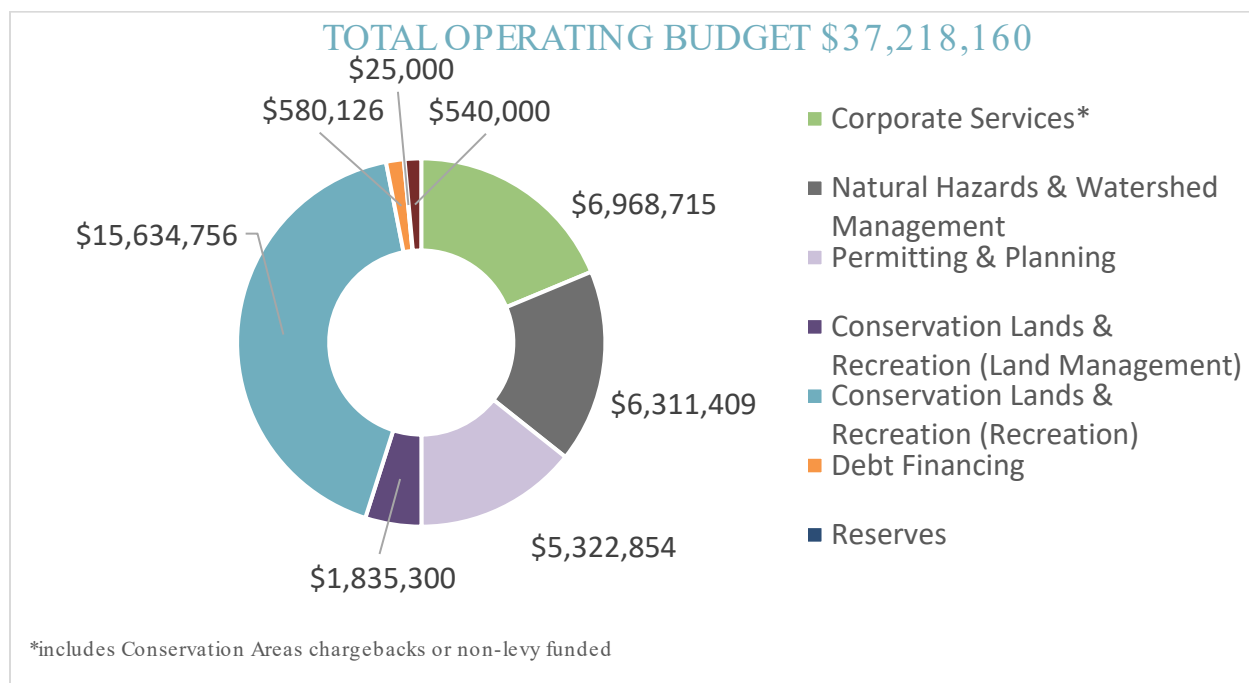
2023 Budget Revisions

Revisions have been made in the 2023 budget from the preliminary budget presented in June including a change in the allocation of municipal funding. A summary of the budget revisions include:

- Municipal apportionment percentages for 2023 recently received from the province have been updated;
- Municipal debt financing charges were revised to \$530,126 by Halton Region staff resulting in an increase of \$3,010 from the preliminary budget amount of \$527,116 based on the 2022 budget 2023 forecast amount. Municipal debt financing charges in the 2023 budget have decreased by \$40,425 from the 2022 budget amount;
- Salary and benefits additional impacts of approximately \$262,000 have been included in the 2023 budget with finalization of the compensation review as well as an increase of inflation inputs from 2.5% to 3.0% due to market factors with no impact to municipal funding; and
- Municipal funding in the 2023 budget has been revised to a 4.7% increase or \$89,000 in additional base municipal funding rather than 3.8% and \$179,000 Special Levy to Halton Region included in the preliminary budget. The Special Levy of \$179,000 was requested in the preliminary budget from Halton Region to fund the new Watershed Strategies & Climate Change capital project to develop a Watershed Strategy by 2024 as required by the CA Act regulations. The municipal funding for this project is now being apportioned to all funding municipalities. The Special Levy of \$179,000 has been replaced by increased municipal funding of \$89,000 and \$90,000 in a new transfer from reserves to fund the \$179,000 project cost.

2023 Operating Budget

The 2023 operating budget of \$37.2 million provides for an investment of \$21.6 million in Watershed Management & Support Services (WMSS) programs and an investment of \$15.6 million into the Conservation Areas. The following graph shows the distribution of the operating budget by department.



Inflation has been assumed generally at a rate of 3.0% for 2023 consistent with Halton Region budget guidelines.

The 2023 operating budget increase of almost \$3.9 million over the 2022 budget is funded by program revenue, grants, reserves, municipal funding and internal program chargeback recoveries. Operating budget expense and funding amounts are summarized in the chart below.

Major drivers of the operating budget increase include:

- \$2,655,958 increased staff salary and benefits costs including compensation review and inflation adjustments. Four new staff positions have been funded through new funding agreements and internal recoveries with no municipal funding impact.
- \$454,085 in materials, supplies and purchased services primarily due to new Partnership Projects.
- \$646,034 in increases in internal chargebacks to programs for the recovery of staff time spent on programs and projects funded by program revenues and grants.

For further detail please reference the CH Budget & Business Plan book.

Operating Budget	2023 Budget	2022 Budget	Increase / (Decrease)
Operating Expenses:			
Staff Salary & Benefits	\$ 23,905,536	\$ 21,249,578	\$ 2,655,958
Materials & Supplies	3,010,020	2,956,499	53,521
Purchased Services	5,479,276	5,078,712	400,564
Financial	595,330	550,200	45,130
Internal Chargebacks	2,655,535	2,009,501	646,034
Debt Financing Charges	580,126	620,551	(40,425)
Transfer to Reserves - Land Securement	25,000	25,000	-
Transfer to Reserves - SOGR Levy Dams & Channels	362,700	316,500	46,200
Transfer to Reserves - SOGR Levy Buildings	177,300	164,000	13,300
Transfer to Reserve - Conservation Areas Operating Surplus	427,337	372,118	55,219
Total Operating Expenses	\$ 37,218,160	\$ 33,342,659	\$ 3,875,501
Funding of Operating Expenses:			
Program Revenues and Fees	\$ 18,747,896	\$ 17,138,550	\$ 1,609,346
Provincial (Ministry MNRF) - Operating Grant	155,034	155,034	-
Municipal Funding	10,376,835	10,053,136	323,699
Municipal Funding - State of Good Repair Levies Dams & Channels and Buildings	540,000	480,500	59,500
Other Grants & Program Funding	4,028,235	3,038,188	990,047
Internal Chargeback Recoveries	3,022,997	2,283,751	739,246
Transfers from Reserves	347,163	193,500	153,663
Total Operating Funding	\$ 37,218,160	\$ 33,342,659	\$ 3,875,501

Staffing

The 2023 budget includes 261 Full Time Equivalent (FTE) staff that are comprised of 128 FTE in Watershed Management & Support Services (WMSS) programs and 133 FTE in the Conservation Areas.

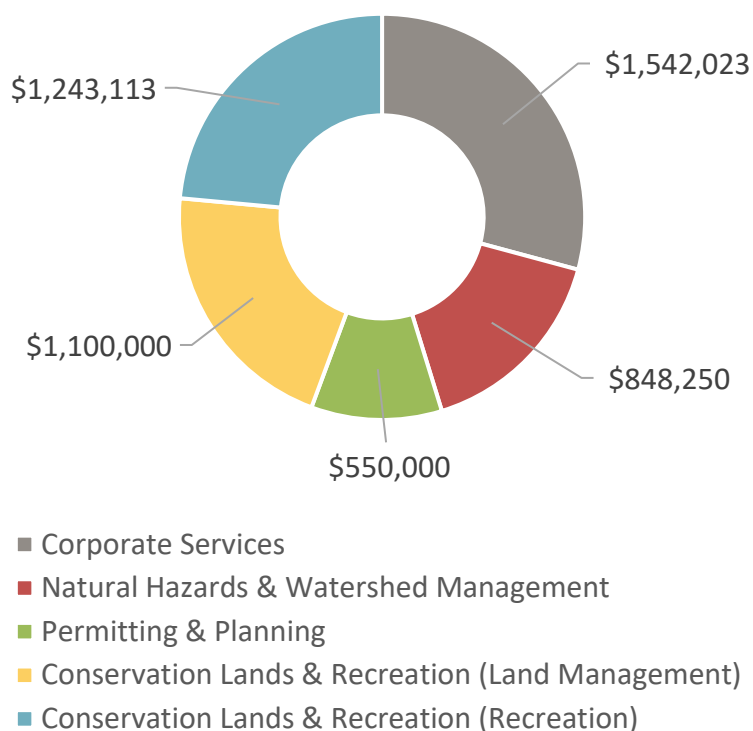
The net increase in positions and funding is associated with new funding agreements and changes in program priorities and workplans consistent with strategic plan initiatives.

2023 Capital Budget Summary

The 2023 capital budget represents an investment of \$5.3 million into infrastructure and technology to enhance programs and services in the watershed of \$4.1 million and Conservation Areas of \$1.2 million.

The capital budget provides funding for the rehabilitation of flood control infrastructure, updating of flood plain mapping, investments in technology upgrades, fleet replacements, development of studies and plans, managing the impacts of Emerald Ash Borer, land management initiatives, infrastructure improvements and the implementation of Watershed Strategies & Climate Change initiatives.

TOTAL CAPITAL BUDGET \$5,283,386



Municipal Funding

The total municipal funding increase of \$503,199 includes an additional \$59,500 for State of Good Repair levies for dams, channels, and facility assets to gradually meet target levels established in the Asset Management Plans for these assets. Asset Management Plans have been completed for all of CH's assets with most of the assets identified as in good condition.

Municipal Funding	2023 Budget	2023 Municipal Funding	2022 Municipal Funding	Municipal Funding Increase
Operating (excl. SOGR levy)	\$36,678,160	\$10,376,835	\$10,053,136	3.2%
Capital	5,283,386	382,000	262,000	45.8%
	41,961,546	10,758,835	10,315,136	4.3%
State of Good Repair (SOGR) Levy - Dams & Channels; Facilities	540,000	540,000	480,500	12.4%
Total	\$42,501,546	\$11,298,835	\$10,795,636	4.7%

Apportionment of Municipal Funding

Municipal funding of \$11,298,835 is apportioned to the Region of Halton, City of Hamilton, Region of Peel and Township of Puslinch according to the area and proportional current value assessment (CVA) of the municipality falling within the CH watershed.

Based on updated current value assessment data and apportionment percentages received from the province, the apportioned municipal funding amounts are as follows:

	2023 Apportionment (%)	2023 Municipal Funding (\$)	2022 Apportionment (%)	2022 Municipal Funding (\$)	% Increase
Municipality:					
Region of Halton	87.9192%	\$9,933,846	87.8985%	\$9,489,203	4.7%
City of Hamilton	7.1961%	\$813,075	7.1904%	776,249	4.7%
Region of Peel	4.6664%	\$527,249	4.6944%	506,790	4.0%
Township of Puslinch	0.2183%	\$24,665	0.2167%	23,394	5.4%
	100%	\$11,298,835	100%	\$10,795,636	

Debt Financing, Debt Financing Charges and Debt Capacity

Debt financing of \$1 million is requested in the 2023 budget, consistent with the 2022 budget forecast related to the new Central Works Operations Centre project.

Debt financing charges included in the 2023 operating budget of \$580,126 includes \$530,126 municipal debt financing charges and \$50,000 for estimated principal and interest payments on a land acquisition loan with the Hamilton Community Foundation (HCF).

The total long-term debt balance is currently \$5,203,249 including debt financing received in 2022. The debt capacity ratio estimated for 2023 of 3.7% is based on estimated own source revenues excluding Conservation Areas program revenue. CH has approved a debt capacity ratio of 10% in its Budget Principles.

Reserve Funding

The summary below provides the recommended transfers to and from reserves in the 2023 budget and the resulting projected reserve balances at December 31, 2023. A reserve continuity schedule with reserve balances to 2032 is also provided in the 2023 Budget & Business Plan.

Conservation Halton Reserves	Reserves Projected Balance Dec. 31, 2022	Contribution from Municipal Funding	Contribution from Surplus	State of Good Repair Levy	Contribution to Capital Projects	Contribution to Operating Expenses	Reserves Projected Balance Dec. 31, 2023
Watershed Management & Support Services							
Vehicle and Equipment	\$ 610,901				\$ (164,023)		\$ 446,878
Building	116,872				(100,000)		16,872
Building - State of Good Repair	364,820			177,300	(150,000)		392,120
Watershed Management Capital - Municipal Funds and Self-Generated Funds	1,141,286			362,700	(210,000)		1,293,986
Watershed Management & Support Services Stabilization	1,319,212				(90,000)	(142,000)	1,087,212
Capital Projects - Debt Financing Charges	471,596						471,596
Digital Transformation	78,400				-		78,400
Legal - Planning & Watershed Management	941,995					(100,000)	841,995
Legal - Corporate	200,000						200,000
Water Festival	178,911				-	(10,000)	168,911
Land Securement	113,739	25,000					138,739
Property Management	1,084,043				(100,000)		984,043
Stewardship and Restoration	345,551				(7,000)	(95,163)	243,388
Conservation Areas							
Capital	1,468,906		427,337		(1,243,113)		653,130
Stabilization	1,146,490						1,146,490
Total Reserves	\$ 9,582,722	\$ 25,000	\$ 427,337	\$ 540,000	\$ (2,064,136)	\$ (347,163)	\$ 8,163,760

Conservation Authority (CA) Act Regulation Changes

The budget for 2023 has been aligned with the Conservation Halton Programs & Services Inventory presented earlier this year to the Board and the watershed municipalities. Staff are working with municipal staff in developing Memorandums of Understanding (MOU's) for the funding of Categories 2 and 3 non-mandatory programs to be in place by December 31, 2023. The MOU development process may impact the budget process for 2024 and beyond, although the risk to service levels is anticipated to remain low at this point.

Impact on Strategic Goals

This report supports the Momentum priority of Organizational Sustainability.

Financial Impact

CH staff have developed a fiscally conservative budget for 2023. The increase of 4.7% for municipal funding and State of Good Repair Levy that is proposed:

- recognizes our regional funding municipalities fiscal pressures and is within the Halton Region guideline;
- continues to provide core services in a growing watershed;
- ensures the needs of the increasing number of visitors at our Conservation Areas are met and
- reflects program and service enhancements to address service delivery objectives outlined in Conservation Halton's strategic plan Momentum.

The 2023 budget addresses increased resources requirements, new CA Act Regulation requirements and other expense increases through operational efficiencies, increased program revenues and other funding sources, thereby limiting the net increase of municipal funding to within Halton Region guidelines at 4.7%. The proposed 2023 budget continues to provide for investments in our programs to enhance service delivery, supports digital transformation initiatives, watershed planning work,

greenspace and property management initiatives, floodplain mapping, flood forecasting, and enhances visitor experiences at our parks.

Signed & respectfully submitted:



Marnie Piggot
Director, Finance

Approved for circulation:



Hassaan Basit
CEO/Secretary-Treasurer

FOR QUESTIONS ON CONTENT:

Marnie Piggot; Director Finance
905-336-1158, ext. 2240; mpiggot@hrca.on.ca;

2023 BUDGET & BUSINESS PLAN



FOREWORD

Submitted by:

Hassaan Basit
President & CEO

Prepared by:

Marnie Piggot, CPA, CA
Director, Finance

Justin Wei, CPA, CA
Senior Manager, Finance

Kimberly O'Malley, CPA, CGA
Senior Accountant & Budget Coordinator

In Collaboration with Senior Leadership Team and Staff From:

- Corporate Services
- Natural Hazards & Watershed Management
- Permitting & Planning
- Conservation Lands & Recreation (Land Management)
- Conservation Lands & Recreation (Recreation)

2023 BUDGET PREPARATION TIMELINE

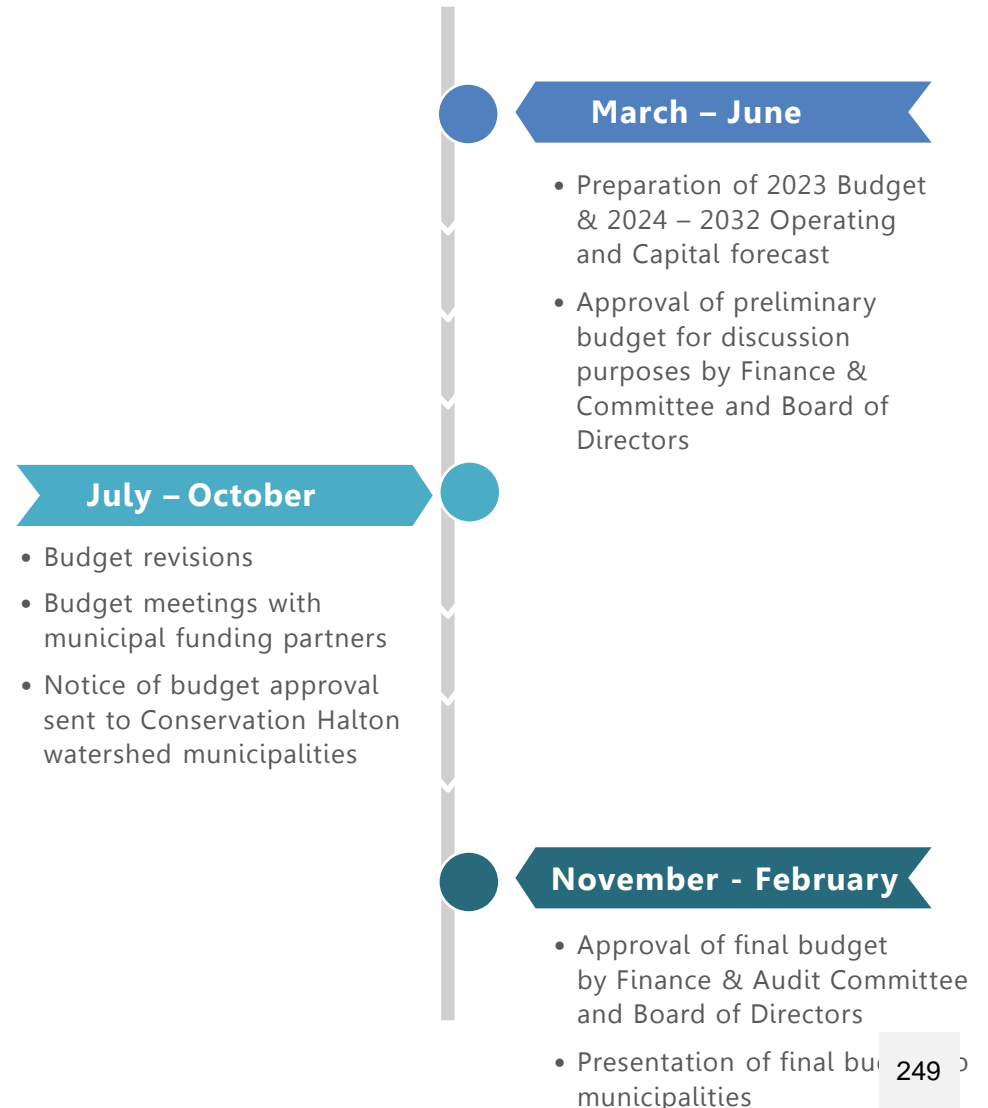


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INTRODUCTION



WELCOME MESSAGE

The 2023 budget of \$42.5 million supports the second year of the Momentum strategic plan, which is a renewed commitment to excellence and builds upon what was accomplished during Metamorphosis—strong foundations of sustainability, business excellence, taking action on climate change and keeping our community and partners at the center of our decision-making.

The 2023 budget is an increase of 5.7% over the previous year. It factors in inflation and population growth, impacts of the Conservation Authority Act (CA Act) changes, strategic plan priorities and infrastructure renewal.

The 2023 budget format is aligned with the Programs & Services Inventory developed by Conservation Halton, as required under the CA Act regulations. A new program, Watershed Strategies & Climate Change, will be implemented along with other requirements under the regulations.

The 2023 operating budget of \$37.2 million provides for an investment of \$21.6 million in Watershed Management and Support Services (WMSS) programs and an investment of \$15.6 million in the Conservation Areas. Consistent with prior years, the majority of the funding for the 2023 operating budget is through self-generated revenue, leaving less than 30% of the operating budget funded by municipalities.



Hassaan Basit at the Halton Children's Water Festival



Guests listening to the Indigenous Leaders at the **Re:Generations Gala** (September 2022)

WELCOME MESSAGE

The 2023 capital budget will invest a total of \$5.3 million into infrastructure and technology to enhance programs and services in the watershed and in conservation areas. Projects funded by the capital budget include the floodplain mapping update; Emerald Ash Borer treatment; facility, infrastructure and ski hill improvements; and Area 8 infrastructure improvements.

The overall municipal funding increase is 4.7% in the 2023 budget and meets Conservation Halton's key strategic service target to limit operating and capital municipal funding increases to be at or below the Halton Region guideline of 4.7%. Details of the budgets, forecasts, funding, reserves and business plans that are laid out within these pages continue to ensure Conservation Halton is a financially stable organization in 2023.

On behalf of Conservation Halton and the members of our Board, we would like to express our gratitude to our municipal partners, including our largest funding partner, Halton Region.

Their partnership, including the support of our funders, customers and volunteers, will enable us to carry out our strategic priorities and continue to deliver quality programs and services to serve our watershed communities.



Hassaan Basit
President & CEO



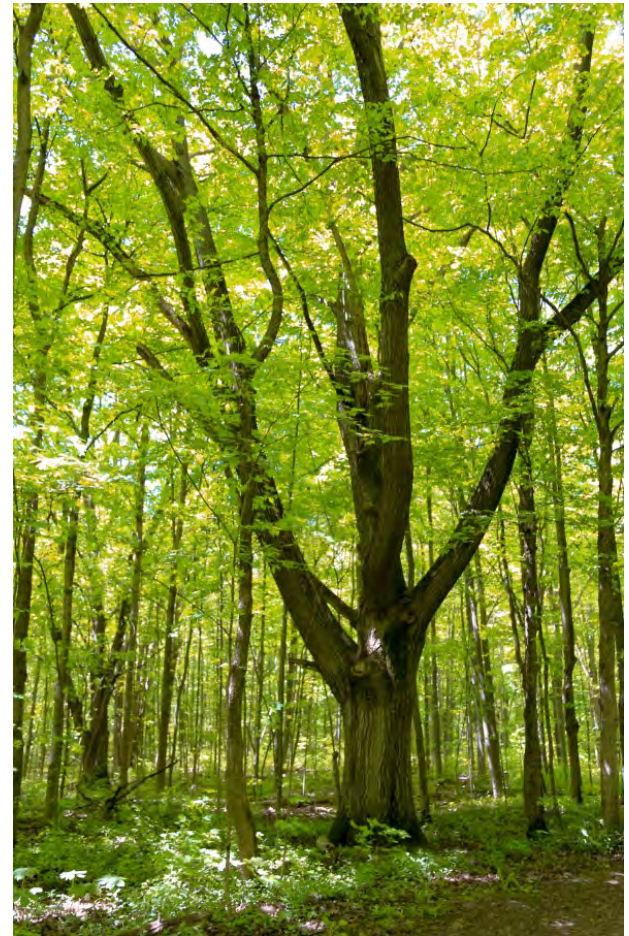
Gerry Smallegange
Chair, Board of Directors

ABOUT CONSERVATION HALTON

Conservation Halton was established more than 60 years ago to protect our communities from flooding and erosion and to manage and restore the natural resources of the watershed. We have grown to become so much more.

Today, it is our responsibility to carry out our core duties under the CA Act, prepare our communities for the impacts of climate change, support our partners in creating more sustainable communities, manage our natural areas and resources within the watershed, monitor and enhance the environmental health of our watershed and create opportunities to connect with nature through recreation and education.

Here at Conservation Halton, you will find highly skilled, competent, and professional staff. Together, we are working to ensure a healthy watershed with clean streams, abundant forests and natural habitats that are in balance with our growing communities and engaged residents.



Hilton Falls Conservation Area in Summer

MOMENTUM PRIORITIES



**NATURAL HAZARDS
AND WATER**



**SCIENCE, CONSERVATION
AND RESTORATION**



**EDUCATION,
EMPOWERMENT AND
ENGAGEMENT**



NATURE AND PARKS



**ORGANIZATIONAL
SUSTAINABILITY**



**DIGITAL TRANSFORMATION
AND INNOVATION**



PEOPLE & TALENT



BOARD OF DIRECTORS

REGIONAL MUNICIPALITY OF HALTON

BURLINGTON

Mayor Marianne Meed Ward

Councillor Rory Nisan

Mr. Gerry Smallegange, *Chair*

Mr. Jim Sweetlove

HALTON HILLS

Councillor Moya Johnson, *Vice-Chair*

Councillor Bryan Lewis

MILTON

Mayor Gordon Krantz

Councillor Mike Cluett

Councillor Rick Di Lorenzo

Councillor Zeeshan Hamid

OAKVILLE

Mayor Rob Burton

Councillor Cathy Duddeck

Councillor Allan Elgar

Councillor Dave Gittings

REGIONAL MUNICIPALITY OF PEEL

MISSISSAUGA

Mr. Hamza Ansari

Mrs. Jean Williams

CITY OF HAMILTON

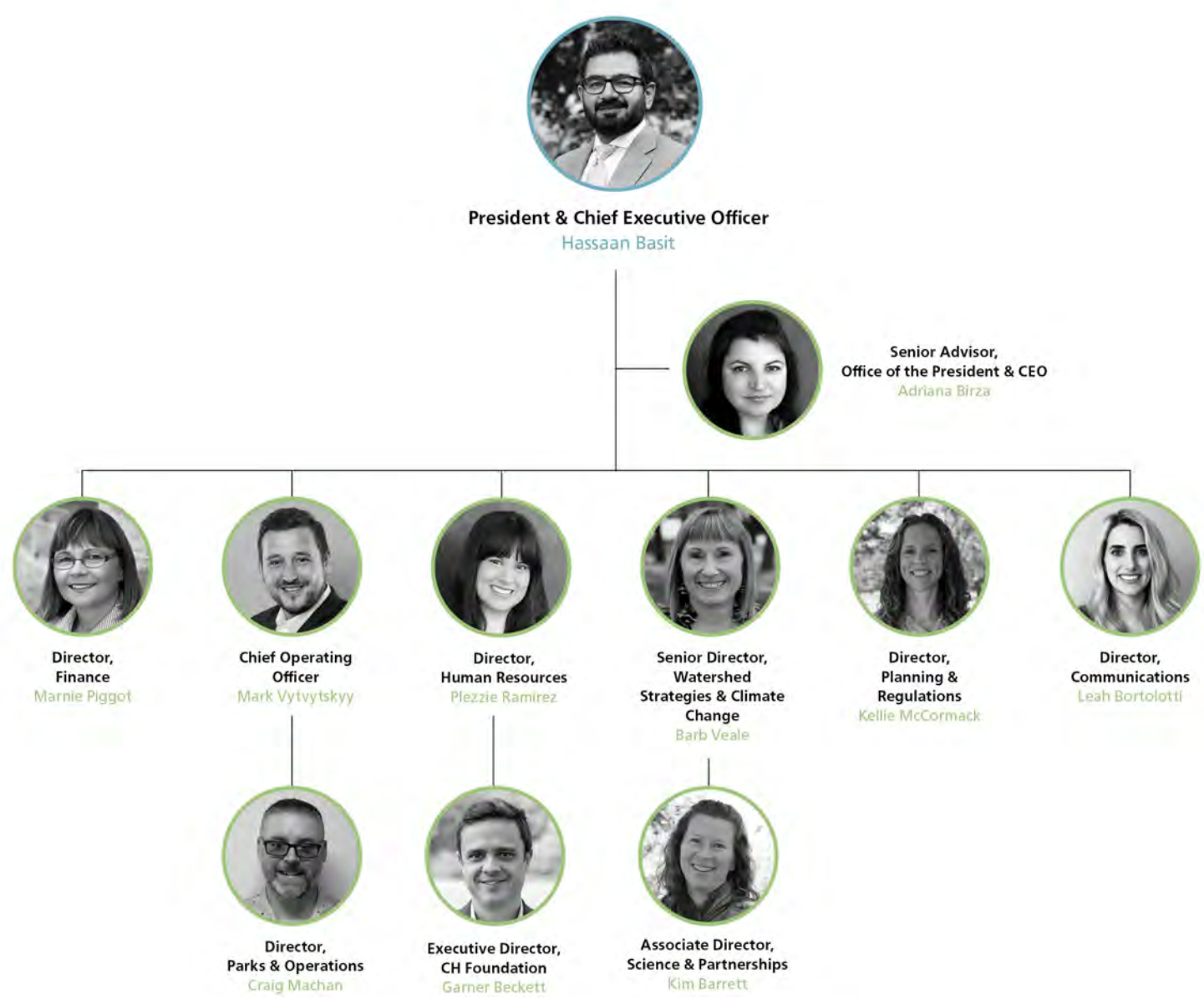
Ms. Joanne Di Maio

Dr. Zobia Jawed

TOWNSHIP OF PUSLINCH

Mr. Stephen Gilmour

SENIOR LEADERSHIP TEAM



EXECUTIVE SUMMARY



EXECUTIVE SUMMARY

Conservation Halton's 2023 budget of \$42.5 million provides the resources needed to protect, restore and manage the natural assets in its watershed, and continue to improve programs, services, and infrastructure. The 2023 budget increase of 5.7% over the 2022 budget has been achieved through operating efficiencies and the securement of grants and other funding to minimize the impact on municipal partners.

The 2023 budget balances the delivery of core programs and services with strategic priorities, inflationary and growth-related pressures. The 2023 budget also includes new priorities as a result of Conservation Authorities Act (CA Act) regulation changes with the implementation of a new program, Watershed Strategies & Climate Change, along with requirements to complete a Watershed-based Resource Management Strategy, Conservation Areas Strategy and Land Inventory.

The 2023 budget incorporates the following broad program categories aligned with the Conservation Halton Programs & Services Inventory document. Revisions to the CA Act regulations required Conservation Halton to develop a Program & Services Inventory as a first step to entering into funding agreements with participating municipalities by 2024.

The 2023 budget also references two budget categories established in Conservation Halton's approved Budget Principles of Watershed Management & Support Services (WMSS) and Conservation Areas, based on the funding sources

for these programs. Conservation Area recreation programs are sustained through park program revenues that generate an operating surplus for transfer to the Conservation Area capital reserve to fund park capital project expenditures. The 2023 budget proposes an operating surplus for the parks of \$427,337.

Funding for Conservation Authorities is derived from a variety of sources. Conservation Halton has been proactive in using self-generated revenue to mitigate the financial impact on our funding municipalities with municipal funding remaining at less than 28% of total funding sources.



EXECUTIVE SUMMARY

Conservation Halton strives to limit municipal funding increases to regional budget guidelines. The 2023 increase in municipal funding of 4.7% is within the guideline provided by Halton Region. The municipal funding increase of \$503,199 addresses requirements for operating, capital and the State of Good Repair levy for dams, channels and building assets.

Staffing is determined by the Senior Leadership Team through a review of program service delivery needs. The 2023 budget includes 261 Full-Time Equivalent (FTE). The net increase in FTE positions is associated with new funding agreements, internal program recoveries and changes in program priorities consistent with strategic plan initiatives.

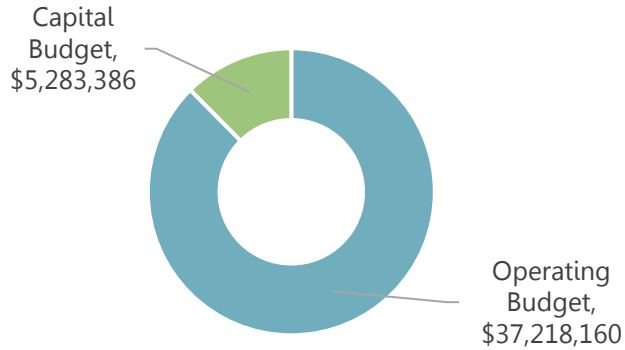
In summary, the 2023 budget continues to provide important services in a growing watershed, accounts for the needs of the increasing number of visitors at our conservation areas, reflects enhancements to program and service delivery objectives and includes initiatives to meet the requirements under the revised CA Act regulations.



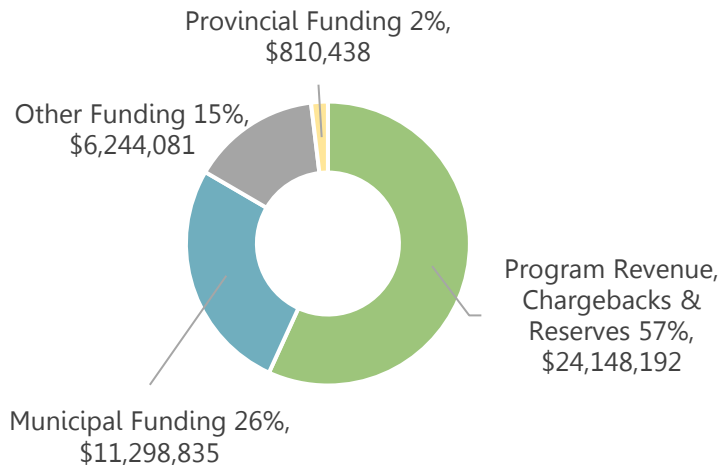
Staff tree planting at Hilton Falls

EXECUTIVE SUMMARY

TOTAL 2023 BUDGET \$42,501,546



TOTAL BUDGET FUNDING SOURCES \$42,501,546



Operating Budget

	2023 Budget	2022 Budget
Corporate Services	6,968,715	6,372,829
Natural Hazards & Watershed Management	6,311,409	4,773,484
Permitting & Planning	5,322,854	5,067,385
Conservation Lands & Recreation (Land Mgmt)	1,835,300	1,617,647
Debt Financing	580,126	620,551
Reserves	25,000	25,000
Conservation Lands & Recreation (Recreation)	15,634,756	14,385,263
State of Good Repair Levy - Dam & Channels; Building	540,000	480,500
	37,218,160	33,342,659

Capital Budget

	2023 Budget	2022 Budget
Corporate Services	1,542,023	616,000
Natural Hazards & Watershed Management	848,250	950,220
Permitting & Planning	550,000	525,000
Conservation Lands & Recreation (Land Mgmt)	1,100,000	945,000
Conservation Lands & Recreation (Recreation)	1,243,113	3,812,903
	5,283,386	6,849,123

Total Operating & Capital Budget

\$ 42,501,546	\$ 40,191,782
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OPERATING BUDGET



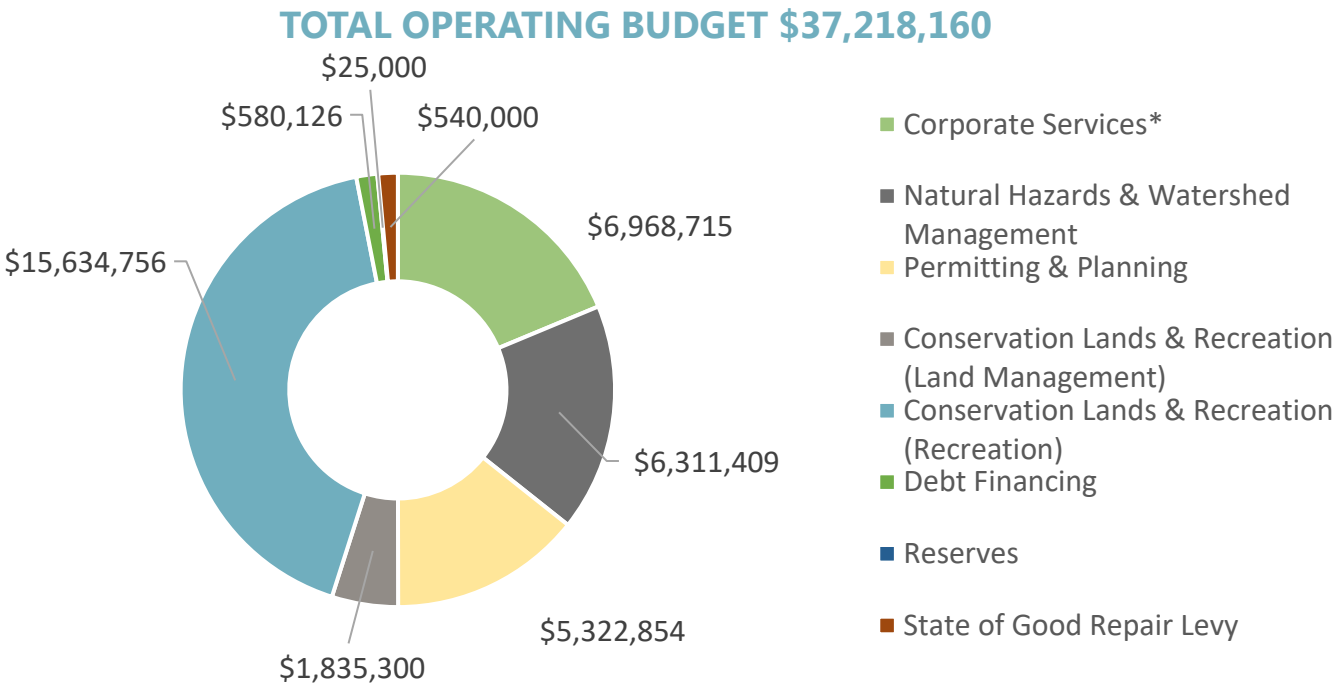
2023 OPERATING BUDGET

Conservation Halton works to protect, restore and manage the natural resources in its watershed and provide recreational and educational opportunities to residents and visitors to the area.

Located in one of the fastest-growing regions in Canada, Conservation Halton is faced with the challenge of delivering services to an increasing number of watershed residents and park visitors. In addition to addressing the

impacts of growth, Conservation Halton is committed to enhancing programs and services to meet timelines and objectives outlined in the Conservation Halton strategic plan, Momentum.

The 2023 operating budget of \$37.2 million provides for an investment of \$21.6 million in Watershed Management and Support Services (WMSS) programs and an investment of \$15.6 million in the Conservation Areas.



*includes Conservation Areas chargebacks or non-levy funded expenditures

2023 OPERATING BUDGET

The operating budget has been prepared according to the following budget categories including the programs and services provided by those departments.

CORPORATE SERVICES

Office of the President & CEO; Conservation Halton Foundation Administration; Finance; Fleet Operations; Human Resources; Marketing and Communications; Office of the COO inclusive of Administration & Procurement; Information Technology (IT); Geographic Information Systems (GIS); Risk & Health; Administration Office Facility; Project Management; Construction.

NATURAL HAZARDS & WATERSHED MANAGEMENT

Flood Forecasting & Operations - Dams and Channels Operations and Capital Infrastructure Projects. Watershed Strategies & Climate Change - Administration; Source Water Protection; Science & Partnerships – Monitoring Ecology; Landowner Outreach & Restoration; Hamilton Harbour Remedial Action Plan (HHRAP); Partnership Projects. Restoration and Conservation – Restoration and Partnership Projects.

PERMITTING & PLANNING

Planning & Regulations; Flood Plain Mapping; Regional Infrastructure Team.

CONSERVATION LANDS & RECREATION (LAND MANAGEMENT)

Property Management; Forestry; Security.

CONSERVATION LANDS & RECREATION (RECREATION)

Conservation Areas Administration; Fleet Operations; Kelso / Glen Eden; Crawford Lake / Mountsberg / Robert Edmondson; Rattlesnake Point / Hilton Falls / Mount Nemo; Education and Community Engagement & Outreach.

Further details of the operating budget for each department are provided in the Departmental Business Plans.

Assumptions Used in Preparing the 2023 Operating Budget

Inflation has been assumed generally at a rate of 3.0% for 2023. The Bank of Canada aims to keep inflation at the 2 per cent midpoint of an inflation-control target range of 1% to 3%.

Staff salary bands for 2023 are proposed to increase by 3% for inflation. Salaries are based on 96% of the top of the salary bands that approximate actual salary levels.

2023 OPERATING BUDGET

The operating budget provides for a combined investment of \$37.2 million into Watershed Management & Support Services (WMSS) programs and Conservation Areas. Conservation Halton prepares a budget that balances expenses with sources of revenue.

The 2023 operating budget increase of almost \$3.9 million is funded by program revenue, grants, reserves, municipal funding and internal program chargeback recoveries.

Major drivers of the operating budget increase include:

- \$2,655,958 increased staff salary and benefits costs including compensation review and inflation adjustments. Four new

staff positions have been funded through new funding agreements and internal recoveries with no municipal funding impact.

- \$646,034 in increases in internal chargebacks to programs for the recovery of staff time spent on programs and projects funded by program revenues and grants.
- \$454,085 in materials, supplies and purchased services primarily due to new Partnership Projects.

Operating budget expenses and funding amounts are summarized in the chart.

	2023 Budget	2022 Budget	Increase / (Decrease)
Operating Expenses:			
Staff Salary & Benefits	\$ 23,905,536	\$ 21,249,578	\$ 2,655,958
Materials & Supplies	3,010,020	2,956,499	53,521
Purchased Services	5,479,276	5,078,712	400,564
Financial	595,330	550,200	45,130
Internal Chargebacks	2,655,535	2,009,501	646,034
Debt Financing Charges	580,126	620,551	- 40,425
Transfer to Reserves - Land Securement	25,000	25,000	-
Transfer to Reserves - SOGR Levy Dams & Channels	362,700	316,500	46,200
Transfer to Reserves - SOGR Levy Buildings	177,300	164,000	13,300
Transfer to Reserves - Conservation Areas Operating Surplus	427,337	372,118	55,219
Total Operating Expenses	\$ 37,218,160	\$ 33,342,659	\$ 3,875,501
Funding of Operating Expenses:			
Program Revenues and Fees	\$ 18,747,896	\$ 17,138,550	\$ 1,609,346
Provincial (Ministry MNRF) - Operating Grant	155,034	155,034	-
Municipal Funding	10,376,835	10,053,136	323,699
Municipal Funding - State of Good Repair Levies Dams & Channels and Buildings	540,000	480,500	59,500
Other Grants & Program Funding	4,028,235	3,038,188	990,047
Internal Chargeback Recoveries	3,022,997	2,283,751	739,246
Transfers from Reserves	347,163	193,500	153,663
Total Operating Funding	\$ 37,218,160	\$ 33,342,659	\$ 3,875,501

2023 OPERATING BUDGET

Staff Salary & Benefits

Increases to staff salary and benefits are comprised of the following:

- Increased full-time staff compensation of \$1,360,409 based on a 3.0% inflationary increase to the staff salary bands and position review changes associated with the 2022 compensation review. Salaries are based on 96% of the top of the salary bands that approximate actual salary levels.
- Benefit cost increases for full-time staff are \$110,715.
- Four new full-time FTE staff changes costing \$430,843 are funded through agreements for Ecological Services and Source Protection, and internal chargeback recoveries through the CH Foundation and Conservation Areas.
- Total increased part-time staff salary and benefit costs of \$753,991 including \$433,781 for Watershed Management & Support Services programs. The majority of the WMSS cost increase is primarily for Partnership Project work that is funded by project grants. The remaining part-time staff cost increase of \$320,210 is related to the Parks which includes estimated new OMERS benefits offerings in 2023 totaling almost \$220,000.

Materials & Supplies and Purchased Services

A large part of the changes in these categories is the result of shifts between supplies and services for the Partnership Projects planned for 2023 that are fully funded by project grants and internal chargebacks to the projects.

Purchased Services also include increased insurance costs of \$98,000 for park programs, \$50,000 related to consulting fees for the Conservation Authority Act and master plan initiatives and \$40,000 in increased park program costs such as Ways of the Woods bussing with increased camp participants.

Financial

Financial expense increase of \$45,130 is attributed to increased payment card and point of sales system fees with most sales processed online. These expense increases are offset by increased park program fees.

Internal Chargebacks and Internal Chargeback Recoveries

Chargeback expenses are included in Partnership Projects, Source Protection and WMSS Operations related to staff in other departments allocating time to these programs.

The chargeback expense amount is increasing by a total of \$646,034 and includes an increased recovery of Corporate Service staff costs from the parks of \$286,600 as well as the recovery of staff costs through Partnership and Capital Projects grants and the Conservation Halton Foundation.

The Internal Chargebacks to the parks recreation programs for support services are increasing in the 2023 operating budget by \$286,600 related to support staffing changes, estimated allocation of corporate services time spent on park programs and compensation review impacts.

2023 OPERATING BUDGET

State of Good Repair (SOGR) Levy and Transfer to SOGR Reserves

An increase of \$59,500 in the SOGR Levy is attributed to an increase of \$46,200 for Dams and Channels to provide for the municipal funding level to reach the target amount plus inflation by 2028. The increase in the target amount is consistent with the updated Asset Management Plan (2022) Dams and Channels. The target municipal funding has been achieved for Facilities in the 2023 budget with an increase of \$13,300 in the SOGR levy. The State of Good Repair Levy amounts are transferred to the Watershed Management. Capital and Building SOGR Reserve to fund future capital works

Program Revenue

The majority of the \$1.60M program revenue increase is primarily driven by \$1.2 million in park program revenues with the expectation of a return to full park operations post COVID-19. This revenue increase is based on assumed continued growth in park visitation and the potential implementation of fee increases.

The remaining balance is related to planning and permit fees based on significantly increased activity over the last three years and projected trends related to the Halton Region allocation program.

Other Grants & Program Funding

The estimated increase in funding through other grants and program funding of \$990,047 is primarily related to Partnership Projects planned for 2023 and increased funding of almost

\$500,000, Ecological Services Agreement with Halton Region approved in late 2021 that is providing \$253,000 in Planning & Regulations program funding for 2.0 new FTE positions and Source Protection program funding through MECP has increased by almost \$95,000 for a new staff position and other program work.

Municipal Funding

Municipal operating funding increase of \$383,199 is related to Watershed Management & Support Services programs and services and to fund increases to the State of Good Repair Levies for dams, channels, and facilities.

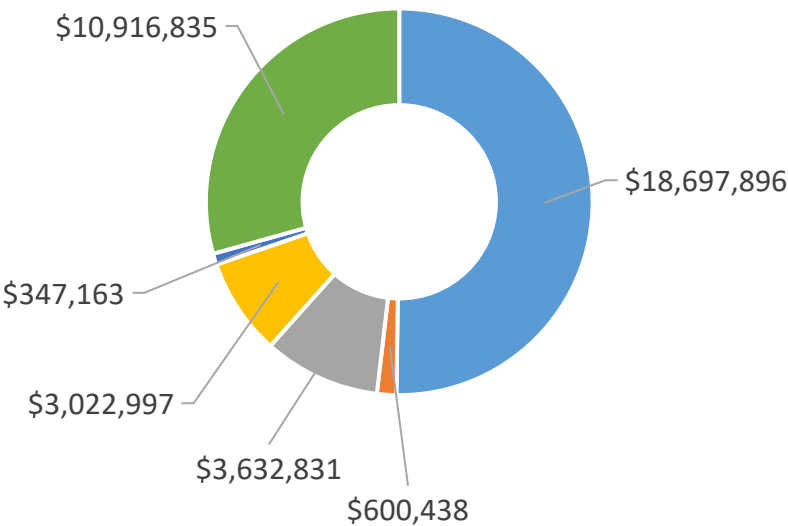
Transfer from Reserves

Transfers from reserves to fund operating expenses of \$347,163 include:

- A transfer from the WMSS Stabilization Reserve of \$142,000 will partially fund the 2023 increased compensation review costs.
- Legal expenses related to increased Planning & Regulation activities continue to be partly funded by a transfer from the Legal Reserve of \$100,000.
- Transfers from the Water Festival, Stewardship & Restoration Reserve total \$105,163 to assist with funding the respective program expenses.

SOURCES OF OPERATING BUDGET FUNDING

TOTAL OPERATING BUDGET FUNDING SOURCES \$37,218,160



Conservation Halton has been proactive in generating funding through various sources to mitigate the financial impact on its funding municipalities. The 2023 operating budget funding sources are consistent with prior years, with the majority of funding derived from self-generated revenues and less than 30% of the operating budget funded by municipal operating funding of \$11.3 million.

Program revenue included in the operating budget is assumed to increase based on inflation, growth and increases identified through the Rates & Fees model to transition to full cost recovery. The fees model will ensure that fees are phased in to recover the costs of providing services and will benchmark fees against other similar service providers to ensure equity to the consumers of the services.

Municipal funding is provided by the Region of Halton, City of Hamilton, Region of Peel and Township of Puslinch. Municipal funding is apportioned according to the area and current value assessment of the municipality within the Conservation Halton watershed, as detailed in the Municipal Funding section of the 2023 Budget & Business Plan.

- Program Revenue 50%
- Provincial Funding 2%
- Other 10%
- Chargeback Recoveries 8%
- Reserves 1%
- Municipal Funding 29%

SOURCES OF OPERATING BUDGET FUNDING

STATE OF GOOD REPAIR LEVY

The operating budget includes a request for a State of Good Repair (SOGR) Levy of \$540,000, an increase of \$59,500 over the 2022 budget amount. This increase is aligned with amounts in the Dams and Channels and Facilities Asset Management Plans. The 2023 State of Good Repair Levy consists of \$362,700 for dams and channels assets and \$177,300 for buildings and facility assets. The State of Good Repair Levy amounts will be transferred to the Watershed Management Capital – Municipal Funds Reserve and the Building - SOGR Reserve to fund 2023 and future capital works.

Asset Management Plans have been completed for all Conservation Halton assets including Dams and Channels, Facilities and remaining capital assets, and have identified that most Conservation Halton assets are in good condition. The last Asset Management Plan noted that reserve levels for some assets, such as vehicles, are inadequate in the later years of the ten-year forecast and will be addressed in future budgets.

The Asset Management Plans provide the annual investment required to maintain these assets in a state of good repair. Based on the phase-in of the State of Good Repair levy amounts, some municipal debt financing may still be required over the ten-year forecast period until the SOGR levy reaches target levels established in the Asset Management Plans. Conservation Halton staff will work towards phasing in the shortfall in future budgets to minimize the municipal funding impact.

RESERVE FUNDING AND TRANSFERS

In addition to Watershed Management Capital and Building reserve funding from the State of Good Repair levy amounts, there is a transfer of \$25,000 to the Land Securement Reserve included in the 2023 budget. The transfer will help to ensure funds are available to respond to opportunities that meet the guidelines established in the Land Securement Strategy.

Transfers from the Stabilization, Legal, Water Festival, Landowner Outreach & Restoration reserves totaling \$347,163 are included in funding in the 2023 budget to meet operating expense needs. These expenses include increased staffing costs due to a compensation review to be implemented in 2023, increased legal expenses and program operating costs.

The Reserve section of the 2023 Budget & Business Plan provides the projected reserve balances on December 31, 2022, and the proposed transfers to and from reserves in the 2023 budget. A reserve continuity schedule with reserve balances to 2032 is also provided in this section.

STAFF COMPLEMENT CHANGES

The 2023 operating budget provides for 261 full-time equivalent (FTE) staff positions. These positions are primarily funded through grants, internal chargeback recoveries to other programs within Conservation Halton and program revenues.

The net increase in positions and funding is associated with new funding agreements and changes in program priorities and respective work plans consistent with strategic plan initiatives.

A summary of the staff changes is provided below.

Staffing Overview Summary				
	2022 Approved FTE	Service Adjustment	2023 Total FTE	Net Change 2023 vs 2022
Watershed Management & Support Services (WMSS)				
Full-time	113.8	5.0	118.8	5.0
Part-time/Contract	2.8	6.5	9.3	6.5
Total WMSS	116.6	11.5	128.1	11.5
Conservation Areas				
Full-time	31.3	0.0	31.3	0.0
Part-time/Contract	103.4	-1.8	101.6	-1.8
Total Conservation Areas	134.7	-1.8	132.9	-1.8
Total Full-time	139.6	5.0	144.6	5.0
Total Part-time/Contract	111.7	4.7	116.4	4.7
Total Staff FTE's	251.3	9.7	261.0	9.7

2023 OPERATING BUDGET

Description	% Increase (decrease) over PY Budget	2021 Actual	2022 Budget Expenses	2023 Budget Expenses	2023 Budget Funding Sources					
					Program Revenue	Provincial Funding	Other (Grants, Sp. Project, Debt financing)	Internal Chargeback Recovery (CHF, SPP, CAP, Cons. Areas)	Reserve Funding	Municipal Levy & Funding
WATERSHED MANAGEMENT & SUPPORT SERVICES (WMSS) PROGRAMS										
1 CORPORATE SERVICES										
Office of President & CEO		655,952	711,907	765,057				25,400		739,657
Conservation Halton Foundation Administration		163,179	153,015	284,646				156,000		128,646
Finance		730,812	779,944	882,603	128,500			270,400		483,703
Fleet Operations		165,921	160,589	201,940						201,940
General Corporate Services		22,723	-	-					142,000	(142,000)
Human Resources		633,230	747,866	772,159				230,300	-	541,859
Marketing and Communications		612,952	809,860	927,824				368,600	10,000	549,224
Office of Chief Operating Officer (COO)										
Administration & Procurement		291,773	299,847	516,074				124,400		391,674
Information Technology		455,697	477,979	522,350				68,400		453,950
Geographical Information Systems (GIS)		420,795	526,918	581,355	6,500					574,855
Risk & Health		762,301	788,507	647,392				246,200		401,192
Administration Office Facility		165,004	199,840	194,515						194,515
Project Management		423,974	434,469	379,159			50,000	92,000		237,159
Construction		262,283	282,088	293,641				53,800		239,841
	9.4%	5,766,596	6,372,829	6,968,715	135,000	-	50,000	1,635,500	152,000	4,996,215

2023 OPERATING BUDGET

Description	% Increase (decrease) over PY Budget	2021 Actual	2022 Budget Expenses	2023 Budget Expenses	2023 Budget Funding Sources					
					Program Revenue	Provincial Funding	Other (Grants, Sp. Project, Debt financing)	Internal Chargeback Recovery (CHF, SPP, CAP, Cons. Areas)	Reserve Funding	Municipal Levy & Funding
WATERSHED MANAGEMENT & SUPPORT SERVICES (WMSS) PROGRAMS										
2 NATURAL HAZARDS & WATERSHED MANAGEMENT										
Flood Forecasting & Operations		526,929	608,217	619,652		155,034	10,000	15,000		439,618
Watershed Strategies & Climate Change										
Watershed Strategies & Climate Change Administration		216,551	100,000	491,305				18,000	100,000	373,305
Source Protection		246,174	211,141	320,404		320,404		-		-
Science & Partnerships										
Monitoring Ecology		643,574	630,848	716,572	14,716			55,884		645,972
Landowner Outreach & Restoration (prev. Stewardship)		671,898	619,394	764,205	62,500		26,580	245,110	47,500	382,515
Hamilton Harbour Remedial Action Plan (HHRAP)		331,751	289,092	323,613			334,939			(11,326)
Partnership Projects		864,662	350,030	865,680			865,680			-
Restoration & Conservation										
Restoration		428,209	486,395	748,100			18,000	595,563		134,537
Partnership Projects		581,583	1,478,367	1,461,878			1,431,215		30,663	-
32.2%		4,511,331	4,773,484	6,311,409	77,216	475,438	2,686,414	929,557	178,163	1,964,621

2023 OPERATING BUDGET

Description	% Increase (decrease) over PY Budget	2021 Actual	2022 Budget Expenses	2023 Budget Expenses	2023 Budget Funding Sources						
					Program Revenue	Provincial Funding	Other (Grants, Sp. Project, Debt financing)	Internal Chargeback Recovery (CHF, SPP, CAP, Cons. Areas)	Reserve Funding	Municipal Levy & Funding	
WATERSHED MANAGEMENT & SUPPORT SERVICES (WMSS) PROGRAMS											
3 PERMITTING & PLANNING											
Planning & Regulations		4,647,074	4,310,991	4,524,767	3,208,000		252,832	30,750	-	1,033,185	
Floodplain Mapping		241,791	246,492	264,833	-			-		264,833	
Regional Infrastructure Team (RIT)		421,261	509,902	533,254			546,585			(13,331)	
	5.0%	5,310,126	5,067,385	5,322,854	3,208,000	-	799,417	30,750	-	1,284,687	
4 CONSERVATION LANDS & RECREATION (Land Management)											
Property Management		51,346	196,890	327,882	38,000	125,000		53,800		111,082	
Security		426,898	449,070	482,898				185,300		297,598	
Forestry		918,355	971,687	1,024,520	120,000		47,000	110,000		747,520	
	13.5%	1,396,600	1,617,647	1,835,300	158,000	125,000	47,000	349,100	-	1,156,200	
5 DEBT FINANCING CHARGES											
TRANSFER TO RESERVES - WMSS STABILIZATION, PROPERTY MANAGEMENT, STEWARDSHIP AND RESTORATION; ALLOCATED SURPLUS											
6 TRANSFER TO RESERVES - STATE OF GOOD REPAIR (SOGR) LEVY											
7 TRANSFER TO RESERVE - LAND SECUREMENT											
	(7.0%)	573,213	620,551	580,126	580,126						
		1,727,623	-	-	-						
	12.4%	478,500	480,500	540,000	540,000						
	0.0%	25,000	25,000	25,000	25,000						
TOTAL OPERATING WATERSHED MGMT & SUPPORT SERVICES (WMSS)		13.8%	19,788,988	18,957,396	21,583,404	3,578,216	600,438	3,582,831	2,944,907	330,163	10,546,849

2023 OPERATING BUDGET

Description	% Increase (decrease) over PY Budget	2021 Actual	2022 Budget Expenses	2023 Budget Expenses	2023 Budget Funding Sources					
					Program Revenue	Provincial Funding	Other (Grants, Sp. Project, Debt financing)	Internal Chargeback Recovery (CHF, SPP, CAP, Cons. Areas)	Reserve Funding	Municipal Levy & Funding
CONSERVATION LANDS & RECREATION (Recreation)										
9 PARKS & RECREATION										
Conservation Areas Administration		1,527,987	1,466,508	1,782,355	1,425,000			78,090		
Fleet Operations		135,396	117,090	124,590						
Kelso/Glen Eden		5,497,443	8,153,133	8,516,921	10,422,250					
Crawford Lake / Mountsberg / Robert Edmondson		1,780,308	2,026,675	2,203,637	1,895,500		-			240,000
Rattlesnake Point / Hilton Falls / Mount Nemo		480,289	559,896	606,800	1,251,500					
Outreach		198,990	325,743	322,416	125,430		50,000	-	17,000	129,986
Transfer Surplus to Conservation Area reserves		(270,078)	372,118	427,337						
Subtotal Conservation Lands & Recreation (Recreation) - Operating before Internal Chargeback - Corporate Services	7.4%	9,350,334	13,021,163	13,984,056	15,119,680	-	50,000	78,090	17,000	369,986
Internal Chargeback - Corporate Services	21.0%	1,049,500	1,364,100	1,650,700						
TOTAL OPERATING CONSERVATION LANDS & RECREATION (Recreation)	8.7%	10,399,834	14,385,263	15,634,756	15,119,680	-	50,000	78,090	17,000	369,986
TOTAL OPERATING PROGRAMS	11.6%	30,188,823	33,342,659	37,218,160	18,697,896	600,438	3,632,831	3,022,997	347,163	10,916,835

CAPITAL BUDGET

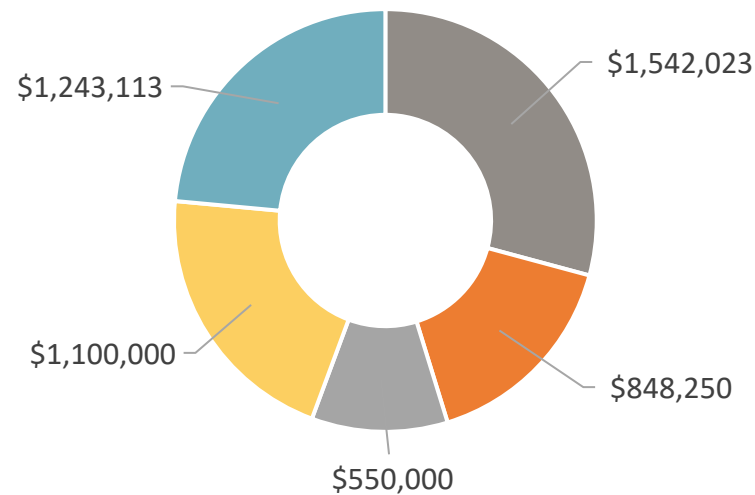


2023 CAPITAL BUDGET

The 2023 capital budget will invest a total of \$5.3 million into infrastructure and technology to enhance programs and services in the Conservation Halton watershed and parks.

The capital budget provides funding for projects such as the rehabilitation of flood control infrastructure, updating of flood plain mapping, investments in digital transformation and technology upgrades, vehicle and equipment replacements, managing the impacts of Emerald Ash Borer, land management initiatives and infrastructure improvements at the Conservation Areas.

TOTAL CAPITAL BUDGET \$5,283,386



- Corporate Services
- Natural Hazards & Watershed Management
- Permitting & Planning
- Conservation Lands & Recreation (Land Management)
- Conservation Lands & Recreation (Recreation)

2023 CAPITAL BUDGET

2023 CAPITAL BUDGET INVESTMENTS

The 2023 capital budget of \$5.3 million includes:

CORPORATE SERVICES

Asset Management Plan work estimated to cost \$50,000 is included in the 2023 budget for the update of condition assessments for facility assets. Asset Management Plans have been completed for all Conservation Halton assets and are updated on a rolling five-year schedule.

Program Rates and Fees review consulting costs of \$30,000 in the 2023 budget to review WMSS program fees, such as planning and permit fees. Similar to the Asset Management Plans, the rates and fees review is scheduled on a 5-year basis, with the first review completed in 2018.

Information Technology infrastructure capital costs of \$98,000 include new and replacement computer equipment and software.

Administration Office capital works for \$100,000 support office renovations, infrastructure and landscape improvements. Office renovations to consider the impact of the virtual office and workspace improvements are being implemented over a phased period.

Facility State of Good Repair costs of \$100,000 includes maintenance work identified in the Facilities Asset Management Plan and Facility Condition Assessment report to maintain WMSS buildings in a state of good repair.

Central Works Operation Centre & Field Office capital project costs of \$1,200,000 are included in the 2023 budget. The Central Works Operations Centre construction is proposed to begin in 2023 with completion in 2024. Design work for the new facility is currently underway.

Fleet Management includes vehicle and equipment replacement s planned for 2023 of \$164,023 for WMSS programs and will be funded by a transfer from the Vehicle and Equipment Reserve.

NATURAL HAZARDS & WATERSHED MANAGEMENT

Dams and channels state of good repair maintenance costs of \$420,000 are based on staff assessments of capital work priorities according to consulting engineering studies, such as dam safety reviews. These costs are assumed to be funded 50% provincially and 50% municipally through the State of Good Repair (SOGR) Levy reserve funding.

Flood Forecasting & Warning Program costs of \$115,000 are related to equipment and services for the development of watershed Flood Forecasting & Warning models and tools.

The new Watershed Strategies & Climate Change capital project of \$179,000 will continue to guide Conservation Halton and partner municipalities in identifying natural assets and developing sustainable, cost-effective and climate-resilient infrastructure. This project aligns with Conservation Halton's strategic plan objective to increase climate resilience by promoting natural solutions and includes costs for consulting

2023 CAPITAL BUDGET

and staffing requirements. Project expenses for 2023 are to be funded partially by municipal levies with the remainder covered by a reserve transfer.

PERMITTING & PLANNING

The Floodplain Mapping update project, with costs of \$550,000 in the 2023 budget is a multi-year capital project identified through the Strategic Plan. This project is funded through other funding received from Halton Region. The remaining watershed areas to be updated are predominantly within the Halton Region portion of the Conservation Halton watershed, making it difficult to apportion these costs to other municipalities.

CONSERVATION LANDS & RECREATION (LAND MANAGEMENT)

Emerald Ash Borer (EAB) treatment estimated costs of \$850,000 are funded by Halton Region according to the amount outlined in the EAB Business Plan approved in 2017. Spongy/LDD Moth Management costs of \$100,000 are also included for 2023.

Property Management capital costs of \$50,000 are related primarily to property and risk management issues on properties owned by Conservation Halton. These funds will enable the development of a land inventory of Conservation Halton owned properties, as required by the CA Act revised regulations.

Other Foundation funded projects of \$100,000 is an estimated amount to recognize annual fundraising by the Conservation Halton Foundation for park capital projects that typically support education programs.



Emerald Ash Borer



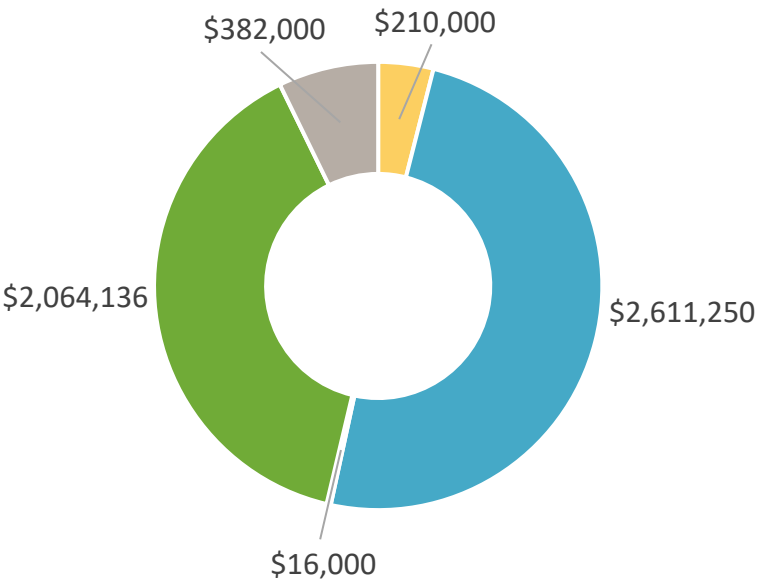
2023 CAPITAL BUDGET

CONSERVATION LANDS & RECREATION (RECREATION)

The Conservation Lands & Recreation (Recreation) 2023 capital budget totaling \$1.2 million is comprised of \$525,000 for Kelso/Glen Eden ski hill improvements, \$513,000 for facilities and IT infrastructure improvements, \$80,113 for fleet vehicle and equipment replacements and \$125,000 for the continued development of the newest CH park, Area 8.

Conservation Area capital projects funded partly by developer contributions identified in previous budgets are currently being reassessed based on potential changes to park priorities because of provincial requirements and the impacts of COVID-19 on park programs. Revised business cases will be presented to the Board for approval and the proposed implementation in the capital budget is tentatively planned for 2024.

TOTAL CAPITAL BUDGET FUNDING SOURCES \$5,283,386



- Provincial Funding 4%
- Other Municipal, Debt Financing & Foundation 49%
- Program Revenue 1%
- Reserves 39%
- Municipal Funding 7%

2023 CAPITAL BUDGET

Description	% Increase (decrease) over PY Budget	2021 Actual	2022 Budget Expenses	2023 Budget Expenses	2023 Budget Funding Sources					
					Program Revenue	Provincial Funding	Other (Grants, Sp. Project, Debt financing)	Internal Chargeback Recovery (CHF, SPP, CAP, Cons. Areas)	Reserve Funding	Municipal Levy & Funding
CAPITAL										
Capital - Watershed Management & Support Services (WMSS)										
Corporate Services										
Asset Management Plan		2,621	40,000	50,000					50,000	-
Compensation review		-	30,000	-						-
Program Rates & Fees Review		-	-	30,000						30,000
GIS Data		10,722	-	-						-
IT Infrastructure		117,470	52,000	98,000						98,000
Digital Transformation		-	200,000	-					-	-
Website Upgrade		58,969	-	-					-	-
Administration Office Renovations		-	100,000	100,000					100,000	-
Central Works Operations Centre & Field Office		-	-	1,000,000			1,000,000			-
Facilities - State of Good Repair		66,212	100,000	100,000					100,000	-
Fleet Management		47,045	94,000	164,023					164,023	-
Natural Hazards & Watershed Management										
Dams & Channels SOGR Maintenance		1,300,875	700,970	420,000		210,000	-		210,000	-
Flood Forecasting & Warning Program		25,663	90,000	115,000						115,000
Watershed Planning		-	55,000	-			-			-
Watershed Strategies & Climate Change		-	-	179,000					90,000	89,000
Roots Ridge Aquisition		-	61,250	-						
Roots Ridge Restoration		-	-	73,100			73,100			
Fuciarelli Restoration		-	43,000	36,150			29,150		7,000	
Speyside Weir		-	-	25,000			25,000			

2023 CAPITAL BUDGET

Description	% Increase (decrease) over PY Budget	2021 Actual	2022 Budget Expenses	2023 Budget Expenses	2023 Budget Funding Sources					
					Program Revenue	Provincial Funding	Other (Grants, Sp. Project, Debt financing)	Internal Chargeback (CHF, SPP, CAP, Cons. Areas)	Reserve Funding	Municipal Levy & Funding
CAPITAL										
Capital - Watershed Management & Support										
10a Services (WMSS)										
Permitting & Planning										
Flood Plain Mapping Update		389,428	525,000	550,000			550,000			-
Conservation Lands & Recreation (Land Management)										
Emerald Ash Borer		772,225	820,000	850,000	16,000		834,000			-
Property Management Projects		-	25,000	50,000						50,000
Spongy Moth (LDD Moth) Management		60,473	-	100,000					100,000	-
Other Foundation Funded Projects		-	100,000	100,000			100,000			-
TOTAL CAPITAL WMSS	33.1%	2,851,703	3,036,220	4,040,273	16,000	210,000	2,611,250	-	821,023	382,000
10b Capital - Conservation Lands & Recreation (Recreation)										
Skihill Improvements		249,051	950,000	525,000					525,000	-
Facility Major Maintenance & IT Infrastructure		760,495	213,000	513,000					513,000	-
Fleet replacement		60,799	269,903	80,113					80,113	-
Kelso Quarry Park / Area 8		-	100,000	125,000					125,000	-
Developer Contribution Projects										
-Crawford Lake Boardwalk		-	2,280,000	-		-	-		-	-
TOTAL CAPITAL CONSERVATION LANDS & RECREATION (Recreation)	(67.4%)	1,070,344	3,812,903	1,243,113	-	-	-	-	1,243,113	-
TOTAL CAPITAL PROJECTS	(22.9%)	3,922,047	6,849,123	5,283,386	16,000	210,000	2,611,250	-	2,064,136	382,000

OPERATING BUDGET & **FORECAST 2024-2032**



2023 OPERATING BUDGET & FORECAST

The 2023 Budget and 2024-2032 Operating Forecast considers anticipated service levels, future obligations, and inflationary impacts. Key assumptions and drivers included in the operating forecast are as follows:

The addition of two net new staff positions per year has been assumed in the Watershed Management & Support Services (WMSS) operating forecast to reflect future growth and maintenance of service levels. Program service level reviews are completed annually as part of the budget process. Compensation and other expenses in the forecast have been assumed to increase annually at the estimated rate of 3% for 2023 and 2% thereafter.

Program revenues in the forecast have been assumed to increase annually generally by 2% to 5%.

Chargebacks for support services provided to internal programs consider future compensation increases and the proportion of staffing allocated to these programs. The operating forecast includes ongoing debt servicing costs and new debt financing for anticipated capital projects. Debt financing has been primarily received through the Halton Region to assist with partially financing the 50% municipal portion of dams and channels capital projects. The estimated debt financing charges included in the operating forecast related to municipal debt financing have been provided by Halton Region staff.

The operating forecast includes the impact of capital projects once the assets become operational, excluding the Conservation Area capital projects that are partly funded by Developer Contributions. The cost impacts related to the Developer Contribution works will be assessed through the development of project designs, cost estimates and regulatory requirements.

A summary of the 2023 operating budget and 2024– 2032 forecast is as follows:

(See chart on the proceeding page)

2023 OPERATING BUDGET & FORECAST

Ten Year Operating Expenditures and Funding Budget & Forecast - Watershed Management & Support Services (WMSS)										
Conservation Halton WMSS Operating Expenditures	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Salaries & Benefits										
Balance, beginning of year	13,191,614	15,243,204	15,761,204	16,291,204	16,837,204	17,398,204	17,975,204	18,568,204	19,178,204	19,805,204
Staffing changes (2023 5.0 FTE increase; 2 FTE 2024-2032)	430,843	188,000	192,000	196,000	200,000	204,000	208,000	212,000	216,000	220,000
Part time staff increases	433,781									
Compensation Increases (2023 3.0%, 2024-32 2% inflation; 96% of range)	1,096,542	239,000	247,000	256,000	264,000	273,000	282,000	291,000	301,000	310,000
Increase in benefits (2022 5%; 2023-2031 2% inflation)	90,424	91,000	91,000	94,000	97,000	100,000	103,000	107,000	110,000	114,000
Balance, end of year	15,243,204	15,761,204	16,291,204	16,837,204	17,398,204	17,975,204	18,568,204	19,178,204	19,805,204	20,449,204
Materials & Supplies										
Balance, beginning of year restated	1,082,146	1,120,331	1,142,731	1,165,631	1,188,931	1,212,731	1,237,031	1,261,731	1,286,931	1,312,631
Science & Partnerships program materials	148,968									
materials	(108,343)									
inflation)	(2,440)	22,400	22,900	23,300	23,800	24,300	24,700	25,200	25,700	26,300
Balance, end of year	1,120,331	1,142,731	1,165,631	1,188,931	1,212,731	1,237,031	1,261,731	1,286,931	1,312,631	1,338,931
Purchased Services										
Balance, beginning of year restated	2,833,184	3,009,778	3,069,778	3,130,778	3,193,778	3,257,778	3,322,778	3,388,778	3,456,778	3,525,778
Risk & Health - insurance increase	20,000									
IT Cybersecurity recommendations	30,000									
services	229,641									
Restoration & Conservation Partnership Projects	(85,850)									
inflation)	(17,197)	60,000	61,000	63,000	64,000	65,000	66,000	68,000	69,000	71,000
Balance, end of year	3,009,778	3,069,778	3,130,778	3,193,778	3,257,778	3,322,778	3,388,778	3,456,778	3,525,778	3,596,778
Financial										
Balance, beginning of year	79,000	60,130	61,330	62,530	63,830	65,130	66,430	67,730	69,130	70,530
inflation)	(18,870)	1,200	1,200	1,300	1,300	1,300	1,300	1,400	1,400	1,400
	60,130	61,330	62,530	63,830	65,130	66,430	67,730	69,130	70,530	71,930

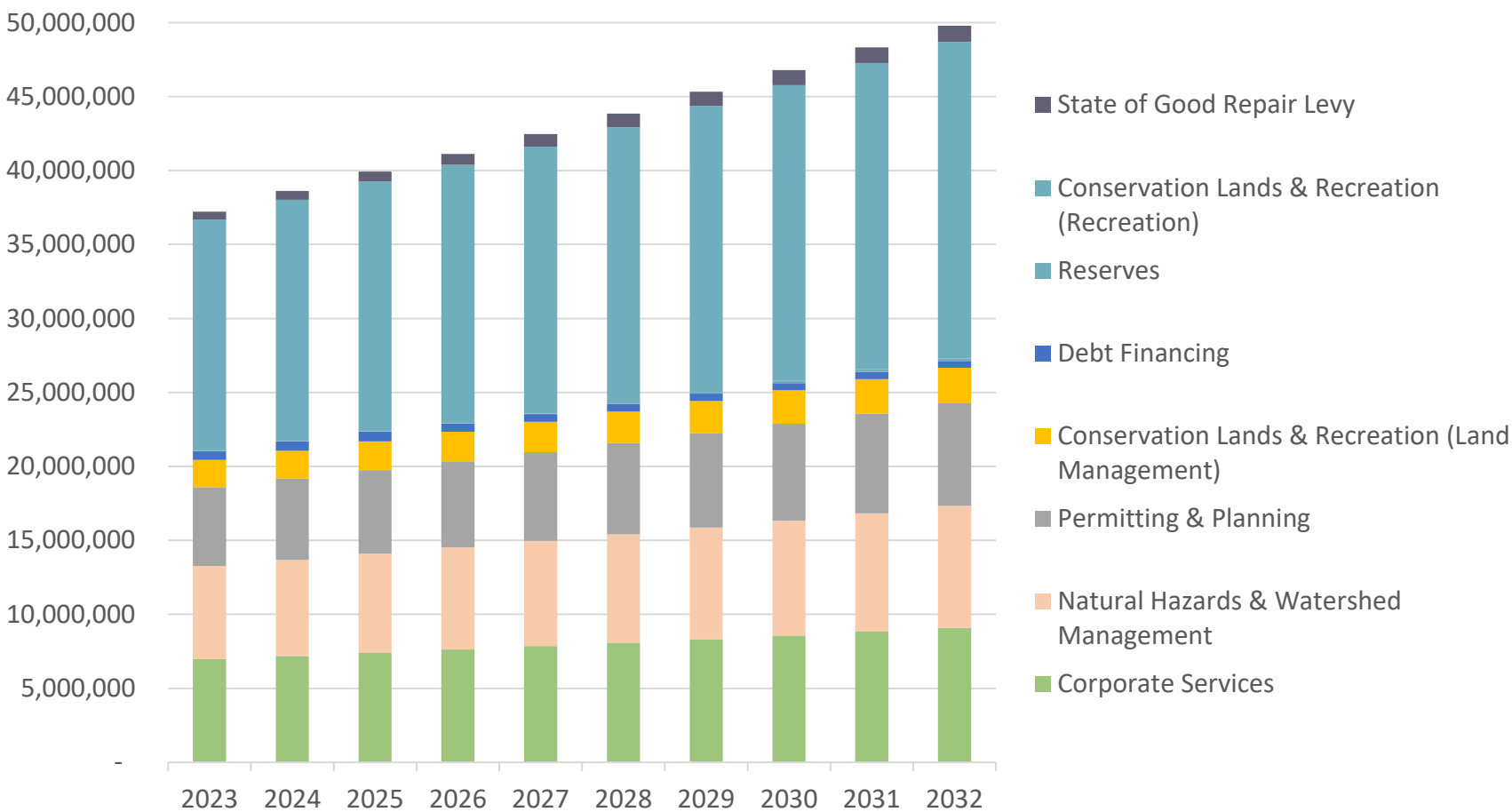
2023 OPERATING BUDGET & FORECAST

Ten Year Operating Expenditures and Funding Budget & Forecast - Watershed Management & Support Services (WMSS)										
Conservation Halton WMSS Operating Expenditures	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Internal Chargebacks										
Balance, beginning of year restated	645,401	1,004,835	1,024,932	1,045,431	1,066,340	1,087,667	1,109,420	1,131,608	1,154,240	1,177,325
Project (2023) and General increases	359,434	20,097	20,499	20,909	21,327	21,753	22,188	22,632	23,085	23,547
Balance, end of year	1,004,835	1,024,932	1,045,431	1,066,340	1,087,667	1,109,420	1,131,608	1,154,240	1,177,325	1,200,872
Debt Financing Charges (Hamilton Community Fdn & Halton Region)										
Balance, beginning of year	620,551	577,116	643,857	636,408	530,977	501,857	491,592	481,847	472,102	462,357
Decrease in debt financing charges - Ham. Comm. Foundation	-	-	(25,000)	(25,000)	-	-	-	-	-	-
Increase/(decrease) in debt financing charges - Halton Region	(40,425)	50,701	49,811	(80,771)	(29,460)	(10,605)	(10,085)	(10,085)	(10,085)	(10,085)
Total Debt Financing Charges	580,126	630,827	655,638	549,867	520,406	509,802	499,717	489,632	479,547	469,462
Transfer to Reserves - State of Good Repair Levy (Dams & Channels)	362,700	415,700	476,300	545,900	625,500	716,900	745,500	775,400	806,400	838,600
Transfer to Reserves - State of Good Repair Levy (Buildings)	177,300	183,900	190,700	197,800	205,100	212,700	220,600	228,800	237,300	246,100
Transfer to Reserves - Land Securement	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
Transfers to Reserves - Motor Pool	-	-	-	-	-	-	100,000	125,000	200,000	150,000
Total Operating Expenses - WMSS	21,583,404	22,315,402	23,043,212	23,668,650	24,397,516	25,175,265	26,008,868	26,789,115	27,639,715	28,386,877
Funding of Operating Expenditures										
Program Revenue	3,578,216	3,757,100	3,945,000	4,023,900	4,104,400	4,309,600	4,395,800	4,483,700	4,573,400	4,664,900
Provincial (Ministry NDMNRF) - Operating Grant	155,034	155,034	155,034	155,034	155,034	155,034	155,034	155,034	155,034	155,034
Municipal Funding - Operating (Total incl. Education)	10,376,835	10,886,054	11,325,211	11,688,848	12,111,567	12,443,725	13,010,298	13,517,479	14,088,679	14,550,311
Municipal State of Good Repair Levies - Dams & Channels and Buildings	540,000	599,600	667,000	743,700	830,600	929,600	966,100	1,004,200	1,043,700	1,084,700
Other Grants & Program Funding	4,028,235	4,106,200	4,185,900	4,267,200	4,350,100	4,434,500	4,520,700	4,608,600	4,698,400	4,789,800
Internal Chargeback Recoveries	2,574,921	2,681,414	2,735,067	2,789,968	2,845,815	2,902,806	2,960,936	3,020,102	3,080,502	3,142,132
Transfers from Reserves - Legal, WMSS Stabilization, Water Festival, Stewardship and Restoration	330,163	130,000	30,000	-	-	-	-	-	-	-
Total Operating Funding - WMSS	21,583,404	22,315,402	23,043,212	23,668,650	24,397,516	25,175,265	26,008,868	26,789,115	27,639,715	28,386,877

2023 OPERATING BUDGET & FORECAST

Conservation Halton Conservation Lands & Recreation (Recreation) Operating Expenditures	Ten Year Operating Expenditures and Funding Budget & Forecast - Conservation Lands & Recreation (Recreation)									
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Salaries & Benefits	8,662,332	8,835,579	9,012,290	9,192,536	9,376,387	9,704,560	10,044,220	10,395,768	10,759,619	11,136,206
Materials & Supplies	1,889,689	1,927,483	1,966,032	2,005,353	2,045,460	2,117,051	2,191,148	2,267,838	2,347,213	2,429,365
Purchased Services	2,469,498	2,518,888	2,569,266	2,620,651	2,673,064	2,766,621	2,863,453	2,963,674	3,067,402	3,174,762
Financial	535,200	545,904	556,822	567,959	579,318	599,594	620,580	642,300	664,780	688,048
Internal Chargebacks - Corporate	1,650,700	1,723,700	1,758,200	1,793,400	1,829,300	1,865,900	1,903,200	1,941,300	1,980,100	2,019,700
Transfer to Reserve - Operating Surplus	427,337	759,805	1,010,106	1,273,633	1,550,951	1,622,536	1,697,006	1,774,380	1,854,886	1,938,552
Total Operating Expenses - Conservation Lands & Recreation	15,634,756	16,311,359	16,872,717	17,453,531	18,054,480	18,676,263	19,319,606	19,985,260	20,674,001	21,386,633
Operating Funding - Conservation Lands & Recreation (Recreation)										
Program Fees	15,169,680	15,854,321	16,406,538	16,978,029	17,569,468	18,181,551	18,815,000	19,470,561	20,149,008	20,851,140
Transfer from Reserve (Outreach)	17,000	-	-	-	-	-	-	-	-	-
Municipal Funding - Park Education programs & Outreach	369,986	377,386	384,933	392,632	400,485	408,494	416,664	424,998	433,498	442,168
Internal Chargeback Recoveries	78,090	79,652	81,245	82,870	84,527	86,218	87,942	89,701	91,495	93,325
Conservation Lands & Recreation (Recreation)	15,634,756	16,311,359	16,872,717	17,453,531	18,054,480	18,676,263	19,319,606	19,985,260	20,674,001	21,386,633

2023 OPERATING BUDGET & FORECAST



CAPITAL BUDGET & **FORECAST 2023-2032**



2023 CAPITAL BUDGET & FORECAST

Conservation Halton provides services that are essential to the safety and well-being of the residents in its watershed. These services rely on well-planned and maintained infrastructure. Through capital budgeting, Conservation Halton can plan for future priorities, and the impact on operating programs and expenses, while ensuring long-term fiscal sustainability.

Development of the 2023 capital budget and the 2024-2032 forecast includes Momentum strategic plan initiatives, Asset Management Plan capital priorities, Emerald Ash Borer business plans, Floodplain Mapping projects, and Park Master Plan initiatives. The capital budget, as proposed, will ensure assets are maintained in a State of Good Repair and address the impact of growth in the region on Conservation Halton infrastructure.

A significant portion of the Watershed Management & Support Services capital budget is related to dams, channels and facility capital projects. These capital projects are funded by transfers from the respective reserves, partly funded through State of Good Repair Levies based on a long-term financing strategy.

Conservation Areas capital projects in the 2023 budget and forecast are funded by the park capital reserve, capital infrastructure grants and other funding. Capital projects include ongoing ski hill, facility, and infrastructure improvement projects to maintain assets in a State of Good Repair, and information technology enhancements. Conservation Areas projects in the capital forecast continue to include three projects totaling approximately \$24 million based on business cases previously provided to the Board of

Directors. The capital projects are related to recreation centres and water distribution and sewer collection systems, partly funded by developer contributions received by Halton Region. These projects are being reassessed with a new lens as we transition through the impacts of COVID-19 on park operations and visitor demands. This reassessment will ensure Conservation Halton is making wise capital investments that are financially sustainable, leveraging available infrastructure grant funding, and revisions will be presented to the Board for further approval.

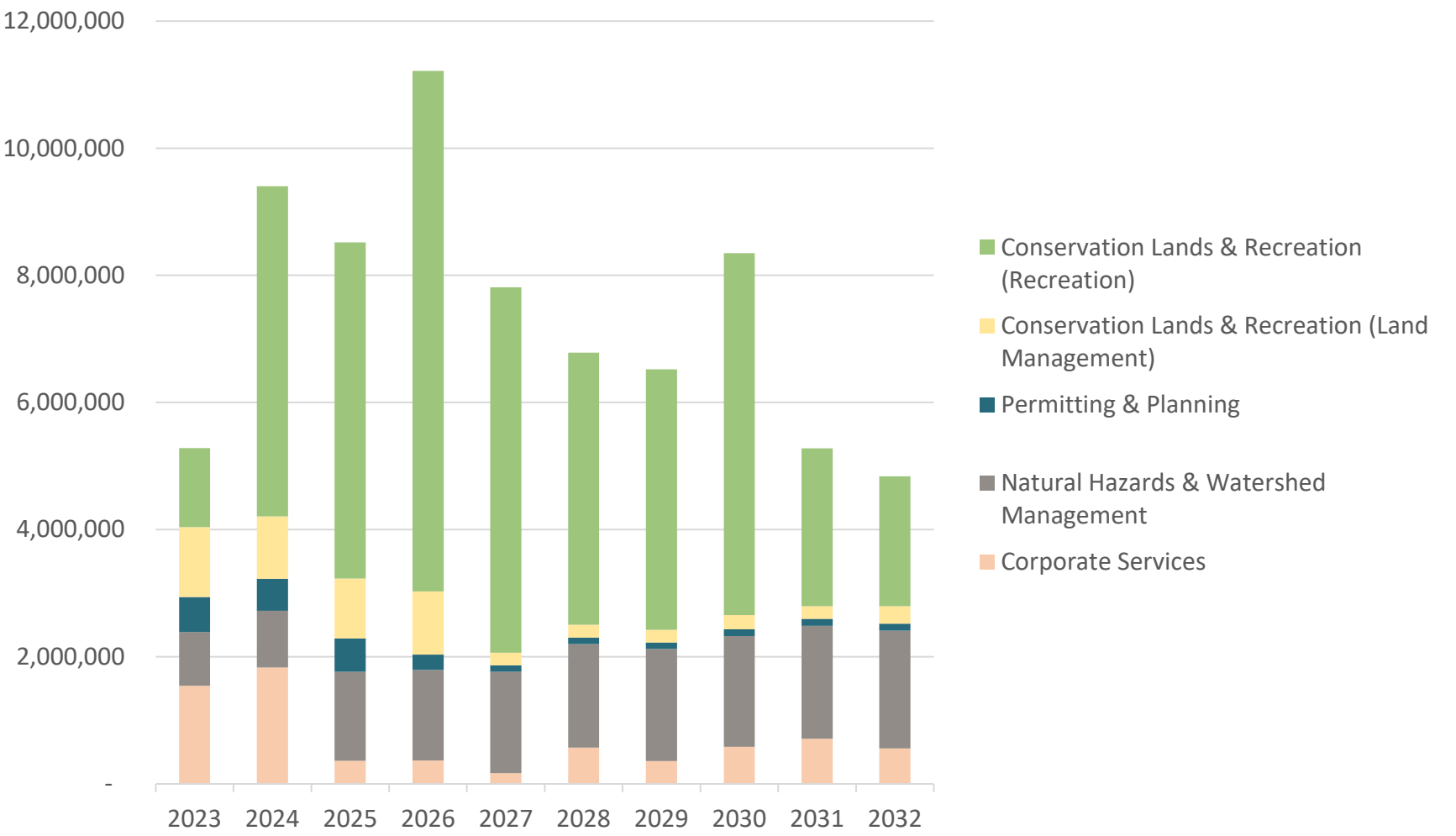
Strategic plan initiatives included in the capital forecast will enable Conservation Halton to continue to invest in innovation and technologies to further modernize operations, streamline service delivery and improve resource management.

Initiatives included in the 2023 budget and 2024 – 2032 capital forecast include the continuation of:

- Modernizing flood forecasting and operations
- Improving floodplain mapping across the watershed
- Investing in digital transformation across all systems
- Mitigating impacts of Emerald Ash Borer on our forests
- Enhancing environmental restoration and stewardship
- Expanding sustainable outdoor recreation experiences

A summary of the 2023 capital budget and 2024 – 2032 capital forecast by department is as follows:

2023 CAPITAL BUDGET & FORECAST



2023 CAPITAL BUDGET & FORECAST

Conservation Halton WMSS Capital Expenditures

Ten Year Capital Expenditures and Funding Budget & Forecast - Watershed Management & Support Services

	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Corporate Services										
Asset Management Plan	50,000	40,000	35,000	-	-	75,000	50,000	-	-	-
Program Rates & Fees Review	30,000	-	-	-	-	-	35,000	-	-	-
Compensation Review	-	-	-	32,000	-	-	-	35,000	-	-
GIS Data Acquisition	-	-	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
Website Upgrade	-	-	-	-	-	50,000	-	-	-	-
IT Infrastructure - upgrades - WMSS	98,000	77,000	72,000	82,000	62,000	114,000	62,000	82,000	117,000	97,000
Administration Office & Other Facility Renovations	200,000	157,011	209,468	170,595	60,633	225,179	84,936	316,413	406,574	279,101
Central Works Operations Centre & Field Office	1,000,000	1,500,000	-	-	-	-	-	-	-	-
Fleet Management	164,023	56,712	31,208	65,585	29,924	91,849	110,571	135,024	171,967	164,289
Total Corporate Services	1,542,023	1,830,723	362,676	365,180	167,557	571,028	357,507	583,437	710,541	555,390
Natural Hazards & Watershed Management										
<u>Flood Forecasting & Operations</u>										
Flood Forecasting & Warning Program	115,000	75,000	70,000	70,000	40,000	40,000	40,000	40,000	32,500	32,500
Dams and Channels Major Maintenance Projects:										
Scotch Block Dam	55,000	188,000	-	-	-	132,000	-	-	-	-
Hilton Falls Dam	-	246,000	-	-	-	-	103,000	-	-	-
Kelso Dam	165,000	-	-	-	-	-	103,000	-	-	-
Mountsberg Dam	112,000	-	-	-	-	-	-	-	-	116,000
Morrison-Wedgewood Channel	-	53,000	110,000	480,000	498,000	518,000	539,000	560,000	647,000	606,000
Other Dams and Channels	88,000	134,000	1,022,000	623,000	781,000	721,000	752,000	905,000	852,000	846,000
Dam Public Safety Projects	-	-	-	54,000	69,000	-	-	-	-	-
	535,000	696,000	1,202,000	1,227,000	1,388,000	1,411,000	1,537,000	1,505,000	1,531,500	1,600,500

2023 CAPITAL BUDGET & FORECAST

Conservation Halton WMSS Capital Expenditures	Ten Year Capital Expenditures and Funding Budget & Forecast - Watershed Management & Support Services									
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
<u>Restoration & Conservation</u>										
Speyside Weir Removal	25,000	12,000	5,000	-	-	-	-	-	-	-
Restoration projects - Roots Ridge, Fuciarelli	109,250									
	134,250	12,000	5,000	-	-	-	-	-	-	-
<u>Watershed Strategies & Climate Change</u>										
Watershed Strategies & Climate Change	179,000	186,000	193,000	201,000	209,000	217,000	226,000	235,000	244,000	254,000
	179,000	186,000	193,000	201,000	209,000	217,000	226,000	235,000	244,000	254,000
Total Natural Hazards & Watershed Management	848,250	894,000	1,400,000	1,428,000	1,597,000	1,628,000	1,763,000	1,740,000	1,775,500	1,854,500
<u>Permitting & Planning</u>										
Flood Plain Mapping (Updates; 2027 & on ongoing maintenance)	550,000	500,000	525,000	240,000	100,000	102,000	104,000	106,000	108,000	110,000
Total Permitting & Planning	550,000	500,000	525,000	240,000	100,000	102,000	104,000	106,000	108,000	110,000
Conservation Lands & Recreation (Land Management)										
Watershed Implementation Plan	-	-	-	50,000	50,000	50,000	75,000	75,000	50,000	125,000
Spongy / LDD Moth Management	100,000	-	-	-	-	-	-	-	-	-
Emerald Ash Borer (EAB) Management	850,000	834,000	794,000	794,000	-	-	-	-	-	-
Conservation Halton Foundation funded projects	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Property Management Projects	50,000	50,000	50,000	50,000	50,000	50,000	25,000	50,000	50,000	50,000
Total Conservation Lands & Rec. (Land Mgmt)	1,100,000	984,000	944,000	994,000	200,000	200,000	200,000	225,000	200,000	275,000
Total Capital Expenditures - WMSS	4,040,273	4,208,723	3,231,676	3,027,180	2,064,557	2,501,028	2,424,507	2,654,437	2,794,041	2,794,041

2023 CAPITAL BUDGET & FORECAST

Conservation Halton WMSS Capital Expenditures	Ten Year Capital Expenditures and Funding Budget & Forecast - Watershed Management & Support Services									
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Capital - Funding										
Provincial Grants	210,000	310,500	566,000	578,500	674,000	685,500	748,500	732,500	749,500	784,000
Municipal Funding	382,000	318,000	385,000	500,000	526,000	688,000	632,000	638,000	616,500	683,500
Municipal Special Levy - EAB	834,000	834,000	794,000	794,000	-	-	-	-	-	-
Municipal Special Levy - Flood Plain Mapping	550,000	500,000	525,000	240,000	-	-	-	-	-	-
Other Funding Grants and Program Funding	243,250	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
Transfer from Reserves	821,023	646,223	861,676	814,680	764,557	1,027,528	944,007	1,183,937	1,328,041	1,227,390
Municipal Debt Financing	1,000,000	1,500,000	-	-	-	-	-	-	-	-
Total Capital Funding - WMSS	4,040,273	4,208,723	3,231,676	3,027,180	2,064,557	2,501,028	2,424,507	2,654,437	2,794,041	2,794,890

2023 CAPITAL BUDGET & FORECAST

Conservation Halton Conservation Lands & Recreation (Recreation) Capital Expenditures	Ten Year Capital Expenditures and Funding Budget & Forecast - Conservation Lands & Recreation (Recreation)									
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Capital Expenditures										
Expenditures funded by capital reserve:										
Vehicle and equipment replacement	80,113	146,705	117,690	52,734	68,235	154,778	96,981	171,881	217,486	125,137
Facility and Infrastructure Major Maintenance	600,000	175,000	250,000	240,000	300,000	200,000	800,000	250,000	300,000	300,000
Ski/Snowboarding Capital Expenditures	525,000	900,000	125,000	575,000	400,000	2,200,000	125,000	2,200,000	900,000	800,000
Park Master Plans	-	50,000	50,000	50,000	50,000	-	-	-	-	-
Program Rates & Fees Review	-	30,000	-	-	-	-	35,000	-	-	-
Infrastructure	38,000	38,000	68,000	38,000	49,600	68,000	38,000	73,000	68,000	49,600
Conservation Areas	1,243,113	1,339,705	610,690	955,734	867,835	2,622,778	1,094,981	2,694,881	1,485,486	1,274,737
Developer Contribution										
Projects partly funded by Development Contributions collected by Region of Halton:										
Kelso/Glen Eden Water Distribution and Collection		2,754,475	2,754,475	2,754,475						
Kelso Recreation and Trail Centre			500,000	2,259,900	3,259,900	1,159,900				
Crawford Lake Visitor Centre and CH Foundation (including Kelso Quarry Park / Area 8)	-	1,100,000	1,420,000	2,220,000	1,620,000		500,000	3,000,000	3,000,000	1,000,000
Contribution Projects	-	3,854,475	4,674,475	7,234,375	4,879,900	1,659,900	3,000,000	3,000,000	1,000,000	767,050
Recreation (Recreation) Capital Expenditures	1,243,113	5,194,180	5,285,165	8,190,109	5,747,735	4,282,678	4,094,981	5,694,881	2,485,486	2,041,787

2023 CAPITAL BUDGET & FORECAST

Conservation Halton Conservation Lands & Recreation (Recreation) Capital Expenditures	Ten Year Capital Expenditures and Funding Budget & Forecast - Conservation Lands & Recreation (Recreation)									
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Funding - Developer										
Developer Contributions - Region of Halton	-	3,304,475	3,964,475	6,124,375	4,069,900	1,659,900	(19,123,125)			
Conservation Halton Foundation & Other Funding	-	550,000	710,000	1,110,000	810,000	-	22,123,125	3,000,000	1,000,000	767,050
Subtotal Funding-Developer	-	3,854,475	4,674,475	7,234,375	4,879,900	1,659,900	3,000,000	3,000,000	1,000,000	767,050
Funding - Capital Expenditures										
Conservation Lands &										
Conservation Halton Foundation & Other Funding	-									
Transfer from Reserves	1,243,113	1,339,705	610,690	955,734	867,835	2,622,778	1,094,981	2,694,881	1,485,486	1,274,737
Transfer from Reserves - Capital Projects partly funded by Developer Contributions	-	-	-	-	-	-	-	-	-	-
Total Conservation Lands & Recreation (Recreation) Capital	1,243,113	5,194,180	5,285,165	8,190,109	5,747,735	4,282,678	4,094,981	5,694,881	2,485,486	2,041,787

MUNICIPAL FUNDING



2023 MUNICIPAL FUNDING

Municipal funding is increasing by 4.7% for the 2023 budget for a total amount of \$11,298,835. This increase is within the Halton Region guideline of 4.7%. A key service target in

Conservation Halton's Strategic Plan is to limit operating and capital municipal funding increases to at or below regional budget guidelines.

Municipal Funding	2023 Budget	2023 Municipal Funding	2022 Municipal Funding	Municipal Funding Increase
Operating (excl. SOGR levy)	\$36,678,160	\$10,376,835	\$10,053,136	3.2%
Capital	5,283,386	382,000	262,000	45.8%
State of Good Repair (SOGR) Levy - Dams & Channels; Facilities	41,961,546	10,758,835	10,315,136	4.3%
	540,000	540,000	480,500	12.4%
Total	\$42,501,546	\$11,298,835	\$10,795,636	4.7%

2023 MUNICIPAL APPORTIONMENT

Apportionment refers to the proportion of funding allocated to the municipalities within the Conservation Halton watershed as outlined in Ontario Regulation 670/00. The municipal apportionment percentages are provided annually to Conservation Authorities by the Province of Ontario.

Municipal funding of \$11,298,835 in the 2023 budget is apportioned to the Region of Halton, City of Hamilton, Region of Peel and Township of Puslinch.

Under the legislation, Conservation Authorities apportion costs to the participating municipalities based on the benefit derived

by each participating municipality, which is determined by calculating the ratio that each participating municipality's current value assessment, modified for the area of the municipality that lies within the watershed, to the total modified current value assessment in the Conservation Authority's watershed.

Based on updated current value assessment data and apportionment percentages received from the Province, the apportioned municipal funding amounts are as follows:

Municipality:	2023 Apportionment (%)	2023 Municipal Funding (\$)	2022 Apportionment (%)	2022 Municipal Funding (\$)	% Increase
Region of Halton	87.9192%	\$9,933,846	87.8985%	\$9,489,203	4.7%
City of Hamilton	7.1961%	813,075	7.1904%	776,249	4.7%
Region of Peel	4.6664%	527,249	4.6944%	506,790	4.0%
Township of Puslinch	0.2183%	24,665	0.2167%	23,394	5.4%
	100.0000%	\$11,298,835	100.0000%	\$10,795,636	

2023 MUNICIPAL FUNDING FORECAST

The annual increases in the forecast ensure funds are available to meet both current and future program and organization needs.

Conservation Halton staff will continue to work with regional staff on mitigating the annual increase to be within the regional guideline.

	BUDGET	FORECAST			
	2023	2024	2025	2026	2027
Municipal Funding					
Operating	\$ 10,376,835	\$ 10,886,054	\$ 11,325,211	\$ 11,688,848	\$ 12,111,567
Capital	\$ 382,000	\$ 318,000	\$ 385,000	\$ 500,000	\$ 526,000
Municipal Funding - Total excluding SOGR Levy	\$ 10,758,835	\$ 11,204,054	\$ 11,710,211	\$ 12,188,848	\$ 12,637,567
% Change	4.3%	4.1%	4.5%	4.1%	3.7%
State of Good Repair (SOGR) Levy	\$ 540,000	\$ 599,600	\$ 667,000	\$ 743,700	\$ 830,600
Municipal Funding - Total including SOGR Levy	\$ 11,298,835	\$ 11,803,654	\$ 12,377,211	\$ 12,932,548	\$ 13,468,167
% Change	4.7%	4.5%	4.9%	4.5%	4.1%

RESERVES



RESERVES

Conservation Halton Reserves	Reserves Projected Balance Dec. 31, 2022	Contribution from Municipal Funding	Contribution from Surplus	State of Good Repair Levy	Contribution to Capital Projects	Contribution to Operating Expenses	Reserves Projected Balance Dec. 31, 2023
Watershed Management & Support Services							
Vehicle and Equipment	\$ 610,901				\$ (164,023)		\$ 446,878
Building	116,872				(100,000)		16,872
Building - State of Good Repair	364,820			177,300	(150,000)		392,120
Watershed Management Capital - Municipal Funds and Self-Generated Funds	1,141,286			362,700	(210,000)		1,293,986
Watershed Management & Support Services Stabilization	1,319,212				(90,000)	(142,000)	1,087,212
Capital Projects - Debt Financing Charges	471,596						471,596
Digital Transformation	78,400				-		78,400
Legal - Planning & Watershed Management	941,995					(100,000)	841,995
Legal - Corporate	200,000						200,000
Water Festival	178,911				-	(10,000)	168,911
Land Securement	113,739	25,000					138,739
Property Management	1,084,043				(100,000)		984,043
Stewardship and Restoration	345,551				(7,000)	(95,163)	243,388
Conservation Areas							-
Capital	1,468,906		427,337		(1,243,113)		653,130
Stabilization	1,146,490						1,146,490
Total Reserves	\$ 9,582,722	\$ 25,000	\$ 427,337	\$ 540,000	\$ (2,064,136)	\$ (347,163)	\$ 8,163,760

RESERVE CONTINUITY

Conservation Halton	Projected 2022	RESERVE CONTINUITY									
		2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Watershed Management & Support Services Reserves											
Vehicle and Equipment, beginning	\$ 704,901	\$ 610,901	\$ 446,878	\$ 390,166	\$ 358,958	\$ 293,373	\$ 263,449	\$ 171,600	\$ 161,029	\$ 151,005	\$ 179,038
Transfer to Reserve - Reserve funding (municipal)	-	-	-	-	-	-	-	100,000	125,000	200,000	150,000
Transfer from Reserve - Capital expenditures	(94,000)	(164,023)	(56,712)	(31,208)	(65,585)	(29,924)	(91,849)	(110,571)	(135,024)	(171,967)	(164,289)
Vehicle and Equipment	\$ 610,901	\$ 446,878	\$ 390,166	\$ 358,958	\$ 293,373	\$ 263,449	\$ 171,600	\$ 161,029	\$ 151,005	\$ 179,038	\$ 164,749
Building, beg. of year	\$ 316,872	\$ 116,872	\$ 16,872	\$ 16,872	\$ 16,872	\$ 16,872	\$ 16,872	\$ 16,872	\$ 16,872	\$ 16,872	\$ 16,872
Transfer from Reserve - Capital expenditures	(200,000)	(100,000)	-	-	-	-	-	-	-	-	-
Building	\$ 116,872	\$ 16,872	\$ 16,872	\$ 16,872	\$ 16,872	\$ 16,872	\$ 16,872	\$ 16,872	\$ 16,872	\$ 16,872	\$ 16,872
Building - State of Good Repair, beginning of year	\$ 418,674	\$ 364,820	\$ 392,120	\$ 379,009	\$ 360,241	\$ 387,446	\$ 531,913	\$ 519,434	\$ 655,098	\$ 567,485	\$ 398,211
Transfer to Reserve - SOGR Levy	164,000	177,300	183,900	190,700	197,800	205,100	212,700	220,600	228,800	237,300	246,100
Transfer from Reserve - Capital expenditures	(217,854)	(150,000)	(197,011)	(209,468)	(170,595)	(60,633)	(225,179)	(84,936)	(316,413)	(406,574)	(279,101)
Building - State of Good Repair	\$ 364,820	\$ 392,120	\$ 379,009	\$ 360,241	\$ 387,446	\$ 531,913	\$ 519,434	\$ 655,098	\$ 567,485	\$ 398,211	\$ 365,210
Watershed Mgmt Cap.-Municipal & Self Generated	\$ 1,175,271	\$ 1,141,286	\$ 1,293,986	\$ 1,399,186	\$ 1,309,486	\$ 1,276,886	\$ 1,228,386	\$ 1,259,786	\$ 1,256,786	\$ 1,299,686	\$ 1,356,586
Transfer to Reserves - SOGR Levy	316,500	362,700	415,700	476,300	545,900	625,500	716,900	745,500	775,400	806,400	838,600
Transfer from Reserves - Capital expenditures	(350,485)	(210,000)	(310,500)	(566,000)	(578,500)	(674,000)	(685,500)	(748,500)	(732,500)	(749,500)	(784,000)
Watershed Management Capital - Municipal Funds and Self Generated Funds	\$ 1,141,286	\$ 1,293,986	\$ 1,399,186	\$ 1,309,486	\$ 1,276,886	\$ 1,228,386	\$ 1,259,786	\$ 1,256,786	\$ 1,299,686	\$ 1,356,586	\$ 1,411,186
Watershed Mgmt & Support Services Stabilization	\$ 1,789,212	\$ 1,319,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212
Transfer from Reserve	(470,000)	(142,000)	-	-	-	-	-	-	-	-	-
Watershed Mgmt & Support Serv. Stabilization	\$ 1,319,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212	\$ 1,177,212
Capital Projects - Debt Financing Charges	\$ 471,596	\$ 471,596	\$ 471,596	\$ 471,596	\$ 471,596	\$ 471,596	\$ 471,596	\$ 471,596	\$ 471,596	\$ 471,596	\$ 471,596
Digital Transformation, beginning of year	\$ 278,400	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400
Transfer from Reserve	(200,000)	-	-	-	-	-	-	-	-	-	-
Digital Transformation	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400	\$ 78,400
Legal - Planning & Watershed Management	\$ 941,995	941,995	841,995	741,995	741,995	741,995	741,995	741,995	741,995	741,995	741,995
Transfer from Reserve	-	(100,000)	(100,000)	-	-	-	-	-	-	-	-
Legal - Planning & Watershed Management	\$ 941,995	\$ 841,995	\$ 741,995	\$ 741,995	\$ 741,995	\$ 741,995	\$ 741,995	\$ 741,995	\$ 741,995	\$ 741,995	\$ 741,995

RESERVE CONTINUITY

Conservation Halton	Projected 2022	RESERVE CONTINUITY									
		2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Legal - Corporate	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
Water Festival	\$ 188,911	\$ 178,911	\$ 168,911	\$ 158,911	\$ 148,911	\$ 148,911	\$ 148,911	\$ 148,911	\$ 148,911	\$ 148,911	\$ 148,911
Transfer from Reserve	(10,000)	(10,000)	(10,000)	(10,000)	-	-	-	-	-	-	-
Water Festival	\$ 178,911	\$ 168,911	\$ 158,911	\$ 148,911	\$ 148,911	\$ 148,911	\$ 148,911	\$ 148,911	\$ 148,911	\$ 148,911	\$ 148,911
Land Securement	\$ 88,739	\$ 113,739	\$ 138,739	\$ 163,739	\$ 188,739	\$ 213,739	\$ 238,739	\$ 263,739	\$ 288,739	\$ 313,739	\$ 338,739
Transfer to Reserve - Reserve funding (municipal)	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
Land Securement	\$ 113,739	\$ 138,739	\$ 163,739	\$ 188,739	\$ 213,739	\$ 238,739	\$ 263,739	\$ 288,739	\$ 313,739	\$ 338,739	\$ 363,739
Property Management	\$ 1,084,043	\$ 1,084,043	\$ 984,043	\$ 984,043	\$ 984,043	\$ 984,043	\$ 984,043	\$ 984,043	\$ 984,043	\$ 984,043	\$ 984,043
Transfer from Reserve	-	(100,000)	-	-	-	-	-	-	-	-	-
Property Management	\$ 1,084,043	\$ 984,043	\$ 984,043	\$ 984,043	\$ 984,043	\$ 984,043	\$ 984,043	\$ 984,043	\$ 984,043	\$ 984,043	\$ 984,043
Stewardship & Restoration	\$ 409,051	\$ 345,551	\$ 243,388	\$ 223,388	\$ 203,388	\$ 203,388	\$ 203,388	\$ 203,388	\$ 203,388	\$ 203,388	\$ 203,388
Transfer to (from) Reserve	(63,500)	(102,163)	(20,000)	(20,000)	-	-	-	-	-	-	-
Stewardship and Restoration	\$ 345,551	\$ 243,388	\$ 223,388	\$ 203,388	\$ 203,388	\$ 203,388	\$ 203,388	\$ 203,388	\$ 203,388	\$ 203,388	\$ 203,388
Conservation Areas											
Stabilization	\$ 730,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490
Transfer to Reserve - target balance	416,000	-	-	-	-	-	-	-	-	-	-
Stabilization	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490	\$ 1,146,490
Capital	2,629,691	1,468,906	653,130	73,230	472,646	790,545	1,473,661	473,419	1,075,444	154,943	524,343
Transfer to Reserve - Operating Surplus	372,118	427,337	759,805	1,010,106	1,273,633	1,550,951	1,622,536	1,697,006	1,774,380	1,854,886	1,938,552
Transfer from Reserve - Capital expenditures	(1,532,903)	(1,243,113)	(1,339,705)	(610,690)	(955,734)	(867,835)	(2,622,778)	(1,094,981)	(2,694,881)	(1,485,486)	(1,274,737)
Capital	\$ 1,468,906	\$ 653,130	\$ 73,230	\$ 472,646	\$ 790,545	\$ 1,473,661	\$ 473,419	\$ 1,075,444	\$ 154,943	\$ 524,343	\$ 1,188,158
TOTAL RESERVES	\$ 9,582,722	\$ 8,163,760	\$ 7,444,237	\$ 7,648,977	\$ 7,920,896	\$ 8,695,055	\$ 7,646,885	\$ 8,396,003	\$ 7,445,765	\$ 7,755,824	\$ 8,451,949

DEPARTMENTAL BUSINESS PLANS



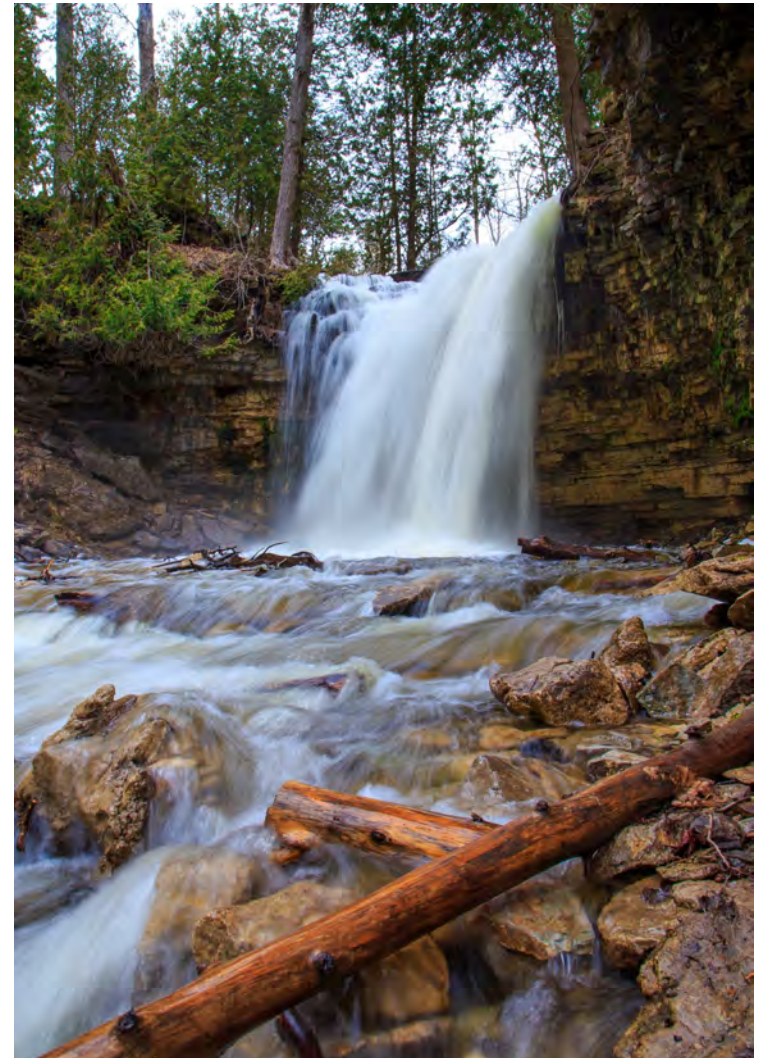
CORPORATE SERVICES

DEPARTMENTAL BUSINESS PLAN

Corporate Services budget category includes the Office of the President & CEO; Conservation Halton Foundation Administration; Finance; Fleet Operations; Human Resources; Marketing & Communications; Office of the COO inclusive of Procurement; Information Technology (IT); Geographic Information Systems (GIS); Risk & Health; Administration Office Facility; Project Management; Construction

Partnerships and collaborations are developed with municipalities, government agencies, professional associations, education institutions, Indigenous communities and others through the Office of the President & CEO. Corporate Services programs are leading the organization in its focus on financial sustainability through the provision of clear financial data and analysis to support informed, strategic and operational decision-making for budget development and long-term planning. Digital Transformation within Conservation Halton will support better information management. Corporate Services programs are also responsible for implementing business practices that ensure economic, social and environmental sustainability.

STRATEGIC PLAN DELIVERABLES:



Hilton Falls

CORPORATE SERVICES

OFFICE OF THE PRESIDENT & CEO

The Office of the President & CEO is responsible for developing and implementing the strategic plan, building Conservation Halton's image and brand, refining communication with stakeholders and ensuring timely and quality services are being provided. The President & CEO's priorities are focused on the transformation of Conservation Halton's operations to provide innovative and cost-efficient environmental programs and services to watershed residents, clients, partners and municipalities.

CONSERVATION HALTON FOUNDATION ADMINISTRATION

The Conservation Halton Foundation is a separate, legally incorporated charitable organization. The mission of the Foundation is to raise funds for Conservation Halton projects and programs that protect and enhance the natural environment. Conservation Halton staff manage the administration of the Foundation's operations and fundraising activities.

FINANCE

Finance provides financial stewardship and management in support of the strategic goals of the organization. The department is responsible for the preparation and administration of the annual budget, financial reporting, safeguarding of financial resources, financial planning, investments and cash flow management, capital asset management, accounts payable and receivable, and financial policy development and implementation. The Finance department works as a strategic partner with all departments at Conservation Halton to provide financial support and advice.

FLEET OPERATIONS

Vehicle and equipment are maintained by staff in a state of good repair. Staff also coordinate the replacement of the asset or an assessment if the asset is no longer needed at the end of its useful life.

HUMAN RESOURCES

The Human Resources team is responsible for maximizing organizational productivity through systems and programs that focus on attracting, retaining, and investing in top talent. The HR team also ensures that all employment legislation is adhered to and that programs are in place to drive employee engagement, employee wellness, foster respect in the workplace and create opportunities for growth and development.

MARKETING AND COMMUNICATIONS

This team is comprised of marketing, communications, events, digital media and creative services professionals. This function partners with each department at Conservation Halton to ensure that the public is aware, educated and engaged with our products, programs and services, as well as policies and procedures. It is responsible for maintaining a positive public perception and maintaining the identity of the Conservation Halton brand.

PROCUREMENT

The Procurement function ensures that the required services, materials and equipment are sourced and secured while ensuring that quality, compliance, and cost-effectiveness are achieved. Procurement activities are conducted in accordance with public sector practices that foster open competition in an open, transparent and ethical manner.

INFORMATION TECHNOLOGY

Information Technology staff at Conservation Halton provide desktop support services, technical consultation for the various business units, technical infrastructure management, application and support services, and purchasing and procurement of technology.

GEOGRAPHIC INFORMATION SYSTEMS (GIS)

This program oversees the creation, deployment and support of Geographic Information Systems solutions, analysis and mapping to support all of Conservation Halton departments and initiatives identified through the strategic plan. In addition, the GIS program provides support to partnering municipalities and the public through data and information needs, particularly with respect to regulatory mapping, land use planning, flood forecasting and warning, environmental monitoring, terrestrial and aquatic ecology, stewardship, parks operations, and other related business activities.

RISK & HEALTH

Our focus is on prevention programs, training and risk identification, reporting and claims management. This team ensures that health and safety committee members work collaboratively to improve safety within our business and contribute to the strong culture of safety at Conservation Halton.

ADMINISTRATION OFFICE FACILITY

The department is responsible for the daily operation of the Administrative Office and the provision and support of administrative infrastructure (office furniture, maintenance, etc.). This team is also responsible for office space needs assessment across all buildings and facilities and the design and implementation of internal reorganizations and enhancements.

PROJECT MANAGEMENT

Responsible for the delivery of project-based work at Conservation Halton which includes ecological restoration and conservation, engineering and capital infrastructure, construction and facilities, IT and digital transformation and enterprise projects.

CONSTRUCTION

A function of the Project Management Office is construction support services, which provide operational support for small-scale infrastructure work, oversight on asset management programs and support to other teams delivering construction projects.

2023 INITIATIVES

FINANCIAL SUSTAINABILITY

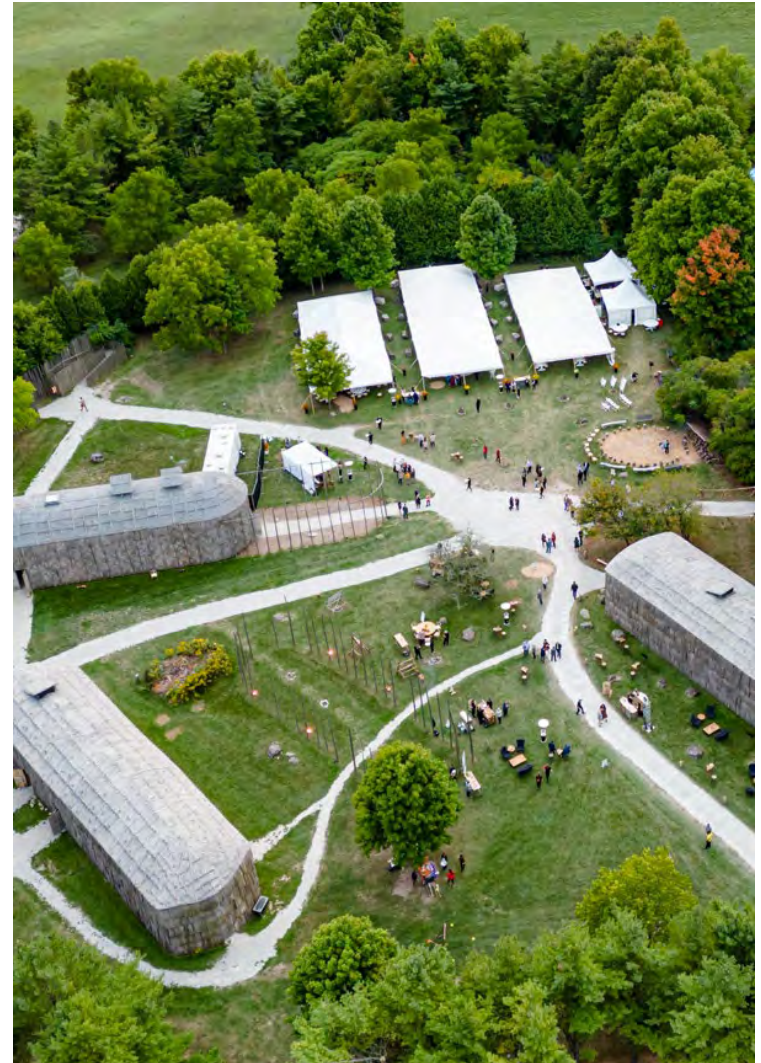
The Finance team will continue to ensure the long-term financial sustainability of the organization. Initiatives include the implementation of software upgrades for further automation and integration with other software systems, the five-year program fees review to ensure full cost recovery and the update to the facility asset management plan.

DIGITAL TRANSFORMATION

Digital transformation initiatives will continue to meet our strategic objectives and enhance efficiency and effectiveness in our service delivery. Initiatives include technological advancements, cyber security enhancements and further improvements to digital document management systems.

INFRASTRUCTURE

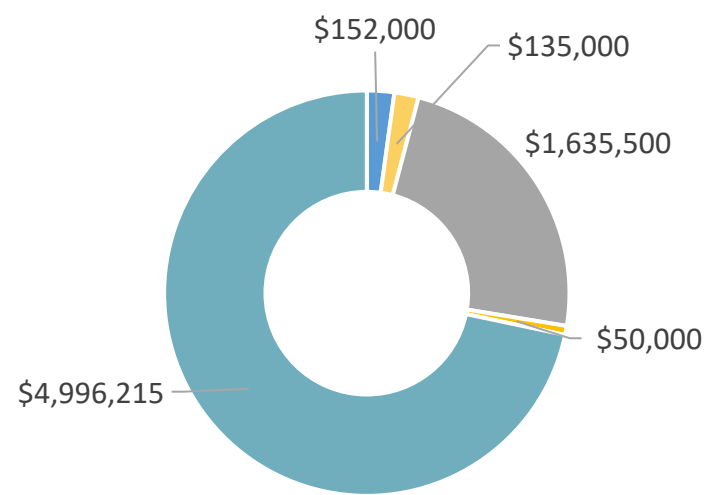
Project Management (PM) staff will oversee continued infrastructure enhancements to customer and staff workspaces at the Administration Office and Parks. PM staff are also leading the design and phased construction of a new Central Works Operation Centre and improvements at the Field Office to replace facilities that are significantly beyond their operational life.



The Iroquoian Village at Re:Generations Gala

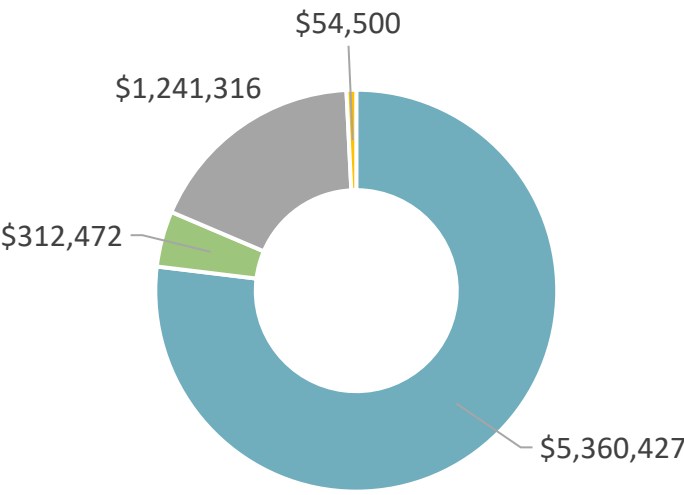
CORPORATE SERVICES

Revenue \$6,968,715



- Transfer from Reserves
- Internal Chargeback Recovery
- Municipal Funding
- Program Revenue
- Other funding

Expenses \$6,968,715



- Salaries & Benefits
- Purchased Services
- Materials & Supplies
- Financial & Rent expense

CORPORATE SERVICES

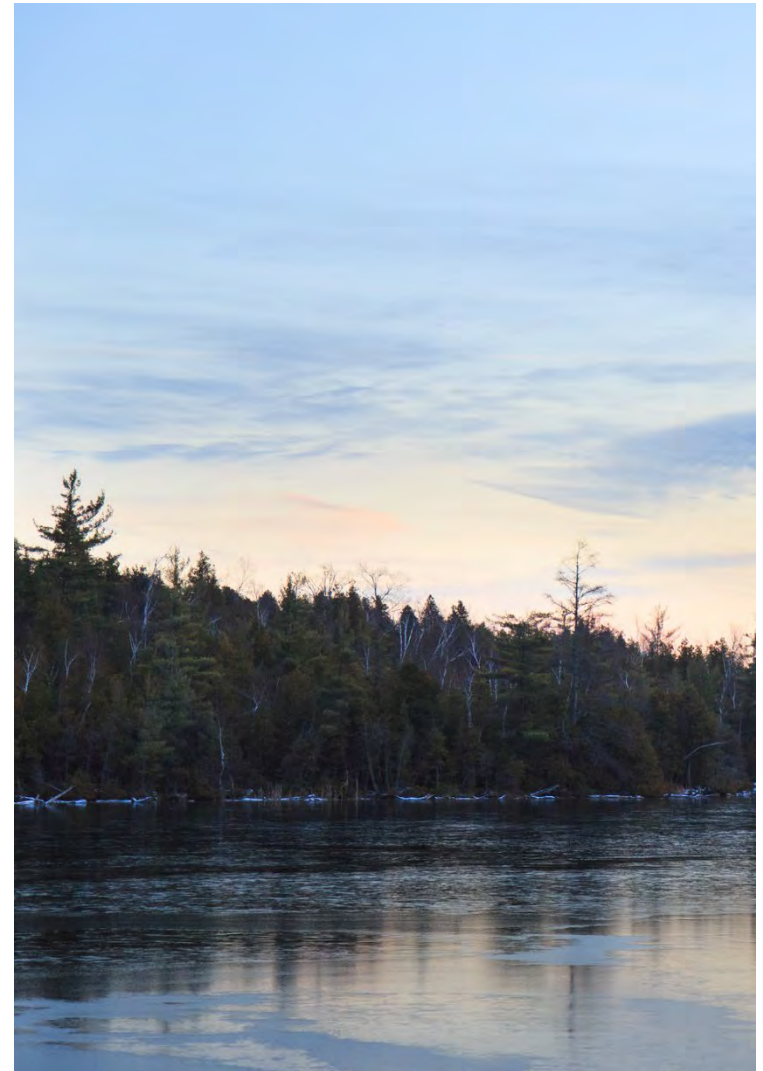
Description	2023 Capital Expenditures	Capital Revenue					
		Program Revenue	Provincial Funding	Other (Grants, Sp. Project, Debt financing)	Chargeback Recoveries (CHF, SPP, CAP, Cons. Areas)	Reserve Funding	Municipal Levy & Funding
Asset Management Plan	50,000					50,000	-
Program Rates & Fees Review	30,000						30,000
IT Infrastructure	98,000						98,000
Administration Office Renovations	100,000					100,000	-
Central Works Operations Centre & Field Office	1,000,000			1,000,000			-
Facilities - State of Good Repair	100,000					100,000	-
Fleet Management	164,023					164,023	-
Total Capital Expenditures	1,542,023	-	-	1,000,000	-	414,023	128,000

NATURAL HAZARDS & WATERSHED MANAGEMENT

DEPARTMENTAL BUSINESS PLAN

The Natural Hazards & Watershed Management service area includes the monitoring, assessment, management, and outreach programs and services that Conservation Halton undertakes to address natural hazards and watershed management risks, issues, or opportunities. Several programs and services support this service area, including Watershed Monitoring, Flood Forecasting and Operations, Watershed Planning, Source Water Protection, Landowner Outreach, Restoration, and the Hamilton Harbour Remedial Action Plan.

STRATEGIC PLAN DELIVERABLES:



Crawford Lake Spring Melt

NATURAL HAZARDS & WATERSHED MANAGEMENT

FLOOD FORECASTING & OPERATIONS

The Flood Forecasting and Operations program is responsible for the management, operation and maintenance of CH's flood management infrastructure with a capital asset value of more than \$100 million, including dams and channels that provide flood protection and low-flow augmentation. This responsibility is integrated with CH's role in supporting the municipal emergency response to flooding by monitoring local watershed conditions and weather forecasts, predicting flooding potential and providing flood messaging to watershed stakeholders.

SOURCE WATER PROTECTION PROGRAM

CH implements the Source Water Protection Program under the Clean Water Act for the Halton Hamilton Source Protection Region. This program is a community initiative, which protects existing and future municipal drinking water sources from contamination and overuse. Conservation Halton and Hamilton Conservation Authority deliver the program, working closely with a locally appointed source protection committee and municipalities, provincial agencies, and other stakeholders. This program is supported through provincial grants. Under the recently amended Conservation Authorities Act, the role of the source protection authority is a mandatory program and service.

WATERSHED MONITORING

Conservation Halton has a long-standing watershed monitoring program to support hazard management, which protects the health and safety of people and supports resource management decisions. Staff inventory, monitor, and assess watershed conditions, trends, and risks such as water levels, discharge flows, and embankment groundwater levels at our dams to ensure safe and timely reservoir operations, surface and ground water quality and quantity, rainfall and snowpack, stream morphology and erosion, wetlands, climate, forest health, and biodiversity. Monitoring data inform watershed restoration efforts to support a robust and climate-resilient natural heritage system.

WATERSHED PLANNING

As a watershed management agency, Conservation Halton undertakes watershed planning. The program is being renewed to develop a coordinated strategy and identify management priorities and actions to address key resource issues based on good science and positive outcomes. Conservation Halton promotes sustainable management, restoration, and enhancement of the natural systems within the watershed, including natural hazards. This program also includes the consideration of the implications of climate change. Conservation Halton is developing a watershed climate action strategy and plans to identify actions supporting resilience in the face of climate change, including hazards.

NATURAL HAZARDS & WATERSHED MANAGEMENT

LANDOWNER OUTREACH

The Landowner Outreach Program has been providing educational and stewardship services to watershed residents since 1994. Through this program, we provide one-on-one consultations for private landowners and assist them with implementing restoration projects on their properties. Staff also provide hands-on educational programs to encourage landowners to take action on their properties. The popular “Healthy Neighboursheds” program is one example. This program promotes rainwater management and other sustainable practices that can be adopted by urban dwellers. Outreach is also undertaken through educational workshops, special events and media.

HAMILTON HARBOUR REMEDIAL ACTION PLAN

Hamilton Harbour is one of 43 areas around the Great Lakes that have been designated as Areas of Concern because of the extent of environmental degradation. Areas of Concern were formally designated under the Great Lakes Water Quality Agreement in 1987, and Remedial Action Plans were established to guide the delisting of these areas. The team is now housed at Conservation Halton and provides services to the Bay Area Implementation Team and more than 12 other committees. The team prepares technical reports, facilitates, and sponsors local training opportunities related to stormwater management and sediment control, organizes research and monitoring workshops and provides study support as key works are identified in committees.

RESTORATION

Conservation Halton collaborates with federal, provincial, and municipal governments, private landowners, community groups, and other organizations to undertake and fund restoration projects ranging in scale from small to large. These projects help manage natural hazards, improve natural heritage, and reduce or buffer the impacts of climate change such as flooding, erosion, and drought. Fee-for-service projects are also carried out in partnership with watershed stakeholder clients to implement restoration projects on public and private lands.



Restoration team at Flamborough Park

NATURAL HAZARDS & WATERSHED MANAGEMENT

2023 INITIATIVES

FLOOD FORECASTING & OPERATIONS

We will continue to invest in upgrading Conservation Halton dams and channels and increase real-time watershed monitoring network coverage from 68 stations currently collecting climate and hydrometric data throughout the watershed. We will continue to investigate new tools and technologies to improve the real-time flood forecasting and warning platform, including expanding watershed coverage and integrating forecast flood inundation mapping.

SOURCE WATER PROTECTION

We will continue to lead the Halton-Hamilton source water protection program to implement source protection plan policies. Using a watershed-based approach and by working with the Hamilton Conservation Authority, municipalities and others, municipal drinking water sources from groundwater aquifers and Lake Ontario are being protected. In 2023, the focus will be on updating the assessment reports and source protection plan policies to align with the revised 2021 Technical Rules. We will continue to administer the City of Hamilton's Abandoned Well Decommissioning Program to protect groundwater from contamination.

WATERSHED MONITORING

We will continue to collect environmental data to support our programs and services and those of our partners. Our focus in 2023 will be assessing the adequacy of our watershed monitoring network and analyzing the data and results to support the creation of the 2023 Watershed Report Card. We will also provide analysis and insights to support evidence-based decision-making, including incorporating new ecological data into the Master Planning process for Waterdown and Clappison Woods. Results from several new water quality monitoring projects will also be analyzed to help inform areas in need of restoration and/or additional study.

WATERSHED PLANNING

We are developing a Watershed-Based Resource Management Strategy, as set out by the Province, with a completion date of December 31, 2024. This document provides the justification for and description of Conservation Halton's programs and services which are implemented to address resource management issues within the watershed. We will also be renewing our watershed planning program, with the goal to undertake and implement individual watershed plans to identify and prioritize actions that protect natural resources, address natural hazards and promote sustainability. We will continue to advance and participate in collaborative watershed management initiatives to support, restore and enhance our natural watershed systems and the health of Lake Ontario. We will also identify and promote climate change approaches for watershed resilience and lead by example.

NATURAL HAZARDS & WATERSHED MANAGEMENT

2023 INITIATIVES

LANDOWNER OUTREACH

We will continue to reach out to urban and rural landowners to increase environmental awareness and promote environmental rehabilitation and restoration in key priority areas. We will also continue to respond to inquiries from landowners, provide advice on proposed environmental improvement projects, promote best management practices, and recognize landowner efforts through our awards program. Highlights for 2023 include reaching out to homeowners and businesses in Hamilton Harbour watersheds to implement Low Impact Development (LID) projects that increase rainwater infiltration and reduce runoff and promote the protection, conservation, restoration, and management of natural resources throughout our jurisdiction, with a focus on Redside Dace and mitigating barriers to fish movement.

HAMILTON HARBOUR REMEDIAL ACTION PLAN

The Hamilton Harbour Remedial Action Plan Office will continue to provide local coordination and secretariat services to two specialized committees, including the Bay Area Implementation Team. Specifically, in 2023 the team will guide and report on work plan actions to achieve re-designation of beneficial uses, build relationships and facilitate information exchange with partners, support the development of reports, provide engagement and outreach opportunities to communicate progress and build support with local communities and Indigenous peoples.

RESTORATION

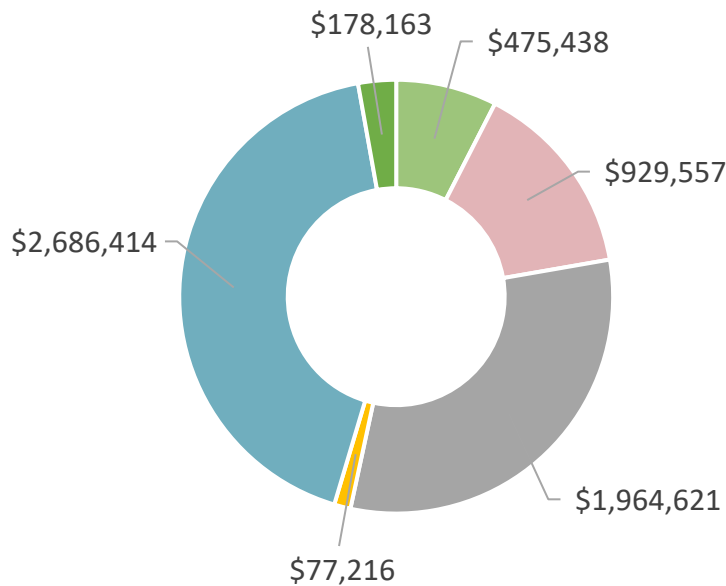
We will continue to work on several large projects including the restoration of Limestone Creek, floodplain wetlands (Boyne Valley, Drumquin Park, Flamborough Centre Park), tableland wetlands and reforestation (Root's Ridge Nature Reserve, Hopkins Tract), and grassland (Hilton Falls Conservation Area, Boyne Valley). Other projects slated for 2023 include the reforestation of an aggregate pit and the removal of a degraded weir, among others. We will also advance pre and post-restoration project monitoring to quantify impact, assess project effectiveness and continue to build our database for prioritizing and planning restoration efforts to direct efforts where they are needed the most.



CH Staff surveying flooding in rural Milton

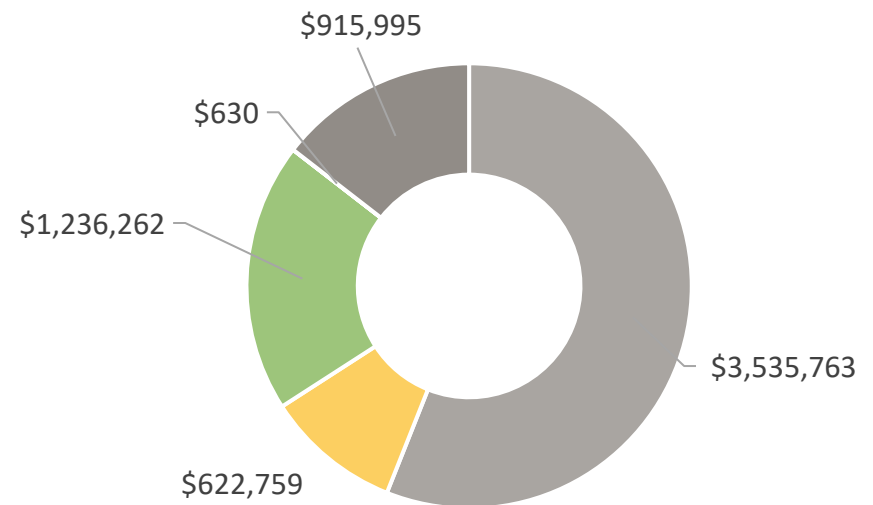
NATURAL HAZARDS & WATERSHED MANAGEMENT

Revenue \$6,311,409



- Provincial Funding
- Municipal Funding
- Other funding
- Internal Chargeback Recovery
- Program Revenue
- Transfer from Reserves

Expenses \$6,311,409



- Salaries & Benefits
- Purchased Services
- Internal Chargeback
- Materials & Supplies
- Financial & Rent expense

NATURAL HAZARDS & WATERSHED MANAGEMENT

Description	2023 Capital Expenditures	Capital Revenue					
		Program Revenue	Provincial Funding	Other (Grants, Sp. Project, Debt financing)	Chargeback Recoveries (CHF, SPP, CAP, Cons. Areas)	Reserve Funding	Municipal Levy & Funding
Dams & Channels SOGR Maintenance	420,000		210,000	-		210,000	-
Flood Forecasting & Warning Program	115,000						115,000
Watershed Strategies & Climate Change	179,000					90,000	89,000
Roots Ridge Restoration	73,100			73,100			
Fuciarelli Restoration	36,150			29,150		7,000	
Speyside Weir	25,000			25,000			
Total Capital Expenditures	848,250	-	210,000	127,250	-	307,000	204,000

PERMITTING & PLANNING

DEPARTMENTAL BUSINESS PLAN

The Permitting & Planning service area relates to Conservation Halton's roles and responsibilities as a regulatory authority, a Provincially-delegated reviewer for natural hazards-related matters, a service provider, a public commenting body, a resource management agency and a landowner.

The Permitting & Planning team carries out permitting, compliance and enforcement activities as required by regulations enacted under the Conservation Authorities Act.

The team also reviews a range of planning and development applications, as well as technical studies under the Planning Act, Niagara Escarpment Planning & Development Act, Environmental Assessment Act, Aggregate Resources Act and provides input on federal, provincial, regional and municipal policies and initiatives. The team develops regulatory policies and technical guides for Board approval, which supports the implementation of Conservation Halton's regulation (Ontario Regulation 162/06).

The Floodplain Mapping program is responsible for updating flood hazard mapping across the watershed to support the planning and regulatory programs and flood warning and forecasting operations. This mapping also informs infrastructure management decisions, emergency planning and response, prioritization of flood mitigation efforts and infrastructure design.



Sixteen Mile Creek Floodplain Surveying

STRATEGIC PLAN DELIVERABLES:



PERMITTING & PLANNING

DEPARTMENTAL BUSINESS PLAN

PLANNING & REGULATIONS

The Planning Team provides plan input on provincial and municipal higher-level planning and policy documents, such as provincial policies and plans, municipal Official Plans, planning studies and comprehensive zoning by-laws. The team also reviews planning applications circulated under the Planning Act and other provincial legislation. On average, about 400 planning applications are reviewed each year.

The Regulations team is responsible for permitting, compliance and enforcement of Ontario Regulation 162/06. About 450 permits are processed each year and more than 20 probable violations are investigated. Over the past few years, most confirmed violations have been resolved through agreements with landowners.

POLICY REVIEW & DEVELOPMENT

The team is responsible for the review of legislative, regulatory, or policy changes related to natural resources management, the protection of drinking water sources or planning-related matters. It is responsible for developing policies for Board approval, as well as responding to changes to the Conservation Authorities Act.

FLOODPLAIN MAPPING

The Floodplain Mapping Team is responsible for the update and maintenance of Conservation Halton's watershed floodplain mapping, which identifies flood risks and hazards. This information is used to develop approximate regulation limit mapping for purposes of review associated with Ontario Regulation 162/06, as well as used to support flood risk management decisions and communications.

REGIONAL INFRASTRUCTURE TEAM

The Regional Infrastructure Team provides planning and regulatory services to Halton Region for regional infrastructure and related projects. These services include the review of Environmental Assessments, and related planning and permitting applications, as well as the review of other Regional planning applications and related permits. This service is provided through an agreement with Halton Region who funds the program.

PERMITTING & PLANNING

2023 INITIATIVES

EXCELLENCE IN CUSTOMER SERVICE & EXPERIENCE

We anticipate that the number of planning and permit files, as well as large-scale technical reviews, will continue to remain high. Several hearings related to ongoing legal files (i.e., OLT files, regulatory violation files and other legal matters) are anticipated, as well as municipal policy reviews and Bill 109-related initiatives will require considerable staff time in 2023. We will continue to strive for excellence in customer service and customer experience, work to provide efficient, effective, and timely service, foster partnerships, and identify opportunities to build mutual understanding, trust, respect, and support.

SERVICE AGREEMENTS & MEMORANDA OF UNDERSTANDING

An interim service agreement for ecological services was reached between Halton Region and Conservation Halton in 2021. We will continue to work with our municipal partners to develop updated planning service agreements and memorandums of understanding (MOU) that will benefit all stakeholders and meet CA Act regulation requirements.

MODERNIZE POLICIES & MAPPING

The Permitting & Planning team will respond to regulatory changes under the new Conservation Authorities Act by updating policies for the administration of the amended

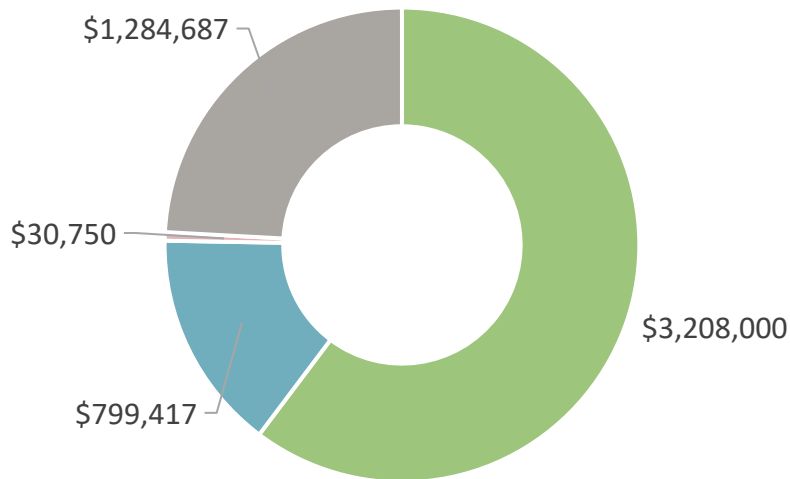
regulations where required. We will continue to review and update flood hazard mapping for select watersheds across our jurisdiction. Other components of Conservation Halton's regulatory mapping (e.g., wetland layer) will also be updated. Stakeholder and public engagement will be carried out as part of a policy or mapping initiative prior to approval.



Crawford Lake

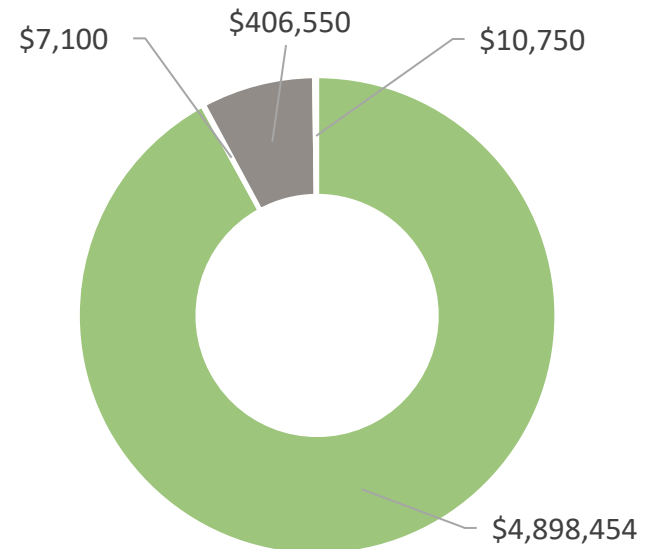
PERMITTING & PLANNING

Revenue \$5,322,854



■ Program revenue
■ Internal Chargeback Recovery
■ Other
■ Municipal Funding

Expenses \$5,322,854



■ Salaries & Benefits
■ Purchased Services
■ Materials & Supplies
■ Internal Chargeback

PERMITTING & PLANNING

Description	2023 Capital Expenditures	Capital Revenue					
		Program Revenue	Provincial Funding	Other (Grants, Sp. Project, Debt financing)	Chargeback Recoveries (CHF, SPP, CAP, Cons. Areas)	Reserve Funding	Municipal Levy & Funding
Flood Plain Mapping Update	550,000			550,000			
Total Capital Expenditures	550,000	-	-	550,000	-	-	-

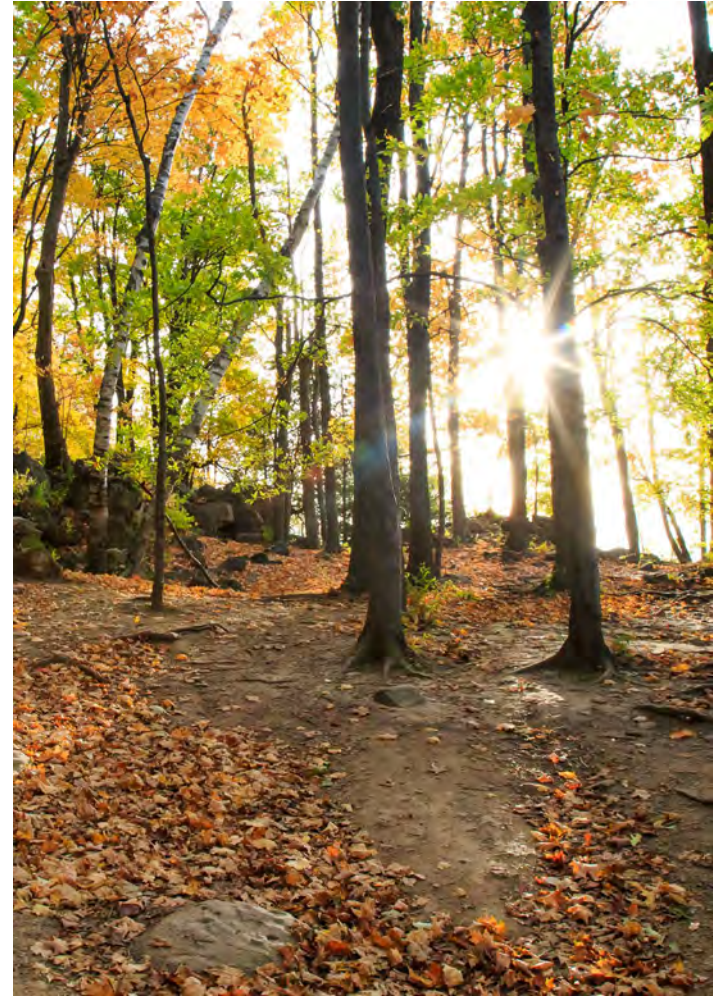
CONSERVATION LANDS & RECREATION (LANDS MANAGEMENT)

DEPARTMENTAL BUSINESS PLAN

The Conservation Lands Management program is responsible for the management of Conservation Halton's (CH) owned and managed lands including forest health.

Services provided by this team include the long-term planning and management of all CH properties from an administrative perspective (leases, agreements, permits to enter, title searches and records), landscape maintenance (turf management, landscape management and snow clearing support), security and risk.

This team oversees the securement of environmentally significant lands, as well as provides for passive recreational uses such as trails.



Trail at **Rattlesnake Point**

CONSERVATION LANDS & RECREATION (LANDS MANAGEMENT)

FORESTRY

Our forestry staff delivers strategic forest management operations, tree planting services and supports the technical management of forests to enhance our watershed forest cover. Conservation Halton's forestry program has had a major influence on land cover within our watershed, having planted more than 4.5 million trees since our inception. This team also monitors invasive forest pests and delivers our Emerald Ash Borer program. Forestry staff provide an operational focus on forest management, hazard tree management and other arboricultural services across all Conservation Halton owned and managed lands.

PROPERTY MANAGEMENT

This program provides management of all Conservation Halton properties from an administrative perspective (leases, agreements, permits to enter, title searches and records) and provides a landscape (turf management, landscape management and snow clearing support) service to operational departments in Parks, Science and Partnerships, Facilities and Watershed Engineering.

SECURITY

This team provides operational security services (alarm, lock and securing premises) and risk management (incident response, investigation and support, and documentation, inspection services). In addition, this team is empowered under Sections 28 and 29 of the CA Act and the Trespass to Property Act as well as various municipal bylaws to support enforcement activities on behalf of Conservation Halton.

2023 INITIATIVES

PROPERTY MANAGEMENT

In 2023, staff will be completing a land inventory required under the revised Conservation Authority Act regulations.

EMERALD ASH BORER

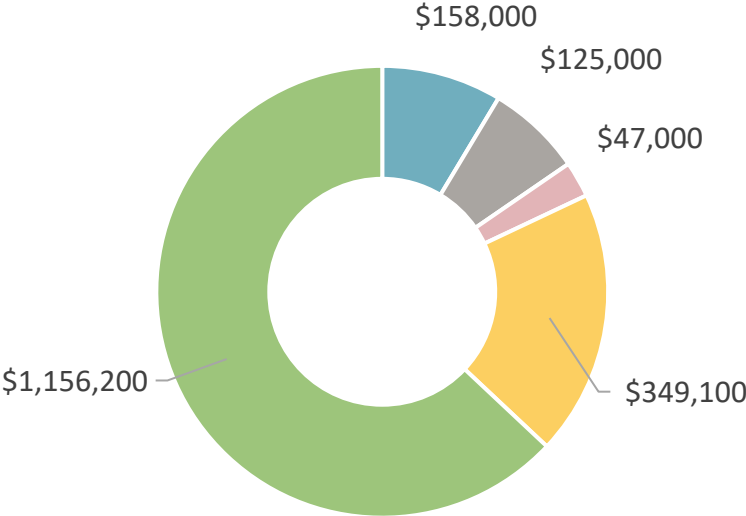
2023 will see the continued management of ash trees that have succumbed to the invasive Emerald Ash Borer (EAB). This program is in its seventh year, of a ten-year, \$8.4 million investment in visitor safety, as well as forest cover replacement. The treatment of stumps which prevents them from re-sprouting, and the underplanting with native tree and shrub species, are considered two essential activities of this program. Not only does this prevent the establishment and spread of invasive species, such as Buckthorn, but replaces forest cover lost by EAB.

INVASIVE SPECIES MANAGEMENT

Conservation Halton will monitor and manage invasive species such as Spongy (LDD) Moth, Common Buckthorn and others, through cross-departmental programs allowing us to be proactive in the management and treatment of invasive species on our landholdings across the jurisdiction.

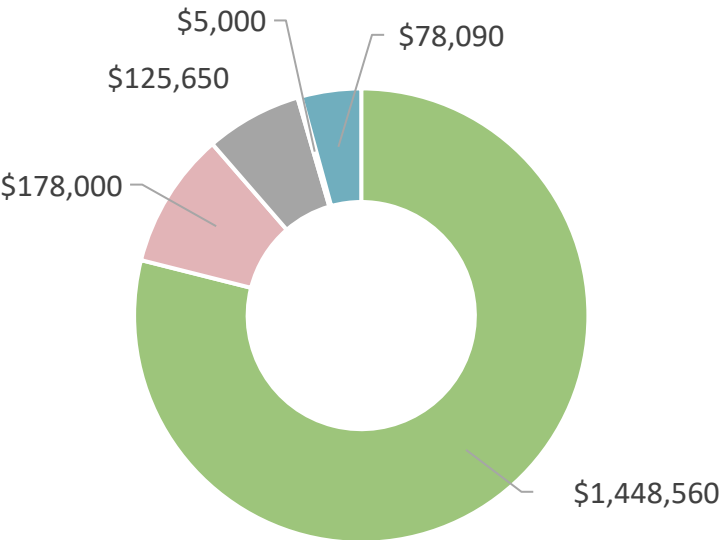
CONSERVATION LANDS & RECREATION (LANDS MANAGEMENT)

Revenue \$1,835,300



- Program Revenue
- Provincial Funding
- Other Funding
- Internal Chargeback Recovery
- Municipal Funding

Expenses \$1,835,300



- Salaries & Benefits
- Materials & Supplies
- Purchased Services
- Financial & Rent expense
- Internal Chargeback - Corporate Services

CONSERVATION LANDS & RECREATION (LANDS MANAGEMENT)

CAPITAL SUMMARY

Description	2023 Capital Expenditures	Capital Revenue					
		Program Revenue	Provincial Funding	Other (Grants, Sp. Project, Debt financing)	Chargeback Recoveries (CHF, SPP, CAP, Cons. Areas)	Reserve Funding	Municipal Levy & Funding
Emerald Ash Borer	850,000	16,000		834,000			
Property Management Projects	50,000						50,000
Spongy (LDD) Moth Management	100,000					100,000	
Other Foundation Funded Projects	100,000			100,000			
Total Capital Expenditures	1,100,000	16,000	-	934,000	-	100,000	50,000

CONSERVATION LANDS & RECREATION (LANDS MANAGEMENT)

DEPARTMENTAL BUSINESS PLAN

The Parks and Operations Team at Conservation Halton is responsible for the delivery of a wide variety of recreational and educational programs and services for close to 1,500,000 annual visitors.

Park operations, programming and services are funded almost entirely through self-generated revenue from annual and seasonal passes, daily access fees, education fees, and lesson and camp registrations. Major themes addressed within the 2023 Operational and Capital budget proposals include service delivery and aging infrastructure.

Long-term planning, focused on environmental and fiscal sustainability, will remain a funded priority for staff.

STRATEGIC PLAN DELIVERABLES:



Cliffside at **Rattlesnake Point**

CONSERVATION LANDS & RECREATION (RECREATION)

KELSO/GLEN EDEN/AREA 8

Kelso/Glen Eden offers a variety of recreational programs and activities, including mountain biking, boat rentals, summer camps, skiing and snowboard lessons, terrain parks, picnic and camping sites, food services and special events. The team operates 364 days a year and total annual Kelso/Glen Eden/Area 8 visitation exceeds 500,000.

CRAWFORD LAKE/MOUNTSBERG/ ROBERT EDMONDSON

Crawford Lake, Mountsberg and Robert Edmondson offer unique recreational and educational programming opportunities. Education programs are provided to approximately 65,000 school children each year, with topics ranging from life in a longhouse village to how maple syrup is made and local species of owls. These parks offer education-based family programs, tours of the Longhouse Village, Christmas Town, Winterlit Maple Town, farm animal barn and birds of prey centre. Virtual programs are also offered. Total annual visitation exceeds 190,000.

HILTON FALLS/RATTLESNAKE POINT/ MOUNT NEMO

Hilton Falls, Rattlesnake Point and Mount Nemo offer exceptional hiking, biking and rock-climbing experiences. Each park provides great viewpoints from the Escarpment or the beautiful waterfall. These areas have seen visitation more than double since 2012, so monitoring impacts on the environment and improving accessibility and customer service are extremely important. Total annual visitation exceeds 350,000.

COMMUNITY ENGAGEMENT & OUTREACH

Conservation Halton provides community outreach and education programs that have an annual reach of over 10,000 participants.

Programs include Halton Children's Water Festival, Stream of Dreams, corporate tree planting, From The Ground Up and Healthy Neighboursheds. Our goal is to enable watershed residents to become more environmentally aware, connect communities to nature through programming, and build relevant community connections to make Conservation Halton more valued and appreciated. We also work with the local school board to deliver affordable, innovative outdoor education programs.

FLEET MANAGEMENT

Vehicle and equipment are maintained by staff in a State of Good Repair. Staff also coordinate the replacement of the asset or an assessment if the asset is no longer needed at the end of its useful life. Fleet staff are responsible for all owned, rented and leased fleet and equipment.

CONSERVATION LANDS & RECREATION (RECREATION)

2023 INITIATIVES

FINANCIAL

With the Park operations totally reliant on user fees, it is important for the Parks to continue to grow, generate revenue and manage expenses. For 2023, park staff will continue to focus on increasing operating profit and gross revenues of the park offerings, effectively managing expenses and ensuring staff resources are used efficiently. This will be done using the new fee strategy, digital tools for efficiency and reporting, and value-added experiences.

CAPITAL

For our park system to continue to be a leader, long-term planning plays an important role. The 10-Year Capital Plan will be further refined to ensure that existing infrastructure has funding allocated for maintenance but also allowing funds for future growth and experience for the user experience.

DEVELOPER CONTRIBUTION (DC) PROJECTS

For the park system to continue to be a leader in guest experiences and to accommodate the rising visitation, we will be developing, designing and approving the DC project list. Improvements will include a new visitor centre for Kelso/Glen Eden, visitor flow improvements to Kelso/Glen Eden, and renovation to the visitor centre and Gathering Place at Crawford Lake.



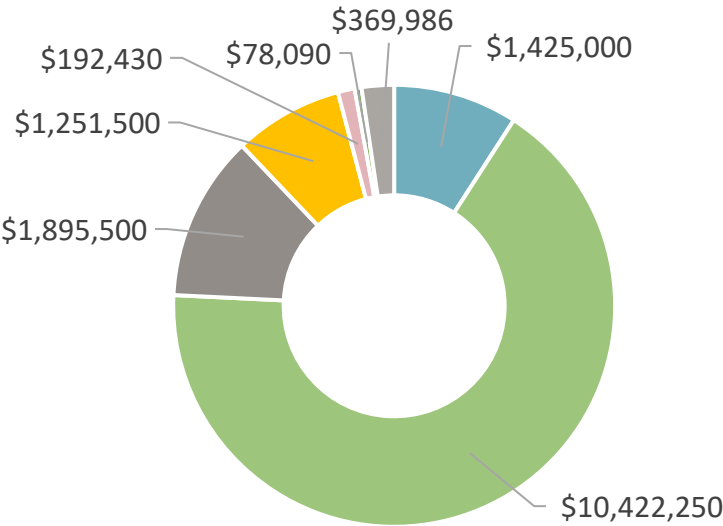
Canoes at Kelso



Visitors exploring Crawford Lake

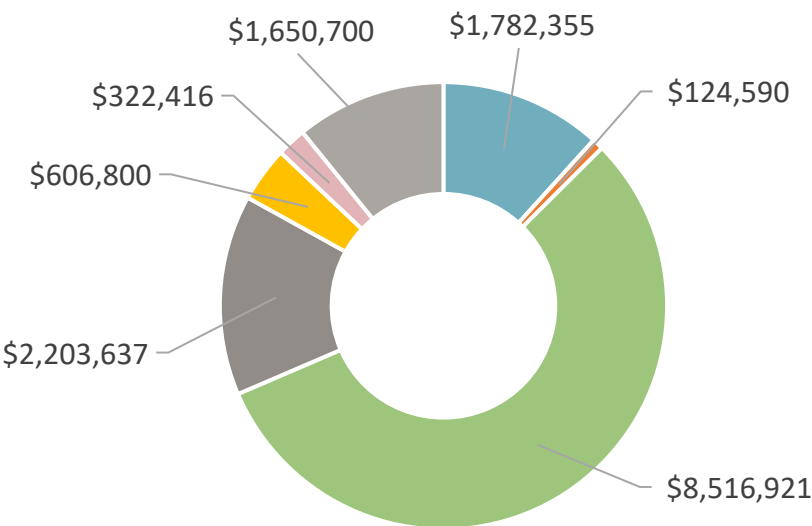
CONSERVATION LANDS & RECREATION (RECREATION)

Revenue \$15,634,756



- Conservation Areas Administration
- Kelso/Glen Eden
- Crawford Lake/Mountsberg/Robert Edmondson
- Hilton Falls/Mount Nemo/Rattlesnake Point
- Community Engagement & Outreach
- Internal Chargeback Recovery
- Municipal Funding

Expense \$15,207,419



- Conservation Areas Administration
- Fleet Operations
- Kelso/Glen Eden
- Crawford Lake/Mountsberg/Robert Edmondson
- Hilton Falls/Mount Nemo/Rattlesnake Point
- Community Engagement & Outreach
- Internal Chargeback - Corporate Services

CONSERVATION LANDS & RECREATION (RECREATION)

CAPITAL PROJECTS

Description	2023 Capital Expenditures	Capital Revenue					Municipal Levy & Funding
		Program Revenue	Provincial Funding	Other (Grants, Sp. Project, Debt financing)	Chargeback Recoveries (CHF, SPP, CAP, Cons. Areas)	Reserve Funding	
Skihill Improvements	525,000					525,000	
Facility Major Maintenance & IT Infrastructure	513,000					513,000	
Fleet Replacement	80,113					80,113	
Kelso Quarry Park / Area 8	125,000					125,000	
Total Capital Expenditures	1,243,113	-	-	-	-	1,243,113	-

momentum

GREEN • RESILIENT • CONNECTED

THANK YOU



Diversity and Inclusion

We endeavor to understand, accept and appreciate the value of our differences and encourage authenticity.



Learning and Innovation

We embrace the need for continuous improvement, the opportunity to learn from others and the benefits of sharing knowledge.



Person-Centered Service

We make people a priority through customer-centred engagement, predictive problem-solving and high-quality service.



Collaboration

We seek out and trust in the skills, expertise and experience of others in order to achieve our common ambition.



Sustainability

We consider the environmental impact of everything we do and always keep future generations in mind when making decisions.



Integrity

We make decisions with accountability, transparency and a strong sense of personal responsibility for our choices and actions.



Resilience

We are positive and proud of our ability to quickly and effectively respond to change.

REPORT TO: Conservation Halton Board of Directors

REPORT NO: # CHBD 07 22 22

FROM: Kellie McCormack, Director, Planning and Regulations
Barb Veale, Director, Watershed Strategies & Climate Change

DATE: November 17, 2022

SUBJECT: **Bill 23: More Homes Built Faster Act, 2022**
CH File No.: PPO 068

Recommendation

THAT the Conservation Halton Board of Directors **endorses the comments and recommendations outlined in this report.**

And

THAT the Conservation Halton Board of Directors **directs staff to send the report as Conservation Halton's submission to the Province on Bill 23 and the related postings on the Environmental Registry of Ontario (ERO).**

And

THAT the Conservation Halton Board of Directors **receives for information the staff report entitled "Conservation Halton Response to Bill 23, More Homes Built Faster Act, 2022."**

Executive Summary

On October 25, 2022, the Province introduced 'More Homes, Built Faster: Ontario's Housing Supply Action Plan 2022-2023' (the "Action Plan"). The Action Plan is the latest in a series of Provincial initiatives related to the supply of housing in Ontario. To support the provincial commitment to getting 1.5 million homes built over the next 10 years, it proposes substantive changes to a range of legislation through Bill 23, More Homes Built Faster Act, 2022 ("Bill 23"), as well as through updates to regulations and consultations on various provincial plans and policies. Many of the proposed changes will substantially impact Conservation Authorities (CAs). This report provides a summary of the proposed changes, key areas of concern and implications, and recommendations on the following Environmental Registry of Ontario (ERO) postings:

1. Legislative and regulatory proposals affecting Conservation Authorities to support the Housing Supply Action Plan 3.0 (ERO number 019-6141)
2. Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario (ERO number 019-2927)
3. Conserving Ontario's Natural Heritage (ERO number 019-6161)

4. Proposed Updates to the Ontario Wetland Evaluation System (OWES) (ERO number 019-6160)
5. Proposed Planning Act Changes (Schedules 9 and 1 of Bill 23 – the proposed More Homes Built Faster Act, 2022) (ERO number 019-6163)
6. Review of A Place to Grow and Provincial Policy Statement (ERO number 019-6177)

Conservation Halton (CH) staff recommends that the Board of Directors endorse the comments and recommendations in this report and direct staff to submit this report as CH's submission to the Province on Bill 23 and the related ERO postings. The commenting deadlines for these postings range from November 24, 2022, to December 30, 2022.

Report

Outlined below is a summary of the proposed legislative and regulatory changes as presented in various Environmental Registry of Ontario (ERO) postings, as well as key areas of concern and implications associated with the proposed changes, and recommendations for the province.

1. Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.0

ERO number 019-6141

Date of ERO Closing: November 24, 2022

Refer to Attachment 1 for detailed comments.

Summary of Key Changes

A series of legislative and regulatory changes affecting Conservation Authorities are proposed to support Ontario's Housing Supply Action Plan. The proposed legislative changes to the *Conservation Authorities Act*, if passed, would:

- Enable the exemption of development authorized under the *Planning Act* from requiring a permit under the *Conservation Authorities Act* in municipalities set out in regulation, where certain conditions are met as set out in regulation
- Remove the terms "conservation of land" and "pollution" and add the terms "unstable soils and bedrock" while also maintaining "flooding", "erosion", and "dynamic beaches" to the matters considered in permit decisions
- Update the timeframe after which an applicant may appeal the failure of the conservation authority to issue a permit to the Ontario Land Tribunal from 120 days to 90 days
- Require conservation authorities to issue permits for projects subject to a Community Infrastructure and Housing Accelerator order under section 34.1 of the *Planning Act* and allowing the Minister to review and amend any conditions attached to those permits
- Extend existing regulation making authority of the Minister to prescribe conditions on a permit issued by a conservation authority where there is a Minister's Zoning Order.

Proposed exemptions to transfer CA Regulatory responsibilities to municipalities (Proposed Section 40 (1) (g) and Subsections 28(4.1) and 28(4.2))

Key Implications / Unintended Consequences

- Without limitations, the proposed changes signal the possibility of future delegation of CA permitting roles to municipalities.
- Municipalities do not have the capacity or expertise (i.e., water resources engineering, environmental planning, and ecological expertise) to do this work and will need to hire additional staff or consultants. They would be responsible for absorbing any associated costs (cost to taxpayer) or would pass costs along to development proponents. The cost of hiring consultants is substantially higher than it is for CAs to do this work.
- Municipalities would be responsible for taking on compliance and inspections. Municipalities would also need to take on liability for development in hazards.
- Decisions would be made without regard for residents in upstream or downstream municipalities, and may result in precedent-setting decisions, cumulative impacts, risk to public safety and lead to future management challenges.
- Section 41 of the Planning Act does not enable a municipality to consider and review natural hazard implications through site planning. If exempt from CA permitting, development that is proposed through a Site Plan may not be reviewed for natural hazards at all, putting people and property at risk.
- These changes jeopardize public safety and environmental protections.

Key Recommendations

- Remove proposed Section 40 (1) (g) and proposed Subsections 28(4.1) and 28(4.2) of the CA Act.
- Reinstate CA Act Working Group (CAWG) with representation from local municipalities, conservation authorities, provincial agencies, and developers to identify potential development exemptions.

Proposed legislative changes that would prohibit CAs from entering into MOUs with municipalities for planning services beyond natural hazards (e.g., natural heritage reviews, select aspects of stormwater management reviews)

Key Implications / Unintended Consequences

- Municipalities do not have the capacity or expertise (i.e., water resources engineering, environmental planning, and ecological expertise) to do this work and will need to hire additional staff or consultants. They would need to absorb associated costs (cost to taxpayer) or would pass costs along to development proponents. The cost of hiring consultants is substantially higher than it is for CAs to do this work. CAs already have the local monitoring data and knowledge and have streamlined their review processes to deliver cost-effective, timely responses to municipal partners. Potential time delays if municipalities need to hire additional staff.
- Proposed changes may inadvertently jeopardize environmental policies and protections.
- When providing comments to municipalities under the Planning Act, CH distinguishes between regulatory and advisory comments. Municipalities are not bound to follow this advice.

Key Recommendations

- Give municipalities the autonomy to decide who they can contract with to do environmental planning reviews.
- Reinstate CAWG to develop guidance for municipalities and CAs on how CAs should frame technical comments (i.e., what should/should not be included as recommendations) and how municipalities should implement the recommendations (i.e., balance with other policy objectives).
- Reframe proposed Subsection 21.1.1(1.1) of the CA Act to allow CAs to provide advisory comments to municipalities if there is an agreement in place between a municipality and CA. The agreement would specify the matters to be reviewed, the timelines, and performance measures.
- Reframe proposed Subsection 21.1.12(1.1) of the CA Act to allow CAs to provide advisory comments if there is an agreement in place between a provincial body and CA. The agreement would specify the matters to be reviewed, the timelines, and performance measures.

Removal of “pollution” and “conservation of land” as tests that apply to the issuance of a permit S. 28.1(1)(a)

Key Implications / Unintended Consequences

- The removal of “conservation of land” as a test may have unintended impacts by promoting the use of costly structural engineering solutions (e.g., armour stone and retaining walls) that require ongoing maintenance and repair, rather than cost-effective natural solutions (e.g., natural channel design, natural stabilization techniques).
- The removal of “pollution” as a test may preclude CAs from mitigating potential impacts of development activities on water quality (e.g., diminished base flows and increased sediment and erosion) and limit CAs ability to require sediment and erosion controls.

Key Recommendations

- Retain “pollution” and “conservation of land” as applicable tests and scope their meaning under the CA Act or introduce new tests that allow CAs to consider the impacts of development activities on water quality, natural stream processes, and valley slopes. This would enable CAs to address hazards using solutions which are cheaper and less likely to fail over the long term.
- Reinstate CAWG to help define appropriate tests to be applied in the review of permit applications to avoid or mitigate potential development impacts which would increase risk to public health and safety.

Proposed regulations that would freeze CA fees (S. 21.3 (1) and (2))

Key Implications / Unintended Consequences

- This has the potential to undermine a CA’s ability to achieve 100% cost recovery on permit and planning review fees. The shortfall of the cost to provide this service would be borne by taxpayers via municipalities (municipal levy).
- If cost-based recovery fees are capped, thereby limiting staff resources, CAs will not be able to deliver permitting and planning programs and services in a timely manner; resources would be further stretched due to an anticipated increase in Ontario Land Tribunal (OLT) and CA hearings.

- CH has been openly publishing service standards for the past four years and meets regularly with developer groups and municipalities to ensure our fees, process and service standards are transparent and consistent.

Key Recommendations

- Reframe proposed Section 21.3 of the CA Act to require CAs to demonstrate that their permit and planning fees do not exceed the cost to deliver the program or service and do not impose fee freezes unless it has been demonstrated that CAs are exceeding 100% cost recovery.

2. Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario

ERO number 019-2927

Date of ERO Closing: December 30, 2022

Refer to Attachment 2 for detailed comments.

Summary of Key Changes

- Replace the currently separate regulations of each of Ontario's 36 CAs with a single, new regulation that will apply to all CAs.
- Updating "other areas" in which development is prohibited to areas within 30 metres of all wetlands.
- Streamlining approvals for low-risk activities, which may include exempting the need for a permit if certain requirements or conditions are met (i.e., requiring that an activity be registered with an authority).
- Proposed updates to the definition of "watercourse" and "development activity"; definitions of "hazardous land" and "wetland" are not proposed to be changed
- Provincial technical standards and guidelines are being reviewed as part of a broader provincial review of the natural hazard technical guides used for hazard management purposes, including for municipal planning as well as conservation authority regulatory purposes.
- Proposed permitting-related regulatory changes, including:
 - Complete application requirements
 - Maximum periods of permit validity
 - Service delivery standards
 - Pre-consultation requirements
- Requirements for CAs to develop, consult on, make publicly available and periodically review a policy related to permit requirements/process
- Requirements for CAs to provide notice to the public on major mapping updates.
- Proposed updates to s.28 of the CA Act would provide the ability to exempt development authorized under the *Planning Act* from requiring a permit under the *CA Act*. This exemption would apply in the municipalities set out in regulation and could be subject to certain conditions also set out in regulation. CAs would continue to permit other activities not subject to municipal authorization.

Key Areas of Concern & Implications

- Overall, CH supports many of the proposed changes including exemptions for low-risk activities, complete application requirements, service delivery standards, pre-consultation requirements, and public engagement on mapping and policy updates; however, the full extent of changes proposed are unclear until a draft regulation is presented.
- CH does not support the proposal that would exempt development authorized under the *Planning Act* from requiring a permit under the *Conservation Authorities Act* in municipalities set out in regulation. Refer to comments in the above section under “Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.0”.
- CH has concerns with the proposed removal of the “conservation of land” and “pollution” as tests for regulatory approvals. Refer to comments in the above section under “Removal of “pollution” and “conservation of land” as tests that apply to the issuance of a permit S. 28.1(1)(a)”.

Key Recommendations

- Reinstate CAWG to support the development of a new regulation and supporting documents.
- Remove proposed Section 40 (1) (g) and proposed Subsections 28(4.1) and 28(4.2) of the CA Act and work with CAWG to identify potential development exemptions.

3. Conserving Ontario’s Natural Heritage

ERO number 019-6161

Date of ERO Closing: December 30, 2022

Refer to Attachment 3 for detailed comments.

Summary of Key Changes

- The posting consists of a short discussion paper seeking feedback about how Ontario could offset wetlands, woodlands, and other natural wildlife habitat impacted by development.
- The proposed offsetting principals provided are: Net Gain, Avoidance First, Informed, Transparency and Accountability, and Limits to Offsets.

Key Areas of Concern & Implications

- *Note: While the discussion paper addresses offsetting for a range of natural heritage features, CH has focused its review on wetland-related offsets.*
- The protection and restoration of wetlands is a cost-effective strategy for protecting downstream properties from flooding and erosion hazards; the loss of wetlands would increase the need for other more costly solutions to solve flooding and erosion issues.
- Proposed changes around decision-making on wetland management will confuse roles between municipalities and CAs and hamper CAs’ ability to protect wetland functions as they relate to natural hazard management.
- CH generally supports an offsetting policy; however, if the proposed principles for offsetting wetlands are not expanded it will result in a loss of wetlands and the flood mitigation benefits, they provide.
- It is unclear who will be responsible for approving offsetting proposals.

Key Recommendations

- Reinstate CAWG to help develop offsetting criteria specifically for wetlands to ensure that hazard risks due to flooding and erosion are considered.

4. Proposed Updates to the Ontario Wetland Evaluation System (OWES)

ERO number 019-6160

Date of ERO Closing: November 24, 2022

Refer to Attachment 4 for detailed comments.

Summary of Key Changes:

- The OWES is a science-based system that outlines a process and criteria to define, identify, and assess the functions and values of wetlands in Ontario, including determining which wetlands should be designated Provincially Significant.
- Proposed changes to the content in the OWES manuals include, but is not limited to:
 - Changing the approval of evaluations from the MNRF to an unidentified “decision maker”.
 - Removing wetland complexes from the evaluation; and
 - Removing reference to CAs using evaluations as part of their regulatory review and as part of watershed planning.

Key Areas of Concern & Implications

- MNRF is proposing to be fully removed from the OWES evaluation process with the review and approval transferred to an unidentified “decision maker”. This will result in an inconsistent approach to wetland evaluations and wetland management and protection across the province.
- In CH’s jurisdiction, 95% of the wetlands designated as Provincially Significant Wetlands (PSWs) are part of complexes. If the Province changes the approach to remove “complexing” as part of the PSW designation criteria, PSWs could be re-evaluated in a piecemeal fashion and may no longer be considered significant on their own. Provincially significant features have higher levels of protection than those without this designation. This could result in a loss of wetlands from the landscape.
- Wetlands are a cost-effective strategy for protecting downstream properties from flooding and erosion hazards; the loss of wetlands would increase the need for other more costly solutions to solve flooding and erosion issues.

Key Recommendations:

- Reinstate CAWG to help provide advice on proposed changes to OWES to ensure that hazard risks due to flooding and erosion are considered.
- Should MNRF be removed as the decision-maker, clearly identify who is responsible for determining if an OWES evaluation has been conducted properly. To ensure consistency, identified CAs could be responsible for reviewing evaluations as many CAs have local knowledge and OWES certified staff.
- Instead of eliminating the OWES complexing and scoring criteria, work with CAs to amend the OWES criteria for complexing and scoring using a scientific approach.

5. Proposed Planning Act Changes (Schedules 9 and 1 of Bill 23 – the proposed More Homes Built Faster Act, 2022)

ERO number 019-6163

Date of ERO Closing: November 24, 2022

Refer to Attachment 5 for detailed comments.

Summary of Key Changes

- Proposed proclamation of provisions in the *Planning Act* that would limit CA appeals of land use planning decisions. When acting as a public body, CAs would only be able to appeal with respect to matters related to natural hazard policies in provincial policy statements. CAs would continue to be able to appeal matters where they are the applicant.
- Proposed changes to strengthen the existing “additional residential unit” framework, which would allow, “as-of-right” (without the need to apply for a rezoning) up to 3 units per lot in many existing residential areas. The proposed changes would supersede local official plans and zoning to automatically apply province-wide to any parcel of land where residential uses are permitted in settlement areas with full municipal water and sewage services (except for legal non-conforming uses such as existing houses on hazard lands).
- Changes are also proposed to the *Planning Act* to broaden the ability of CAs to use an existing streamlined process to sever and dispose of land. Refer to the summary and recommendations provided in Section 1 of this report (ERO 019-6141).

Key Areas of Concern & Implications

Limits to CA Appeals

- The current proposal to limit CA appeals to natural hazard policies of the PPS means CAs cannot appeal on regulatory issues outside of the PPS natural hazard framework (e.g., wetlands, regulatory allowances, permitting standards). This may result in second appeals to resolve CA permitting issues, if these matters cannot be addressed at the same time, which will result in costly delays in approvals.
- The language in the Act is clear for determining situations where CAs may initiate appeals related to natural hazard issues but is unclear as to when CAs may request party status.

Changes to Additional Residential Units Framework

- CH supports the implementation of an updated additional residential unit framework for the creation of additional residential units on existing lots; however, to ensure there is no increased risk to life or property, there should be limits on new units within natural hazards.
- Official Plans and Zoning By-Laws may not be based on the most up-to-date hazard mapping, which may result in additional residential units being permitted by municipalities in hazard lands without input from CAs.

Key Recommendations

Limits to CA Appeals

- Reframe proposed *Planning Act* clauses to ensure CA regulatory and PPS natural hazard matters can be dealt with together to avoid additional appeals or costly delays.
- Include specific language in *Planning Act* to clarify that CAs may request party status but limited to natural hazard and regulatory matters.

Changes to Additional Residential Units Framework

- Include qualifying language in the amendment to *Ontario Regulation 299/19: Additional Residential Units* to limit new units within hazard lands.
-

6. Review of A Place to Grow and Provincial Policy Statement (PPS)

ERO number 019-6177

Date of ERO Closing: December 30, 2022

Refer to Attachment 6 for detailed comments.

Summary of Key Changes

- Streamlined and clarified policy direction for development in hazard areas, while continuing to protect people and property in areas of highest risk.
- Streamlined policy direction that applies across the Province for Ontario's natural heritage, empowering local decision making, and providing more options to reduce development impacts, including offsetting/compensation.
- Planning for stormwater management, including preparing for the impacts of a changing climate, is not identified as a core element of this new policy instrument.

Key Areas of Concern & Implications

- The full extent of changes and implications are unknown until a revised draft of the PPS is released for consultation.
- "Areas of highest risk" is not currently a defined term in the PPS. This new term should be defined and supported by updated technical guidelines for flooding and erosion hazards, including guidance/criteria for what constitutes "areas of highest risk".

Key Recommendations

- Reinstate CAWG to help provide advice on proposed changes to natural hazard policies of the PPS and to help determine what constitutes "areas of highest risk" based on CA technical expertise and experience with risk-based natural hazard policy.

Conclusion/Recommendation

Conservation Halton (CH) staff recommends that the Board of Directors endorse the comments and recommendations in this report and direct staff to submit this report as Conservation Halton's submission to the Province on Bill 23 and the related postings on the ERO.

Impact on Strategic Priorities

This report supports the Momentum priority of Natural Hazards and Water.

Financial Impact

There is no financial impact to this report.

Signed & respectfully submitted:



Kellie McCormack
Director, Planning and Regulations

Approved for circulation:



Hassaan Basit
President & CEO/Secretary-Treasurer



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Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.0 (ERO # 019-6141) A series of legislative changes to the <i>Conservation Authorities Act</i> and <i>Planning Act</i> are being proposed Date of ERO Closing: November 24, 2022				
Item	Theme	Key Change(s)	Implication(s)	Recommendation(s)
1.	Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario (legislative changes)	<ul style="list-style-type: none"> Enable the exemption of development authorized under the <i>Planning Act</i> from requiring a permit under the <i>Conservation Authorities Act</i> in municipalities set out in regulation, where certain conditions are met as set out in regulation. 	<ul style="list-style-type: none"> Without limitations, the proposed changes signal the possibility of future delegation of conservation authority (CA) permitting roles to municipalities. Transferring CA responsibilities to municipalities on a broad scale would nullify CA core functions and open up significant holes in CA's delivery of natural hazard roles, rendering them ineffective Municipalities do not currently have the capacity or expertise (i.e., water resources engineering, environmental planning and ecological expertise) to do this work and will need to hire additional staff or consultants. They would be responsible for absorbing any associated costs (cost to taxpayer) or would pass costs along to development proponents. The cost of hiring consultants is substantially higher than it is for CAs to do this work. Municipalities would be responsible for taking on compliance and inspections and would need to take on liability for development in hazards Decisions may be made without regard for people and property in upstream or downstream municipalities, and may result in precedent-setting decisions, cumulative impacts, risk to public safety and lead to future management challenges. Section 41 of the <i>Planning Act</i> does not enable a municipality to consider and review natural hazard implications through site planning. If exempt from CA permitting, development that is proposed through a Site Plan process may not be reviewed for natural hazards at all, putting people and property at risk. These changes jeopardize public safety and environmental protections. 	<ul style="list-style-type: none"> Remove proposed Section 40 (1) (g) and Subsections 28(4.1) and 28(4.2) of the <i>Conservation Authorities Act</i>. Reinstate CA Act Working Group (CAWG) with representation from local municipalities, conservation authorities, provincial agencies, and developers to identify potential development exemptions.
2.		<ul style="list-style-type: none"> Remove the terms "conservation of land" and "pollution" and add the terms "unstable soils and bedrock" while also maintaining "flooding", "erosion", and "dynamic beaches" to the matters considered in permit decisions. 	<ul style="list-style-type: none"> The removal of "conservation of land" as a test may have unintended impacts by promoting the use of costly structural engineering solutions (e.g., armour stone and retaining walls) that require ongoing maintenance and repair, rather than cost-effective natural solutions (e.g., natural channel design, natural stabilization techniques). The removal of "pollution" as a test may preclude CAs from mitigating potential impacts of development activities on water quality (e.g., diminished base flows and increased sediment and erosion) and limit CAs ability to require sediment and erosion controls. 	<ul style="list-style-type: none"> Retain "pollution" and "conservation of land" as applicable tests and scope their meaning under the CA Act or introduce new tests that allow CAs to consider the impacts of development activities on water quality, natural stream processes, and valley slopes. Reinstate CAWG to help define appropriate tests to be applied in the review of permit applications to avoid or mitigate potential development impacts which would increase risk to public health and safety.
3.		<ul style="list-style-type: none"> Update the timeframe after which an applicant may appeal the failure of the CA to issue a permit to the Ontario Land Tribunal from 120 days to 90 days. 	<ul style="list-style-type: none"> The proposed 90-day timeline for a CA to make a decision does not acknowledge the efforts that CAs have made to find efficiencies and streamline their permit review processes. In Q1-Q3 2022, CH issued 	<ul style="list-style-type: none"> Amend draft legislation to specify that the appeal for a non-decision after 90 days can only be made when the CA has deemed the application to be complete (similar to provisions contained within the <i>Planning</i>

			<p>95% of minor permits and 100% of major permits within 30 days and 90 days respectively. CH has been openly publishing service standards for the past four years and meets regularly with developer groups, landowners and municipalities to ensure our fees, process and service standards are transparent and consistent.</p> <ul style="list-style-type: none"> The decision timeframe is problematic as it oversimplifies the permitting process and there is no ability for a CA to “stop the clock” when an application is in the applicant’s hands. This typically happens when insufficient technical information or rationale is provided by applicants or additional technical information is required to enable adequate analysis by staff to determine if regulatory requirements and Board-approved regulatory policies are being met. Applicants can intentionally “run down the clock” and put the decision-making power in the hands of the OLT. CAs must have the ability to “stop the clock” to better reflect actual time that an application is in for CA review. Finally, the proposed changes will result in increased legal costs and these costs will be borne by taxpayers, municipalities (municipal levy), and/or all permit applicants. Instead of spending time processing permit applications, more CA staff time would go to preparing for and attending unnecessary OLT hearings and will lead to a more burdensome, litigious and adversarial process. Service delivery will suffer. 	<p>Act) and that there is an ability to “stop the clock” when an application is not with the CA for review.</p>
4.		<ul style="list-style-type: none"> Require CAs to issue permits for projects subject to a Community Infrastructure and Housing Accelerator (CIHA) order under section 34.1 of the <i>Planning Act</i> and allowing the Minister to review and amend any conditions attached to those permits 	<ul style="list-style-type: none"> See item #1 Decisions would be made without regard for local conditions, watershed context, or CA Board of Directors’ approved regulatory policies and may put people and property at risk or aggravate natural hazards if the risks cannot be mitigated through conditions. If the Minister amends permit conditions, decision making will lack transparency and will be politicized. If CAs must hold hearings the same way as Minister Zoning Orders, this may increase the number of hearings before the CA Board of Directors and require additional Board meetings per year to respond to these projects in a timely manner. Potential for development associated with vulnerable populations or sensitive land uses that is subject to the CIHA to be located in hazard lands (e.g., affordable housing units, emergency services). 	<ul style="list-style-type: none"> See item #1 Amend proposed clauses (Section 28.1.2 (1) (a)) to specify that CAs would only be required to issue permits for projects outside of hazard lands or for projects in hazard lands where it can be demonstrated that risks are low and can be mitigated through the conditions or any Minister amendments. Ensure that any liability for decisions made under a CIHA order does not lie with the CA.
5.		<ul style="list-style-type: none"> With regards to permits issued where a zoning order has been made under the <i>Planning Act</i> (under section 34.1 or 47): <ul style="list-style-type: none"> extend the existing regulation making authority of the Minister to prescribe conditions on a permit issued by a CA where there is a Minister’s Zoning Order, to enable the Minister to also prescribe limits on what conditions a CA may include specify that where the Minister has made a regulation allowing development to begin prior to an ecological compensation agreement being signed and has set a date by which it must be signed, the development may not continue if 	<ul style="list-style-type: none"> See items #1 & #4 Limiting CA conditions may result in increased hazard risks upstream, downstream and on site, particularly if conditions based on site-specific technical considerations cannot be included. CH does not object to the proposed additions; however, we suggest that criteria be added to identify the nature of the terms and conditions that may be imposed when the Minister approves a project. 	<ul style="list-style-type: none"> See items #1 & #4 Amend proposed clauses (Subsections 24(8)/24(2)) to include criteria be added to identify the nature of the terms and conditions that may be imposed when the Minister approves a project.

		the agreement has not been reached within the time period outlined in regulation		
6.		<ul style="list-style-type: none"> Minor corrections and clarifications to ensure the Act is clearly written (i.e., removing “proposed” from provisions referring to permits that have already been issued; clarifying the definition of “development project”) 	<ul style="list-style-type: none"> No concerns - provides clarification. 	
7.	Focusing CA role in review of development related proposals and applications (comments, appeals)	<ul style="list-style-type: none"> The proposed legislative changes, if passed, would scope CA review and commenting role with respect to development applications and land use planning policies under prescribed Acts to: matters within their core mandate as currently set out in the Mandatory Programs and Services regulation (O. Reg. 686/21), made under the <i>Conservation Authorities Act</i> 	<ul style="list-style-type: none"> Municipalities do not have the capacity or expertise (i.e., water resources engineering, environmental planning, and ecological expertise) to do this work and will need to hire additional staff or consultants. They would need to absorb associated costs (cost to taxpayer) or would pass costs along to development proponents. The cost of hiring consultants is substantially higher than it is for CAs to do this work. CAs already have the local monitoring data and knowledge and have streamlined their review processes to deliver cost-effective, timely responses to municipal partners. Potential time delays if municipalities need to hire additional staff. Proposed changes may inadvertently jeopardize environmental policies and protections. When providing comments to municipalities under the Planning Act, CH distinguishes between regulatory and advisory comments. Municipalities are not bound to follow this advice. 	<ul style="list-style-type: none"> Give municipalities the autonomy to decide who they can contract with to do environmental planning reviews. Reinstate CAWG to develop guidance for municipalities and CAs on how CAs should frame technical comments (i.e., what should/should not be included as recommendations) and how municipalities should implement the recommendations (i.e., balance with other policy objectives). Reframe proposed Subsection 21.1.1(1.1) of the CA Act to allow CAs to provide advisory comments to municipalities if there is an agreement in place between a municipality and CA. The agreement would specify the matters to be reviewed, the timelines, and performance measures. Reframe proposed Subsection 21.1.12(1.1) of the CA Act to allow CAs to provide advisory comments if there is an agreement in place between a provincial body and CA. The agreement would specify the matters to be reviewed, the timelines, and performance measures.
8.		<ul style="list-style-type: none"> The new regulation proposes to prescribe the following Acts under which a CA could not perform this review and commenting role as a “municipal” or “other” program or service under sections 21.1.1 and 21.1.2 of the <i>Conservation Authorities Act</i> <ul style="list-style-type: none"> <i>The Aggregate Resources Act</i> <i>The Condominium Act</i> <i>The Drainage Act</i> <i>The Endangered Species Act</i> <i>The Environmental Assessment Act</i> <i>The Environmental Protection Act</i> <i>The Niagara Escarpment Planning and Development Act</i> <i>The Ontario Heritage Act</i> <i>The Ontario Water Resources Act</i> <i>The Planning Act</i> 	<ul style="list-style-type: none"> See item #7 In addition to the above notes in item #7, the Niagara Escarpment Commission (NEC) does not currently have the capacity or expertise (e.g., environmental planning, ecological, water resources engineering, hydrogeological) to do the full environmental reviews needed to ensure Provincial policies are met. It is unclear if municipalities would be responsible for undertaking this work or if the NEC would need to hire staff or consultants. The cost of hiring consultants is substantially higher than it is for CAs to do this work. The cost for development in the NEP is also currently borne by the taxpayer, as the NEC does not currently charge fees for NEP Development Permit reviews. 	<ul style="list-style-type: none"> See item #7 Require a Memorandum of Understanding between the NEC and CAs for delivery of efficient development review services.
9.	Limiting CA Appeals under the Planning Act	<ul style="list-style-type: none"> In addition, through amendments to subsection 1 (4.1) of the <i>Planning Act</i> via the Ministry of Municipal Affairs and Housing proposal notice, the province is proposing to limit CA appeals, when acting as a public body, other than when acting as an applicant, of land use planning decisions under the <i>Planning Act</i> to matters related to natural hazards policies in provincial policy statements issued under the <i>Planning Act</i>. This provision and an associated transition provision would also be proclaimed to ensure that CAs can continue as a party to any appeal commenced prior to the proclamation of these provisions. 	<ul style="list-style-type: none"> This was proposed as part of the last round of <i>Planning Act</i> changes; many CAs are already following this Provincial direction CH only appeals land use planning decisions where there is a natural hazard (regulatory) issue Currently, CH would only participate in a hearing for other matters beyond natural hazards if requested by a municipality (e.g., to provide technical support on other environmental matters) 	<ul style="list-style-type: none"> Reframe proposed <i>Planning Act</i> clauses to ensure CA regulatory and PPS natural hazard matters can be dealt with together to avoid additional appeals or costly delays. Include specific language in Planning Act to clarify that CAs may request party status but limited to natural hazard and regulatory matters.

			<ul style="list-style-type: none">• The current proposal to limit CA appeals to natural hazard policies of the PPS means CAs could not appeal on regulatory issues outside of the PPS natural hazard framework (e.g., wetlands, regulatory allowances, permitting standards). This may result in second appeals to resolve CA permitting issues, if these matters cannot be addressed at the same time, which will result in costly delays in approvals.• There is an issue with the application of the proposed language in (4.1) when applied to s.17(44.1), 34 (24.1) 51 (52.1) of the Planning Act which deal with party status request. <p><i>(4.1) A reference to a person or public body in the following provisions does not include a conservation authority under the Conservation Authorities Act except where an appeal made under or referred to in one of those provisions relates to natural hazard policies in any policy statements issued under section 3 of the Act, except for those policies that relate to hazardous forest types for wildland fire:</i></p> <p>3. Paragraph 1 of subsection 17 (44.1). 6. Paragraph 1 of subsection 34 (24.1).</p> <p>It is not clear what is intended here, as the language refers to <u>appeals</u> that relates to natural hazard policies. This language works for determining situations where CAs may initiate appeals but is unclear as to intent when applied to party status requests. If the intent is to limit CA requests for party status to party status requests based on natural hazards, specific language should be used to address that, as the language in s.4.1 is better suited to addressing when a CA can initiate an appeal. More specific language should be used for party status requests.</p>	
10.	Freezing CA fees	<ul style="list-style-type: none">• The Ministry of Natural Resources and Forestry is proposing an amendment to the <i>Conservation Authorities Act</i> to enable the Minister to direct a CA to maintain its fees charged for programs and services at current levels. This would enable the Minister to issue temporary direction to a CA preventing the authority from changing the amount of a fee it charges under subsection 21.2 (10) for its programs and services, including reviewing and commenting on planning and development related proposals, as well as for permits issued by CAs.	<ul style="list-style-type: none">• This has the potential to undermine a CA's ability to achieve 100% cost recovery on permit and planning review fees. The shortfall of the cost to provide this service would be borne by taxpayers via municipalities (municipal levy) or CAs would need to cut staff.• If CA staff resources are limited, CAs will not be able to deliver permitting and planning programs and services in a timely manner; resources would be further stretched due to an anticipated increase in Ontario Land Tribunal (OLT) and CA hearings.• CH has been openly publishing service standards for the past four years and meets regularly with developer groups and municipalities to ensure our fees, process and service standards are transparent and consistent.	<ul style="list-style-type: none">• Reframe proposed Section 21.3 of the CA Act to require CAs to demonstrate that their permit and planning fees do not exceed the cost to deliver the program or service and do not impose fee freezes unless it has been demonstrated that CAs are exceeding 100% cost recovery.
11.	Identifying CA lands suitable for housing and streamlining CA severance and	<ul style="list-style-type: none">• The Mandatory Programs and Services regulation (O. Reg. 686/21) requires CAs to complete a conservation area strategy and land inventory of all lands they own or control by December 31, 2024. We	<ul style="list-style-type: none">• CH supports the proposed changes that make the process for disposition of CA-owned lands easier.	<ul style="list-style-type: none">• Create a task force with representatives from CAs and Province to develop criteria for identifying lands eligible or not eligible for housing development (e.g.,

	disposition processes that facilitate faster development	are proposing to amend the regulation to require the land inventory to also identify CA owned or controlled lands that could support housing development. In identifying these lands, the authority would consider the current zoning, and the extent to which the parcel or portions of the parcel may augment natural heritage land or integrate with provincially or municipally owned land or publicly accessible lands and trails.	<ul style="list-style-type: none"> However, CH does not support the proposal to transfer CA owned lands for development if there are no clear criteria established. Much of the land that CH manages is in areas where there are flooding and erosion hazards, wetlands, significant natural heritage features, or vulnerable source water areas. CAs also own important open space and recreational land. Clear criteria are required for identifying lands eligible or not eligible for housing development identify CA owned or controlled lands that could support housing development. Additionally, through the changes that were approved by the MECP Minister last term, there is already a requirement for CAs to audit their lands and identify potential uses/planning for them. 	ineligible lands = hazard lands or lands within Greenbelt Plan and/or Niagara Escarpment Plan areas.
12.		<ul style="list-style-type: none"> To streamline processes associated with the disposition (sales, easements, leases) of CA owned land that was previously acquired using a provincial grant under section 39 of the <i>Conservation Authorities Act</i>, we are proposing the following amendments to the Act Require a written notice to be provided to the Minister for all types of land dispositions. The CA would be required to provide the notice to the Minister at least 90 days before the disposition in lieu of the current requirement for Minister's approval. Require CAs to post a notice of public consultation on their website and conduct a public consultation for a minimum of 45 days, prior to providing the Minister notice, if the land disposition includes the following types of provincially significant lands: <ul style="list-style-type: none"> areas of natural and scientific interest, lands within the Niagara Escarpment Planning Area, or wetlands defined in section 1 of the <i>Conservation Land Act</i>; the habitat of threatened or endangered species; lands in respect of which the authority has entered into an agreement with the Minister in relation to forestry development under section 2 of the <i>Forestry Act</i>; or land that is impacted by a type of natural hazard described in subsection 1 (1) of the Mandatory Programs and Services regulation (O. Reg. 686/21). 	<ul style="list-style-type: none"> CH supports the proposed changes that make the process for disposition of CA-owned lands easier. 	
13.		<ul style="list-style-type: none"> The notice of public consultation would identify the type of land to be disposed, the proposed disposition date, and the future use of the lands, if known. Where public consultation is required, the written notice to the Minister must include a summary of comments received during public consultation, if any, and how they were considered. We are proposing to maintain the current streamlined process when the disposition is for municipally or provincially approved infrastructure or utility purposes, by providing an exception to the timelines associated with the notification as well as the public consultation process described above. Enable the Minister to direct the authority to apply a specified share of the proceeds of the dispositions to support their core mandate set out in the Mandatory Programs and Services regulation (O. Reg. 686/21). 	<ul style="list-style-type: none"> See item #12 	
14.	Streamlined severance processes for CAs	<ul style="list-style-type: none"> The province is also proposing to amend the <i>Planning Act</i> via the Ministry of Municipal Affairs and Housing proposal notice to expedite 	<ul style="list-style-type: none"> See item #12 	

		<p>the existing processes associated with the severance and conveyance of land, regardless of whether provincial grant money was provided under the <i>Conservation Authorities Act</i>, for the purposes of projects related to flood control, erosion control, bank stabilization shoreline management works or the preservation of environmentally sensitive lands. Currently under the <i>Planning Act</i>, exemptions from subdivision and part lot control in clauses 50 (3) (e) and 50 (5) (d) that enable these expedited conveyance / severance processes can only be relied on in association with a provincially-funded project approved by the Minister under section 24 of the <i>Conservation Authorities Act</i>. These changes would broaden the ability of a CA to use existing streamlined processes to sever and dispose of land.</p>		
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Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario (ERO # 019-2927) Date of ERO Closing: December 30, 2022				
	Theme	Key Change(s)	Implication(s)	Recommendation(s)
1.	Section 1 Single, new regulation that will apply across all 36 conservation authorities (CAs)	<ul style="list-style-type: none">Replace the currently separate regulations of each of Ontario's 36 CAs in respect of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses created under section 28 of the <i>Conservation Authorities Act</i> with a single, new regulation that will apply to all CAs.	<ul style="list-style-type: none">CH supports a single, new regulation to provide greater consistency across the province; however, given that there are local differences/conditions across 36 watershed jurisdictions, specific schedules will be needed to specify applicable regulatory storm events for each CA and any other specified differences. As well, CAs need to be able to develop regulatory policies that account for the local context.	<ul style="list-style-type: none">Reinstate CA Act Working Group (CAWG) with representation from local municipalities, conservation authorities, provincial agencies, and developers to support the development of a new regulation.
2.	Section 2.1.2 "Other areas" associated with Wetlands	<ul style="list-style-type: none">Updating "other areas" in which development is prohibited to areas within 30 metres of all wetlands.	<ul style="list-style-type: none">CH does not object to this change; however, the potential negative impacts to the hydrologic function of wetlands by large scale development should still be addressed by proponents as part of a planning application and through the planning process.	
3.	Section 2.1.2 Permit exemptions	<ul style="list-style-type: none">Streamlining approvals for low-risk activities, which may include exempting the need for a permit if certain requirements or conditions are met (i.e., requiring that an activity be registered with an authority).Activities proposed for streamlined approvals include:<ul style="list-style-type: none">a non-habitable accessory structure 10 square metres or less that is not placed within hazardous land or a watercourse or wetland;an unenclosed detached deck or patio 10 square metres or less that is not placed adjacent or close to the shoreline of a lake or within hazardous land and does not utilize any method of cantilevering;one-time placement of fill not exceeding 10 cubic metres that is not placed within hazardous land or a watercourse or wetland;a seasonal or floating dock 10 square metres or less that does not require permanent support structures and can be removed in the event of flooding;installation of a fence with a minimum of 75 mm of space between panels;well installation that is not within hazardous land or a wetland, including private drilled or bored water well installation and the installation of municipal water monitoring wells;installation of tile drain and maintenance or repair of existing tile drains that are not within a wetland or "other area" outside of a wetland where development is prohibited and with an outlet that is not directed or connected to a watercourse, wetland or valley (steep slope);installation and maintenance of an offline pond for watering livestock that is not connected to or within a watercourse or wetland, and where no excavated material is deposited within a watercourse, wetland or valley (steep slope);installation of agricultural in-field erosion control measures with an outlet that is not directed or connected to a watercourse, wetland or steep slope;installation of a utility pole and anchor;maintenance or repair of a driveway/access that is outside of a wetland or maintenance or repair of an existing public road, provided that the driveway or road is not extended or widened, or the elevation, bedding materials, or existing culverts are not altered; and,maintenance and repair activities for existing municipal drains, including pipes, junction boxes or catch basins, in accordance with the <i>Drainage Act and Conservation Authorities Act Protocol</i>.	<ul style="list-style-type: none">CH supports the inclusion of exemptions for low-risk activities, as this allows CAs to focus resources on higher risk development proposals. However, some proposed exemptions may impact the control of flooding, erosion, unstable soils, or unstable bedrock to the extent that they would not be considered low-risk activities, such as:<ul style="list-style-type: none">Walls or other barriers that are called a "fence"Tile drains that alter a proposed outlet location, which could increase runoff to a downstream receiverExcavation of an offline pond in areas of unstable soil or unstable bedrock or erosionPlacement of excavated material from an offline pond within hazardous landsThe proposal to exempt an unenclosed detached deck or patio could result in the removal of wetlands, as currently written.How have cumulative impacts been considered? A series of small structures poses the same risks as a larger structure.	<ul style="list-style-type: none">Reinstate CAWG to help further refine the list of exemptions and to develop tools that would enable CAs and applicants to quickly confirm if a proposal meets exemption criteria (e.g., checklists, risk matrix).

4.	<p>Section 2.1.2 Definitions</p> <ul style="list-style-type: none"> Watercourse Wetland Hazardous land Development activity 	<ul style="list-style-type: none"> Under the new section 28 of the <i>CA Act</i>, the definitions of the following terms will also be set out in regulation: "Watercourse", "Wetland" and "Hazardous Land". Proposed updates to the definition of "watercourse" - Updating the definition of "watercourse" from an identifiable depression in which water regularly or continuously flows, to a defined channel having a bed, and banks or sides. Definitions of "hazardous land" and "wetland" are not proposed to be changed from the current definition used within the Act "Wetland" is proposed to be the same as the definition currently set out in the Act for "wetland" "Hazardous land" is proposed to be the same as the definition currently set out in the Act "Development Activity" is proposed to be the same as the definition currently set out in the Act for "development" 	<ul style="list-style-type: none"> Watercourse – The proposed definition does not account for reaches where a feature becomes poorly defined due to natural conditions (e.g., wetland) or anthropogenic disturbances (e.g., grading activities, piped enclosures) but where floodwaters continue to be conveyed and pose a natural hazard. This could result in "gaps" in watercourse mapping and regulation implementation (e.g., middle sections of a watercourse that are piped or that traverse a wetland would be omitted from mapping and unregulated). The proposed definition may also not allow for the capture of all features with a large drainage area and resulting flood hazard (e.g., wetland that forms the headwaters to a river, stream or creek). Wetland - The definition of a wetland under the CA Act currently does not align that of wetland in the PPS, Provincial Plans, or Ontario Regulation 686/21, which references the PPS definition. 	<ul style="list-style-type: none"> Refine proposed watercourse definition to ensure all features with drainage areas large enough to result in a flooding or erosion hazard are included and ensure there are no "gaps" in watercourse mapping and regulation implementation. Harmonize CA Act/regulation definition of wetland with other Provincial policy documents and regulations.
5.	<p>Section 2.1.2 Rivers and stream valleys limits and areas that are adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beach hazards</p>	<ul style="list-style-type: none"> The limits of the areas where the prohibitions apply are not proposed to be significantly changed from the descriptions under existing conservation authority regulations, but certain changes are under consideration to make these limits consistent across conservation authorities while still allowing for local context (i.e., where an authority's jurisdiction contains any Great Lakes shoreline). Current descriptions can be viewed in existing conservation authority regulations available online at: https://www.ontario.ca/laws/statute/90c27. 	<ul style="list-style-type: none"> The extent of changes proposed are unclear until a draft regulation is presented. Regulatory allowances are important to ensure new hazards are not created or existing ones are not aggravated as per the PPS. The regulatory allowances encompass the provincial erosion access allowance outlined in the Provincial technical guides and allow for access 1) during flooding or erosion emergencies, 2) to undertake regular maintenance or repair failed structures and 3) provide protection against external events. Allowances also provide a freeboard between flooding and adjacent development. There are current gaps in CA regulations regarding flood plains associated with apparent valleys that extend beyond the limits of stable top of bank that should be addressed. (e.g., add floodplains under the applicable flood event standard to apparent valleys) Other minor refinements to clarify the limits of the areas where the prohibitions apply would also be beneficial. 	<ul style="list-style-type: none"> Reinstate CAWG to support the development of a new regulation and supporting documents.
6.	<p>Section 2.1.2 Flood standards for the determination of hazardous lands associated with flooding</p>	<ul style="list-style-type: none"> The applicable flood event standards that will be used determine the susceptibility to flooding of lands or areas within the watersheds in the jurisdiction of each authority, are not currently being proposed to change from the standards outlined in current conservation authority regulations. The current standards can be viewed in existing conservation authority regulations available online at: https://www.ontario.ca/laws/statute/90c27. 	<ul style="list-style-type: none"> CH supports the continued use of standards outlined in current conservation authority regulations. 	<ul style="list-style-type: none"> Update Provincial technical guides to provide guidance on incorporating climate change considerations into the flood event standards.
7.	<p>Section 2.1.2 Technical guides</p>	<ul style="list-style-type: none"> As per commitments in <i>Protecting People and Property: Ontario's Flooding Strategy</i>, these standards are being reviewed as part of a broader provincial review of the natural hazard technical guides used for hazard management purposes, including for municipal planning as well as conservation authority regulatory purposes. 	<ul style="list-style-type: none"> CH looks forward to working with the Province in reviewing and updating the technical guides. 	<ul style="list-style-type: none"> Reinstate CAWG and include consulting professionals to support the update to the technical guides.
8.	<p>Section 2.2.1 Complete permit application requirements</p>	<ul style="list-style-type: none"> It is proposed that a complete application for a permit would consist of: <ul style="list-style-type: none"> a) A plan of the area showing the type and location of the proposed development activity or a plan of the area showing plan view and cross-section details of an activity to alter the existing channel of a river, creek, stream or watercourse, or change or interfere with a wetland; 	<ul style="list-style-type: none"> CH supports this change and is already implementing these practices. This change will help to ensure CAs receive all required information to deem an application complete and for decision making. 	<ul style="list-style-type: none"> Reinstate CAWG to support the development of a new regulation and supporting documents.

		<ul style="list-style-type: none">b) The proposed use of any buildings and structures following completion of the development activity, or a statement of the purpose of an activity to alter the existing channel of a river, creek, stream or watercourse, or change or interfere with a wetland;c) The start and completion dates of the development or other activity;d) A description of the methods to be used in carrying out an activity to alter the existing channel of a river, creek, stream or watercourse, or change or interfere with a wetland;e) The elevations of existing buildings, if any, and grades and the proposed elevations of any buildings and grades after the development;f) Drainage details before and after the development or other activity;g) A complete description of the type of fill proposed to be placed or dumped; andh) Such other technical information, studies or plans, as the authority may request <i>prior</i> to the confirmation of a complete application by the authority, including as determined during any pre-consultation between the authority and the applicant.		
9.	Section 2.2.2 Period of permit validity	<ul style="list-style-type: none">• proposed that the maximum period of validity for which a permit can be issued is 60 months. An authority may issue a permit for less than this length.• proposed that the authority may grant an extension of a permit if:<ul style="list-style-type: none">a) the holder of the permission submits a written application for an extension to the authority at least 60 days before the expiry of the permit;b) no extension of the permit has been granted previously; andc) the application sets out the reasons for which an extension is required and demonstrates that circumstances beyond the control of the holder of the permission will prevent completion of the project before the expiry of the permit.	<ul style="list-style-type: none">• CH has no outstanding concerns with this proposed change; however, it would be beneficial to identify which types of projects/developments will receive 60 months vs. shorter timeframes.	<ul style="list-style-type: none">• Reinstate CAWG to support the development of a new regulation and to help identify which projects should receive 60 month periods of permit validity.
10.	Section 2.3.1 Service Delivery Standards	<ul style="list-style-type: none">• service delivery standards are being proposed related to the administration of permits as part of the mandatory programs and services that a conservation authority must carry out related to the risk of natural hazards• The regulation would require each CA to develop, consult on, make publicly available and periodically review a policy that includes:<ul style="list-style-type: none">• Further details about the complete application requirements listed above, as necessary;• Timelines for confirming the requirements for a complete application following pre-consultation;• Timelines for notifying applicants as to whether a permit application is deemed complete;• A process for an administrative review if an applicant is not notified of a complete application within a specified timeframe, and of a decision on whether a permit application is complete;• Timelines for a decision on a permit application following the submission of a complete application; and• Additional technical details on regulatory requirements and permit application and review procedures.• If the authority wishes to make changes to this policy, they shall give notice of the proposed change to the public in a manner it considers appropriate, and each conservation authority shall prepare and publish a report annually that outlines statistics on permits issued, including reporting on the level of achievement of service delivery standards.	<ul style="list-style-type: none">• CH supports this change and is already implementing these practices.	<ul style="list-style-type: none">• Reinstate CAWG to support the development of a new regulation and supporting documents.

11.	Section 2.3.2 Mapping	<ul style="list-style-type: none">• CAs are required to create maps of areas within their jurisdiction generally depicting where a permit is required for development and other activities and make these maps publicly available• If a CA makes significant changes to this mapping based on new information or technology, or changes in watershed conditions (i.e., beyond any minor modifications or corrections or adjustments made regarding site specific applications) that result in an enlargement of the area depicting where the permitting requirements apply, CAs would also be required to provide notice to the public in an appropriate manner, as set out in a policy adopted by the authority, and consider public comments in making any decisions regarding the proposed mapping changes	<ul style="list-style-type: none">• CH supports of engaging the public on large mapping changes.• CH has a Board approved Mapping Implementation Protocol that outlines the process for when mapping should be considered “best available information” and when it can be used for decision making.	<ul style="list-style-type: none">• Reinstate CAWG to support the development of a new regulation and supporting documents.• Consider developing a province-wide mapping implementation protocol and/or including a transition provision that new mapping can be used for decision making once the mapping is deemed “best available information”, with the understanding the mapping will be subject to timely public notification and consultation.
12.	Section 2.3.3 Permit pre-consultation	<ul style="list-style-type: none">• Change to CA Act to enable CAs or a permit applicant to request pre-consultation prior to the submission of a permit application in order to confirm requirements for a complete application for the activity in question. To support the pre-consultation process, the CA may request initial information on the activity to be undertaken and regarding the property where the activity will take place.	<ul style="list-style-type: none">• CH supports this change and is already implementing these practices.	
13.	Section 3 Coordination between CA regulations & municipal planning approvals	<ul style="list-style-type: none">• Proposed updates to s.28 of the CA Act would provide the ability to exempt development authorized under the <i>Planning Act</i> from requiring a permit under the <i>Conservation Authorities Act</i>. This exemption would apply in the municipalities set out in regulation and could be subject to certain conditions also set out in regulation. Conservation authorities would continue to permit other activities not subject to municipal authorization.• The Ministry has not proposed a regulation utilizing this exemption tool as part of this regulatory proposal but is requesting initial feedback on how it may be used in the future to streamline development approvals while still ensuring the protection of people and property from natural hazards. Considerations for the use of this tool include:<ul style="list-style-type: none">◦ In which municipalities should the exemption apply? How should this be determined?◦ Which <i>Planning Act</i> authorizations should be required for the exemption to apply?◦ Should a municipality be subject to any requirements or conditions where this type of exemption is in place?◦ Are there any regulated activities to which this exemption shouldn't apply?	<ul style="list-style-type: none">• Without limitations, the proposed changes signal the possibility of future delegation of conservation authority (CA) permitting roles to municipalities.• Transferring CA responsibilities to municipalities on a broad scale would nullify CA core functions and open up significant holes in CA's delivery of natural hazard roles, rendering them ineffective.• Municipalities do not currently have the capacity or expertise (i.e., water resources engineering, environmental planning and ecological expertise) to do this work and will need to hire additional staff or consultants. They would be responsible for absorbing any associated costs (cost to taxpayer) or would pass costs along to development proponents. The cost of hiring consultants is substantially higher than it is for CAs to do this work.• Municipalities would be responsible for taking on compliance and inspections and would need to take on liability for development in hazards• Decisions may be made without regard for people and property in upstream or downstream municipalities, and may result in precedent-setting decisions, cumulative impacts, risk to public safety and lead to future management challenges.• Section 41 of the <i>Planning Act</i> does not enable a municipality to consider and review natural hazard implications through site planning. If exempt from CA permitting, development that is proposed through a Site Plan process may not be reviewed for natural hazards at all, putting people and property at risk.• These changes jeopardize public safety and environmental protections.• The changes limit a CA's ability to undertake non-partisan, transparent, and technically sound decision making and will allow proponents to circumvent the technical CA permitting process.	<ul style="list-style-type: none">• Remove proposed Section 40 (1) (g) and Subsections 28(4.1) and 28(4.2) of the Conservation Authorities Act.• Do not create a regulation to use this exemption tool.• Reinstate CA Act Working Group (CAWG) with representation from local municipalities, conservation authorities, provincial agencies, and developers to identify potential development exemptions.

Conserving Ontario’s Natural Heritage A discussion paper seeking feedback on how Ontario could offset development pressures on wetlands, woodlands, and other natural wildlife habitat is proposed (ERO # 019-6161) Date of ERO Closing: December 30, 2022			
Item	Key Proposal(s)	Implication(s)	Recommendation(s)
1.	This paper is seeking feedback on how Ontario could offset development pressures on wetlands, woodlands, and other natural wildlife habitat. The Ministry of Natural Resources and Forestry is considering developing an offset policy that would require a net positive impact on these features and help reverse the decades-long trend of natural heritage loss in Ontario.	<ul style="list-style-type: none">CH generally supports the development of an offsetting policy; however, if the proposed principles for offsetting wetlands are not expanded it could result in a loss of natural heritage features and areas, including wetlands.The protection and restoration of wetlands is a cost-effective strategy for protecting downstream properties from flooding and erosion hazards; the loss of wetlands would increase the need for other more costly solutions to solve flooding and erosion issues.Proposed changes around decision-making on wetland management will confuse roles between municipalities and CAs and hamper CAs’ ability to protect wetland functions as they relate to natural hazard management.	<ul style="list-style-type: none">Reinstate CAWG to help develop offsetting criteria specifically for wetlands to ensure that hazard risks due to flooding and erosion are considered, as well as to provide technical input on any new policy or guidance document.
2.	<p>Ontario is considering the following principles in the development of an offsetting policy:</p> <ul style="list-style-type: none">Net Gain. The goal of the offsetting policy should be net gain with respect to the extent and quality of natural heritage features or their functions, within a reasonable period of timeAvoidance first. Offsetting should be the last step after other options to avoid and mitigate any impacts on natural heritage are considered.Informed. Offsetting should consider the best available science, and knowledge, including Traditional Ecological Knowledge.Transparency and accountability. The offsetting policy should incorporate provisions for oversight, tracking and public reporting on the effectiveness of implementation.Limits to Offsets. Some wetlands, like coastal wetlands, bogs and fens in southern Ontario, and other areas that historically have been important for recreation and tourism should be ineligible for offsetting	<ul style="list-style-type: none">It is unclear what ‘net gain’ means in the discussion paper, especially in terms of ecological function.The proposed principles would benefit from additional considerations, such as using the Mitigation Hierarchy and applying the precautionary approach.It is unclear which features are ineligible for offsetting.Offsets should remain in the same municipality in which the impact/removal occurs.	<ul style="list-style-type: none">Clarify what is meant by net gain.Recommend that additional principles be added, such as requirements to:<ul style="list-style-type: none">Adhere to the ‘Mitigation Hierarchy’;Consider adaptive management;Ensure transparency & replicability; and,Apply the precautionary approach.Expand the list of features that are ineligible for offsetting to reflect all natural heritage features, not just wetlands. For example, exclude old growth forests, alvars, swamps and other areas that cannot be re-created.The offsetting policy should require that features that are to be offset be located in the same municipality or watershed where the impact occurs.
3.	<p>The province has other mechanisms that conserve natural heritage including</p> <ul style="list-style-type: none">Conservation Land and Managed Forest Tax Incentive ProgramsAreas of Natural and Scientific InterestProvincial guidance including the Natural Heritage Reference Manual and Significant Wildlife Habitat Technical Guide <p>We would welcome your suggestions on changes, if any, to these mechanisms as well as your comments on the proposal to create an offsetting policy that would enable Ontario to support development and the growing demand for housing while ensuring that we continue to benefit from the important role that wetlands, woodlands and other natural wildlife habitat play in our communities.</p>	<ul style="list-style-type: none">Without having information on what the proposed changes might be to these other provincial mechanisms, there could be a loss of protected features.	<ul style="list-style-type: none">Recommend separate consultation on any additional proposed changes.

Proposed Updates to the Ontario Wetland Evaluation System (ERO # 019-6160) Proposing updates the Ontario Wetland Evaluation System that would remove duplicate requirements and streamline the evaluation process. Date of ERO Closing: November 24, 2022			
Item	Key Change(s)	Implication(s)	Recommendation(s)
1.	<ul style="list-style-type: none">Proposing the following changes to content in the OWES (Ontario Wetland Evaluation System) manuals:<ul style="list-style-type: none">add new guidance related to re-evaluation of wetlands and updates to mapping of evaluated wetland boundariesmake changes to better recognize the professional opinion of wetland evaluators and the role of local decision makers (e.g., municipalities)other housekeeping edits to ensure consistency with the above changes throughout the manual	<ul style="list-style-type: none">Wetlands are a cost-effective strategy for protecting downstream properties from flooding and erosion hazards; the loss of wetlands would increase the need for other more costly solutions to solve flooding and erosion issues.MNR is proposed to be fully removed from the OWES evaluation process with the review and approval transferred to an unidentified "decision maker". This will result in an inconsistent approach to wetland evaluations, and wetland management and protection across the province.Making each municipality responsible for evaluation approvals for land use planning matters may result in additional costs to each municipality to hire either OWES certified staff or qualified consultant to review and approve.	<ul style="list-style-type: none">i. Reinstate CAWG to help provide advice on proposed changes to OWES to ensure that hazard risks due to flooding and erosion are considered as well as to provide technical input into the evaluation process.ii. Clarify the process by which a wetland evaluation would be reviewed and approved. To ensure consistency, CAs could be responsible for reviewing evaluations as CAs have local knowledge and OWES certified staff.
2.	<ul style="list-style-type: none">Proposal to remove "Wetland Complexes" from the evaluation	<ul style="list-style-type: none">In CH's jurisdiction, 95% of the wetlands designated as Provincially Significant Wetlands (PSWs) are part of complexes. If the Province changes the approach to remove "complexing" as part of the PSW designation criteria, PSWs could be re-evaluated in a piecemeal fashion, and they may no longer be considered significant on their own. Provincially significant features have higher levels of protection than those without this designation. This could result in a loss of wetlands from the landscape.The current evaluation system isn't designed to recognize the importance of smaller, isolated wetlands. The entire scoring would need to be overhauled if complexing is removed.The proposed changes note that "with the exception of closely grouped wetlands" complexes can be re-evaluated. "Closely grouped wetlands" is not defined. This will lead to uncertainty around which wetlands are closely group versus which are not.	<ul style="list-style-type: none">iii. Instead of eliminating the OWES complexing and scoring criteria, reinstate CAWG to help provide advice on proposed changes to OWES to ensure that hazard risks due to flooding and erosion are considered as well as to provide technical input into the evaluation process.iv. If complexing is removed:<ul style="list-style-type: none">provide direction that recognizes the importance of small, individual wetlands to reflect wetlands in southern Ontario.define what "closely grouped wetlands" are and where they can be evaluated as one wetland.
3.	<ul style="list-style-type: none">Proposal to remove Endangered and Threatened species from the scoring	<ul style="list-style-type: none">Having Endangered and Threatened species present make the wetland even more significant from a biodiversity perspective. Not including them downplays the importance of the wetland.	<ul style="list-style-type: none">v. Reinstate Endangered and Threatened species in the scoring to accurately reflect the significance of wetlands being evaluated.
4.	<ul style="list-style-type: none">Proposal to remove of reference to CAs using evaluations as part of their regulatory review and as part of the development of watershed plans.	<ul style="list-style-type: none">Language regarding the use of evaluations by CAs is proposed to be removed. As watershed managers, CAs need to include these wetlands in watershed plans to help direct restoration and rehabilitation efforts.	<ul style="list-style-type: none">vi. Reinstate the language that references the use of the evaluations "By conservation authorities who at the request of their municipalities or as approved by their boards may be developing a broad watershed plan or study to provide technical advice to municipalities for plan input or to direct management on conservation authority owned land."

Proposed Planning Act and City of Toronto Act Changes (Schedules 9 and 1 of Bill 23 – the proposed More Homes Built Faster Act, 2022) (ERO # 019-6173) Date of ERO Closing: November 24, 2022				
Item	Theme	Key Change(s)	Implication(s)	Recommendation(s)
1.	Additional Residential Units	<ul style="list-style-type: none">Changes are proposed to strengthen the existing “additional residential unit” framework. The proposed changes would allow, “as-of-right” (without the need to apply for a rezoning) up to 3 units per lot in many existing residential areas.The proposed changes would supersede local official plans and zoning to automatically apply province-wide to any parcel of land where residential uses are permitted in settlement areas with full municipal water and sewage services (except for legal non-conforming uses such as existing houses on hazard lands).	<p>NOTE: Cross reference from comments on ERO #019-6197 Proposed Changes to O. Reg. 299/19: Additional Residential Units</p> <ul style="list-style-type: none">CH supports the implementation of an updated additional residential unit framework for the creation of additional residential units on existing lots, provided there are limits on new units within natural hazards.Official Plans and Zoning By-Laws may not be based on the most up-to-date hazard mapping, which may result in additional residential units being permitted by municipalities in hazard lands without input/review of conservation authorities (CA).CA permits should be required for any units in hazard lands to ensure risk to public health or safety or of property damage is addressed while addressing Ontario’s housing supply.Increased lot coverage throughout a watershed may cumulatively result in increased run-off that cannot reasonably be mitigated by stormwater management measures. Downstream flood hazards may increase and be reflected in future flood hazard mapping studies once increased lot coverage is incorporated into modeling.	<p>NOTE: Cross reference from recommendations on ERO #019-6197 Proposed Changes to O. Reg. 299/19: Additional Residential Units</p> <ul style="list-style-type: none">Include qualifying language in the amendment to <i>Ontario Regulation 299/19: Additional Residential Units</i> that “as of right” up to 3 units per lot in residential areas does not generally apply to residential units and lots in hazard lands and is subject to CA regulatory requirements.Ensure that CA permits are still required as part of applicable legislation under the Building Code, prior to the issuance of any building permits for additional units in hazard lands.
2.	Appeal Rights	<ul style="list-style-type: none">Changes are proposed to re-enact provisions that are not yet in force but would limit conservation authority (CA) appeals of land use planning decisions. CAs would continue to be able to appeal matters where they are the applicant. When acting as a public body, CAs would only be able to appeal with respect to matters related to natural hazard policies in provincial policy statements.	<p>NOTE: Cross reference comments on ERO #019-6141 Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.0</p> <ul style="list-style-type: none">This was proposed as part of the last round of <i>Planning Act</i> changes; many CAs are already following this Provincial direction.CH only appeals land use planning decisions where there is a natural hazard (regulatory) issue.Currently, CH would only participate in a hearing for other matters beyond natural hazards if requested by a municipality (i.e., to provide technical support on other environmental matters)The current proposal to limit CA appeals to natural hazard policies of the PPS means CAs could not appeal on regulatory issues outside of the PPS natural hazard framework (e.g. wetlands, regulatory allowances, permitting standards). This may result in second appeals to resolve CA permitting issues, if these matters cannot be addressed at the same time, which will result in costly delays in approvals.	<p>NOTE: Cross reference recommendations on ERO #019-6141 Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.0</p> <ul style="list-style-type: none">Reframe proposed <i>Planning Act</i> clauses to ensure CA regulatory and PPS natural hazard matters can be dealt with together so as to avoid additional appeals or costly delays.Include specific language in <i>Planning Act</i> to clarify that CAs may request party status but limited to natural hazard and regulatory matters.

			<ul style="list-style-type: none">There is an issue with the application of the proposed language in (4.1) when applied to s.17(44.1), 34 (24.1) 51 (52.1) of the Planning Act which deal with party status request. <i>(4.1) A reference to a person or public body in the following provisions does not include a conservation authority under the Conservation Authorities Act except where an appeal made under or referred to in one of those provisions relates to natural hazard policies in any policy statements issued under section 3 of the Act, except for those policies that relate to hazardous forest types for wildland fire:</i> 3. Paragraph 1 of subsection 17 (44.1). 6. Paragraph 1 of subsection 34 (24.1).It is not clear what is intended here, as the language refers to <u>appeals</u> that relates to natural hazard policies. This language works for determining situations where CAs may initiate appeals, but is unclear as to intent when applied to party status requests. If the intent is to limit CA requests for party status to party status requests based on natural hazards, specific language should be used to address that, as the language in s.4.1 is better suited to addressing when a CA can initiate an appeal. More specific language should be used for party status requests.	
3.	CA Lands	<ul style="list-style-type: none">Changes are also proposed to broaden the ability of CAs to use an existing streamlined process to sever and dispose of land.	<p>NOTE: Cross reference comments on ERO #019-6141 Legislative and regulatory proposals affecting conservation authorities to support the Housing Supply Action Plan 3.0</p> <ul style="list-style-type: none">CH supports the proposed changes that make the process for disposition of CA-owned lands easier.	

Review of a Place to Grow and Provincial Policy Statement (ERO # 019-6177) Date of ERO Closing: December 30, 2022				
Item	Theme	Key Change(s)	Implication(s)	Recommendation(s)
1.	Natural Hazard Policies	<ul style="list-style-type: none">Streamlined and clarified policy direction for development in hazard areas, while continuing to protect people and property in areas of highest risk	<ul style="list-style-type: none">Efforts to streamline and clarify policy direction for development in hazard areas are supported so long as they maintain the goal of directing development away from areas of natural hazards where there is an unacceptable risk to public health or safety or of property damage and not create new or aggravate existing hazards."Areas of highest risk" is not currently a defined term in the PPS. This new term should be defined and supported by updated technical guidelines for flooding and erosion hazards, including guidance/criteria for what constitutes "areas of highest risk".	<ul style="list-style-type: none">Reinstate CAWG to help provide advice on proposed changes to natural hazard policies of the PPS and to help determine what constitutes "areas of highest risk" based on CA technical expertise and experience with risk-based natural hazard policy, as well as to support the development of updated technical guidelines for flooding and erosion hazards to support effective natural hazard policy implementation.Continue to provide opportunities to review and comment on draft natural hazard policies prior to adoption.
2.	Natural Heritage Policies	<ul style="list-style-type: none">Streamlined policy direction that applies across the province for Ontario's natural heritage, empowering local decision making, and providing more options to reduce development impacts, including offsetting/compensation	<ul style="list-style-type: none">Natural heritage thrives as connected systems of natural features and functions that cross municipal/political boundaries. These systems may be undermined by an approach that empowers a localized view and provides for offsetting/compensating development impacts that could adversely impact the health and integrity of the overall system.	<ul style="list-style-type: none">Continue to provide opportunities to review and comment on draft natural heritage policies prior to adoption.
3.	Community Infrastructure	<ul style="list-style-type: none">Planning for stormwater management, including preparing for the impacts of a changing climate, is not identified as a core element of this new policy instrument	<ul style="list-style-type: none">Planning for stormwater management is integral to minimizing impacts to downstream natural hazards and natural heritage systems. Increased risks to human health, safety, property and the environment may arise if appropriate policies are not in place to mitigate impacts of growth.	<ul style="list-style-type: none">Continue to provide opportunities to review and comment on draft community infrastructure policies prior to adoption.