

**FULL AUTHORITY MEETING**  
**Wednesday, March 20, 2019**  
**9:30 a.m.**  
**Ball's Falls Centre for Conservation**  
**Glen Elgin Room**  
**3292 Sixth Avenue, Jordan, ON**

**A G E N D A**

**The Interim CAO/Secretary-Treasurer will host a Meet and Greet for the Board Members, public and media from 8:15 to 9:15 in the front foyer of the Ball's Falls Centre for Conservation**

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**1. ADOPTION OF AGENDA**

- 1.1 Addition of items
- 1.2 Change in order of items
- 1.3 Adopt Agenda

**2. DISCLOSURE OF INTEREST**

**3. PRESENTATIONS (and/or Delegations)**

3.1 Presentations

The Interim CAO/Secretary-Treasurer, Gayle Wood will provide a brief Orientation to the Niagara Peninsula Conservation Authority.

3.2 Delegations

There are no Delegations scheduled for this meeting.

**4. ADMINISTRATIVE BUSINESS**

4.1 Approval of Draft Minutes

4.1.1 Full Authority Meeting – February 20, 2019

4.2 Business Arising from Minutes

4.3 Correspondence

4.3.1 Niagara Region – Appointment to NPCA Board dated Dec. 7, 2018

- 4.3.2 Town of Pelham - Town of Fort Erie Response to City of St. Catharines dated December 18, 2018
- 4.3.3 Haldimand Appointments to the Niagara Peninsula Conservation Authority dated December 20, 2018
- 4.3.4 City of Hamilton – Appointment of Members, dated January 2, 2019
- 4.3.5 Niagara Region – NPCA Board Appointments dated March 1, 2019
- 4.3.6 Friends of One Mile Creek dated March 3, 2019
- 4.3.7 Niagara Falls Nature Club dated March 4, 2019
- 4.3.8 Niagara Region – Environmental Planning Function Overview, dated March 4, 2019
- 4.3.9 Niagara Region – Development Applications Monitoring Report – 2018 Year End dated March 4, 2019
- 4.3.10 Niagara Region – Update on Natural Environment Work Program – New Regional Official Plan dated March 4, 2019
- 4.3.11 Town of Pelham - Town of Fort Erie Participation of Local Municipalities, dated March 8, 2019

4.4 Chairman's Remarks

4.5 Chief Administrative Officer Comments

**5. BUSINESS FOR INFORMATION**

- 5.1 Communications Report – January 2019 to March 11, 2019  
Report No. FA-17-19

**6. BUSINESS FOR CONSIDERATION**

6.1 Standing Committee Reports

- 6.1.1 - CAO Selection Committee – February 26, 2019

6.2 Reports

- 6.2.1 Formal Appointment of the Interim CAO/Secretary-Treasurer  
Report No. FA-18-19
- 6.2.2 Interim CAO/Secretary-Treasurer's Workplan Priorities  
Report No. FA-19-19
- 6.2.3 Conservation Ontario Appointees  
Report No. FA-20-19
- 6.2.4 Status of NPCA Committees  
Report No. FA-21-19

- 6.2.5 Draft Proposed Budget Process – 2020 Budget  
Report No. FA-22-19
- 6.2.6 Fleet Service Provider  
Report No. FA-23-19
- 6.2.7 Ohnia:kara Aspiring Global Geopark  
Report No. FA- 24-19
- 6.2.8 NPCA Compliance and Enforcement Officer Appointment  
Report No. FA-25-19
- 6.2.9 Resolution from Niagara Region Regarding Representation  
Report No. FA-26-19
- 6.2.10 Water Quality Improvement Grants Program/Restoration Program  
Report No. FA-27-19
- 6.2.11 Haldimand Lakefront Landowner's Funding Request  
Report No. FA-28-19
- 6.2.12 Appeal of Decision of Port Colborne Committee of Adjustment  
Report No. FA-29-19
- 6.2.13 Alternative Full Authority Meeting Date  
Report No. FA-30-19
- 6.2.14 Meeting Provincial Priorities for Reducing Regulatory Burden  
Report No. FA-31-19

## 7. BUSINESS – In Camera

### 7.1 Motion to move into Closed Session:

That the NPCA Full Authority meeting **DO NOW MOVE** into Closed Session for the purposes of:

- 7.1.1 Considering land acquisition in the vicinity of Binbrook Conservation Area
- 7.1.2 Personnel matters about an identifiable individual(s) including NPCA employees

7.2 Motion to reconvene in to Open Session and report progress:

That the NPCA Full Authority meeting **RECONVENE** in Open Session.

7.3 Business Arising from Closed Session

8. **NOTICE OF MOTION**

9. **NEW BUSINESS**

10. **ADJOURNMENT**

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**Administration**

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

[www.niagararegion.ca](http://www.niagararegion.ca)

December 7, 2018

Lisa McManus  
Interim Chief Administrative Officer/Secretary-Treasurer  
Niagara Peninsula Conservation Authority  
250 Thorold Road West; 3rd Floor  
Welland, ON L3C 3W2

**SENT ELECTRONICALLY**

**RE: Appointments to Niagara Peninsula Conservation Authority Board**

Regional Council at its meeting held on Thursday, December 6, 2018, passed the following resolution:

That twelve (12) Regional Councillors representing Niagara Region, one from each municipality in the Niagara Region, **BE APPOINTED** to replace the current Niagara Region representatives, on an interim basis, on the Niagara Peninsula Conservation Authority Board, effective immediately for a period of three months until it is determined how to proceed with the Board composition.

Council subsequently passed the following resolution:

That Councillors Bylsma, Chiocchio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen, and Zalepa, **BE APPOINTED** to the Niagara Peninsula Conservation Authority Board for a three month period.

Attached is the contact information for the Councillors. If you have any questions regarding these appointments, don't hesitate to contact me at 905-980-6000 Ext 3220 or by email [ann-marie.norio@niagararegion.ca](mailto:ann-marie.norio@niagararegion.ca).

Yours truly,



Ann-Marie Norio  
Regional Clerk

CONTACT INFORMATION FOR COUNCILLORS APPOINTED TO THE

NIAGARA PENINSULA CONSERVATION AUTHORITY BOARD

**David Bylsma (Mayor)**  
Township of West Lincoln  
5313 Sixteen Rd.  
St. Anns, ON L0R 1Y0

Residence 905-957-8145  
Cell 905-984-1515  
E-mail dave.bylsma@niagararegion.ca

**Pat Chiocchio**  
City of Welland  
160 Creekside Dr.  
Welland, ON L3C 0B4

Cell 289-228-2503  
E-mail pat.chiocchio@niagararegion.ca  
E-mail pchiocchio@cogeco.ca

**Robert Foster**  
Town of Lincoln  
4579 Cedarbrook Lane  
Beamsville, ON L0R 1B5

Residence 905-563-7219  
E-mail robert.foster@niagararegion.ca

**Kevin Gibson (Mayor)**  
Township of Wainfleet  
53871 Zion Rd.  
Wainfleet, ON L0S 1V0

Cell 905-931-5000  
E-mail kevin.gibson@niagararegion.ca  
E-mail kgibson@wainfleet.ca

**Barbara Greenwood**  
City of Niagara Falls  
4584 Armoury St.  
Niagara Falls, ON L2E 1S6

Residence 905-358-7226  
Cell  
E-mail barbara.greenwood@niagararegion.ca

**Brian Heit**  
City of St. Catharines  
21 Sunnyside Dr.  
St. Catharines, ON L2M 1Z9

Residence 905-935-8377  
Cell 905-704-8252  
E-mail brian.heit@niagararegion.ca  
E-mail bheit@cogeco.ca

**Diana Huson**  
Town of Pelham  
14 Cherry Ridge Blvd.  
Fenwick, ON L0S 1C0

Cell 905-324-3094  
E-mail diana.huson@niagararegion.ca

**Tom Insinna**  
Town of Fort Erie  
220 High St.  
Fort Erie, ON L2A 3R3

Cell 905-321-5908  
E-mail tom.insinna@niagararegion.ca

CONTACT INFORMATION FOR COUNCILLORS APPOINTED TO THE

NIAGARA PENINSULA CONSERVATION AUTHORITY BOARD

**Jeff A. Jordan (Mayor)**

Town of Grimsby  
524 Ridge Rd. W.  
Grimsby, ON L3M 4E7

Residence 289-235-7736  
Business 905-979-0662  
Cell 905-979-0662  
E-mail [jeff.jordan@niagararegion.ca](mailto:jeff.jordan@niagararegion.ca)  
E-mail [nixonfarms1826@gmail.com](mailto:nixonfarms1826@gmail.com)

**Bill Steele (Mayor)**

City of Port Colborne  
297 Olga Dr.  
Port Colborne, ON L3K 5T8

Cell 905-736-2284  
Fax 905-835-5525  
E-mail [wsteele@cmsteeleinsurance.ca](mailto:wsteele@cmsteeleinsurance.ca)  
E-mail [bill.steele@niagararegion.ca](mailto:bill.steele@niagararegion.ca)

**Tim Whalen**

City of Thorold  
67 Thompson Ave.  
Thorold, ON L2V 2N2

Residence 905-227-8397  
Fax 905-227-1109  
E-mail [tim.whalen@niagararegion.ca](mailto:tim.whalen@niagararegion.ca)


**Gary Zalepa**

Town of Niagara-on-the-Lake  
630 Charlotte St.  
P.O. Box 1124  
NOTL, ON L0S 1J0

Cell 416-602-5431  
E-mail [gary@garyzalepa.com](mailto:gary@garyzalepa.com)  
E-mail [gary.zalepa@niagararegion.ca](mailto:gary.zalepa@niagararegion.ca)



Vibrant · Creative · Caring

**RECEIVED** 

DATE: JAN 2 '19 AM 11:00

To: ☒ CAO OFFICE ☐ CHAIR, NPCA  
☐ WATERSHED ☐ CORP. SERVICES  
☐ OPERATIONS

December 18, 2018

Town of Fort Erie  
1 Municipal Centre Drive,  
Fort Erie, Ontario  
L2A 2S6

Attention: Ms. Carol Schofield, Manager Legislative Services / Clerk

Dear Ms. Schofield:

**Town of Fort Erie Response to City of St. Catharines re:  
Niagara Peninsula Conservation Authority**

At their regular meeting of December 17<sup>th</sup>, 2018, Council of the Town of Pelham received your correspondence and endorsed the following:

**BE IT RESOLVED THAT Council receive correspondence from the Town of Fort Erie, dated December 11, 2018, for information.**

On behalf of Council, thank you for your correspondence.

Yours very truly,



(Mrs.) Nancy J. Bozzato, *Dipl.M.M., AMCT*  
Town Clerk

/hw

cc: Premier Doug Ford  
Ministry of Natural Resources and Forestry Office of the Auditor General of Ontario Niagara  
Peninsula Conservation Authority  
Auditor General of Ontario  
Area Municipal Clerks  
Local MPP

From the Clerk's Department



**Administrative  
Services**



## Community Services

### Legislative Services

December 11, 2018

File #120203

Sent via Email: [bdunk@stcatharines.ca](mailto:bdunk@stcatharines.ca)

Bonnie Nistico-Dunk, City Clerk  
City of St. Catharines  
P.O. Box 3012, 50 Church Street  
St. Catharines, ON L2R 7C2

Dear Mrs. Nistico-Dunk:

#### **Re: Appointment of Supervisors for Conservation Authorities**

The Municipal Council of the Town of Fort Erie at its meeting of December 10, 2018 received and supported the motion passed by the Council of the City of St. Catharines on November 26, 2018 urging the Province of Ontario to create the ability for the Ministry to appoint a Supervisor for Conservation Authorities.

Trusting this information will be of assistance to you.

Yours very truly,

Carol Schofield, Dipl.M.A.  
Manager, Legislative Services/Clerk  
[cschofield@forterie.ca](mailto:cschofield@forterie.ca)

CS:dlk

c.c. The Honourable Doug Ford, Premier of Ontario Sent via email: [premier@ontario.ca](mailto:premier@ontario.ca)  
The Honourable John Yakabouski, Minister of Natural Resources and Forestry Sent via email: [john.yakabuskico@pc.ola.org](mailto:john.yakabuskico@pc.ola.org)  
Bonnie Lysyk, Auditor General of Ontario Sent via email: [bonnie.lysyk@auditor.on.ca](mailto:bonnie.lysyk@auditor.on.ca)  
Lisa McManus, CAO & Secretary-Treasurer (Interim) Niagara Peninsula Conversation Authority Sent via email: [lmcmamus@npca.ca](mailto:lmcmamus@npca.ca)  
Wayne Gates, MPP-Niagara Falls, Legislative Assembly of Ontario Sent via email: [wgates-co@ndp.on.ca](mailto:wgates-co@ndp.on.ca)  
Sam Oosterhoff, MPP-Niagara West-Glanbrook, Legislative Assembly of Ontario Sent via email: [sam.oosterhoff@pc.ola.org](mailto:sam.oosterhoff@pc.ola.org)  
Jennifer Stevens, MPP-St. Catharines Sent via email: [JStevens-CO@ndp.on.ca](mailto:JStevens-CO@ndp.on.ca)  
Jeff Burch, MPP-Niagara Centre Sent via email: [JBurch-QP@ndp.on.ca](mailto:JBurch-QP@ndp.on.ca)  
Niagara Local Area Municipalities Sent via email

Mailing Address:

The Corporation of the Town of Fort Erie  
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: [www.forterie.ca](http://www.forterie.ca) Page 56 of 91



*13*  
JAN 10 '18 PM 7:50

December 20, 2018

Honourable Rod Phillips  
Ferguson Block 11th Flr, 77 Wellesley St W,  
Toronto, ON M7A 2T5

Dear Honourable Phillips:

RE: Appointments to the Niagara Peninsula Conservation Authority

Please be advised that on December 17, 2018, Haldimand County Council adopted the following resolution:

*WHEREAS Haldimand County is a participating municipality of the Niagara Peninsula*

*Conservation Authority (NPCA) as defined by the Conservation Authorities Act (CAA); and*

*WHEREAS the population of Haldimand County as of the 2016 census is 45,608; and*

*WHEREAS the percentage of Haldimand County that is part of the NPCA watershed is 25%; and*

*WHEREAS the CAA (sec 14.5) defines the population basis as deemed to be in the same percentage;*

*AND WHEREAS there is no agreement between participating municipalities as per CAA (Sec 14.2.1),*

*NOW THEREFORE BE IT RESOLVED THAT*

- 1. The population of Haldimand County for the purposes of assigning membership in the NPCA is entitled to two (2) representatives as per CAA (Sec 14.1 and Sec 2.2); and*
- 2. That Councillor Shirton and Councillor Corbett be appointed to the NPCA; and*
- 3. That Haldimand County confirms that there is no agreement to alternative membership, and*



4. *That this resolution be circulated to the Minister of Environment, Conservation and Parks, MPP Toby Barrett, Niagara Region, City of Hamilton and the NPCA.*

Should you require further information, please contact the undersigned, at (905)318-5932 ext. 6349.

Yours truly,

Evelyn Eichenbaum  
Clerk

EE/mt

cc Conservation and Parks  
MPP Toby Barrett  
Niagara Region  
City of Hamilton  
Niagara Peninsula Conservation Authority



City of Hamilton  
Hamilton City Hall  
71 Main Street West, 1<sup>st</sup> Floor  
Hamilton, Ontario  
Canada L8P 4Y5  
www.hamilton.ca

Stephanie Paparella  
Legislative Coordinator  
Office of the City Clerk  
Phone (905) 546-2424 Ext. 3993  
Fax # (905) 546-2095  
stephanie.paparella@hamilton.ca

January 2, 2019

Lisa McManus  
Clerk to the Authority/Executive Coordinator to the CAO and Board Chair  
Niagara Peninsula Conservation Authority  
250 Thorold Road West  
3<sup>rd</sup> Floor  
Welland, ON L3C 3W2

Dear Ms. McManus:

Please be advised that Council, at its meeting of December 19, 2018, approved Item 21 of the General Issues Committee Report 18-022, which reads as follows:

**21. Appointment of Members to the Niagara Peninsula Conservation Authority Board of Directors (Item 11.4)**

WHEREAS, the Niagara Peninsula Conservation Authority (NPCA) Board of Directors is comprised of twelve members from the Region of Niagara, two members from the City of Hamilton, and one member from the Haldimand County, as per the Order in Council 1994;

WHEREAS, Section 2.2 of the *Conservation Authorities Act* states clearly that boards are comprised based on population per municipality;

WHEREAS, as per Assistant Deputy Minister Bruce Bateman's letter to Carmen D'Angelo, Chief Administrative Officer for the Region of Niagara, dated December 5, 2018, the Order in Council 2706/94 is no longer valid and has been replaced with new provisions, enabling participating municipalities to make such decisions in accordance with the *Act*;

WHEREAS, according to Section 2.2 of the *Conservation Authorities Act*, based on population within the NPCA watershed, the Region of Niagara can appoint five members, City of Hamilton can appoint four members and Haldimand County can appoint two members; and,

WHEREAS, under the *Conservation Authorities Act* participating municipalities are responsible for the appointment of members to a conservation authority.



THEREFORE, BE IT RESOLVED:

That the Niagara Peninsula Conservation Authority; Selection Committee for Agencies, Boards Commissions & Sub-Committees; Minister of Environment, Conservation and Parks; Deputy Minister, Ministry of Environment, Conservation and Parks; MPP Donna Skelly; MPP Sam Oosteroff; and, the Region of Niagara Council, be advised, that the City of Hamilton will be appointing four members to the Niagara Peninsula Conservation Authority Board of Directors, as follows:

- (i) Councillor Brad Clark, Ward 9
- (ii) Councillor Brenda Johnson, Ward 11; and,
- (iii) Two (2) Citizen appointees.

Therefore, please adjust your records accordingly to reflect the immediate appointment of Councillors Clark and Johnson. Upon appointment of the two citizen members, our office will provide you with the names and contact information of the new Board members.

Sincerely,



Stephanie Paparella  
Legislative Coordinator  
Office of the City Clerk

Copied:

The Honourable Rod Phillips, Minister of Environment, Conservation and Parks  
Deputy Minister, Ministry of Environment, Conservation and Parks  
Donna Skelly, MPP, Flamborough-Glanbrook  
Sam Oosteroff, MPP, Niagara West  
Region of Niagara Council c/o Ann-Marie Norio, Regional Clerk  
Selection Committee for Agencies, Boards, Commissions & Sub-Committees (Hamilton)  
Loren Kolar, Legislative Coordinator

**Administration**

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

[www.niagararegion.ca](http://www.niagararegion.ca)

March 1, 2019

**CL 6-2019, February 28, 2019**

Gayle Wood

Interim Chief Administrative Officer, Secretary-Treasurer

Niagara Peninsula Conservation Authority

250 Thorold Road West; 3rd Floor

Welland, ON L3C 3W2

***SENT ELECTRONICALLY*****RE: Niagara Peninsula Conservation Authority Board Appointments****CL-C 18-2019**

Regional Council at its meeting held on Thursday, February 28, 2019, passed the following resolution:

1. That Correspondence Item CL-C 18-2019, being a memorandum from A.-M. Norio, Regional Clerk, dated February 28, 2019, respecting Niagara Peninsula Conservation Authority Board Appointments, **BE RECEIVED**;
2. That Regional Council **EXTEND** the appointments of Councillors Bylsma, Chiochio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, on the Niagara Peninsula Conservation Authority Board for an additional period of three months;
3. That the Niagara Peninsula Conservation Authority Board **BE REQUESTED** to provide recommendations respecting Board composition and the recommended qualifications and process for appointments to the Board to Regional Council for consideration;
4. That the Board of Directors of the NPCA **DETERMINE** the types of skills and/or experience required on this Board of Directors based on the mandate of the NPCA and subsequently providing a skills matrix for purposes of selecting those members to Regional Council before the end of April 2019;
5. That staff **BE DIRECTED** to develop a process that all lower tier municipalities can follow to determine who they will recommend as their representatives to the NPCA Board of Directors before the end of May 2019; and

6. That staff **BE DIRECTED** to develop a process that will determine a fair and acceptable mix of politicians to be responsible to Niagara taxpayers to serve on the NPCA Board of Directors along side those chosen via the skills matrix before the end of May 2019.

A copy of Correspondence Item CL-C 18-2019 is attached for your information.

Yours truly,



Ann-Marie Norio  
Regional Clerk

CLK-C 2019-062

Cc: Local Area Clerks  
J. Pilon, Acting City Clerk, City of Hamilton  
E. Eichenbaum, Clerk, Haldimand County

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## MEMORANDUM

CL-C 18-2019

**Subject: Niagara Peninsula Conservation Authority Board Appointments**

**Date: February 28, 2019**

**To: Regional Council**

**From: Ann-Marie Norio, Regional Clerk**

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At its meeting held on December 6, 2018, Regional Council passed the following resolution:

*That twelve (12) Regional Councillors representing Niagara Region, one from each municipality in the Niagara Region, **BE APPOINTED** to replace the current Niagara Region representatives, on an interim basis, on the Niagara Peninsula Conservation Authority Board, effective immediately for a period of three months until it is determined how to proceed with the Board composition.*

Council subsequently passed the following resolution:

*That Councillors Bylsma, Chiocchio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, **BE APPOINTED** to the Niagara Peninsula Conservation Authority Board for a three month period.*

In accordance with the above motion, the appointment of the members of the current board will expire on March 6, 2019. The appointment of the current Regional representatives on the NPCA Board was for a limited duration but with full authority to act respecting all matters of the Board.

The Clerk's Office has received correspondence from some local area municipalities respecting a local appointee to the NPCA Board (attached as Appendix 1). Niagara Region's Procedural By-law does not contain any provisions respecting appointments to the NPCA Board nor are there any policies related to this matter.

Section 4 of the *Conservation Authorities Act*, provides that a regional municipality shall be a participating municipality in place of the local municipalities within the regional municipality and shall appoint to the authority the number of members which the local municipality would otherwise have been entitled as participating municipalities.

Past practice with respect to the Board appointment of twelve (12) representatives, one from each local area municipality, has been to first ask the Regional Councillors who represent the municipality requiring representation whether or not they are willing to sit as a member of the Board. In the event that there is no interest from a Regional

Councillor of that municipality, the local municipal council is notified. The local council then determines how they would like to fill the spot on the Board. This could be with a local municipal councillor or a local citizen.

Council could decide to continue with the current appointment process practice; however, should Council wish to change this, the criteria and process would need to be defined. In considering this issue, Council may wish to seek input from the NPCA Board.

A resolution of Council is required to extend the current Board appointments. Suggested wording is as follows:

That Regional Council **EXTEND** the appointments of Councillors Bylsma, Chiocchio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, on the Niagara Peninsula Conservation Authority Board for an additional <insert period of time>; and

That the Niagara Peninsula Conservation Authority Board **BE REQUESTED** to provide recommendations respecting Board composition and the recommended qualifications and process for appointments to the Board to Regional Council for consideration.

Respectfully submitted and signed by

---

Ann-Marie Norio  
Regional Clerk



## Community Services

### Legislative Services

December 4, 2018

File #120203

Sent via Email: [ann-marie.norio@niagararegion.ca](mailto:ann-marie.norio@niagararegion.ca)

Ann-Marie Norio, Regional Clerk  
Niagara Region  
1815 Sir Issac Brock Way, P.O. Box 1042  
Thorold, ON L2V 4T7

Dear Ms. Norio:

**Re: Appointment to the Niagara Peninsula Conservation**

The Municipal Council of the Town of Fort Erie at its Inaugural Meeting of December 3, 2018 passed the following resolution:

**That:** Council recommends Leah Feor to The Regional Municipality of Niagara's Council as the Town of Fort Erie representative for appointment to the Niagara Peninsula Conservation Authority for the 2018-2022 term of Council.

Leah's contact information is as follows:

Leah Feor  
P.O. Box [REDACTED]  
Crystal Beach, ON L0S 1B0  
Phone: [REDACTED]  
Email: [REDACTED]

Trusting this information will be of assistance to you.

Yours very truly,

Carol Schofield, Dip. M.A.  
Manager, Legislative Services/Clerk  
[cschofield@forterie.ca](mailto:cschofield@forterie.ca)

CS:dlk



**City of Welland  
Legislative Services**

Office of the City Clerk

60 East Main Street, Welland, ON L3B 3X4

**Phone:** 905-735-1700 Ext. 2280 | **Fax:** 905-732-1919

**Email:** clerk@welland.ca | www.welland.ca

January 25, 2019

**File No. 16-129**

SENT VIA EMAIL

Niagara Peninsula Conservation Authority  
250 Thorold Street West, 3<sup>rd</sup> Floor  
Welland, ON L3C 3W2

Attention: Lisa McManus, Chief Administrative Officer and Secretary - Treasurer (Interim)

Dear Ms. McManus:

**Re: January 25, 2019 – WELLAND CITY COUNCIL**

At its meeting of January 25, 2019, Welland City Council passed the following motion:

**“THAT THE COUNCIL OF THE CITY OF WELLAND appoints John Ingrao to the Niagara Peninsula Conservation Authority from January 15, 2019 to November 14, 2022.”**

Yours truly,

Carmela Radice  
Deputy Clerk

TS:cap

c.c.: - A. Norio, Niagara Regional Clerk, sent via email



February 26, 2019

Ann-Marie Norio  
Regional Clerk Niagara Region  
1815 Sir Isaac Brock Way, P.O. Box 1042 Thorold, ON  
L2V 4T7  
Sent via email to [Ann-Marie.Norio@niagararegion.ca](mailto:Ann-Marie.Norio@niagararegion.ca)

**Re:** Niagara Peninsula Conservation Authority

Dear Ms. Norio,

Please be advised that at its meeting held on February 25, 2019, St. Catharines City Council approved the following motion:

WHEREAS on November 12, 2018, City Council directed staff to develop a process for appointing a representative to the Niagara Peninsula Conservation Authority (NPCA) Board to be implemented at the beginning of the 2018 – 2022 Term of Council; and

WHEREAS on December 10, 2018, City Council appointed Councillors Garcia, Miller, and Williamson to the NPCA Nominating Committee for the purpose of reviewing applications and making recommendations for appointment / nomination to the NPCA Board; and

WHEREAS the NPCA Nominating Committee has reviewed all applications and recommends Ed Smith for appointment to the NPCA Board;

THEREFORE BE IT RESOLVED that the City of St. Catharines recommends that Ed Smith be appointed to the NPCA Board as a representative of the City of St. Catharines for the remainder of the 2018 – 2022 Term of Council; and

BE IT FURTHER RESOLVED that the Niagara Region / NPCA be asked to provide a matrix for evaluating applicants; and

BE IT FURTHER RESOLVED that this resolution be forwarded to the Regional Clerk for distribution at Niagara Regional Council.

If you have any questions, please contact the Office of the City Clerk at extension 1524.

A handwritten signature in blue ink, appearing to read "Bonnie Nistico-Dunk".

Bonnie Nistico-Dunk, City Clerk  
Legal and Clerks Services, Office of the City Clerk  
:kn





## **FOMC welcomes Gayle Wood as interim CAO of the NPCA**

The Friends of One Mile Creek (FOMC) in Niagara on the Lake welcomes the appointment by the Niagara Peninsula Conservation Authority (NPCA) of Gayle Wood as Interim Chief Administrative Officer/Secretary-Treasurer effective March 1, 2019.

Wood was appointed by the newly installed NPCA board of directors for a term of 5 months, while the board searches for a permanent CAO with the help of an external hiring firm.

Her recent experience includes Chief Administrative Officer/Secretary-Treasurer to the Nottawasaga Valley, Ganaraska and Lake Simcoe Conservation Authorities. She has worked for the provincial ministries of Natural Resources and the Environment and has experience in the private sector.

“Gayle Wood’s background and experience at other past conservation authorities makes her an ideal candidate to take on the challenge she is faced with at the NPCA,” says Klara Young-Chin on behalf of FOMC.

“We look forward to working in collaboration on restoration/naturalization of the One Mile Creek floodplain as we did in the past. The leadership of NPCA staff is important and needed to continue to improve water quality as part of our One Mile Creek mandate as outlined in the One Mile Creek Watershed Study 2005.”

March 3, 2019

### About Friends of One Mile Creek

Landowners abutting One Mile Creek and other interested individuals in Niagara on the Lake formed the Friends of One Mile Creek (FOMC) in 2003 because of concerns regarding the condition of the creek and associated Lansdowne Pond. Working with the Niagara Peninsula Conservation Authority (NPCA), the group implemented a number of stewardship projects to revitalize the creek’s natural heritage. The goal of Friends of One Mile Creek is to:

“Collaborate with the community and relevant agencies to work efficiently toward restoring and revitalizing the water, wildlife and natural environment of the One Mile Creek watershed.”

More info at: [friendsofonemilecreek.org](http://friendsofonemilecreek.org) or email: [creek@friendsofonemilecreek.org](mailto:creek@friendsofonemilecreek.org)



## **NIAGARA FALLS NATURE CLUB**

P.O. BOX 901, NIAGARA FALLS, ONTARIO, L2E 6V8.

March 4, 2019

Gayle Wood

CAO

Niagara Peninsula Conservation Authority

250 Thorold Road West; 3rd Floor

Welland, ON L3C 3W2

Dear Ms. Wood:

On behalf of the members of the Niagara Falls Nature Club (NFNC), I would like to extend our welcome to you as you begin your term as the CAO of the Niagara Peninsula Conservation Authority (NPCA).

Our club members have enjoyed volunteering on NPCA projects such as the Natural Areas Inventory and the Envirothon.

We treasure the comradeship we have had in the past with many of the front-line scientific staff.

We deeply appreciate the NPCA conservation areas where we have enjoyed many nature walks.

We look forward to a new era of co-operation between the NFNC and the NPCA.

Sincerely,

Joyce Sankey, Conservation Director

Niagara Falls Nature Club

[jsankey@cogeco.ca](mailto:jsankey@cogeco.ca)

[niagarafallsnatureclub.org](http://niagarafallsnatureclub.org)

**Administration**

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

[www.niagararegion.ca](http://www.niagararegion.ca)

March 4, 2019

**CL 6-2019, February 28, 2019****PEDC 2-2019, February 20, 2019****PDS 2-2019, February 20, 2019****LOCAL AREA MUNICIPALITIES****NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA)****NIAGARA HOME BUILDERS ASSOCIATION****SENT ELECTRONICALLY**Environmental Planning Function Overview

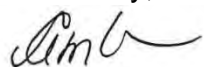
PDS 2-2019

Regional Council, at its meeting held on February 28, 2019, passed the following recommendation of its Planning and Economic Development Committee:

1. That Report PDS 2-2019, dated February 20, 2019, respecting Environmental Planning Function Overview, **BE RECEIVED**; and
2. That a copy of Report PDS 2-2019 **BE CIRCULATED** to the Local Area Municipalities, Niagara Peninsula Conservation Authority (NPCA), and the Niagara Home Builders Association.

A copy of PDS 2-2019 is enclosed for your reference.

Yours truly,

A handwritten signature in black ink, appearing to read "Ann-Marie Norio".

Ann-Marie Norio

Regional Clerk

:jg

CLK-C 2019-057

|     |             |  |
|-----|-------------|--|
| cc: | J. Whittard | Manager, Environmental Planning, Planning and Development Services         |
|     | N. Oakes    | Executive Assistant to the Commissioner, Planning and Development Services |
|     | R. Mostacci | Commissioner, Planning and Development Services                            |

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**Subject:** Environmental Planning Function Overview

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, February 20, 2019

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## **Recommendations**

1. That Report PDS 2-2019 **BE RECEIVED** for information; and,
2. That a copy of Report PDS 2-2019 **BE CIRCULATED** to the Local Area Municipalities, Niagara Peninsula Conservation Authority (NPCA), and the Niagara Home Builders Association.

## **Key Facts**

- The purpose of this report is to outline the roles and responsibilities of the Region for the delivery of environmental planning services versus those of the NPCA.
- The Region is responsible for review of planning applications, secondary plans, and studies to ensure compliance with Regional Official Plan and Provincial policies related to the natural environment.
- As per the Protocol for Planning Services between the Regional Municipality of Niagara (the Region) and the Niagara Peninsula Conservation Authority (NPCA) (first approved in 2008 and updated in 2011, 2014 and 2018), the NPCA assumed responsibility for environmental planning reviews on the Region's behalf until 2018, after which the NPCA returned the responsibility to the Region.
- The NPCA continues to be responsible for review of planning applications in NPCA-regulated areas in accordance with the Conservation Authorities Act and Ontario Regulation 155/06, as well as interpretation and enforcement of the Niagara Region Tree and Forest Conservation Bylaw.

## **Financial Considerations**

Financial costs resulting from the Region resuming responsibility for review of natural environmental matters can be accommodated through the proposed 2019 Operating Budget. The proposed budget includes a Regional fee for environmental review of planning applications taking effect in April 2019.

## Analysis

### Background

In 2007, the Niagara Region, Local Area Municipalities, and NPCA signed a Memorandum of Understanding (MOU) which transferred to the NPCA the responsibility for review of all planning applications (e.g., Draft Plans of Subdivision or Condominium, Official Plan or Zoning Bylaw Amendments, Consents/Boundary Adjustments, etc.) with respect to natural heritage interests and stormwater management. As outlined in the MOU and subsequent *Protocol for Planning Services between the Region and the NPCA* (2008), the NPCA agreed to ensure applications were compliant with all Regional Official Plan and relevant Provincial policies related to the natural environment. This transfer of review responsibility from the Region to the NPCA was premised on a consolidated 'one window' approach since the NPCA is also involved in planning application reviews pursuant to the *Conservation Authorities Act* and Ontario Regulation 155/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. Funding was provided to the NPCA to support this increased role.

In September 2017, the NPCA informed Niagara Region that it would no longer take on the responsibility for planning application and stormwater management reviews from a Regional and Provincial natural heritage perspective. The *Protocol for Planning Services between the Region and the NPCA* was updated to reflect this change in consultation with the Local Area Municipalities Working Group (Area Planners) and the Niagara Home Builders Association. The Updated Protocol was approved by Council in January 2018 (Appendix 1) and a transition plan was implemented, including the use of consulting services until operationalization of the Regional Environmental Planning team in mid- 2018.

### Key Policy Considerations

The 2014 Provincial Policy Statement (PPS) contains overall policy direction for the protection and management of natural heritage and water resources, as well as other Provincial interests. The Growth Plan for the Greater Golden Horseshoe (2017), together with the Greenbelt Plan (2017) and the Niagara Escarpment Plan (2017), builds on the PPS to identify where future growth should occur and what must be protected. Through Official Plans, Zoning Bylaws and other tools, Niagara Region and its Local Area Municipalities are responsible for ensuring local planning decisions are consistent with all Provincial and Regional policies.

According to Provincial and Regional policies, development or site alteration is not permitted within features referred to in the Regional Official Plan as Environmental Protection Areas (EPA). Subject to the findings of an Environmental Impact Study (EIS), development or site alteration is permitted on lands adjacent to EPAs and within or

adjacent to features referred to in the Regional Official Plan as Environmental Conservation Areas (ECA).

The Core Natural Heritage System (NHS) in Niagara Region consists of EPA and ECA features, plus the Water Resources System and potential natural heritage corridors connecting these features. The Core NHS is generally shown on Regional Official Plan Schedule C and internal Geographic Information Systems (GIS) mapping. However, the boundaries may be defined more precisely, or additional areas identified, through an EIS or other studies required through the planning process.

### EIS Guidelines

The Region's EIS Guidelines (PDS 8-2018) outline the EIS process, requirements, and criteria by which the EIS requirements may be waived for small scale developments. Administrative updates are planned to reflect changing Provincial legislation, and provide clarifications and additional checklists. It is anticipated that the updated guidelines will be circulated to the Planning and Economic Development Committee for information purposes in mid-2019.

### Niagara Region Roles and Responsibilities

As per the Protocol (Appendix 1), the Region is responsible for review of planning applications and technical clearance services related to the above-listed EPA and ECA natural heritage features. In addition, the Region is also responsible for water resources, including the protection of both groundwater and surface water features, sensitive areas, and stormwater management. Generally, the Region's Environmental Planning team involvement in planning applications includes:

- Participation in pre-consultation meetings as required, including identification of EIS triggers or alternatives to reduce EIS or other study requirements;
- Site visit(s), EIS scoping and Terms of Reference approval;
- Review and comment on EIS/EIS Addendums; and
- Clearance of conditions.

Regional Official Plan policies currently state that within Settlement Areas (urban boundaries), the local municipality must be satisfied with the EIS, in consultation with the Region and NPCA. Outside Settlement Areas, the Region must be satisfied with the EIS, in consultation with the local municipality and NPCA.

With respect to Species at Risk (SAR) (i.e., endangered or threatened species), Regional staff currently require sign-off on the development application from the Ministry of Natural Resources and Forestry (MNRF) when the EIS identifies the potential for impacts to SAR habitat.

Stormwater management responsibilities (Appendix 1) are currently conducted through Infrastructure Planning and Development Engineering within the Planning and Development Services Department.

### NPCA Roles and Responsibilities

As per the 2001 MOU between Conservation Ontario, the Ministry of Natural Resources and Forestry (formerly the Ministry of Natural Resources), and the Ministry of Municipal Affairs and Housing, the NPCA continues to be responsible for Provincial policy interests related to natural hazards as outlined in Section 3.1 of the PPS. In addition, the NPCA is also responsible for planning application, policy and technical clearance reviews related to regulated watercourses and wetlands in accordance with the *Conservation Authorities Act* and Ontario Regulation 155/06.

The NPCA Policy Document (November 2018) provides the policies for administration of NPCA's mandate under Ontario Regulation 155/06 and its delegated roles and responsibilities within the planning and approvals process.

NPCA planning application review responsibilities overlap with those of the Region when development or site alteration is proposed within or adjacent to wetlands, or when a natural heritage feature is also regulated by the NPCA (e.g., significant valleylands that provide wildlife habitat and linkage functions are also susceptible to erosion and flooding, a regulated watercourse provides fish habitat, etc.). Where there may be policy conflicts between the Regional Official Plan and the NPCA Regulation and/or Board adopted policies, currently the NPCA Regulation takes precedence.

### Niagara Region Tree and Forest Conservation Bylaw

The NPCA has administered and enforced the Niagara Region Tree and Forest Conservation Bylaw on the Region's behalf since August 1, 2008. The Bylaw currently requires that a Good Forestry Practices permit be obtained prior to any commercial tree harvesting or non-commercial removals in EPAs or designated Natural Areas under the Niagara Escarpment Plan. Its overarching purpose is to prohibit the clearing of woodland, with the following key exceptions:

- To remove dead or hazard trees;
- To remove diseased trees as per a Forest Management Plan;
- For municipal purposes, by a municipality;
- For agricultural purposes, with conditions;
- In accordance with a Tree Saving Plan approved as part of a development project; or
- Where a building permit has been issued by a local municipality.

The Bylaw was last updated in 2008. As such, updates are planned to reflect changing Provincial legislation, better align the Bylaw with current Niagara Region Official Plan policies, and provide enhanced processes for administration and enforcement. It is anticipated that the Bylaw will be updated through a public consultation process, inclusive of Local Area Municipality representatives and agency stakeholders. It is anticipated that an information report regarding the proposed Bylaw update program will be presented to Planning and Economic Development Committee by mid-2019.

### **Alternatives Reviewed**

Delivery of environmental planning services is obligatory pursuant to the *Ontario Planning Act* (1990), Provincial Policy Statement (2014) and other legislation. No alternatives were reviewed as this report is for information purposes only.

### **Relationship to Council Strategic Priorities**

*Doing Business Differently* was a strategic priority of Regional Council. Updates to the Protocol will improve the delivery of planning services across the region and provide more certainty and clarity for current and future property owners and investors.

### **Other Pertinent Reports**

- PDS 8-2018 – Environmental Impact Study Guidelines – Administrative Update (March 7, 2018)
- PDS 2-2018 – Protocol for Planning Services Between the Regional Municipality of Niagara (The Region) and the Niagara Peninsula Conservation Authority (January 10, 2018)
- PDS 49-2017 – MOU Planning Services in Niagara (November 8, 2017)



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**Prepared by:**

Jennifer Whittard, B.E.S., PMP  
Manager, Environmental Planning  
Planning and Development Services

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**Recommended by:**

Rino Mostacci, MCIP, RPP  
Commissioner  
Planning and Development Services

---

**Submitted by:**

Ron Tripp, P.Eng  
Acting Chief Administrative Officer

*This report was reviewed by Diana Morreale, MCIP, RPP, Director, Development Approvals, Adèle Labbé, B.Sc., MPlan, Senior Environmental Planner, and Sean Norman, PMP, MCIP, RPP, Senior Planner.*

**Appendices**

Appendix 1 Protocol for Planning Services Between the Regional Municipality of Niagara (The Region) and the Niagara Peninsula Conservation Authority (January 2018)

**Protocol**

For Planning Services

Between

the Regional Municipality of Niagara (The Region)

And

the Niagara Peninsula Conservation Authority (NPCA)

January 2018

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**Appendix A** - Excerpt from the 2001 Memorandum of Understanding on Procedures to Address Conservation Authority Delegated Responsibility

**Appendix B** - Excerpt from the Provincial Policy Statement 2014 – Conservation Responsibility for Natural Hazards

**Appendix C** - Excerpt from the Ontario Regulation 155/06 Niagara Peninsula Conservation Authority: Regulation of Development, Interface with Wetlands and Alterations to Shorelines and Watercourses

## 1.0 Basis

In 2007, the Niagara Region, local area municipalities and NPCA signed a Memorandum of Understanding (“MOU”) for improving the planning function in Niagara with the ultimate goal of having *“an integrated and seamless planning system that is embraced and easily understood by Councils, the public, applicants and staff that encourages participation in policy development and application processing.”*

Part 3 of the MOU - *Consolidation of the Review of Planning Applications as they Relate to the Natural Environment* - assigned to the NPCA certain responsibilities as part of its review of development applications<sup>1</sup> and proposed policy, and providing technical clearance services with respect to compliance with the Regional Official Plan and Provincial Policies and Plans. Specifics of this assignment of function were detailed in the *Protocol for Plan Review and Technical Clearance* (“Protocol”) between the Region and NPCA, which was approved in 2008.

The MOU was reviewed and revised in 2011 and again in 2014. The Protocol has not been updated since its inception in 2008.

The MOU and Protocol have succeeded in managing relationships, reducing duplication and effecting continuous improvements. Since that time changes have occurred in Niagara in terms of legislation, relationships, resources, and growth that have impacted the established roles and responsibilities, particularly with respect to the review of environmental matters.

Through this revised Protocol, the NPCA and the Region will establish a new framework within which the NPCA will provide specified updated services to the Region.

This 2018 Protocol is intended to replace in its entirety the 2008 Protocol. Subsequent to the approval of the 2018 Protocol, the MOU will be updated to incorporate the approved revised functions and other aspects of the planning program in Niagara Region.

This Protocol has been prepared for the Niagara Region and NPCA by an Area Planners MOU Working Group consisting of senior representatives from Niagara Region, NPCA and local municipalities.

## 2.0 Purpose

The purpose of this Protocol is to:

- Redefine, clarify and set out a new Protocol within which the NPCA will provide specified planning application, policy and technical review services to the Region;
- Identify the respective roles and responsibilities of the NPCA and the Region in Ontario’s Land Use Planning System with respect to environmental matters;
- Provide direction for consistent and streamlined circulation and review procedures for all applications under the *Planning Act*, *Environmental Assessment Act*, and *Niagara Escarpment Planning and Development Act*;
- Reinforce the positive relationship between the NPCA and the Region;
- Allow the NPCA and Region to focus on provincially mandated responsibilities, and
- Provide increased decision making autonomy.

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<sup>1</sup> Including *Planning Act*, *Niagara Escarpment and Development Act* applications, and *Environmental Assessments*

## 3.0 Definitions

### 3.1 Planning Application Review means:

- The review of planning applications (including formal preconsultation) under the *Planning Act, the Niagara Escarpment Planning, and Development Act and the Environmental Assessment Act*;
- The identification of the need for and review of related technical reports (including scoping); and
- The identification of conditions of approval.

### 3.2 Policy Review means:

- The review of existing or new policy documents, including but not limited to stormwater management guidelines, watershed studies, secondary plans and background studies; and
- The identification of the need for and review of related technical reports.

### 3.3 Technical Clearance Review means:

- The assessment of technical reports submitted by a proponent of development to determine if the reports satisfy the specified requirements; and
- The clearing of conditions.

### 3.4 Lead Agency means:

- The organization responsible for the principal review of an environmental feature located within or in proximity to land subject to a planning application to ensure compliance and conformity with all applicable legislation and regulations; and
- The organization responsible for the principal review of proposed policies, studies, guidelines or Environmental Assessments as they relate to environmental features to ensure compliance and conformity with all applicable legislation and regulations.

### 3.5 Environment Feature means:

- All of the environmental features identified in the first column of Table 1 of this Protocol.

### 3.6 Natural Hazards means:

- Those environmental features identified in Table 1 of this Protocol as natural hazards and/or identified in the 2014 Provincial Policy Statement Section 3.1.

## 4.0 Principles

This Protocol is based upon the following principles:

1. Adoption of improvements to the planning application processes which results in streamlining and consistency.
2. Direction that interpreting policy is the responsibility of the organization writing and approving that policy unless delegated by the approving authority.
3. Continuing cooperation between the NPCA and the Region.
4. Effective communication and collaboration.
5. Effective, proactive planning<sup>2</sup>.
6. Effective leveraging of resources to deliver planning application, policy and technical clearance reviews.
7. Eliminate overlap in planning application review processes to the extent possible.

## 5.0 Jurisdiction

This Protocol applies to those lands within the Regional Municipality of Niagara.

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<sup>2</sup> Proactive planning refers to preparing new or updating existing comprehensive studies and guidelines that assist in the early identification of issues and the need for additional study, and include, but are not limited to, watershed and sub-watershed planning, stormwater guidelines, master servicing plans, updates to Schedule C of the Regional Official Plan, etc.

## 6.0 Roles and Responsibilities

### 6.1 NPCA

- 6.1.1 The NPCA, through the *Memorandum of Understanding between Conservation Ontario, the Ministry of Municipal Affairs and Housing and the Ministry of Natural Resources and Forestry*, is responsible for providing the Provincial interest comments on policy documents and development applications related to natural hazards (Section 3.1 of the Provincial Policy Statement except Section 3.1.8). See Appendices A and B. Specifically, the NPCA will provide planning application, policy and technical clearance reviews to ensure consistency with the Provincial Policy Statement related to flooding hazards, erosion hazards, dynamic beach hazards, unstable soils and unstable bedrock. This function is not impacted by this Protocol.
- 6.1.2 The NPCA has legislated responsibilities under the *Conservation Authorities Act* (see Appendix C) and will continue to provide planning application and technical clearance reviews pursuant to the NPCA Regulation, as administered through Board approved policies. This function is not impacted by this Protocol.
- 6.1.3 The NPCA will provide the services as identified in Table 1, Table 2 and Table 3.
- 6.1.4 The NPCA will review Region-initiated studies and projects, pursuant to the NPCA Regulation, as administered through Board approved policies, and to the Memorandum of Understanding between the Province and the Conservation Authorities, as a commenting agency without fee to the Region.
- 6.1.5 The NPCA will provide comments on Environmental Assessments pursuant to the NPCA Regulation, as administered through Board approved policies, and pursuant to the Memorandum of Understanding between the Province and the Conservation Authorities.
- 6.1.6 The NPCA will actively participate in formal pre-consultation meetings with developers and landowners when environmental features identified in Table 1 (when the NPCA is the Lead Agency) have potential to be impacted. To help ensure a consistent planning application review and a coordinated message, the NPCA and Region, together with the local municipality, will participate in pre-consultation meetings at the same time with the proponents. The NPCA will work to scope the complete application requirements related to environmental matters prior to the preconsultation meeting. Should the NPCA determine that no environmental features (where the NPCA is identified as the Lead Agency as shown in Table 1) will be impacted, the NPCA will notify the approving authority and may not attend the pre-consultation meeting.
- 6.1.7 The NPCA will scope Environment Impact Studies (EIS) and review the Terms of Reference (ToR) for EIS and similar reports to ensure *natural hazards* and NPCA Regulation/Policy are addressed.
- 6.1.8 Where the NPCA is identified as the Lead Agency on Table 1, the NPCA will provide Technical Clearance on the EIS with respect to those environmental features only.
- 6.1.9 The NPCA will copy the Region on all responses to requests for comment on development planning, technical clearance and policy matters.
- 6.1.10 Nothing in this Protocol shall limit the NPCA from independently appealing a decision or lack of a decision to the Ontario Municipal Board (OMB) or other tribunal. The NPCA will provide notice of an appeal to the Region and local municipality at the time of appeal.
- 6.1.11 The NPCA will provide the Region with its Regulatory Screening Map and provide regular updates.

## 6.2 Niagara Region

- 6.2.1 The Region will provide planning application review and technical clearance services as identified in Tables 1, 2 and 3, to ensure consistency with the Regional Official Plan, Provincial Policies, Provincial Plans, the Provincial Policy Statement (except Section 3.1 Natural Hazards policies 3.1.1 to 3.1.7), and matters of Provincial Interest.
- 6.2.2 The Region shall circulate to the NPCA for planning application review and/or technical clearance, all Regionally led planning applications, studies or Environmental Assessments that are located in or adjacent to a NPCA property or within a regulated feature/area.
- 6.2.3 The Region in its review of *Planning Act* and *Escarpment Planning and Development Act* applications and *Environmental Assessments* will comment on stormwater management, as identified in Table 3, in accordance with MOECC Stormwater Management Guidelines as well as the NPCA Stormwater Management Guidelines until such time as new stormwater management guidelines are approved by the Region.
- 6.2.4 The Region will review NPCA-initiated studies and projects without fee to the NPCA.
- 6.2.5 The Region will actively participate in formal preconsultation meetings with developers and landowners. To help ensure a consistent planning application review and a coordinated message, the NPCA and Region, together with the local municipality, will participate in preconsultation at the same time with the proponents.
- 6.2.6 Prior to a formal pre-consultation meeting, the Region will work to scope the complete application requirements related to environmental features by identifying environmental features that will be need to be addressed in an Environment Impact Study<sup>3</sup> (EIS). Where the NPCA, Region and/or local municipality have identified interests, the Lead Agency (see Table 2) will consult with those parties on the review of the EIS Terms of Reference.
- 6.2.7 Where the Region is identified as the Lead Agency on Table 1, the Region will provide Technical Clearance on EIS with respect to those environmental features.
- 6.2.8 Nothing in this Protocol shall limit the Niagara Region from independently appealing a decision or lack of a decision to the Ontario Municipal Board (OMB) or other tribunal.
- 6.2.9 The Region will be responsible for preparation and maintenance of a comprehensive natural environment screening map, incorporating the NPCA Regulatory screening map as provided and updated by the NPCA.

## 7.0 Coordination of Environmental Comments on Development Applications

The MOU, as may be revised, gives overall directions for the coordination of development applications, policy and Environmental Assessments review. For the purposes of clarity with respect to environmental features, the NPCA will review the following list of applications in accordance with the Conservation Ontario MOU with the Province and ensure that they are consistent with the NPCA Regulation, NPCA Board adopted Policies and Section 3.1. Natural Hazards of the Provincial Policy Statement (except Section 3.1.8). This may include providing comments directly to MMAH as part of the provincial one window process. The NPCA will copy the Region and local municipality on all correspondence.

- Regional Official Plan and Amendments
- Local Official Plans and Amendments

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<sup>3</sup> Includes characterisation reports, natural heritage systems reports and other environmental reports.



- Zoning By-laws and Amendments
- Subdivisions/Condominiums
- Environmental Assessments
- Other Development Applications including: Site Plan, Consents, Minor Variances and NEC Development Permits

## 8.0 Protocol Terms and Implementation

The Region and NPCA agree to the following:

### 8.1 Monitoring and Cancellation

This Protocol will be reviewed and amended concurrent with the Memorandum of Understanding between the local municipalities, NPCA and Region to:

- Reflect any changing policies or programs at the provincial, watershed, or regional level, and
- Assess its effectiveness, relevance and appropriateness with respect to the affected parties.

### 8.2 Transition of Responsibilities

When a complete<sup>4</sup> development application, Notice of Commencement for an Environmental Assessment (EA) or major study (such as a Secondary Plan) has been received by the NPCA from a local area municipality or the Region prior to the effective date of this Protocol, the NPCA will continue to review the application consistent with the NPCA's roles and responsibilities identified in the 2008 Protocol in accordance with a matrix of open files to be prepared by the Region and NPCA, after which the files will transition to the 2018 Protocol provisions and the Region will assume responsibility.

In an effort to continue the timely reviews of development applications, EAs and major studies during the transition period, the NPCA may support the Region by providing expertise as needed on a fee for service basis; alternatively the Region may hire consultants as necessary.

### 8.3 Overlapping Mandate

There will be occasions when the responsibilities of the NPCA and the Region overlap. On those occasions, both parties shall work together to provide consistent and sound comments. This will be accomplished by maintaining open dialogue and a good working relationship.

### 8.4 Conflict

- a) Where this Protocol is in conflict with the 2014 MOU, this Protocol will take precedence.
- b) Where there is conflict between new (changing) legislation and this Protocol, new legislation will take precedence.
- c) Subject to paragraph (d) below, where there is a conflict between the Region's Official Plan, the NPCA Regulation and/or Board adopted policies, the Regulation shall take precedence.

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<sup>4</sup> As determined by the approving authority generally as identified through pre-consultation and shown on the Pre-consultation Form/Letter.

- d) Where there are policy conflicts only, Regional, NPCA and local municipal staffs will work together to resolve the issue. If all efforts fail to resolve a policy conflict, a decision will be made by the approval authority, as per Table 2.

### **8.5 Streamlining**

Further streamlining of the planning review process, as it relates to Provincial, NPCA and regional/local interests, is encouraged.

### **8.6 Information Sharing / Open Data**

Any information or data sources generated by the Province, NPCA or Region, or generated through municipal or watershed studies will be shared, where possible.

### **8.7 Fees**

- a) The Region will collect the NPCA Fee for applications to amend the Region's Official Plan and remit any fees collected upon circulation of the application to the NPCA; fees for planning review and technical clearance services will be set by the NPCA;
- b) The NPCA will be responsible for collecting any further processing, approvals and/or Final Clearance Fees, if required; and,
- c) The NPCA will provide the Region and the local municipalities with an approved schedule of fees and updates.

### **8.8 Effective Date**

This Protocol will take effect on the last date signed by the parties to this Protocol.

Date of Regional Council approval \_\_\_\_\_.

Date of NPCA Board approval \_\_\_\_\_.

**Table 1: Responsibilities for Planning Application Review with Respect to Environmental Features**

| <b>Environmental Features</b>                | <b>Lead Agency</b> | <b>Mandate Authority</b>                             | <b>Planning Application and Policy Review Agency</b> | <b>Technical Clearance Review</b> |
|--|--------------------|--|--|-----------------------------------|
| Natural Hazards <sup>5</sup>                 |                    |  |  |                                   |
| Flooding Hazards, Floodways and Floodplains  | NPCA               | PPS Section 3.1, MOU with Province, O. Reg. 155/06   | NPCA   | NPCA                              |
| Dynamic Beach and Erosion Hazards            | NPCA               | PPS Section 3.1, MOU with Province, O. Reg. 155/06   | NPCA   | NPCA                              |
| Hazardous Lands and Hazardous Sites          | NPCA               | PPS Section 3.1, MOU with Province, O. Reg. 155/06   | NPCA   | NPCA                              |
| Riverine Hazards                             | NPCA               | PPS Section 3.1, MOU with Province, O. Reg. 155/06   | NPCA   | NPCA                              |
| Regulated Watercourses                       | NPCA               | PPS Section 3.1, MOU with Province, O. Reg. 155/06   | NPCA   | NPCA                              |
| Wildland Fires                               | Region             | PPS Section 3.1.8                                    | Region   | Region                            |
| Natural Heritage                             |                    |  |  |                                   |
| Wetlands                                     | NPCA/Region        | O. Reg. 155/06<br>PPS Section 2.1, ROP               | NPCA/Region  | NPCA/Region                       |
| Habitat of Endangered and Threatened Species | MNRF               | Endangered Species Act (Federal and Provincial), ROP | Region   | MNRF                              |
| Significant Woodlands                        | Region             | PPS Section 2.1, ROP                                 | Region   | Region                            |
| Significant Wildlife Habitat                 | Region             | PPS Section 2.1, ROP                                 | Region   | Region                            |

<sup>5</sup> For the purposes of this document reference to PPS Section 3.1 includes Policies 3.1.1 to 3.1.7 only.

| Environmental Features                                    | Lead Agency | Mandate Authority                            | Planning Application and Policy Review Agency | Technical Clearance Review |
|---|-------------|--|---|----------------------------|
| Significant Valleylands                                   | Region      | PPS Section 2.1, ROP                         | Region  | Region                     |
| Significant ANSIs (life and earth)                        | Region      | PPS Section 2.1, ROP                         | Region  | Region                     |
| Fish Habitat  | DFO         | Fisheries Act,<br>PPS Section 2.1, ROP       | Region  | DFO                        |
| Water Resource  |             |  |   |                            |
| Vulnerable Groundwater Areas                              | Region      | PPS Section 2.2, ROP                         | Region  | Region                     |
| Groundwater Features                                      | Region      | PPS Section 2.2, ROP                         | Region  | Region                     |
| Stormwater Management                                     | Region      | PPS Section 2.2, ROP                         | Region / Local                                | Region                     |
| Key Hydrologic Features                                   | Region      | Provincial Plans, ROP                        | Region  | Region                     |
| Sensitive Water Features                                  | Region      | PPS Section 2.2, ROP                         | Region  | Region                     |
| Significant Groundwater Recharge Areas                    | Region      | Provincial Plans, ROP                        | Region  | Region                     |
| Significant Surface Water Contribution Areas              | Region      | Provincial Plans, ROP                        | Region  | Region                     |
| Intake Protection Zones/Vulnerable Surface Water Features | Local       | Clean Water Act 2006<br>PPS Section 2.2, ROP | Region /Local                                 | N/A                        |

**Acronyms from Table 1**

DFO – Depart of Fisheries and Oceans

NEC – Niagara Escarpment Commission

O. Reg. 155/06 - Provincial Legislation with respect to the Niagara Peninsula Conservation Authority: Regulation of Development, Interference with wetlands and Alteration to Shorelines and Watercourses.

PPS - Provincial Policy Statement 2014

ROP – Regional Official Plan

**Table 2: Implementation Responsibilities**

| Processes / Reports / Submissions                   | Lead Agency               | Responsibility for Final Approval |
|---|---------------------------|-----------------------------------|
| Application Processes                               |                           |                                   |
| Regional Official Plan/Amendments                   | Region                    | Region                            |
| Local Official Plan/Amendments                      | Local                     | Local / Region <sup>6</sup>       |
| Zoning By-Law/Amendments                            | Local                     | Local                             |
| Draft Plans of Subdivision                          | Local                     | Local                             |
| Site Plan   | Local                     | Local                             |
| Draft Plan of Condominium                           | Local                     | Local                             |
| Minor Variance/Permissions                          | Local                     | Local                             |
| Consent/Boundary Adjustments                        | Local                     | Local                             |
| NEC Applications                                    | NEC                       | NEC                               |
| Building Permits                                    | Local                     | Local                             |
| Aggregate Licence                                   | Local / Region / MNRF     | MNRF                              |
| Environmental Assessments                           | Local / Region / Province | Local / Region / Province         |
| Reports / Studies                                   |                           |                                   |
| EIS in a NPCA Regulated Area                        | NPCA                      | NPCA                              |
| EIS outside Settlement Area <sup>7</sup>            | Region                    | Region                            |
| EIS inside Settlement Area <sup>8</sup>             | Local                     | Local                             |
| Watershed Studies                                   | Region                    | Region                            |
| Subwatershed Studies                                | Local                     | Local                             |
| Technical Reports for Natural Hazard Identification | NPCA                      | NPCA                              |
| Regional Master Servicing Plans                     | Region                    | Region                            |
| Regional Stormwater Guidelines                      | Region                    | Region                            |

**Notes for Table 2:**

- (i) The responsibility for the Review of Environmental Features is as noted in Table 1
- (ii) The responsibility for Technical Clearance of Environmental Features is as noted in Table 1

<sup>6</sup> Regional Official Plan Policies 14.E.7 and 14.E.8 identify criteria under which approval of Local Official Plan Amendment amendments may be delegated to the local Council for approval.

<sup>7</sup> Notwithstanding the EIS is outside the Settlement Area, if the EIS includes a NPCA Regulated Area, the NPCA shall be the Lead and responsible for Final Approval of the EIS for the regulated features.

<sup>8</sup> Notwithstanding the EIS is within the Settlement Area, if the EIS includes a NPCA Regulated Area, the NPCA shall be the Lead and responsible for Final Approval of the EIS for the regulated features.

**Table 3: Responsibilities for Stormwater Management Review with Respect to Area of Interest**

| Area of Interest   | NPCA | Region | MOECC | Local |
|--|------|--------|-------|-------|
| Determination of need for Stormwater Report – Quality and Quantity   |      | ✓      |       | ✓     |
| Review of Stormwater Report  |      | ✓      | ✓     | ✓     |
| Location of Facility with Respect to Vision of Area  |      |        |       | ✓     |
| Location of Facility with Respect to Natural Hazards   | ✓    |        |       |       |
| Location of Facility with Respect to Functionality   |      | *      |       | ✓     |
| Confirmation of Drainage Areas   |      | *      |       | ✓     |
| Sizing of Facility with Respect to Quality, Erosion and Quantity Controls, including Release Rates and Settling Calculations |      | ✓      |       | ✓     |
| Other Potential Impacts on Receiving Watercourse (e.g. thermal, water balance, etc)  |      | ✓      |       |       |
| Outlet Structure and Spillway Design   |      | ✓      | ✓     | ✓     |
| Outlet to Watercourse (if necessary)   | ✓    |        | ✓     |       |
| Safety – Side Slopes, Grating, Grading, Emergency Access   |      | ✓      |       | ✓     |
| Landscaping/Re-vegetation  |      |        |       | ✓     |
| Long Term Maintenance  |      |        | ✓     | ✓     |
| Major and Minor Flow Conveyance (internal to subdivision)  |      |        |       | ✓     |
| Hydraulic Gradeline Analysis of Storm Sewer and Outlet   |      |        |       | ✓     |

\*The Region will be involved in instances where the drainage of a Regional Road may be impacted.

## **Appendix A - Excerpt from the Memorandum of Understanding on Procedures to Address Conservation Authority Delegated Responsibility**

Conservation Ontario, Ministry of Natural Resources & Ministry of Municipal Affairs and Housing

Memorandum of Understanding on Procedures to Address Conservation Authority Delegated Responsibility

2001

### **Purpose of the MOU**

The MOU defines the roles and relationships between Conservation Authorities (CAs), the Ministry of Natural Resources (MNR), and the Ministry of Municipal Affairs and Housing (MMAH) in planning for implementation of CA delegated responsibilities under the Provincial One Window Planning System...

### **Roles and Responsibilities**

#### Conservation Authorities (CAs)

- a) The CAs will review policy documents and development proposals processed under the Planning Act to ensure that the application has appropriate regard to Section 3.1 of the PPS. [see Appendix C]
- b) Upon request from MMAH, CAs will provide comments directly to MMAH on planning matters related to Section 3.1 of the PPS as part of the provincial one window review process.
- c) Where there may be a potential conflict regarding a Conservation Authority's comments on a planning application with respect to Section 3.1 of the PPS and comments from provincial ministries regarding other Sections of the PPS, the Ministry of Municipal Affairs and Housing will facilitate discussions amongst the affected ministries and the Conservation Authority so that a single integrated position can be reached.
- d) CAs will apprise MMAH of planning matters where there is an issue as to whether there has been "regard to" Section 3.1 of the PPS to determine whether or not direct involvement by the province is required.
- e) Where appropriate, CAs will initiate an appeal to the OMB to address planning matters where there is an issue as to whether there has been "regard to" Section 3.1 of the PPS is at issue. CAs may request MMAH to support the appeal.
- f) CAs will participate in provincial review of applications for Special Policy Area approval.
- g) CAs will work with MMAH, to develop screening and streamlining procedures that eliminate unnecessary delays and duplication of effort.

## **Appendix B - Excerpt from the Provincial Policy Statement 2014 – Conservation Responsibility for Natural Hazards**

### **3.1 Natural Hazards**

3.1.1 Development shall generally be directed to areas outside of:

- a. hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards;
- b. hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and
- c. hazardous sites.

3.1.2 *Development and site alteration* shall not be permitted within:

- a. the dynamic beach hazard;
- b. defined portions of the flooding hazard along connecting channels (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
- c. areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and
- d. a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

3.1.3 Planning authorities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards.

3.1.4 Despite policy 3.1.2, *development and site alteration* may be permitted in certain areas associated with the *flooding hazard along river, stream and small inland lake systems*:

- a. in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes or modifications; or
- b. where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

3.1.5 *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:



- a. an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
- b. an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
- c. uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

3.1.6 Where the *two zone concept* for *flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources.

3.1.7 Further to policy 3.1.6, and except as prohibited in policies 3.1.2 and 3.1.5, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

- a. development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
- b. vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c. new hazards are not created and existing hazards are not aggravated; and
- d. no adverse environmental impacts will result.<sup>9</sup>

3.1.8 *Development* shall generally be directed to areas outside of lands that are unsafe for *development* due to the presence of *hazardous forest types for wildland fire*.

Development may however be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.<sup>10</sup>

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<sup>9</sup> Policy 3.1.7 of the PPS was added to the PPS in 2014, and was not part of the Memorandum of Understanding on Procedure to Address Conservation Authority Delegated Responsibility in 2001 between Conservation Ontario, Ministry of Natural Resources & Ministry of Municipal Affairs and Housing. However, Policy 3.1.7 provides clarity to Policies 3.1.2 and 3.1.5 and therefore could be considered part of the NPCA mandate.

<sup>10</sup> Policy 3.1.8 of the PPS was added to the PPS in 2014, and was not part of the Memorandum of Understanding on Procedures to Address Conservation Authority Delegated Responsibility in 2001 between Conservation Ontario, Ministry of Natural Resources & Ministry of Municipal Affairs and Housing. As wildland fire is a new hazard, it should not be considered part of the NPCA mandate unless the Province gives further direction on this matter.

## **Appendix C - Excerpt from the Ontario Regulation 155/06 Niagara Peninsula Conservation Authority: Regulation of Development, Interface with Wetlands and Alterations to Shorelines and Watercourses**

### **Development prohibited**

2. (1) Subject to section 3, no person shall undertake development or permit another person to undertake development in or on the areas within the jurisdiction of the Authority that are,

(a) 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 beaches, including the area from the furthest offshore extent of the Authority's boundary to the furthest landward extent of the aggregate of the following distances:

(i) the 100 year flood level, plus the appropriate allowance for wave uprush shown in the most recent document entitled "Lake Ontario Shoreline Management Plan" available at the head office of the Authority,

(ii) the 100 year flood level, plus the appropriate allowance for wave uprush shown in the most recent document entitled "Lake Erie Shoreline Management Plan" available at the head office of the Authority,

(iii) the predicted long term stable slope projected from the existing stable toe of the slope or from the predicted location of the toe of the slope as that location may have shifted as a result of shoreline erosion over a 100-year period,

(iv) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement shown in the most recent document entitled "Lake Ontario Shoreline Management Plan" available at the head office of the Authority, and

(v) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement shown in the most recent document entitled "Lake Erie Shoreline Management Plan" available at the head office of the Authority;

(b) river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse, the limits of which are determined in accordance with the following rules:

(i) where the river or stream valley is apparent and has stable slopes, the valley extends from the stable top of bank, plus 15 metres, to a similar point on the opposite side,

(ii) where the river or stream valley is apparent and has unstable slopes, the valley extends from the predicted long term stable slope projected from the existing stable

slope or, if the toe of the slope is unstable, from the predicted location of the toe of the slope as a result of stream erosion over a projected 100-year period, plus 15 metres, to a similar point on the opposite side,

(iii) where the river or stream valley is not apparent, the valley extends the greater of,

(A) the distance from a point outside the edge of the maximum extent of the flood plain under the applicable flood event standard, to a similar point on the opposite side, and

(B) the distance of a predicted meander belt of a watercourse, expanded as required to convey the flood flows under the applicable flood standard, to a similar point on the opposite side;

(c) hazardous lands;

(d) wetlands; or

(e) other areas where development could interfere with the hydrologic function of a wetland, including areas up to 120 metres of all provincially significant wetlands and wetlands greater than 2 hectares in size, and areas within 30 metres of wetlands less than 2 hectares in size. O. Reg. 155/06, s. 2 (1); O. Reg. 71/13, s. 1 (1-3).

(2) All areas within the jurisdiction of the Authority that are described in subsection (1) are delineated as the "Regulation Limit" shown on a series of maps filed at the head office of the Authority under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses". O. Reg. 71/13, s. 1 (4).

(3) If there is a conflict between the description of areas in subsection (1) and the areas as shown on the series of maps referred to in subsection (2), the description of areas in subsection (1) prevails. O. Reg. 71/13, s. 1 (4).

**Administration**

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March 4, 2019

**CL 6-2019, February 28, 2019**  
**PEDC 2-2019, February 20, 2019**  
**PDS 3-2019, February 20, 2019**

***DISTRIBUTION LIST***

***SENT ELECTRONICALLY***

Development Applications Monitoring Report – 2018 Year End  
PDS 3-2019

Regional Council, at its meeting held on February 28, 2019, passed the following recommendation of its Planning and Economic Development Committee:

1. That Report PDS 3-2019, dated February 20, 2019, respecting Development Applications Monitoring Report - 2018 Year End, **BE RECEIVED**; and
2. That a copy of Report PDS 3-2019 **BE CIRCULATED** to Local Area Municipalities, the Niagara Peninsula Conservation Authority, Niagara Home Builders Association, Niagara Industrial Association, local Chambers of Commerce and School Boards.

A copy of PDS 3-2019 is enclosed for your reference.

Yours truly,



Ann-Marie Norio  
Regional Clerk

:jg

CLK-C 2019-059

Distribution List

|             |  |
|-------------|--|
| L. Earl     | Senior Development Planner, Planning and Development Services              |
| N. Oakes    | Executive Assistant to the Commissioner, Planning and Development Services |
| R. Mostacci | Commissioner, Planning and Development Services                            |
|             | Local Area Municipalities  |
|             | Niagara Peninsula Conservation Authority                                   |
|             | Niagara Home Builders Association  |
|             | Niagara Industrial Association   |
|             | Local Chambers of Commerce   |
|             | Local School Boards  |

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**Subject:** Development Applications Monitoring Report - 2018 Year End

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, February 20, 2019

---

## **Recommendations**

1. That Report PDS 3-2019 **BE RECEIVED** for information; and,
2. That a copy of Report PDS 3-2019 **BE CIRCULATED** to Local Area Municipalities, the Niagara Peninsula Conservation Authority, Niagara Home Builders Association, Niagara Industrial Association, local Chambers of Commerce and School Boards.

## **Key Facts**

- The purpose of this report is to inform Regional Council of 2018 development application activity in Niagara Region.
- Regional Development Planning and Engineering staff reviewed 718 development applications in 2018.
- Regional Development Planning and Engineering staff attended 548 Pre-Consultation Meetings in 2018.
- The Region received \$1,089,932 in review fees for development applications in 2018 (31% increase over 2017 fees).

## **Financial Considerations**

There are no direct financial implications associated with this report.

## **Analysis**

### **Development Applications**

Regional Development Services staff reviewed 718 development applications in 2018 representing a minimal 1.6% decrease over the 2017 application total (730). Figure 1 illustrates the number of applications considered by Development Planning and Engineering staff from 2013 to 2018 indicating high development activity levels and a general upward trend plateauing over the past few years. These development applications are circulated to the Region based on Provincial legislation requirements and the existing Memorandum of Understanding between the Region and local area municipalities for planning in Niagara.

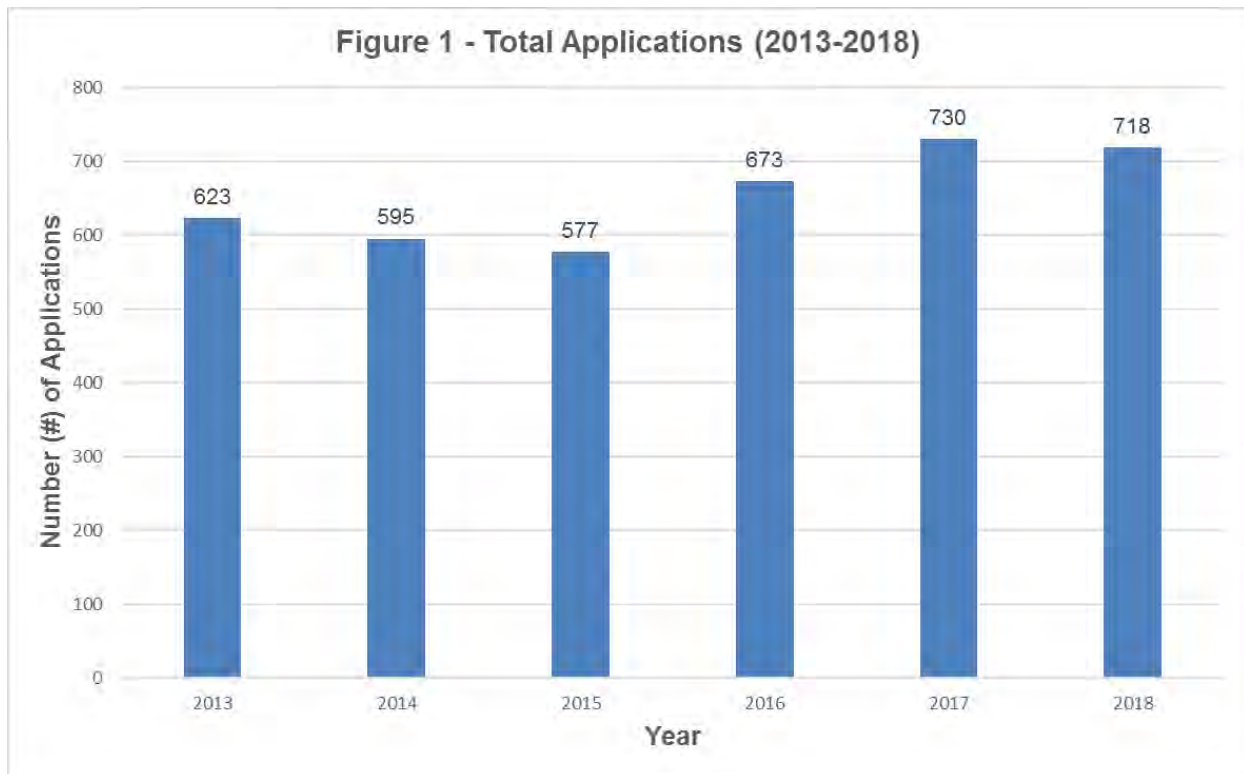
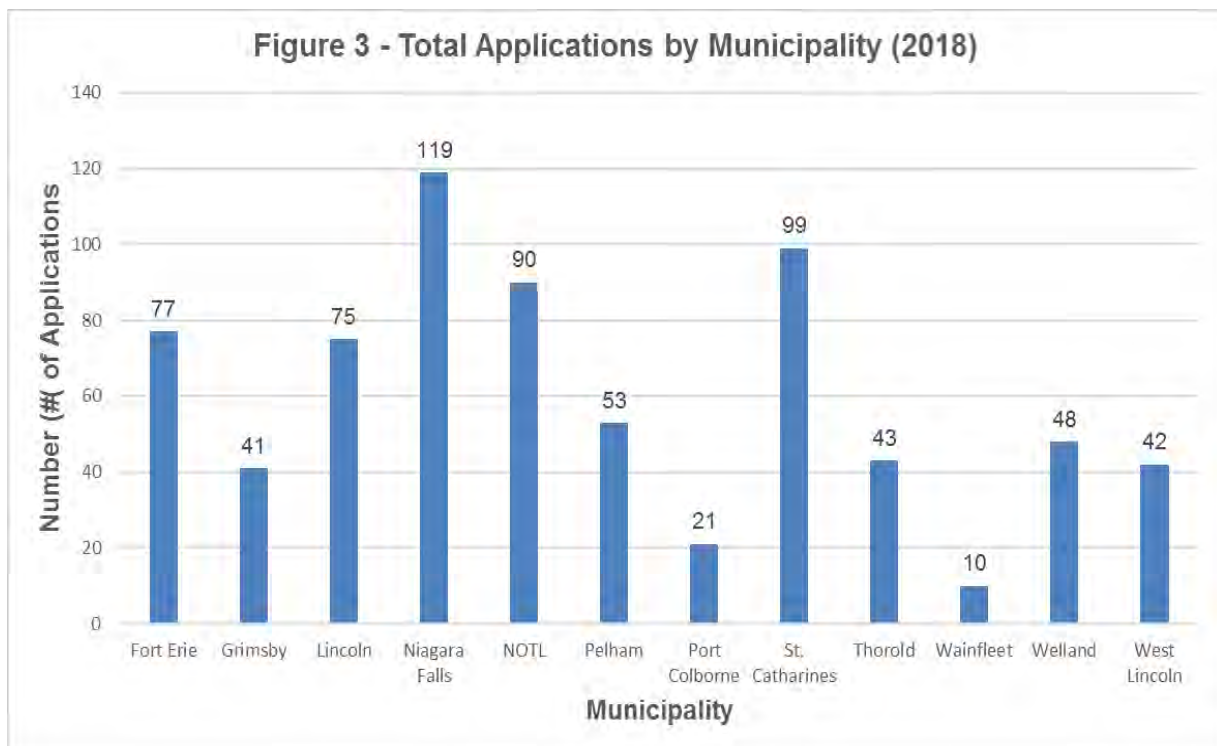
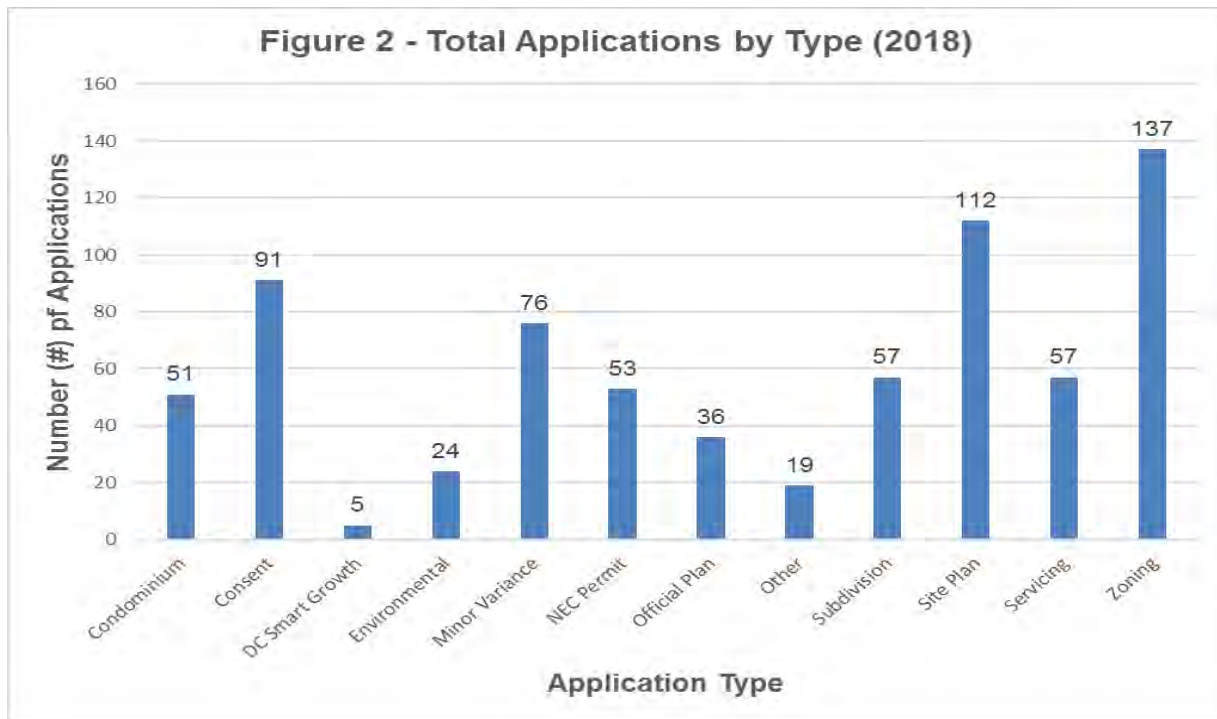


Figure 2 provides the breakdown of the development application types reviewed by Regional staff in 2018. The more complex development proposals often require multiple planning approvals. As an example, subdivision and condominium applications may also need amendments to the municipal Official Plan and Zoning By-law to facilitate the development. The categories with the most applications considered by Regional staff were Zoning By-law amendments (137), followed by Site Plan (112), Consent/ Severance (91), and Minor Variance (76).

The distribution of applications circulated to the Region by local area municipalities during 2018 is shown on Figure 3. This information indicates relatively high levels of development activity in several communities. The municipalities with the most applications in the year were Niagara Falls (119), St. Catharines (99), Niagara-on-the-Lake (90), Fort Erie (77), and Lincoln (75).





## Preconsultation Meetings

Development Services staff are scheduled to attend regular preconsultation meeting sessions two days each month in each local municipal office. These meetings with developers, property owners, local staff and agencies determine complete application submission requirements and assist in the processing of applications. In 2018, Regional staff attended 548 preconsultation meetings which is a 12% decrease compared to the 2017 total (see Figure 4). It is not uncommon for municipalities to experience these reduced numbers (in applications and preconsultation meetings) during a municipal election year. As the number of preconsultation meetings is an indicator of future development applications, Regional staff are expecting that development applications and preconsultation meeting numbers will resume an upward trend for 2019.

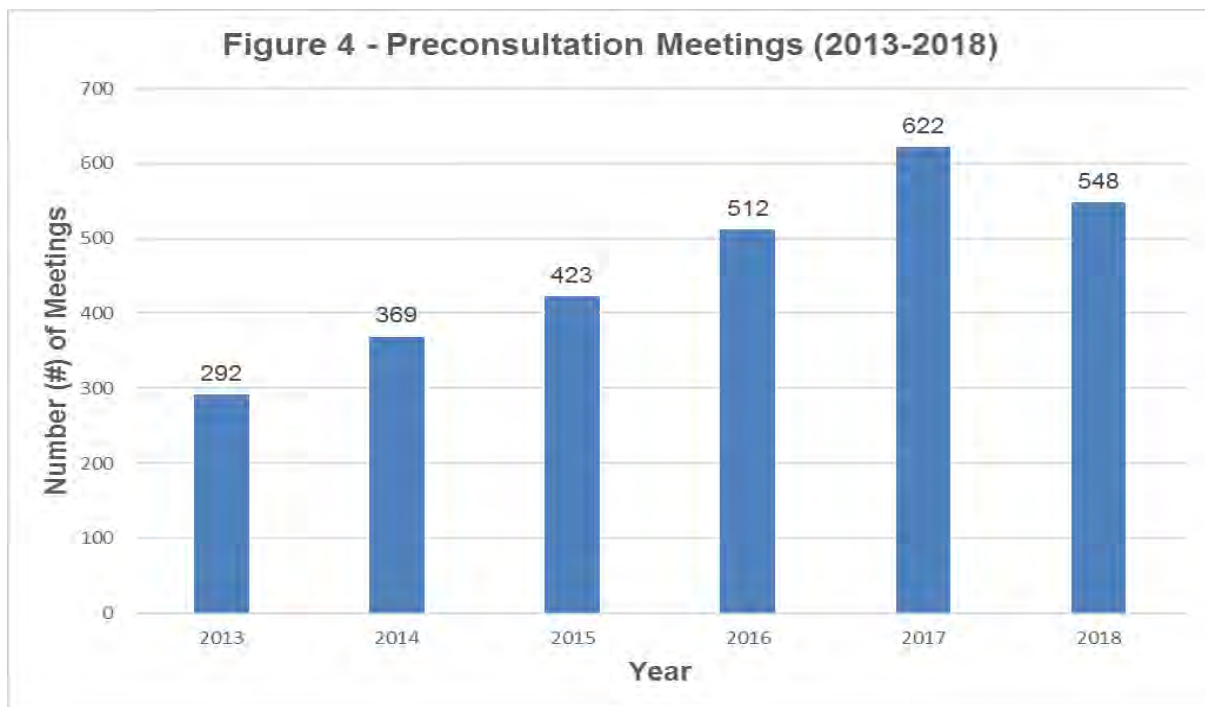
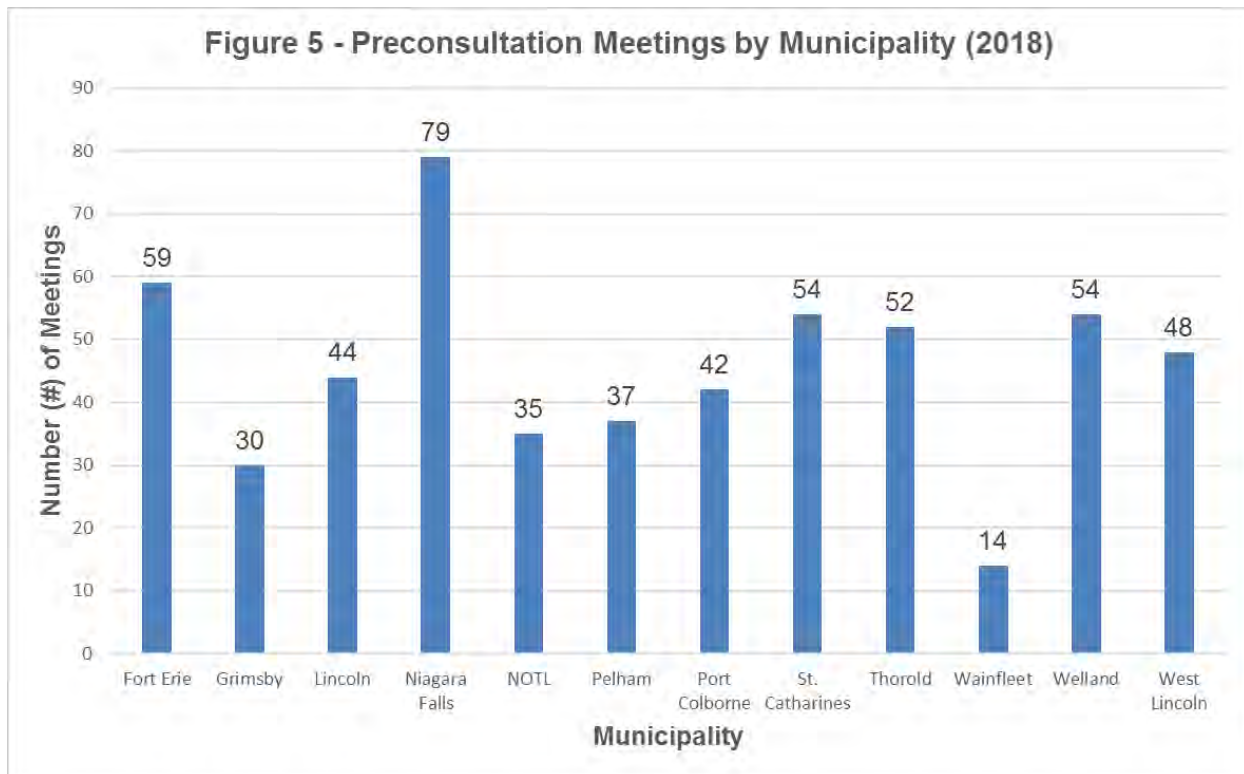
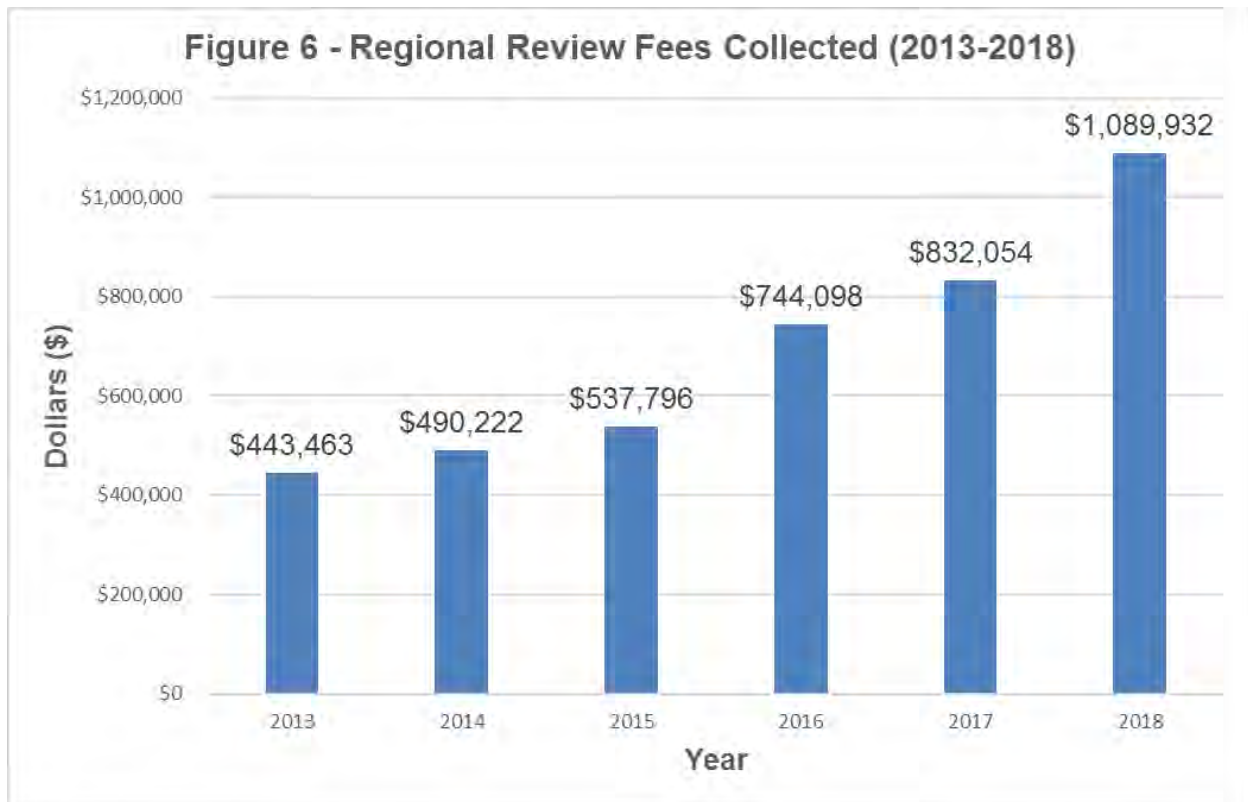


Figure 5 illustrates the number of Preconsultation Meetings by municipality in 2018 that involved Regional staff. The municipalities with the highest levels of preconsultation activity were Niagara Falls (79), followed by Fort Erie (59), St. Catharines and Welland (54 each) and Thorold (52).



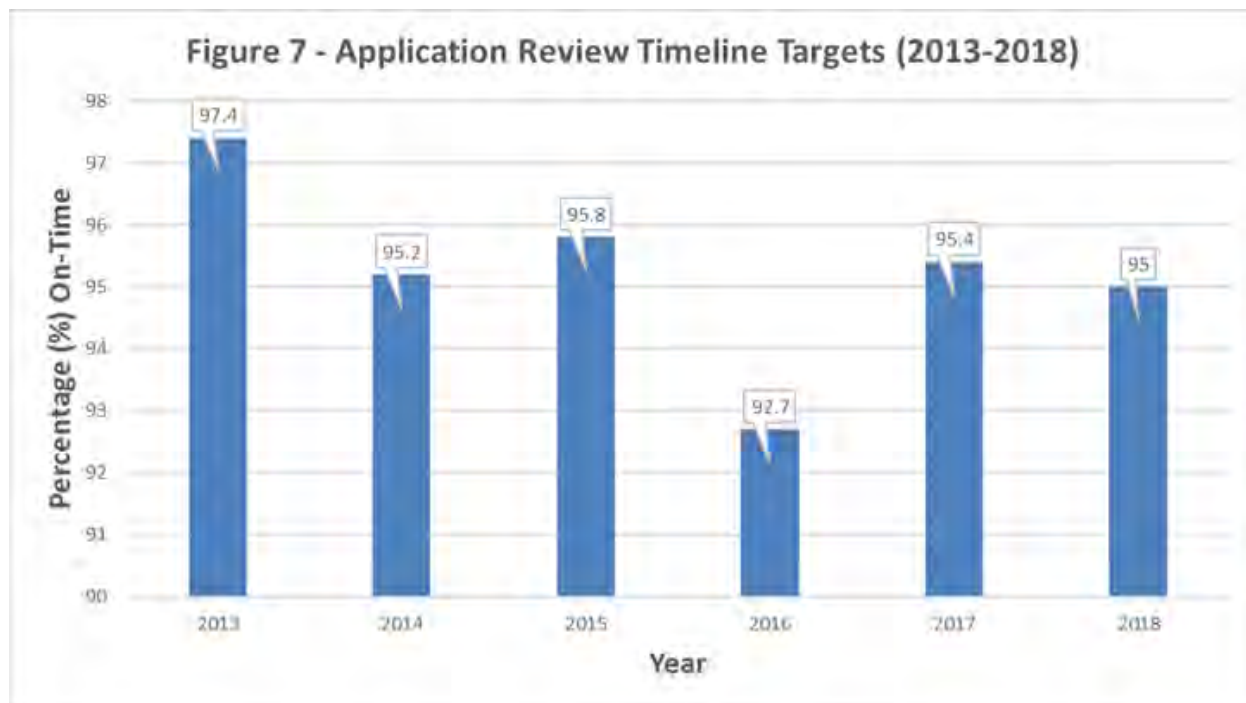
### Regional Review Fees

Regional review fees are intended to offset Regional costs for the development review service. Figure 6 summarizes the fees collected between 2013 and 2018 for the Regional review of development applications. The 2018 total of \$1,089,932 represents an increase of 31% over 2017. The 31% increase is due to a number of large development applications (i.e. Prudhommes Landing Subdivision); the increase in our review fee schedule; and the addition of Urban Design and Stormwater Management Reviews.



#### Application Review Timelines

Timeline response targets for municipal and agency files vary according to application type (complexity) and are established by Planning Act regulations and the current Memorandum of Understanding between the Region and the local area municipalities. The Region consults with municipal staff to establish local priorities and in several cases, extensions were granted to initial comment periods. This arrangement allowed for the resolution of issues, submission of additional information where required and addressed workload demands. Based on this consultation and cooperation with local municipal staff, Regional staff provided review comments satisfying timeline targets for 95% of all Development Planning and Engineering applications with due dates in 2018 as outlined in Figure 7.



#### Commissioner Comments

In 2018, Regional Development Services assumed the responsibility for review of the Natural Heritage policies in the Region's Official Plan in accordance with the revised Environmental Protocol with the Niagara Peninsula Conservation Authority.

In order to review service delivery and ensure Regional Planning continues to add value to the application review and approval process for local municipalities and developers/investors, an update to the Memorandum of Understanding is nearing completion.

The increased level of development in recent years represents a "new normal" for the Region. Regional Development Planning has adjusted its approach and practices to be solution oriented and proactive. By providing ongoing support to our local Municipalities, the Region strives to realize complete community planning outcomes that encourage the best possible development throughout the Region.

It is important to keep in mind that the development approval process is not intended to be a substitute for community planning. While some municipalities have relied on the development approval process in past to achieve their land use objectives, this is not a best practice and cannot be sustained on a go forward basis – municipalities will have to invest and increase their capacity for proactive planning such as Secondary Plans and Neighbourhood Plans in order to achieve desirable result and meet expectations.

## **Alternatives Reviewed**

None.

## **Relationship to Council Strategic Priorities**

This report provides information on development application activity that contributes to strong economic prosperity throughout the communities within the Niagara Region.

## **Other Pertinent Reports**

- PDS 25-2018: Niagara Region Mid-Year 2018 Growth Monitoring Report
- PDS 23-2018: 2017 Year End Development Planning Applications Monitoring Report

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### **Prepared by:**

Lindsay Earl, MCIP, RPP  
Senior Development Planner  
Planning and Development Services

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### **Recommended by:**

Rino Mostacci, MCIP, RPP  
Commissioner  
Planning and Development Services

---

### **Submitted by:**

Ron Tripp, P. Eng  
Acting Chief Administrative Officer

*This report was reviewed by Pat Busnello, MCIP, RPP, Manager Development Planning and Diana Morreale, MCIP, RPP, Director, Development Approvals.*

**Administration**

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**PDS 10-2019, February 20, 2019**

**LOCAL AREA MUNICIPALITIES**

**NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA)**

**SENT ELECTRONICALLY**

Update on Natural Environment Work Program – New Regional Official Plan

PDS 10-2019

Regional Council, at its meeting held on February 28, 2019, passed the following recommendation of its Planning and Economic Development Committee:

1. That Report PDS 10-2019, dated February 20, 2019, respecting Update on Natural Environment Work Program – New Regional Official Plan, **BE RECEIVED**; and
2. That Report PDS 10-2019 **BE CIRCULATED** to the Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

A copy of PDS 10-2019 is enclosed for your reference.

Yours truly,



Ann-Marie Norio

Regional Clerk

:jg

CLK-C 2019-058

|     |             |  |
|-----|-------------|--|
| cc: | S. Norman   | Senior Planner, Planning and Development Services                          |
|     | N. Oakes    | Executive Assistant to the Commissioner, Planning and Development Services |
|     | R. Mostacci | Commissioner, Planning and Development Services                            |

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**Subject:** Update on Natural Environment Work Program – New Regional Official Plan

**Report to:** Planning and Economic Development Committee

**Report date:** Wednesday, February 20, 2019

---

## **Recommendations**

1. That Report PDS 10-2019 **BE RECEIVED** for information; and,
2. That Report PDS 10-2019 **BE CIRCULATED** to the Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

## **Key Facts**

- This purpose of this report is to provide an update on the natural environment work program for the new Regional Official Plan including background, work completed to date, and next steps.
- Natural environment planning is a complex and evolving science. There is a wide range of changing Provincial requirements, guidance, and direction; scientific and technical requirements; industry best practices; and local context that must be taken into consideration.
- Natural environment planning is highly-integrated with agricultural system planning. Both natural environment and agricultural systems are foundations of the new Regional Official Plan.
- PDS 6-2018 was the Project Initiation Report for the natural environment work program. The report was presented to Planning and Economic Development Committee on January 31, 2018 and sought direction to begin the consultation program and to prepare a more detailed project framework.
- PDS 18-2018 was the detailed project framework for the natural environment work program, and was endorsed by Planning and Economic Development Committee on April 25, 2018.

## **Financial Considerations**

The costs associated with the natural environment work program can be accommodated within the Council approved Regional Official Plan project budget.

## **Analysis**

### Background

Since approval in 1973, first as the Regional Policy Plan, the Regional Official Plan has not been comprehensively updated. The historical structure of the Regional Official Plan never contemplated the comprehensive long range planning guidance required by the current contemporary Provincial planning requirements. A new Regional Official Plan that reflects Provincial Policy and up-to-date current planning practice is required.

By approval of Report PDS 40-2016, Council endorsed the approach of the preparation of a new Regional Official Plan from start to finish rather than a series of site specific topic amendments.

Subsequently, PDS 41-2017 outlined eight background studies that needed to be initiated as a first priority towards the development of the new Regional Official Plan. Four of these are generally classified as they relate to growth: land needs assessment, employment lands strategy, urban structure, and a regional housing strategy. The remaining four are generally classified as resource and environment related: aggregates, climate change, agriculture, and natural environment.

PDS 6-2018 was the project initiation report for the natural environment work program and sought direction to consult with Area Planners and local municipal planning staff. During that consultation process the scope, methodology, and key issues to be incorporated in the work program were confirmed. PDS 18-2018 provided a summary of the early consultation process; framework for the work program moving forward; an outline of the proposed consultation and engagement process; and a schedule for reporting to Committee and Council. That reporting scheduled identified that a status report on the project would be made in Q1 2019.

### Scope

Through early consultation with the Area Planners group and other stakeholders the scope of the natural environment work program was refined and confirmed. The natural environment work program will include evaluation and consideration of:

- Natural Heritage Features:
  - All features as identified in the PPS (Provincial Policy Statement) and Provincial Plans including woodlands, wetlands, wildlife habitat, habitat of endangered and threatened species, fish habitat, significant valleylands, etc.



- Hydrologic Features:
  - All features as identified in the PPS and Provincial Plans including streams, seepage areas, wetlands, etc.
  - Significant work to date on the Region's watercourse identification and mapping project (known as the "contemporary mapping of watercourses")
- Water Resource Systems:
  - Groundwater systems
  - Surface water systems
- Natural Hazards:
  - All features as identified in the PPS and Provincial Plans including flooding hazards, erosion hazards, and dynamic beach hazards, etc.
  - Wildland Fires as per Section 3.1.8 of the PPS.
- Provincial Natural Heritage Systems:
  - Greenbelt Natural Heritage System and Urban River Valley designation
  - Growth Plan Natural Heritage System
- Niagara Escarpment Plan as it relates to the municipal planning process
- Watershed Planning & Stormwater Management

Although there will be a connection with some of the 'in scope' items, this project will not result in the development of Official Plan policies related to:

- Aggregates & Petroleum Resources
- Source Water Protection

#### Framework for Natural Environment Work Program

As outlined previously in further detail in PDS 18-2018, the natural environment work program will be undertaken as follows. A consulting team has now been retained to undertake Phases 2-6 and to support Region staff with Phase 7 and 8. Phase 9, which is the development of other implementation tools is outside of this work program and will be considered once the Regional Official Plan policies have been developed and endorsed.

- Phase 1 - Project Initiation and Procurement
- Phase 2 - Background Study and Discussion Papers for Mapping and Watershed Planning Priority Areas
- Phase 3 - 1st Point of Engagement: Inform on Background Study
- Phase 4 - Develop Options for the Natural System(s)

- Phase 5 - 2nd Point of Engagement: Consultation on Options for the Natural System(s)
- Phase 6 - Develop Regional Natural System(s)
- Phase 7 - Develop Official Plan Policies & Finalize Mapping
- Phase 8 - 3rd Point of Engagement: Draft OP Policies and Schedules
- Phase 9 – Other Implementation Tools

#### Work Completed to Date

Since the endorsement of PDS 18-2018, Region staff have completed Phase 1 of the work program which included: preparing a request for proposal (RFP) document, undertaking a procurement process, and retaining a consulting team. A Technical Advisory Group (TAG) comprising of local, NPCA, and provincial planning staff has also been formed.

Phase 2 of the work program is well underway and has included a meeting of the TAG as well as several meetings with a mapping working group which was formed to support the development of the high-priority mapping discussion paper.

#### Next Steps

The next steps in the work program are the completion of mapping and watershed planning discussion papers, followed by the comprehensive background study. These studies will provide the necessary background information for the system and policy development and are the foundation of the work program moving forward.

Following this is the 1<sup>st</sup> major point of engagement with the full range of stakeholders. The purpose of this point of engagement is to educate and share the findings of the background studies. Public open houses and presentations to local councils will also be completed during the 1<sup>st</sup> point of engagement.

#### **Alternatives Reviewed**

N/A

#### **Relationship to Council Strategic Priorities**

The natural environment work program is part of the new Regional Official Plan which will assist in implementing Council's Strategic Priority of Innovation, Investment, & Entrepreneurship.

## Other Pertinent Reports

- PDS 40-2016 – Regional Official Plan Update
- PDS 41-2017 – New Official Plan Structure and Framework
- PDS 3-2018 – New Official Plan Update
- PDS 6-2018 – Natural Environment Project Initiation Report
- PDS 18-2018 – Natural Environment – Project Framework

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### Prepared by:

Sean Norman, PMP, MCIP, RPP  
Senior Planner  
Planning and Development Services

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### Recommended by:

Rino Mostacci, MCIP, RPP  
Commissioner  
Planning and Development Services

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### Submitted by:

Ron Tripp, P. Eng  
Acting Chief Administrative Officer

*This report was prepared in consultation with Karen Costantini, Planning Analyst – Regional Official Plan, and reviewed by Erik Acs, MCIP, RPP, Manager, Community Planning, Dave Heyworth, MCIP, RPP, Official Plan-Policy Consultant, and Doug Giles, Director, Community and Long Range Planning.*



Vibrant • Creative • Caring

March 8, 2019

Town of Fort Erie  
1 Municipal Centre Drive  
Fort Erie, Ontario  
L2A 2S6

Attention: Carol Schofield, Manager, Legislative Services / Clerk

Dear Ms. Schofield:

**Town of Fort Erie – Participation of Local Municipalities in the Financial Administration  
and Governance of Conservation Authorities**

At their regular meeting of March 4<sup>th</sup>, 2019, Council of the Town of Pelham received your correspondence and endorsed the following:

**BE IT RESOLVED THAT Council receive correspondence from the Town of Fort Erie dated February 26, 2019, for information.**

On behalf of Council, thank you for your correspondence.

Yours very truly,

A handwritten signature in blue ink, appearing to read "Nancy J. Bozzato", is written over the typed name.

(Mrs.) Nancy J. Bozzato, *Dipl.M.M., AMCT*  
Town Clerk

/hw

cc: Hon. Doug Ford, Premier of Ontario, [premier@ontario.ca](mailto:premier@ontario.ca)  
Hon. John Yakabouski, Minister of Natural Resources and Forestry,  
[john.yakabuskico@pc.ola.org](mailto:john.yakabuskico@pc.ola.org)  
Dave Bylsma, Niagara Peninsula Conversation Authority Chair, [dbylsma@npca.ca](mailto:dbylsma@npca.ca)  
David Barrick, Niagara Peninsula Conservation Authority, Interim CAO/Secretary Treasurer,  
[dbarrick@npca.ca](mailto:dbarrick@npca.ca)  
Rose Caterini, City Clerk, City of Hamilton, [clerk@hamilton.ca](mailto:clerk@hamilton.ca)  
Evelyn Eichenbaum, Clerk, Haldimand County, [eeichenbaum@haldimandcounty.on.ca](mailto:eeichenbaum@haldimandcounty.on.ca)  
Jim Bradley, Regional Chair, [jim.bradley@niagararegion.ca](mailto:jim.bradley@niagararegion.ca)  
Anne-Marie Norio, Regional Clerk, Niagara Region, [ann-marie.norio@niagararegion.ca](mailto:ann-marie.norio@niagararegion.ca)  
Niagara Area Municipalities  
Local MPPs

From the Clerk's Department



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**Report To: Board of Directors**

**Subject: Communications Update Report- January to March 2019**

**Report No: FA-17-19**

**Date: March 20, 2019**

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**RECOMMENDATION:**

1. That the Communications Update Report No. FA-17-19 be **RECEIVED** for information.

**PURPOSE:**

To provide the Board of Directors with an update of media exposure surrounding the work of the NPCA since January 2019. This report will serve as a quick overview of media interviews, media releases, social media statistics, and events from January 2019 to March 10, 2019.

It is the goal of the Interim CAO, in collaboration with the NPCA Communications Department, to establish a regular media coverage and communications update report, which will be provided to the Board of Directors at least on a quarterly basis, and monthly when necessary or when there is an update to provide.

To assist with this, it would be helpful for Board Members to liaise with the Communications Department in advance of media interviews, until such time that the Communications & Social Media Protocol is updated for the consideration of the Board of Directors. This will ensure consistency and the inclusion of these in the reports.

**DISCUSSION:**

Providing media coverage reports and communications updates may help the Board of Directors understand how the NPCA and its brand are performing in the media. Moving forward, these reports will include information including but not limited to coverage trends, reach and impressions, overarching messaging, and tonality.

This information will provide a clear picture of the NPCA's overall prominence in the media, positive versus negative coverage, and what drives the sentiments behind that coverage.

**Media Interviews**

1. Interim Board takes control of the NPCA: <https://www.stcatharinesstandard.ca/news-story/9114059-interim-board-takes-control-of-npca/>
2. NPCA on the road to change: <https://www.stcatharinesstandard.ca/news-story/9121954-npca-on-the-road-to-change-says-new-board-chair/>
3. Member Zalepa 610: <http://www.iheartradio.ca/610cktb/audio/gary-zalepa-regional-councillor-1.8691038>

4. Vice-Chair Huson 610 Jan. 28: <http://www.iheartradio.ca/610cktb/audio/5-30-roundtable-with-noel-buckley-and-diana-huson-1.8699534>
5. Member Foster 610 Feb. 3: <http://www.iheartradio.ca/610cktb/audio/rob-foster-regional-councillor-1.8709817>
6. Member Chiocchio 610 Feb. 13: <http://www.iheartradio.ca/610cktb/audio/pat-chiocchio-regional-council-1.8744497>
7. Member Zalepa 610 Feb. 21: <http://www.iheartradio.ca/610cktb/audio/nPCA-board-trims-budget-by-1-6-million-1.8822062>
8. Chair Bylsma Feb. 22: <http://www.iheartradio.ca/610cktb/audio/dave-bylsma-1.8847249>
9. Vice Chair Huson Mar. 2: <http://www.iheartradio.ca/610cktb/audio/diana-huson-pelham-regional-councillor-and-vice-chair-of-the-nPCA-1.8986291>

#### **Media Coverage: Gayle Wood**

1. Niagara Peninsula Conservation Authority Welcomes Interim CAO Gayle Wood: <https://niagaraatlake.com/2019/02/26/niagara-peninsula-conservation-authority-welcomes-interim-cao-gayle-wood/>
2. Wood to reform NPCA hiring policies: <https://www.stcatharinesstandard.ca/news-story/9199330-wood-to-reform-nPCA-hiring-policies/>
3. NPCA appoints "experienced" interim CAO for next five months: <https://www.hamiltonnews.com/news-story/9196149-nPCA-appoints-experienced-interim-cao-for-next-five-months/>
4. NEW NPCA CAO READY TO GET DOWN TO WORK AND REPAIR REPUTATION: <http://www.iheartradio.ca/610cktb/news/new-nPCA-cao-ready-to-get-down-to-work-and-repair-reputation-1.8981121>
5. NPCA NAMES INTERIM CAO: <http://www.iheartradio.ca/610cktb/news/nPCA-names-interim-cao-1.8978772>
6. NPCA HIRES INTERIM CAO
7. <http://www.101morefm.ca/news1/nPCA-hires-interim-cao/>
8. Feature on Gayle and Chair Bylsma March 4: <https://www.chch.com/news/evening-news/episodes/?epid=1070&sqid=1>
9. NPCA hires Interim CAO: <http://www.101morefm.ca/news1/nPCA-hires-interim-cao/>
10. Gayle Wood NPCA: <http://www.iheartradio.ca/610cktb/audio/gayle-woods-nPCA-1.8981221>

#### **Media Releases**

1. NEW NPCA BOARD HAS POSITIVE FIRST MEETING - CHAIR BYLSMA AND VICE CHAIR HUSON ELECTED: <https://npca.ca/our-voice/post/new-nPCA-board-has-positive-first-meeting>
2. NPCA DIAMOND ANNUAL GENERAL MEETING: <https://npca.ca/our-voice/post/nPCA-diamond-annual-general-meeting>
3. BOARD CONTINUES RESPONSIBLY MOVING FORWARD: <https://npca.ca/our-voice/post/board-continues-responsibly-moving-forward>
4. A GREAT DAY OF ICE FISHING WITH FAMILY AND FRIENDS: <https://npca.ca/our-voice/post/binbrook-derby-release>
5. CAO SELECTION COMMITTEE MEETS: <https://npca.ca/our-voice/post/cao-selection-committee-meets>
6. ANOTHER SUCCESSFUL YEAR FOR BINBROOK HARD WATER DERBY: <https://npca.ca/our-voice/post/another-successful-year-for-binbrook-hard-water-derby>
7. GOVERNANCE COMMITTEE MEETS: <https://npca.ca/our-voice/post/governance-committee-meets>

8. INTERIM CAO & NPCA BOARD ANNOUNCE MUTUAL AGREEMENT: <https://npca.ca/our-voice/post/interim-cao-npca-board-announce-mutual-agreement>
9. NPCA WELCOMES INTERIM CAO GAYLE WOOD: <https://npca.ca/our-voice/post/npca-welcomes-gayle-wood>
10. NPCA 28TH ANNUAL CONSERVATION AWARDS: <https://npca.ca/our-voice/post/npca-conservation-awards>
11. NPCA CELEBRATES VOLUNTEERS: <https://npca.ca/our-voice/post/npca-celebrates-volunteers>

### **Social media statistics**

Using October 2017 as a benchmark for comparison, when a stronger social media push became apparent, all social media channels, followers, likes, and shares, have continued to increase:

- Facebook Likes: 6,144 (increase of 1,132)
- Facebook Followers: 6,173 (increase of 1,345)
- Instagram Followers: 568 (increase of 320)
- Twitter Followers: 3,388 (increase of 288)
  
- Ball's Falls Facebook Likes: 2,340 (increase of 539)
- Ball's Falls Facebook Followers: 2,332 (increase of 565)
  
- Binbrook Facebook Likes: 3,436 (increase of 2,406)
- Binbrook Facebook Followers: 3,575 (increase of 2,536)

### **Events**

1. Binbrook Hard Water Crappie Derby
2. NPCA Annual Conservation Awards

### **Prepared by:**

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**Renee Bisson**  
**Community Engagement Manager/  
Interim Communications Manager**

### **Submitted by:**

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**Gayle Wood**  
**Interim Chief Administrative Officer/  
Secretary-Treasurer**

This report was prepared in collaboration with Erika Navarro, Communication Specialist



**NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA)  
CAO SELECTION COMMITTEE  
MEETING MINUTES**

Tuesday, February 26, 2019

2:00 p.m.

Ball's Falls Centre for Centre for Conservation  
Glen Elgin Room – 3292 Sixth Avenue, Jordan, ON

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**MEMBERS PRESENT:** D. Bylsma (Chair)  
P. Chiocchio  
T. Insinna  
B. Johnson (Committee Vice-Chair)  
B. Steele (Committee Chair)

**MEMBERS ABSENT:** D. Huson (Vice-Chair)

**STAFF PRESENT:** E. Gervais, Procurement Specialist  
D. Gullett, Designated Clerk

The Board Chair called the meeting to order at 2:00 p.m.

## **1. ADOPTION OF AGENDA**

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1.1 Addition of Items

There were no additional items.

1.2 Change in order of items

There were no changes in the order of items.

1.3 Motion to adopt Agenda

Resolution No. SC-07-19

Moved by Member Insinna

Seconded by Member Bylsma

That the agenda **BE ADOPTED** as presented.

**CARRIED**



## **2. DECLARATION OF CONFLICT OF INTEREST**

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There were no declarations of conflict of interest.

## **3. PRESENTATIONS (and/or Delegations)**

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There were no presentations.

## **4. BUSINESS FOR INFORMATION**

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There was no business for information.

## **5. BUSINESS FOR CONSIDERATION**

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### **5.1 Evaluation of RFP and opening of Pricing Envelopes**

The members witnessed the opening of the proposals, and the prices quoted were announced by Eric Gervais. Presentations and interviews will be scheduled for March 13, 2019 at the main office in Welland.

Resolution No. SC-08-19

Moved by Member Johnson

Seconded by Member Chiocchio

That all three candidates receive the same marks for the reference question and the guaranteed period.

**CARRIED**

## **6. NEW BUSINESS**

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There were no new business items.

## 7. ADJOURNMENT

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There being no further business, the CAO Selection Committee meeting adjourned at 2:25 p.m. with the following resolution:

Resolution No. SC-09-19

Moved by Member Bylsma

Seconded by Member Chiocchio

That the CAO Selection Committee Meeting **BE NOW ADJOURNED.**

**CARRIED**

---

Bill Steele  
CAO Selection Committee Chair

---

Debbie Gullett  
Designated Clerk

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**Report To: Board of Directors**

**Subject: Formal Appointment of the Interim CAO/Secretary-Treasurer**

**Report No: FA-18-19**

**Date: March 20, 2019**

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**RECOMMENDATION:**

1. That Report No. FA-18-19 respecting the formal appointment of the Interim CAO/Secretary-Treasurer **BE RECEIVED**, and
2. Further that Ms. D. Gayle Wood's appointment as Interim CAO Secretary-Treasurer, in accordance with the Board direction provided to the Chair on February 25, 2019, **BE APPROVED**, and
3. Further, that Ms. Wood **BE APPROVED** as a Signing Officer of the NPCA during her approved contract period, and
4. Ms. Wood **BE APPROVED** to hire contract staff to fill temporary vacancies, during the period of her contract.

**PURPOSE:**

The purpose of this report is to gain the Board of Directors' formal approval of the Interim CAO/Secretary-Treasurer's hiring, to appoint her as a signing authority during the term of her contract and to permit her to hire temporary staff to fill current vacancies.

**BACKGROUND:**

The NPCA was in need of an interim CAO/Secretary-Treasurer commencing March 1, 2019 to provide operational overview and report to the Board of Directors, while the NPCA is in search of a permanent CAO.

**DISCUSSION:**

The Board reviewed more than one candidate regarding the Interim CAO/Secretary-Treasurer's position. With a Bachelor of Environmental Studies and 40 years career experience with conservation authorities, including 27 years as the CAO of three authorities, Ms. Wood was the selected candidate.

**FINANCIAL IMPLICATIONS:**

Ms. Wood accepted a 5-month contract, subject to the appointment date of a new CAO. Her salary is within the range of the current CAO's salary and her mileage will be in accordance with the NPCA's mileage rate of 50 cents per kilometer. Ms. Wood will use her personal vehicle for company business.

**Submitted by:**

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**Chair Dave Bylsma**  
**Chair, Niagara Peninsula Conservation Authority**

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**Report To: Board of Directors**

**Subject: Water Quality Improvement Grants Program**

**Report No: FA-27-19**

**Date: March 20, 2019**

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**RECOMMENDATION:**

1. That Report No. FA-27-19 respecting the Water Quality Improvement Grants Program **BE RECEIVED**;
2. That staff **BE DIRECTED** to prepare a detailed Water Quality Improvement / Restoration Program Report for consideration at the April 2019 Board meeting that meets the intent of the Conservation Authority Act Mandate and the recommendations of the Auditor General's Report;
3. That staffing regarding the Water Quality Improvement Grants Program be considered in closed session at the March 20, 2019 meeting.

**PURPOSE:**

The purpose of this report is to seek approval from the Board of Directors to:

- prepare a staff report for the April Board meeting to consider future options regarding the Water Quality Improvement Grant program, and
- authorize staff to consider current grant applications which are outstanding.

**BACKGROUND:**

The objective of the Niagara Peninsula Conservation Authority (NPCA), under the Conservation Authorities Act, is to “establish and undertake, in the area over which it has jurisdiction, programs designed to further the conservation, restoration, development and management of its natural resources”. A critical program under the Act is the restoration program which enables water quality problems to be addressed.

According to the NPCA 2018 Watershed Report Card, both Surface Water Quality and Forest Conditions received a “D” grade while Groundwater Quality received a “B” grade.

The implementation of a variety of restoration Best Management Practices (BMPs) including strategic tree planting, building and/or repairing wetlands, reducing erosion, and addressing projects that reduce phosphorus, across the NPCA Watershed, can help improve both surface water and ground water quality.

In 2017, a third-party review of the former “Restoration Program” was undertaken. The review identified various concerns with the program, including issues regarding transparency, accountability, liability and procurement policy procedures, and based on those concerns, made several recommendations and offered 5 options for the delivery of a “Restoration Program”.

In May 2018 as a result of the third-party review, the then NPCA Board selected their approved program delivery option and approved Report 46-18 for the creation of a new Water Quality Improvement Grants Program. An associated Grant Review Committee was established (comprised of 7 NPCA Board members along with staff) to review and appraise applications under this program. There are currently 3 outstanding applications under this grant program which need to be addressed. There is currently no Grant Review Committee.

At the January 2019 Board meeting, in closed session, it is understood that there was discussion regarding the Water Quality Grant Improvement Program. As such the current Interim CAO/ST and management staff are under the understanding that the program has been frozen as there was no money allocated in the 2019 budget to fund the Water Quality Improvement Grants Coordinator staff position.

The Interim CAO/ST is requesting the opportunity to prepare a detailed analysis of the current Water Quality Improvement Restoration Program Report for consideration at the April 2019 Board meeting. The intent of the analysis is to present to the Board a comprehensive Water Quality Improvement program which meets the intent of the Conservation Authority Mandate and the recommendations of the Auditor General's Report.

### **FINANCIAL IMPLICATIONS:**

The total available funding for this program is currently at \$500,000. Staff delivery options to act on the recommendations contained in this report will be considered in closed session at the March 20, 2019 meeting.

### **RELATED REPORTS AND APPENDICES:**

Report 46-18 Water Quality Improvement Grant Program

**Submitted by:**

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**D. Gayle Wood, BES, CMMIII**  
**Interim CAO/Secretary-Treasurer**

*Prepared with input from Darren MacKenzie, Director, Watershed Management, D. Deluce, Senior Manager, Planning & Regulations; S. Miller, Senior Manager, Water Resources & Restoration; and John Wallace, Manager Finance.*

**Report To:** Board of Directors

**Subject:** Niagara Peninsula Conservation Authority (NPCA) Water Quality Improvement Grant Program Report

**Report No:** 46-18

**Date:** May 29, 2018

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**RECOMMENDATION:**

1. That Report No. 46-18 respecting the Niagara Peninsula Conservation Authority (NPCA) Water Quality Improvement Grant Program Report **BE RECEIVED**;
2. That the NPCA Full Authority Board **APPROVE** one of the Options identified in the Financial Implications section of Report 46-18 respecting the Niagara Peninsula Conservation Authority (NPCA) Water Quality Improvement Grant Program;
3. That the Draft NPCA Water Quality Improvement Grant Program Outline attached to Report No. 46-18 as Appendix 1 **BE APPROVED** as presented;
4. That the Draft Water Quality Improvement Grant Review Committee Terms of Reference attached to Report 46-18 as Appendix 2 **BE APPROVED** as presented;
5. That staff **BE DIRECTED** to advertise and promote the NPCA Water Quality Improvement Grant Program as outlined in the NPCA Water Quality Improvement Grant Program Outline attached to Report 46-18 as Appendix 1;
6. That the NPCA Board **PROCEED** to the selection process to identify a minimum of two board members to the NPCA Water Quality Improvement Grant Program Committee.

**PURPOSE:**

The purpose of this report is to provide the NPCA Board of Directors with an outline of the newly revised NPCA Water Quality Improvement Grant Program and to seek approval for its implementation and roll out.

**BACKGROUND:**

As prescribed by the Conservation Authorities Act; to establish and undertake programs and services on a watershed basis to further the conservation, restoration, development and management of natural resources.

According to the NPCA 2018 Watershed Report Card, both Surface Water Quality and Forest Conditions received a “D” grade while Groundwater Quality received a “B” grade. These grades are like those found throughout Southwestern Ontario.

The implementation of a variety of Best Management Practices (BMPs) including strategic tree planting, building and/or repairing wetlands, and better Agricultural Management initiatives, across the NPCA Watershed, can help to reduce nutrient levels in watercourses, such as Total Phosphorus, and therefore improve both surface water and ground water quality as well as the overall tree canopy. Individual and overlapping projects, in time, will serve to better the overall health of the Niagara Peninsula Watershed.

## **DISCUSSION:**

In 2017, a third-party review of the former “Restoration Program” was undertaken. The review identified various program flaws, including concerns about transparency, accountability, liability and procurement policy issues, and based on those concerns, made several recommendations.

Through the Full Authority Board, it was determined that a new or revamped program should be established, to replace the former program, that would alleviate the identified concerns and be more transparent and accountable. Based on the Board direction and the concerns raised by and the recommendations put forth by the third-party reviewer, staff have developed the “NPCA Water Quality Improvement Grant Program”.

The NPCA Water Quality Improvement Grant Program will be a Partnership Grant Program with the objective to partially fund already designed and partially funded community partner projects within the NPCA watershed. These partially funded projects will each have the goal and objective to help improve water quality (ground and surface water) across the NPCA’s watershed. This is a “matching dollar for dollar” funding program (both a combination of finances and in-kind labour would be considered) whereby applicants must provide proof of funding as well as a fully thought out project plan. The project plans will be first vetted through the Restoration Grants Coordinator and then moved on to the Water Quality Improvement Grant Review Standing Committee for consideration. Projects will have to demonstrate and identify NPCA Water Quality Improvement Program objectives and already established industry Best Management Practices. Volunteers are important to ongoing ecological progress in the NPCA Watershed. Therefore, each application must submit a plan for recruitment and utilization of volunteers into their project plan. Finally, multiple year projects would be considered by the Standing Committee.

A draft Terms of Reference has been established, a mix of Board Members and NPCA Staff, to form the Water Quality Improvement Grant Review Standing Committee. This committee will meet a couple of days a year to review, prioritize, and approve or disapprove the applications that are received. This standing committee will collectively consider, evaluate, and prioritize all applications, against an approved set of matrices, and then direct the Restoration Grants Coordinator accordingly. This standing committee will also review and evaluate the overall program on an annual basis.

Staff are recommending that the budget, \$250,000 per year, remain intact for 2019, with \$150,000 going to projects with an upward cap of \$50,000 (\$10,001 to \$50,000) and \$100,000 being set aside for projects with an upward cap of \$10,000 (\$0 to \$10,000). Advanced payment of up to 25% of the NPCA commitment may be available but will be subject to individual project consideration by the Standing Committee. Payment will typically be paid out, by the NPCA, after the successful project is complete and the Restoration Grants Coordinator has been satisfied that all the necessary paperwork has been submitted correctly and on time.



Eligible applicants will include:

- 1.) Incorporated Non-Governmental Organizations (NGOs)
- 2.) Non-Incorporated organizations (Nature Clubs, "Friends Of" organizations) may apply in partnership with incorporated organizations (i.e. schools, municipalities, churches, NGOs, etc.)
- 3.) Municipalities
- 4.) Niagara Parks Commission

Eligible Projects would include:

- 1.) Livestock Restriction, Alternate Watering Systems & Crossings
- 2.) Conservation Farm Practices
- 3.) Erosion Control/ Instream/ Riparian Habitat Restoration
- 4.) Wetland Habitat Restoration/ Creation
- 5.) Tree Planting/ Woodland Restoration/ Creation
- 6.) Upland Habitat Restoration

In the rollout of the program, a program description for each type of eligible project will accompany the application. Each project description outlines the Grant Rate, Grant Ceiling, Application Due Date, Purpose, Eligibility, Types of Eligible Projects, Eligible Expenses, and Ineligible Expenses.

The Restoration Grants Coordinator will be available to help each applicant with their application and to ensure it is complete and understood. The Restoration Grants Coordinator will also help the standing committee to understand each application and help prioritize each project. He/ She will also send out the approval letters and continuously monitor each project with ongoing dialogue and site visits. Finally, he/ she will close out the project with the successful applicant making sure that all eligible receipts have been handed in and accounted for before processing the final funding payment.

### **FINANCIAL IMPLICATIONS:**

The 2018 approved budget is \$250,000 for this initiative. Additional options include:

#### **Option 1:**

Unspent funds being reallocated to the following fiscal year's budget, to top it up

#### **Option 2:**

To be allocated to a specially defined Reserve Account accessible by the Water Quality Improvement Grant Program Standing Committee.

### **RELATED REPORTS AND APPENDICES:**

Appendix 1    Water Quality Improvement Grant Program Outline

Appendix 2    Draft Water Quality Improvement Grant Review Committee Terms of Reference

**Prepared by:**



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**Gregg Furtney**  
**Director, Watershed Management (Acting)**

**Submitted by:**



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**Mark Brickell**  
**CAO/Secretary-Treasurer**

*Prepared with input from Steve Miller, Manager of Water Resources and Restoration, Stuart McPherson, Restoration Grants Coordinator, and Steve Gillis, Environmental Field Technician*

**Report To:** Board of Directors

**Subject:** Haldimand Lakefront Landowner's Funding Request

**Report No:** FA-28-19

**Date:** March 8, 2019

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**RECOMMENDATION:**

1. That Report No. FA-28-19 respecting the Haldimand Lakefront Landowner's Funding Request pursuant to the NPCA's Water Quality Improvement Grant Program **BE RECEIVED** for consideration.
2. That the Board **AUTHORIZE** staff to fund this application up to the grant limit of \$50,000.

**PURPOSE:**

The purpose of this report is to seek board authorization to fund the Haldimand Lakefront project under the Water Quality Improvement Grant Program.

**BACKGROUND:**

In May 2018, the NPCA Board approved the initiation of the 'Water Quality Improvement Grant Program' (Board Report 46-18, attached). The goal of this program was to reduce the amount of nutrients, phosphorus, and E.coli that enter our local rivers, creeks, and streams in order to improve the watershed's surface and groundwater quality. A budget of \$250,000 was allocated in 2018 and is now held in a reserve. An additional \$250,000 is in the 2019 operating budget.

Under this program, eligible applicants such as Non-Governmental Organizations, municipalities, and schools, etc., can submit a project to the NPCA for consideration and apply to receive matching 'dollar for dollar' funds up to a maximum funding limit. The project would then be evaluated by the NPCA to determine if the project served to ultimately improve the quality of water in our local watercourses.

**DISCUSSION:**

The shoreline of Lake Erie at the extreme western limit of the NPCA's jurisdiction is characterized by 15m high steep bluffs comprised of silty soils (refer to Villella Road and Derner Line, Haldimand location plan, attached). A mix of seasonal cottages and full season residences are located on the lake side of Villella Road and Derner Line adjacent to the bluffs (refer to the Villella Road and Derner Line Street View, attached).

The NPCA's 'Lake Erie Shoreline Management Plan' (2010) indicates that this area's shoreline has an annual average recession rate of 0.7m per year. A review of the Villella Road and Derner

Line air photos (attached) indicate that approximately one third of the landowners in this area have constructed shore protection. The shore protection that has been constructed range from “well designed and constructed to having failed due to poor design and implementation” (refer to Villella Road Sample Photos, attached).

The non-continuous, sporadic shore protection in this area has not served to halt the massive on-going erosion at the bottom of the bluff because of wave action in Lake Erie. As a result, some of these home owners have been forced to leave their residences due to concerns about the safety and stability of the adjacent bluff.

At the NPCA’s June 20, 2018 Board Meeting, a representative of this community petitioned the NPCA Board to investigate funding or grant options to help protect the affected landowners in this area. As per Resolution FA-134-18 (attached), the NPCA Board at the time resolved to:

- i) Urge the Provincial government to establish a program of financial assistance to help shoreline property owners construct erosion protection works;
- ii) Expedite the issuance of all applicable NPCA permits;
- iii) Urge the Federal, Provincial, and Regional governments to take all necessary steps to reduce the water levels of the Great Lakes.

The NPCA has since received a Water Quality Improvement Grant Program application (dated October 1, 2018) from the Rotary Club of Dunnville (in partnership with the Friends of Isle View Heights) to access program funds to contribute to the construction of approximately 2.0 kilometers of shore protection with the intent to safeguard 28 residences at an estimated design and construction cost of \$1,500,000 - \$2,000,000.

On February 12, 2019, the NPCA received correspondence from the County of Haldimand expressing support for this shore protection application (attached).

NPCA staff evaluated this application and understand that the main intent of the project is to construct a long rock shore wall to protect existing residences and mitigate the impact of erosion on the bluff. While NPCA staff are sympathetic to the plight of the homeowners, staff note that lakefront erosion control projects do not meet the goal of the Water Quality Improvement Grant Program which is to improve the quality of water within watercourses.

The NPCA staff would note that the water quality of Lake Erie is not necessarily degraded because of these eroding bluffs. The erosion and deposition of sediment are natural occurrences typical of Great Lakes shoreline processes. Unfortunately, no other program currently exists within the NPCA that serves to fund Great Lakes erosion control projects undertaken on private property, nor has the NPCA funded such projects for at least 18 years.

Based on the foregoing, NPCA staff recommend the following options for the Board to consider:

- 1) Deny this application as it does not technically meet the goal of the Water Quality Improvement Grant Program.

- 2) Approve this application to protect people and private property from this Great Lake shoreline hazard. When considering this option, NPCA staff note:
- a. The Water Quality Grant Improvement Program has a total available funding of \$500,000 currently;
  - b. To date, no projects have been funded by the Water Quality Grant Improvement Program;
  - c. To date, the NPCA has received only 3 other applications under this program for a total funding request of \$30,000.
  - d. Over the last 3 years, the NPCA has received the following number of applications to permit the construction or repair of shore walls:
    - i. 2016 – 10 permit applications
    - ii. 2017 – 20 permit applications
    - iii. 2018 – 19 permit applications;
  - e. This is an opportunity to undertake a project to comprehensively mitigate shoreline erosion to protect 28 properties across a 2.0km stretch of Lake Erie shoreline.

#### **FINANCIAL IMPLICATIONS:**

Should the Board direct, a grant of up to \$50,000 of the \$500,000 Water Quality Improvement Grant Program fund be allocated to this application.

#### **RELATED REPORTS AND APPENDICES:**

|            |   |
|------------|---|
| Appendix 1 | NPCA Board Report 46-18: NPCA Water Quality Improvement Grant Program (May 2018)                |
| Appendix 2 | Villella Road and Derner Line, Haldimand location plan  |
| Appendix 3 | Villella Road and Derner Line Street View   |
| Appendix 4 | Villella Road and Derner Line Air Photos  |
| Appendix 5 | Villella Road Sample Photos   |
| Appendix 6 | NPCA Board Resolution FA-134-18   |
| Appendix 7 | Haldimand County 'Funding of Shoreline Rehabilitation' correspondence (dated February 12, 2019) |

**Prepared by:**

**Reviewed by:**

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**Steve Miller, P.Eng.**  
**Manager, Water Resources**

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**Darren MacKenzie, C.Tech., rcsi**  
**Director, Watershed Management**

**Submitted by:**

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**D. Gayle Wood, BES, CMMIII**  
**Interim CAO/Secretary-Treasurer**



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**Report To: Board of Directors**

**Subject: Niagara Peninsula Conservation Authority (NPCA) Water Quality Improvement Grant Program Report**

**Report No: 46-18**

**Date: May 29, 2018**

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**RECOMMENDATION:**

1. That Report No. 46-18 respecting the Niagara Peninsula Conservation Authority (NPCA) Water Quality Improvement Grant Program Report **BE RECEIVED**;
2. That the NPCA Full Authority Board **APPROVE** one of the Options identified in the Financial Implications section of Report 46-18 respecting the Niagara Peninsula Conservation Authority (NPCA) Water Quality Improvement Grant Program;
3. That the Draft NPCA Water Quality Improvement Grant Program Outline attached to Report No. 46-18 as Appendix 1 **BE APPROVED** as presented;
4. That the Draft Water Quality Improvement Grant Review Committee Terms of Reference attached to Report 46-18 as Appendix 2 **BE APPROVED** as presented;
5. That staff **BE DIRECTED** to advertise and promote the NPCA Water Quality Improvement Grant Program as outlined in the NPCA Water Quality Improvement Grant Program Outline attached to Report 46-18 as Appendix 1;
6. That the NPCA Board **PROCEED** to the selection process to identify a minimum of two board members to the NPCA Water Quality Improvement Grant Program Committee.

**PURPOSE:**

The purpose of this report is to provide the NPCA Board of Directors with an outline of the newly revised NPCA Water Quality Improvement Grant Program and to seek approval for its implementation and roll out.

**BACKGROUND:**

As prescribed by the Conservation Authorities Act; to establish and undertake programs and services on a watershed basis to further the conservation, restoration, development and management of natural resources.

According to the NPCA 2018 Watershed Report Card, both Surface Water Quality and Forest Conditions received a "D" grade while Groundwater Quality received a "B" grade. These grades are like those found throughout Southwestern Ontario.

The implementation of a variety of Best Management Practices (BMPs) including strategic tree planting, building and/or repairing wetlands, and better Agricultural Management initiatives, across the NPCA Watershed, can help to reduce nutrient levels in watercourses, such as Total Phosphorus, and therefore improve both surface water and ground water quality as well as the overall tree canopy. Individual and overlapping projects, in time, will serve to better the overall health of the Niagara Peninsula Watershed.

## **DISCUSSION:**

In 2017, a third-party review of the former "Restoration Program" was undertaken. The review identified various program flaws, including concerns about transparency, accountability, liability and procurement policy issues, and based on those concerns, made several recommendations.

Through the Full Authority Board, it was determined that a new or revamped program should be established, to replace the former program, that would alleviate the identified concerns and be more transparent and accountable. Based on the Board direction and the concerns raised by and the recommendations put forth by the third-party reviewer, staff have developed the "NPCA Water Quality Improvement Grant Program".

The NPCA Water Quality Improvement Grant Program will be a Partnership Grant Program with the objective to partially fund already designed and partially funded community partner projects within the NPCA watershed. These partially funded projects will each have the goal and objective to help improve water quality (ground and surface water) across the NPCA's watershed. This is a "matching dollar for dollar" funding program (both a combination of finances and in-kind labour would be considered) whereby applicants must provide proof of funding as well as a fully thought out project plan. The project plans will be first vetted through the Restoration Grants Coordinator and then moved on to the Water Quality Improvement Grant Review Standing Committee for consideration. Projects will have to demonstrate and identify NPCA Water Quality Improvement Program objectives and already established industry Best Management Practices. Volunteers are important to ongoing ecological progress in the NPCA Watershed. Therefore, each application must submit a plan for recruitment and utilization of volunteers into their project plan. Finally, multiple year projects would be considered by the Standing Committee.

A draft Terms of Reference has been established, a mix of Board Members and NPCA Staff, to form the Water Quality Improvement Grant Review Standing Committee. This committee will meet a couple of days a year to review, prioritize, and approve or disapprove the applications that are received. This standing committee will collectively consider, evaluate, and prioritize all applications, against an approved set of matrices, and then direct the Restoration Grants Coordinator accordingly. This standing committee will also review and evaluate the overall program on an annual basis.

Staff are recommending that the budget, \$250,000 per year, remain intact for 2019, with \$150,000 going to projects with an upward cap of \$50,000 (\$10,001 to \$50,000) and \$100,000 being set aside for projects with an upward cap of \$10,000 (\$0 to \$10,000). Advanced payment of up to 25% of the NPCA commitment may be available but will be subject to individual project consideration by the Standing Committee. Payment will typically be paid out, by the NPCA, after the successful project is complete and the Restoration Grants Coordinator has been satisfied that all the necessary paperwork has been submitted correctly and on time.

Eligible applicants will include:

- 1.) Incorporated Non-Governmental Organizations (NGOs)
- 2.) Non-Incorporated organizations (Nature Clubs, "Friends Of" organizations) may apply in partnership with incorporated organizations (i.e. schools, municipalities, churches, NGOs, etc.)
- 3.) Municipalities
- 4.) Niagara Parks Commission

Eligible Projects would include:

- 1.) Livestock Restriction, Alternate Watering Systems & Crossings
- 2.) Conservation Farm Practices
- 3.) Erosion Control/ Instream/ Riparian Habitat Restoration
- 4.) Wetland Habitat Restoration/ Creation
- 5.) Tree Planting/ Woodland Restoration/ Creation
- 6.) Upland Habitat Restoration

In the rollout of the program, a program description for each type of eligible project will accompany the application. Each project description outlines the Grant Rate, Grant Ceiling, Application Due Date, Purpose, Eligibility, Types of Eligible Projects, Eligible Expenses, and Ineligible Expenses.

The Restoration Grants Coordinator will be available to help each applicant with their application and to ensure it is complete and understood. The Restoration Grants Coordinator will also help the standing committee to understand each application and help prioritize each project. He/ She will also send out the approval letters and continuously monitor each project with ongoing dialogue and site visits. Finally, he/ she will close out the project with the successful applicant making sure that all eligible receipts have been handed in and accounted for before processing the final funding payment.

#### **FINANCIAL IMPLICATIONS:**

The 2018 approved budget is \$250,000 for this initiative. Additional options include:

##### **Option 1:**

Unspent funds being reallocated to the following fiscal year's budget, to top it up

##### **Option 2:**

To be allocated to a specially defined Reserve Account accessible by the Water Quality Improvement Grant Program Standing Committee.

#### **RELATED REPORTS AND APPENDICES:**

Appendix 1    Water Quality Improvement Grant Program Outline

Appendix 2    Draft Water Quality Improvement Grant Review Committee Terms of Reference



**Prepared by:**

**Submitted by:**

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**Gregg Furtney**  
**Director, Watershed Management (Acting)**

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**Mark Brickell**  
**CAO/Secretary-Treasurer**

*Prepared with input from Steve Miller, Manager of Water Resources and Restoration, Stuart McPherson, Restoration Grants Coordinator, and Steve Gillis, Environmental Field Technician*

## **Niagara Peninsula Conservation Authority – 2018 Water Quality Improvement Grant Program**

### **Section 1 - Program Rationale**

The objective of the Niagara Peninsula Conservation Authority (NPCA) is to “establish and undertake, in the area over which it has jurisdiction, programs designed to further the conservation, restoration, development and management of its natural resources”.

According to the 2017 Water Quality Monitoring Program Report, for surface water, the biological and chemical monitoring results indicate that most of Niagara’s watersheds have poor or impaired water quality.

The implementation of a variety of Best Management Practices, including the establishment of riparian buffers, restoration of wetlands and upland forest, improvements to manure and wastewater storage facilities, erosion/sediment control and various agricultural projects can help to reduce nutrient levels in watercourses such as total phosphorus which have been identified to be major contributors to the impairment of water quality within the NPCA watershed.

Decreasing total phosphorus concentrations at several Welland River tributaries are now being observed with the NPCA’s long-term data. Beaver Creek and Mill Creek watersheds had been targeted by the NPCA’s former Water Quality Improvement Program over the last twenty years to reduce non-point pollution such as nutrients and sediment. These data provide some evidence that a comprehensive Water Quality Improvement Program can reduce nutrient runoff.

The Niagara Peninsula Conservation Authority’s (NPCA) Restoration Program is responsible for improving water quality, water quantity and biodiversity within the NPCA watershed. Rewarding partner organizations for protecting public interests (improved water quality & quantity & habitat); the program provides partner organizations financial incentives to implement stewardship and restoration projects on properties throughout the NPCA’s watershed.

### **Section 2- Program Description**

The Water Quality Improvement Grant Program (WQIGP) is designed to help improve water quality across the NPCA’s watershed through a grant program. The WQIGP provides grants for a set of water quality improvement project types.

See Section 4 for a list of eligible projects that qualify for water quality improvement project grants.

### **Section 3- Who Can Apply?**

1. Incorporated Non-Governmental Organizations (NGO’s)
2. Non-incorporated organizations (Nature Clubs, “Friends Of” organizations) may apply in partnership with incorporated organizations (schools, municipalities, churches, NGO’s, etc.)
3. Municipalities
4. Niagara Parks Commission

## Section 4 - General Program Guidelines

To qualify for funding the following guidelines must be met:

- 1) Projects must be within the NPCA watershed.
- 2) Projects must demonstrate an improvement to local surface or groundwater quality.
- 3) Applicant organizations must demonstrate good land stewardship practices, and be willing to grant access to Authority staff at the completion of the project and for any post monitoring / assessment required.
- 4) Applicant organizations must commit at least 50% of the total project cost (see Section 7- Funding for more details).
- 5) Applicants must complete a Water Quality Improvement Grant Program application and sign a Project Agreement form prior to project commencing.
- 6) The NPCA must review and give approval of all projects prior to project commencement.
- 7) All permits/ permissions must be obtained by the applicant organization prior to project commencement as outlined in the project agreement. All fees associated with permits and permissions are the responsibility of the applicant organization.
- 8) Applicants must include copies of all relevant licenses required to complete the project.
- 9) Projects that will result in the greatest benefits to water quality and/or habitat will be prioritized for funding. Project approval will be based on an evaluation matrix with selection by members of an established technical advisory committee.
- 10) There is no limit to the number of applications any organization may submit.
- 11) Applicants working on lands with an established Environmental Farm Plan (EFP) will be given higher priority.
- 12) Projects will be completed to the satisfaction of the Niagara Peninsula Conservation Authority staff within a defined, agreed upon time period as outlined in the project agreement.
- 13) Multiyear/phase projects will be considered, but will be subject to yearly budget approval.
- 14) Project funds will be released to successful applicants only after the project is complete, proof of costs associated with the project are submitted and an inspection is completed by NPCA staff.
- 15) All plant species must be native to the NPCA's Watershed.

## Section 5 – Application Requirements

- A complete project application.
- Detailed project plans (see specific project category for details in section 9).
- All applicable permits identified.
- Curriculum vitae of all persons involved with design and implementation of project.
- Proof of adequate liability insurance coverage and proof of that the NPCA is indemnified from any legal action.
- A detailed budget with additional funding sources identified.

## Section 6 – Funding

Approved Projects will receive 50% funding, up to the program category cap limit. The participating organization is responsible for the remaining 50% or greater costs. NPCA grant dollars can be combined with other financial assistance programs (i.e Forests Ontario, SARFIP). In cases where applicant organizations receive additional funding, the WQIGP may cover less than 50%, if the additional funding covers more than 50% of the project (see Example 3).

*Example 1. A reforestation project costs \$13,564. The NPCA grant would cover 50% of the cost and cover \$6,782. The applicant organization would cover the remaining \$6,782.*

*Example 2. A wetland creation project costs \$23,893. The NPCA grant would reach its program category cap limit of \$15,000. The applicant organization would cover the remaining \$8,893.*

*Example 3. A wetland creation project costs \$23,893. The applicant organization receives grants for \$14,600 from another source. The NPCA Grant would then cover the remaining \$9,293.*

All costs will be paid for up front by the applicant organization (including plant material, staff time, excavation, etc.). When the project is complete, a site inspection will take place, a final progress report will be submitted including all applicable receipts, and letters from other any other funding organizations stating their contribution. Once the all accounts are settled, the applicant organization will invoice the NPCA for the grant contribution within 60 days of the final inspection. All final paperwork is due no later than the December 31<sup>st</sup> of project year.

## Section 7- Application Evaluation

Applications forms and their supporting materials will be screened for completion and to ensure they meet the eligibility requirements outlined in sections 3,4,5, and 10. Applications that meet these requirements will be reviewed and ranked by NPCA staff according to two different evaluation criteria.

- Improvement to water quality, quantity and habitat (50% of total score).

- Sound project design (50% of total score)

**Improvement to water quality, quantity, habitat.**

Projects must have a direct environmental benefit to the water quality, quantity and habitat resulting in measurable environmental improvements.

Projects plans must outline the performance measures meant to be achieved through the project. These may include; meters of fence installed, number of trees planted, acres of wetland created, etc.)

- Projects that improve water quality (temperature, sediment, nutrients), add storage within the floodplain, or add or connect habitat at a large scale will receive priority.
- Projects that take place in headwaters, lands that contribute to 1<sup>st</sup> and 2<sup>nd</sup> order stream, will also receive priority.
- Projects that are adjacent to a watercourse (within 30m) will receive higher consideration.
- Projects that increase interior forest area will receive higher consideration.
- Projects that are adjacent (within 30m) to a significant feature (PSW, escarpment, etc.) will receive higher consideration.

**Sound Project Design**

- Projects with sound project design using SMART goals are more likely to receive funding. SMART goals are Specific, Measurable, Achievable, Realistic, Time-Sensitive.
- The WQIGP review committee will look for projects that have clear, reasonable and achievable objectives.
- Detailed work plans with realistic timetable and corresponding budgets are required.
- Project evaluation considers the organization's history of projects and their success rates as well as the qualifications of staff and contractors who will be designing and implementing projects.
- Some projects may require permits and approvals to begin construction. In these cases, the applicant organization must have all applicable permits and approvals in place prior to implementation of the project.

**Section 8 - Project Approval**

Upon receiving a Project Application, staff will to visit the project site with the applicant. The project will be evaluated based on the criteria outlined in Section 9- Project Descriptions. The projects will be assessed, scored and ranked against other eligible projects. A WQIPG Review Committee will have final approval on which projects are implemented. Projects that are not selected may be considered for the following year. Letters of acceptance will be sent by mail by January 31<sup>st</sup>.

## Section 9 – Water Quality Improvement Program Categories

|   | Eligible Project Types  | Grant Rate  | Grant Ceiling | Application Date |
|---|---|-------------|---------------|------------------|
| 1 | Livestock Restriction, Alternate Watering Systems & Crossings | * Up to 50% | \$10,000      | September 15     |
| 2 | Conservation Farm Practices                                   | * Up to 50% | \$10,000      | September 15     |
| 3 | Erosion Control/ Instream/Riparian Habitat Restoration        | * Up to 50% | \$50,000      | September 15     |
| 4 | Wetland Habitat Restoration/Creation                          | * Up to 50% | \$50,000      | September 15     |
| 5 | Tree Planting/ Woodland Restoration/Creation                  | * Up to 50% | \$50,000      | September 15     |
| 6 | Upland Habitat Restoration                                    | * Up to 50% | \$50,000      | September 15     |

\* = Up to 50% of the overall project cost, but not more than \$50,000 per project

\*\* Other projects which demonstrate an innovative solution to improving local water quality will be considered for grant assistance.

\*\* Grant rates and ceilings are program guidelines only; grant ceilings and rates can be changed at the discretion of Water Quality Improvement Grant Program Review Committee.

## Section 10 - Project Descriptions

The following projects are eligible for funding through the NPCA's Water Quality Improvement Grant Program. The criteria for eligibility are guidelines only, other projects will be considered for funding if they demonstrate an improvement to water quality and habitat quality.

| 1. Livestock Restriction, Alternate Watering Systems & Crossings  | Grant Rate | Grant Ceiling | Application Due |
|---|------------|---------------|-----------------|
|   | 50%        | \$10,000      | September 15    |
| <b>Purpose:</b> <ul style="list-style-type: none"> <li>To improve local water quality through the reduction and elimination of animal waste contamination by restricting livestock access to watercourses.</li> </ul>   |            |               |                 |
| <b>Eligibility:</b> <ul style="list-style-type: none"> <li>Priority will be given to projects which prevent animal wastes from contaminating watercourses.</li> <li>Priority will be given to projects which create riparian buffer areas.</li> </ul>   |            |               |                 |
| <b>Eligible Projects:</b> <p><u>Fencing to restrict livestock access to watercourse</u></p> <ul style="list-style-type: none"> <li>Fencing parallel to water / wetland to exclude livestock to maintain or improve riparian conditions and function (eligible permanent fencing costs shall not exceed \$11.50 per meter, including labour)</li> <li>Temporary fencing will be considered eligible but will require a signed agreement requiring the applicant to install the fence prior to the introduction of livestock.</li> <li>Riparian buffer establishment.</li> </ul> <p><u>Improved stream crossings for livestock or equipment</u></p> <ul style="list-style-type: none"> <li>Improved structures to enhance riparian condition</li> <li>Bed-level, mid-level and bridge crossings eligible. All bridge crossing design must be stamped approved by a Professional Engineer.</li> <li>Removal of harmful crossings/structures.</li> </ul> <p><u>Alternative watering systems to manage livestock:</u></p> <ul style="list-style-type: none"> <li>Gravity fed, solar, wind, grid line, alternative power, pump &amp; waterline systems to provide livestock alternative water sources</li> <li>Alternate or remote watering systems to manage livestock</li> <li>Gravity fed</li> <li>Solar, wind, motorized power</li> <li>Pumps</li> <li>Waterlines</li> <li>Storage</li> </ul> |            |               |                 |
| <b>Eligible Costs:</b> <ul style="list-style-type: none"> <li>Assessment, design and construction costs.</li> <li>Professional services (e.g. permits and engineering fees).</li> <li>Contractor labour</li> <li>Excavation services</li> <li>Planting services and costs.</li> <li>Plant material costs (trees, shrubs, grasses, and wildflowers).</li> </ul>  |            |               |                 |

| 2. Conservation Farm Practices  | Grant Rate | Grant Ceiling | Application Due |
|---|------------|---------------|-----------------|
|   | 50%        | \$10,000      | September 15    |
| <b>Purpose:</b> <ul style="list-style-type: none"> <li>To improve local water quality through the reduction and elimination of erosion, compaction, sedimentation and nutrient loading to watercourses.</li> <li>Improve habitat connection through corridor establishment.</li> </ul>  |            |               |                 |
| <b>Eligibility:</b> <ul style="list-style-type: none"> <li>Priority will be given to projects which result in direct and substantial reductions in sediment loss and nutrient loading utilizing sound conservation practices.</li> <li>Priority will be given to projects where Best Management Practices for nutrient management, conservation tillage, etc. are already planned or exist.</li> <li>Projects must be constructed to the standards specified by the Ministry of Agriculture and Food' Soil Erosion Manual, complex projects will require professional engineering approval.</li> <li>Projects must meet proper safety and building code regulations and requirements.</li> <li>Projects must utilize proper sediment control measures (i.e. silt fencing)</li> <li>Higher priority will be given to corridors that connect larger areas to each other.</li> </ul> |            |               |                 |
| <b>Eligible Projects:</b> <p><u>Gully Stabilization and Erosion Control</u></p> <ul style="list-style-type: none"> <li>Grassed waterways and buffer establishment</li> <li>Gully stabilization</li> <li>Contour terraces</li> <li>Water and Sediment Control Basins (WaSCoBs)</li> </ul> <p><u>Agro-forestry Practices</u></p> <ul style="list-style-type: none"> <li>Hedgerows and windbreaks</li> <li>Alley Cropping</li> <li>Silvo-pasture establishment in existing pasture.</li> </ul> <p><u>Soil Management</u></p> <ul style="list-style-type: none"> <li>Rotational grazing</li> </ul>  |            |               |                 |
| <b>Eligible Costs:</b> <ul style="list-style-type: none"> <li>Professional services (WaSCoBs, Tile Drainage Shutoff, Agricultural Consultant)</li> <li>Contractor labour and management services</li> <li>Approved construction materials</li> <li>Site Preparation</li> <li>Planting costs</li> <li>Plant material cost for trees, shrubs, grasses, and wildflowers</li> <li>Temporary fencing to prevent livestock damage.</li> </ul>   |            |               |                 |



**Ineligible Costs:**

- Maintenance costs
- Construction of new drainage channels or repair of existing drainage systems (e.g. drainage ditch clean-outs).
- Tile outlet structures associated with new tile drainage installations.
- New tile drainage installations.
- Landowner labour costs.
- Spaded tree stock.
- Construction of new drainage channels or converting open ditches to closed drainage systems.
- Establishing silvopasture in existing woodlands.

| 3. Tree Planting/<br>Woodland Restoration  | Grant Rate | Grant Ceiling | Application Due |
|--|------------|---------------|-----------------|
|  | 50%        | \$50,000      | September 15    |
| <b>Purpose:</b> <ul style="list-style-type: none"> <li>• To improve local water quality, habitat, and biodiversity to support healthy and diverse aquatic and terrestrial communities.</li> </ul>  |            |               |                 |
| <b>Eligibility:</b> <ul style="list-style-type: none"> <li>• Priority will be given to projects that contribute to a headwaters area of a 1<sup>st</sup> or 2<sup>nd</sup> order stream, that create / protect large portions of wildlife habitat, create or join wildlife corridors, increase biodiversity, are adjacent (within 30m) to a watercourse, and meet a reforestation rate of 800 trees/acre.</li> <li>• All necessary permits/permissions must be obtained prior to planting including a stamped foresters plan for projects over 1000 trees or 1ha in size.</li> <li>• Livestock must be restricted from the project area</li> </ul> |            |               |                 |
| <b>Eligible Projects:</b> <ul style="list-style-type: none"> <li>• Upland woodland reforestation, wildlife corridor creation / restoration</li> <li>• Habitat connectivity (connecting existing habitat features i.e. joining existing woodlands)</li> <li>• Pit and mound restoration</li> <li>• Replanting previous grant sites that have failed to achieve 70% survival rate.</li> </ul>  |            |               |                 |
| <b>Eligible Expenses:</b> <ul style="list-style-type: none"> <li>• Contractor labour.</li> <li>• Site preparation.</li> <li>• Planting costs.</li> <li>• Plant material.</li> <li>• Habitat enhancement features (nesting structures).</li> <li>• Temporary fencing to restrict livestock access.</li> </ul>   |            |               |                 |
| <b>Ineligible Expenses:</b> <ul style="list-style-type: none"> <li>• Establishment of trees or shrubs that are intended for harvesting for economic benefit (i.e. Christmas trees, nurseries, etc.).</li> <li>• Caliper-sized trees.</li> <li>• Maintenance costs incurred after establishment of plant material.</li> <li>• Relocation of established trees.</li> <li>• Landowner labour costs.</li> </ul>  |            |               |                 |

| 4. Erosion Control/ Riparian & In-stream Habitat Restoration   | Grant Rate | Grant Ceiling | Application Due |
|--|------------|---------------|-----------------|
|  | 50%        | \$50,000      | September 15    |
| <b>Purpose:</b> <ul style="list-style-type: none"> <li>To improve local water quality, habitat, and biodiversity to support healthy and diverse aquatic and riparian communities.</li> <li>To improve local water quality through the reduction and elimination of erosion, compaction, sedimentation and nutrient loading to watercourses.</li> </ul>   |            |               |                 |
| <b>Eligibility:</b> <ul style="list-style-type: none"> <li>Priority will be given to projects which create / protect large portions of wildlife habitat, create or join wildlife corridors and create / restore riparian buffers.</li> <li>Projects must meet proper safety and building code regulations and requirements.</li> <li>Livestock must be restricted from the project area.</li> </ul>  |            |               |                 |
| <b>Eligible Projects:</b> <ul style="list-style-type: none"> <li>Restoration or enhancement of riparian areas</li> <li>Erosion control measures including bioengineering, crib walls, fish lunkers, bend way weirs, natural channel design</li> <li>Instream aquatic habitat creation/restoration</li> <li>Buffer strips and riparian habitat creation / restoration</li> </ul>  |            |               |                 |
| <b>Eligible Costs:</b> <ul style="list-style-type: none"> <li>Design costs, professional services.</li> <li>Contractor labour, equipment rental.</li> <li>Site preparation</li> <li>Planting costs.</li> <li>Plant material (trees, shrubs, grasses, and wildflowers)</li> <li>Habitat enhancement features (nesting structures, fish lunkers, spawning beds).</li> </ul>  |            |               |                 |
| <b>Ineligible Costs:</b> <ul style="list-style-type: none"> <li>Establishment of trees or shrubs that are intended for harvesting for economic benefit (i.e. Christmas trees, nursery trees, etc.).</li> <li>Caliper-sized trees.</li> <li>Hardscaping (ie. Gabion baskets)</li> <li>Maintenance costs incurred after establishment of plant material</li> <li>Relocation of established trees</li> <li>Repair and maintenance of equipment.</li> <li>Landowner labour costs.</li> </ul> |            |               |                 |

| 5. Wetland Habitat Restoration/Creation  | Grant Rate | Grant Ceiling | Application Due |
|--|------------|---------------|-----------------|
|  | 50%        | \$50,000      | September 15    |
| <b>Purpose:</b> <ul style="list-style-type: none"> <li>To improve local water quality, habitat, and biodiversity to support healthy and diverse aquatic and riparian communities.</li> <li>To improve local water quality through the reduction and elimination of sedimentation and nutrient loading to water courses and improve water storage near watercourses.</li> </ul>   |            |               |                 |
| <b>Eligibility:</b> <ul style="list-style-type: none"> <li>Priority will be given to projects which create / protect large portions of wildlife habitat, create or join wildlife corridors and create / restore riparian buffers</li> <li>Projects must meet proper safety and building code regulations and requirements</li> <li>Livestock must be restricted from the project area</li> <li>All projects must have a <b>minimum 5m vegetated buffer</b> surrounding most (approximately 85%) of the wetland. Projects without a vegetated buffer will not be considered for funding.</li> </ul>   |            |               |                 |
| <b>Eligible Projects:</b> <ul style="list-style-type: none"> <li>Creation or enhancement of wetlands</li> <li>Converting on-line ponds to offline ponds</li> </ul>   |            |               |                 |
| <b>Eligible Costs:</b> <ul style="list-style-type: none"> <li>Contractor labour, equipment rental and management services</li> <li>Approved project implementation materials</li> <li>Planting costs, tree guards, weed control</li> <li>Plant material (trees, shrubs, grasses, and wildflowers)</li> <li>Habitat enhancement features</li> <li>Tenant farmer crop loss reimbursement (case specific)</li> </ul>  |            |               |                 |
| <b>Ineligible Costs:</b> <ul style="list-style-type: none"> <li>Establishment of trees or shrubs that are intended for harvesting for economic benefit within 15 years such as fruit orchards, Christmas trees, ornamental nurseries</li> <li>Ponds intended for irrigation/ aquaculture.</li> <li>Caliper-sized trees.</li> <li>Ornamental/ landscaped ponds (ie. Mowed/ rock lined edges)</li> <li>Maintenance costs incurred after establishment of plant material</li> <li>Fish stock</li> <li>Aeration equipment</li> <li>Relocation of established trees</li> <li>Tree spaded stock</li> <li>Repair and maintenance of equipment</li> <li>Landowner labour costs (see in-kind contribution)</li> </ul> |            |               |                 |

| 6. Upland Habitat Restoration/Creation   | Grant Rate | Grant Ceiling | Application Due |
|--|------------|---------------|-----------------|
|  | 50%        | \$50,000      | September 15    |
| <b>Purpose:</b> <ul style="list-style-type: none"> <li>To improve local water quality, habitat, and biodiversity to support healthy and diverse terrestrial communities.</li> </ul>  |            |               |                 |
| <b>Eligibility:</b> <ul style="list-style-type: none"> <li>Priority will be given to projects which create / protect large portions of wildlife habitat, create or join wildlife corridors and create / restore riparian buffers</li> <li>Projects must meet proper safety and building code regulations and requirements</li> <li>Livestock must be restricted from the project area</li> </ul> |            |               |                 |
| <b>Eligible Projects:</b> <ul style="list-style-type: none"> <li>Upland prairie/meadow/grassland creation/restoration</li> <li>Pollinator habitat creation/restoration</li> <li>Buffer strips on natural features.</li> <li>Habitat connectivity (connecting existing habitat features)</li> </ul>   |            |               |                 |
| <b>Eligible Costs:</b> <ul style="list-style-type: none"> <li>Contractor labour, equipment rental</li> <li>Approved project implementation materials</li> <li>Site preparation</li> <li>Plant material (trees, shrubs, grasses, and wildflowers)</li> <li>Habitat enhancement features</li> <li>Fencing/ Hedgerow to restrict livestock access</li> </ul>  |            |               |                 |
| <b>Ineligible Costs:</b> <ul style="list-style-type: none"> <li>Maintenance costs incurred after establishment of plant material.</li> <li>Repair and maintenance of equipment</li> <li>Landowner labour costs (see in-kind contribution)</li> </ul>   |            |               |                 |

## Section 10- Critical Dates for Applicant Agencies

June 15 – Applications due for Cover Crop 2019

September 15- Applications due for all other Water Quality Improvement Projects

September- October- Application review and site visit with partner agency

January 31- Application Approval letters sent out

Upon project completion- Final inspection

30 days after project completion- Project report and receipts must be submitted to NPCA

**Draft Terms of Reference:**  
**Water Quality Improvement Grant Review Committee**

- Committee Name:* Water Quality Improvement Grant Review Committee
- Committee Type:* Standing Committee
- Purpose/Scope:* The Water Quality Grant Review Committee reviews evaluated applications for Water Quality Improvement projects and recommends to the Full Authority for approval Water Quality Improvement Grants to recipients who meet program criteria.
- Authority:* Decisions will be made by the Committee members.
- Membership:* The Committee will have a minimum of Five (5) Voting members consisting of the NPCA Board Chairman, the NPCA Board Vice Chairman, a minimum of three (3) NPCA Board Members; and
- The Committee will have Three (3) Non-Voting Members: The Manager of Restoration, one (1) Water Quality Specialist, one (1) Ecology/Biology Staff, and one (1) Restoration Grants Program Coordinator
- Meeting Requirements:* Meetings will be held –biannually, once after the application deadline, and the second at the end of the grant cycle to review the program success in improving water quality. Meetings will be at the call of the Committee Chair. Agendas will be prepared by the Committee Chair in consultation with staff. Minutes will be prepared by staff and distributed to all Committee members and Senior Management prior to the next meeting.
- Meeting Location:* Meetings will be at NPCA Head Office (250 Thorold Rd. West, Welland), Ball's Falls Conservation Area or at a location determined by the Committee Chair.
- Responsibilities/duties:* The responsibilities of the Water Quality Improvement Grant Review committee are to satisfy itself, on behalf of the Board, that:
- Projects are considered fairly and without personal bias following the four program pillars of accountability, transparency, equitability and responsiveness.
  - Projects that demonstrate the greatest potential improvement to Water Quality will be prioritized.
  - Ensure applicants have sufficient experience and knowledge to complete high-quality projects.
  - Ensure that applicants have sufficient cash reserves and/or additional partner funding to complete projects.
  - Ensure applicants project timelines and objectives are suitable for the one (1) year project window.
  - All Committee members will make every effort to attend all meetings, participate in the discussions.

*Decision Making:* The Committee will operate openly with the aim of arriving at recommendations through consensus. However, votes may be called by the Committee Chair to advance the agenda. Results of the discussions will be reflected in the minutes.

DRAFT



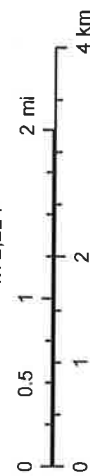
# Villella Road and Derner Line, Haldimand



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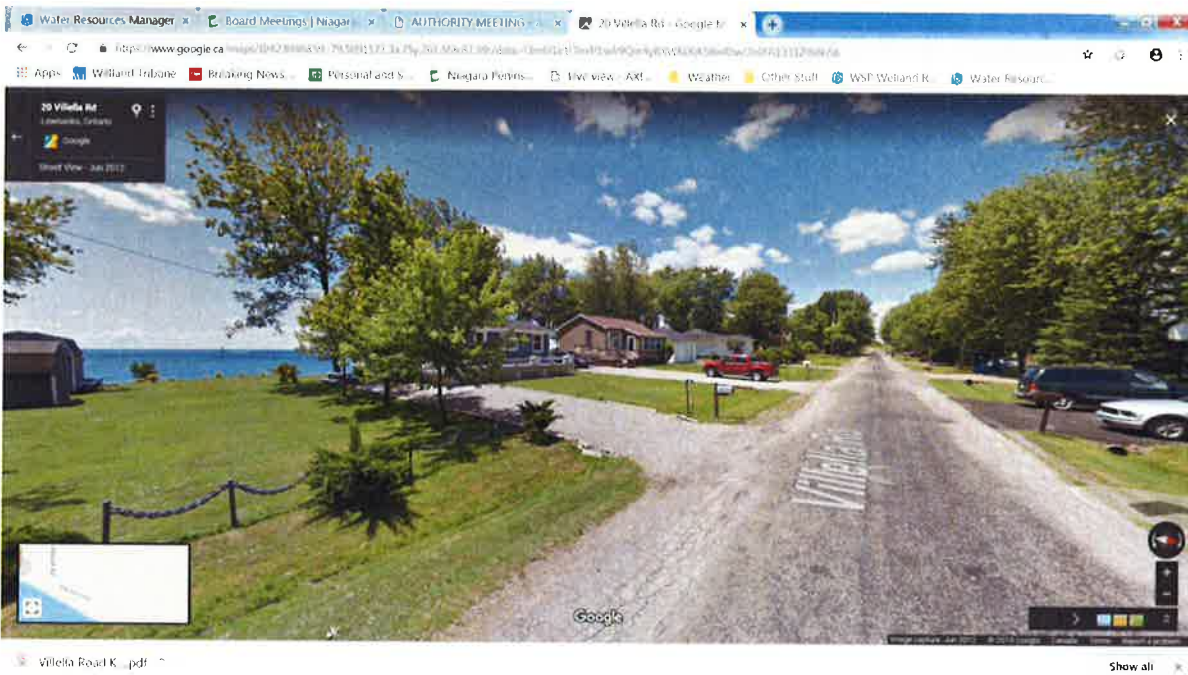
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Author:  
 Notes



## STREET VIEW OF VILLELLA ROAD AND DERNER LINE, HALDIMAND



Street view of Villella Road looking west



Street view of Derner Line looking east



# Villella Road Air Photo



## Areas

- Override 1
- Corporate
- Watershed
- Divide NPCA
- Lyons Creek
- East
- Administrative
- Controls Area
- Ontario Road Network
- Major Highways
- Arterial Roads
- Local Roads
- Railway Network
- Assessment
- Parcels - Cityview
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

1:2,257

0 0.0175 0.035 0.07 mi

0 0.03 0.06 0.12 km

3/8/2019, 10:23:18 AM

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Author: \_\_\_\_\_

Notes \_\_\_\_\_



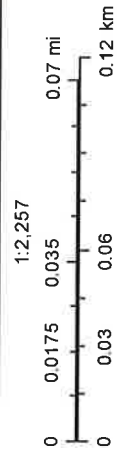
# Derner Line Air Photo



- Corporate Watershed
- Divide NPCA
- Lyons Creek East
- Administrative Controls Area
- Ontario Road Network
- Major Highways
- Arterial Roads
- Local Roads
- Railway Network
- Assessment Parcels - Cityview
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

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Author:  
 Notes



## VILLELLA ROAD SAMPLE PHOTOS



21 Villella Road looking east



21 Villella Road looking west



Poorly designed shore protection



Example of isolated shoreline protection



February 12, 2019

dbarrick@npca.ca

Dear David Barrick:

RE: Funding of Shoreline Rehabilitation

Please be advised that on February 11, 2019, Haldimand County Council passed the following motion:

*THAT Haldimand County Council supports the Dunnville Rotary Club/Lowbanks Ratepayers grand application to the Niagara Peninsula Conservation Authority (NPCA) for shoreline rehabilitation;*

*AND THAT the Clerk be directed to advise the NPCA of this support resolution on February 12, 2019.*

Should you require further information, please contact the undersigned at (905) 318-5932, extension 6349.

Yours truly,

per Evelyn Eichenbaum  
Clerk

EE/km

Resolution No. FA-132-18  
Moved by Board Member Darté  
Seconded by Board Member Quirk

1. That the delegation provided respecting Erosion Impact **BE RECEIVED** for information.

**CARRIED**

Resolution No. FA-133-18  
Moved by Board Member Darté  
Seconded by Board Member Quirk

1. That the notice requirements under Section 11 of the Niagara Peninsula Conservation Authority Regulation #2 – Meeting Procedures **BE WAIVED** to permit the consideration of a motion from Board Member Maloney with respect to the delegation on the subject of Erosion.

**CARRIED**

Board Chair Annunziata explained that as per Section 11.5 any motion or other business may be introduced for consideration of the Authority provided that it is made clear that to delay such motion or other business for the consideration of an appropriate Standing 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 the majority of the members of the Authority present.

Resolution No. FA-134-18  
Moved by Board Member Maloney  
Seconded by Board Member Shirton

1. That the Niagara Peninsula Conservation Authority **URGE** the Provincial Government to immediately establish an effective, reasonable program of financial assistance to shoreline property owners to construct works to combat erosion and provide protection;
2. That the Niagara Peninsula Conservation Authority make all efforts to **EXPEDITE** the issuance of any necessary permits required for the remedial works; and
3. That the Niagara Peninsula Conservation Authority **URGE** the Federal, Provincial and Regional Governments to take all necessary steps to reduce the water level of the Great Lakes.

**CARRIED**

Resolution No. FA-132-18  
Moved by Board Member Darte  
Seconded by Board Member Quirk

1. That the delegation provided respecting Erosion Impact **BE RECEIVED** for information.

**CARRIED**

Resolution No. FA-133-18  
Moved by Board Member Darte  
Seconded by Board Member Quirk

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3. That the Niagara Peninsula Conservation Authority **URGE** the Federal, Provincial and Regional Governments to take all necessary steps to reduce the water level of the Great Lakes.

**CARRIED**

**Report To:** Board of Directors

**Subject:** Appeal of Decision of Port Colborne Committee of Adjustment

**Report No:** FA-29-19

**Date:** March 20, 2019

---

**RECOMMENDATION:**

1. That Report No. FA-29-19 **BE RECEIVED** for information;
2. That the Board of Directors **ENDORSE** the staff-initiated appeal to the Local Planning Appeal Tribunal (LPAT) of the decision of the Committee of Adjustment for the City of Port Colborne regarding severance applications B05-19-PC and B06-19-PC.
3. That should the Board of Directors decide not to endorse the staff-initiated appeal as detailed in recommendation 2 above, staff be directed to withdraw the appeal.

**PURPOSE:**

The purpose of this report is to seek the Board's endorsement of the NPCA staff appeal of a decision of the City of Port Colborne's Committee of Adjustment to grant two severances that did not include conditions recommended by NPCA staff.

**REPORT:**

On January 29, 2019, received two applications for severance on the lands known as Block 74, Plan 59M-428 (Westwood Estates Subdivision, Port Colborne – refer to Attachment 1). The applications sought to create two residential lots and retain one lot that would include a watercourse, part of the Wainfleet Eagle Marsh Drain Wetland Complex, which is a provincially significant wetland (PSW) and the buffer to the PSW. In support of the applications, an environmental impact study (EIS) was provided to provide a rationale for reducing the 30 metre wetland buffer to 15 metres. The date of the Committee meeting was February 12, 2019 and there was no specific date by which agencies were to submit their comments.

The NPCA reviewed the application and EIS and provided comments to the Committee of Adjustment on the morning of February 12, 2019. It is important to note that when a study such as an EIS is included with an application, NPCA staff require a minimum of three weeks to review the application. In this case, the NPCA was provided only two weeks.

The NPCA's comments did not oppose the applications, subject to two conditions:

1. That NPCA Work Permits are issued prior to any development or site alteration on any of the lands considered in this application in accordance with the "Regulation of



Development, Interference with Wetlands and Alterations to Shoreline and Watercourses” (O. Reg. 155/06).

2. That a Development Agreement is placed on the retained lands in order to facilitate the fencing and 15 metre wetland buffer restoration required as mitigation measures in the EIS.

The first condition is to ensure the NPCA’s Regulation is followed for any development that occurs on the lots. The second condition is based on mitigation measures contained in the applicant’s EIS and are required to ensure no negative impact to the PSW as a result of the severances.

The Committee of Adjustment made a decision to approve the applications and not include the conditions requested by NPCA staff. This is despite support from City staff to include the NPCA’s conditions. It is our understanding from City staff that the Committee expressed frustration about the timing of the NPCA’s comments (received the day of the meeting).

NPCA staff considered available options in this situation to avoid the need to appeal the Committee’s decision to the Local Planning Appeal Tribunal (LPAT). Unfortunately, there are no options that would ensure the conditions are implemented unless they are included in a development agreement. Therefore, NPCA staff deemed it necessary to appeal the Committee of Adjustment decision to seek a change to inclusion of the NPCA’s conditions.

Due to the March 7, 2019 deadline to appeal, it was necessary for NPCA staff to file appeals before obtaining Board approval to appeal the decision. Should the Board decide not to appeal the decision of the Committee of Adjustment, NPCA staff can withdraw the appeals. It should be noted that Niagara Regional staff have also appealed the decisions for similar reasons.

NPCA staff are confident that this matter can be resolved without the need to go to a full hearing by changing the existing condition to make reference to the NPCA’s requirements.

### **FINANCIAL IMPLICATIONS:**

Should there be a need to go to a full hearing, there would be costs involved in obtaining legal representation to prepare and present the NPCA’s case as well as staff time in preparing and testifying at the hearing.

**RELATED REPORTS AND APPENDICES:**

- Appendix 1    Severance Sketch
- Appendix 2    Map of NPCA Regulated Features
- Appendix 3    NPCA Comments
- Appendix 4    Decision of Committee of Adjustment

**Prepared by:**

**Submitted by:**

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**Darren MacKenzie, C.Tech., rcsi**  
**Director, Watershed Management**

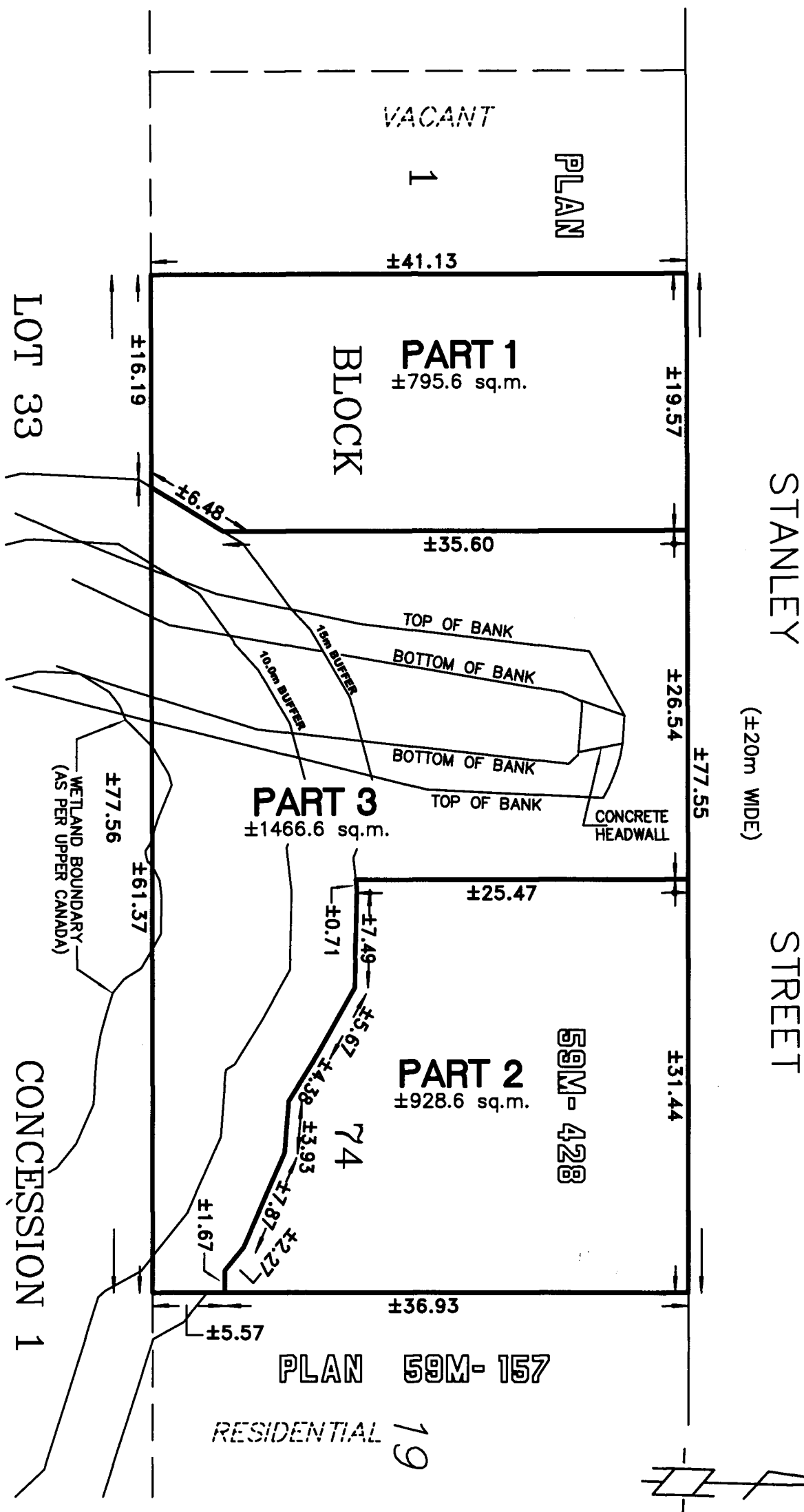
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**D. Gayle Wood, BES, CMMIII**  
**Interim CAO/Secretary-Treasurer**

*Prepared with input from David Deluce, Senior Manager, Plan Review & Regulations*

# SKETCH PREPARED FOR SEVERANCE APPLICATION

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## NOTE:

THIS SKETCH IS PREPARED FROM COMPILED AND CALCULATED INFORMATION, AND NOT FROM AN ACTUAL SURVEY.

DISTANCES SHOWN HAVE NOT BEEN VERIFIED

**VOID**

IF USED FOR ANY OTHER PURPOSE THAN THIS CURRENT SEVERANCE APPLICATION

PRELIMINARY ONLY

JAN. 10, 2019  
DATE

MARK GILMORE  
Ontario Land Surveyor

**LANTHIER & GILMORE SURVEYING LTD.**  
173 CLARENCE ST. PORT COLBORNE, ONT. (905) 835-5477

SKETCH OF PROPOSED SEVERANCE

**BLOCK 74**  
**59M-428**

**CITY OF PORT COLBORNE**  
**REGIONAL MUNICIPALITY OF NIAGARA**

DRAWN BY: CM

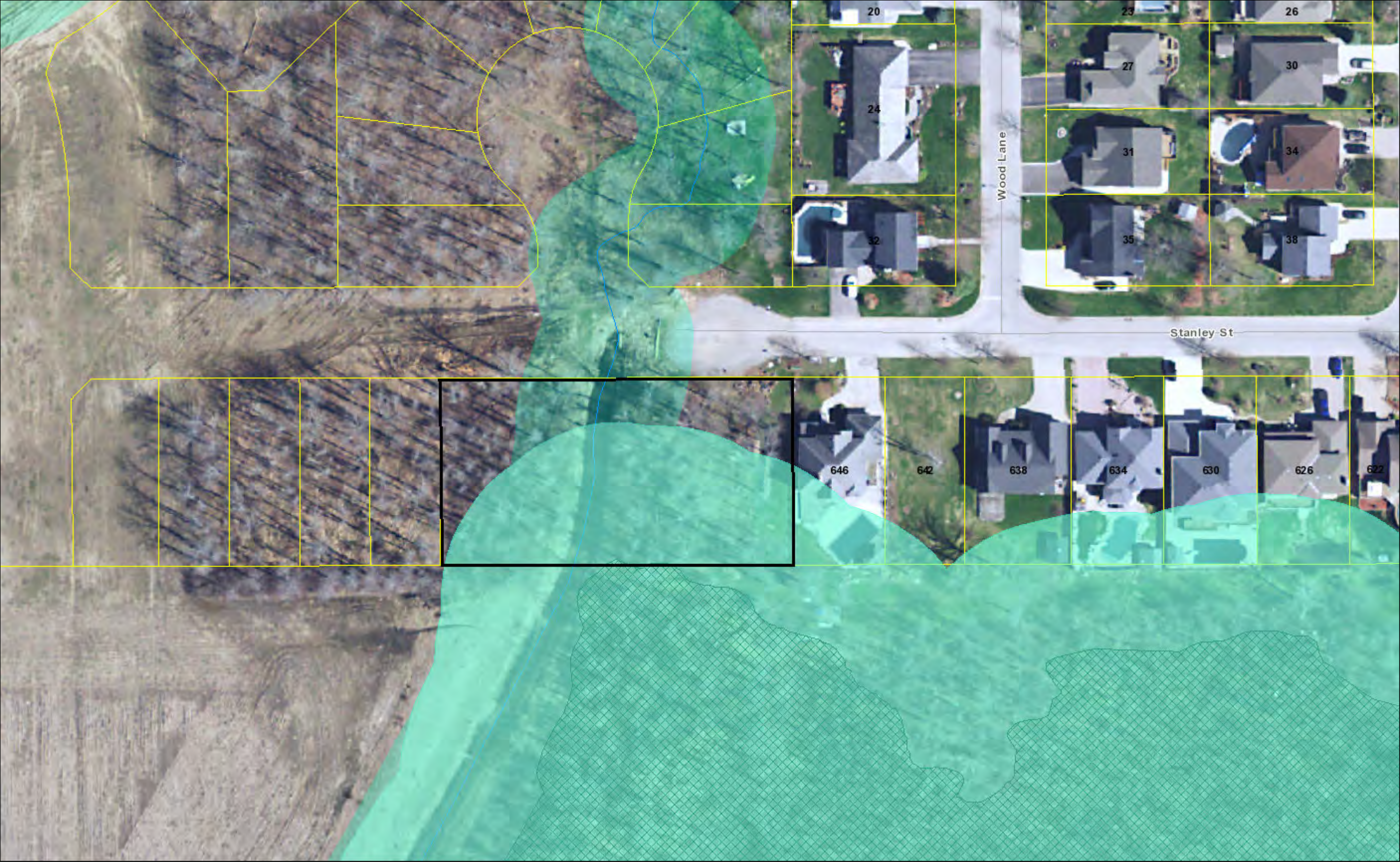
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SURVEY 22-102



# Block 74 - Westwood Estates - NPCA Regulated Features

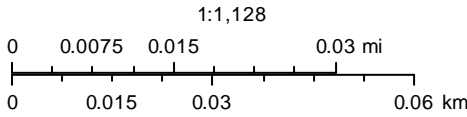


**Lines**

- Override 1
- Corporate Watershed Divide NPCA
- NPCA APPROXIMATE REGULATION LANDS
- OWES WETLANDS**
  - ... Non-Provincially Significant Wetland
  - ... Provincially Significant Wetland
  - Wetland Allowance
  - Lyons Creek East Administrative Controls Area

**Ontario Road Network**

- Major Highways
- Arterial Roads
- Local Roads
- Railway Network
- ... Assessment
- ... Parcels - Cityview
- 2K Hydrography
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



3/8/2019, 12:54:22 PM

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THIS IS NOT A PLAN OF SURVEY.

Author:  
Notes



February 12, 2019

Our File No.: PLCON201900083

BY E-MAIL ONLY

City of Port Colborne  
Committee of Adjustment  
66 Charlotte Street  
Port Colborne, ON L3K 3C8  
[heathermahon@portcolborne.ca](mailto:heathermahon@portcolborne.ca)

Attention: Heather Mahon, Secretary-Treasurer Committee of Adjustment

**Subject: Applications for Consent (B05-19-PC & B06-19-PC)  
Applications for Minor Variance (A06-19-PC & A07-19-PC)  
Upper Canada Consultants (Agent) on behalf of Lester Shoalts Ltd. (Owner)  
Block 74, Westwood Estates (ARN: 271101002709377)**

---

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the above noted applications as well as supporting Environmental Impact Study (Beacon Environmental, January 2019) and can offer the following comments:

Applications have been made for Consent in order to permit the conveyance of two new residential lots (Parts 1 & 2) from Block 74 in the Westwood Estates Subdivision. The retained parcel is to function as a Storm Water Management Block and Wetland. Applications have also been made for Minor Variance in order to facilitate the preferred housing and yard layouts.

The NPCA's Regulation Mapping illustrates that the subject lands contain Provincially Significant Wetland (PSW) associated with the Wainfleet Eagle Marsh Wetland Complex. The PSW provides for natural flood attenuation during storm events and, as such, it is important to maintain the hydrologic function of wetlands to assist in minimizing flooding impacts downstream. In addition to protecting the natural features and functions of a wetland, development setbacks assist in maintaining the hydrologic regime of the lands adjacent to a wetland, minimize the potential for contamination of the ground water and surface water and provide lands for activities such as nesting, resting, feeding and shelter for wetland species. In accordance with the NPCA's policies and regulations, no development (including lot creation) or site alterations (i.e. grading/fill) are permitted within a wetland and a 30 metre development setback buffer measured from the edge of the wetland is also required for most development and site alterations. NPCA Policy 8.2.3.4 states that Lot Creation may be permitted between 30 metres and 15 metres of a wetland where items of policy 8.2.3.3 are addressed. Lot Creation within 15 metres of a wetland shall not be permitted.

The NPCA's Regulation Mapping also shows that the subject lands are traversed by a section of the Eagle Marsh Drain. The Authority's current regulations do not permit development (including but not limited to: structures, septic systems, ponds and fill) within floodplain areas. Should any work be proposed in or around the watercourse, a work permit may be required from the Conservation Authority in accordance with the Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses (O. Reg. 155/06).

The Severance Sketch prepared by *Lanthier & Gilmore Surveying Ltd (dated January 10, 2019)*, illustrates that the proposed lot creation is within the 30-metre wetland buffer. In support of the buffer reduction, from 30 metres to 15 metres, an Environmental Impact Study (EIS) (Beacon Environmental, January 20129) was submitted in support of the applications. The NPCA has reviewed the subject EIS and offers the following comments:

- The NPCA has no objection to the EIS conclusion that subject to the implementation of mitigation measures the proposed lot creation is supported
- In order to implement the requirements for fencing and wetland buffer restoration plan a Development Agreement will be required on the retained lands
- The NPCA agrees with the EIS conclusion that the development and site alteration proposed on the new residential lots is subject to the issuance of NPCA Work Permits.
- Work Permit Applications must ensure the mitigation measures outlined in Section 5.2.1.1 in the submitted EIS are addressed, i.e. sediment and erosion control plans, site grading plans, and limit of work fencing must be included in all Work Permit submissions.

Based on the above, the NPCA has **no objection** to the approval of the applications **subject to** inclusion of the following conditions as part of the approval:

- i. That NPCA Work Permits are issued prior to any development or site alteration on any of the lands considered in this application in accordance with the "Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses" (O. Reg. 155/06).
- ii. That a Development Agreement is placed on the retained lands in order to facilitate the fencing and 15 metre wetland buffer restoration required as mitigation measures in the EIS

Please send notice of your Committee's decision.

I trust this information will be of assistance to you. Should you have any further questions, please do not hesitate to contact me.

Yours truly,



Cara Lampman,  
Watershed Planner  
(905) 788-3135, ext. 272

cc: Aimee Alderman, Planner Region of Niagara

Application B05-19-PC

February 15, 2019

**IN THE MATTER OF** The Planning Act, R.S.O., 1990, Chapter P13, Section 53(1);

**AND IN THE MATTER OF** the property legally known as Block 74 in Westwood Estates (Registered Plan 59M-428); now in the City of Port Colborne, Regional Municipality of Niagara; municipally known as s/s Stanley Street.

**AND IN THE MATTER OF AN APPLICATION** by the agent Upper Canada Consultants for the owners Lester Shoalts Ltd. for a severance under Section 53(1) of the Planning Act, R.S.O. 1990, Chapter P. 13, so as to permit the conveyance of Part 1 having a lot frontage of 19.57m (64.20ft) with a total lot area of 795.6m<sup>2</sup> (8564.04ft<sup>2</sup>) for a proposed residential use. Part 3 will retain a lot frontage of 26.54m (87.07ft) on Stanley Street with a lot area of 1466.6m<sup>2</sup> (15786.86ft<sup>2</sup>) for a proposed Stormwater Management/Wetland use.

That application B05-19-PC be **GRANTED** subject to the following conditions:

1. That the applicant amends the Westwood Park Phase II Plan of Subdivision grading plan to the satisfaction of the Director of Engineering and Operations to reflect the creation of the new lot.
2. That the owner submit a letter to the City indicating that (s)he is aware of the requirements of By-law 4748/130/05 which requires the collection of the parkland dedication at the time of the building permit application based on the value of the property the day before issuance of the permit and that (s)he will advise any future purchasers of this requirement.
3. That the applicant provides the Secretary-Treasurer with the deeds in triplicate for conveyance of the subject parcel or a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
4. That a final certification fee of \$204 payable to the City of Port Colborne be submitted to the Secretary-Treasurer.
5. That the owner enter into a Development Agreement with the City of Port Colborne to include fencing along the portions adjacent to the wetlands.

For the Following Reasons:

1. The application conforms to the policies of the Regional Official Plan, City of Port Colborne Official Plan and will also comply with the provisions of Zoning By-law 6575/30/18, as amended.
2. This decision is rendered having regard to the provisions of subsection 51(24) of the Planning Act, R.S.O. 1990, c.P. 13.

**DATED AT PORT COLBORNE** this 12th day of February, 2019.

**DECISIONS SIGNED:**

"Dan O'Hara"

Signature of  
Member of  
Committee

"Gary Bruno"

Signature of  
Member of  
Committee

"Angie Desmarais"

Signature of  
Member  
of Committee

"Donna Kalailieff"

Signature of Member  
of Committee

"Eric Beauregard"

Signature of  
Member of  
Committee

**NOTE:** THE LAST DATE ON WHICH AN APPEAL TO THE LOCAL PLANNING APPEAL TRIBUNAL MAY BE FILED IS:

**MARCH 7, 2019.**

**NOTE:** The Decision of the Committee of Adjustment, when not appealed, does not become final and binding until **20 days** from the giving of the decision has elapsed as set out in subsection (21) of Section 53 of The Planning Act, R.S.O. 1990, Chapter P.13, as amended.

**THE FOLLOWING IS AN OVERVIEW OF CERTAIN SUBSECTIONS OF SECTION 45 OF THE PLANNING ACT.  
FOR ACCURACY YOU ARE REQUESTED TO CONSULT THE PLANNING ACT.**

10. The Secretary-Treasurer shall not later than ten days from the making of the decision send one copy of the decision, certified by him or her, to (a) the Minister, if the Minister has notified the Committee by registered mail that he or she wishes to receive one copy of all decisions of the Committee; (b) the applicant; and (c) to each person who appeared in person or by counsel at the hearing and who filed with the Secretary-Treasurer a written request for notice of the decision, together with a notice of the last day for appealing to the Local Planning Appeal Tribunal.
12. The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Local Planning Appeal Tribunal against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by certified cheque or money order in the amount of \$300 made payable to the Minister of Finance as prescribed by the Municipal Board under the Local Planning Appeal Tribunal Act as payable on an appeal from a Committee of Adjustment to the Tribunal.
13. The Secretary-Treasurer of the Committee, upon receipt of a notice of appeal filed under subsection (12), shall forthwith forward the notice of appeal and the amount of the fee mentioned in subsection (12) to the Local Planning Appeal Tribunal by registered mail together with all papers and documents filed with the Committee of Adjustment relating to the matter appealed from and such other documents and papers as may be required by the Tribunal.
14. If within such 20 days, no notice of appeal is given, the decision of the Committee is final and binding, and the Secretary-Treasurer shall notify the applicant and shall file a certified copy of the decision with the clerk of the municipality.
16. On an appeal to the Local Planning Appeal Tribunal, the Tribunal shall, except as provided in subsections (15) and (17), hold a hearing of which notice shall be given to the applicant, the appellant, the Secretary-Treasurer of the Committee and to such other persons or public bodies and in such manner as the Tribunal may determine.
17. Despite the Statutory Powers Procedure Act and subsection (16), the Tribunal may dismiss all or part of an appeal without holding a hearing, on its own motion or on the motion of any part if, (a) it is of the opinion that (i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the tribunal could allow all or part of the appeal, (ii) the appeal is not made in good faith or is frivolous or vexatious, or (iii) the appeal is made only for the purpose of delay; (b) the appellant has not provided written reasons for the appeal; (c) the appellant has not paid the fee prescribed under the Local Planning Appeal Tribunal; or (d) the appellant has not responded to a request by the Tribunal for further information within the time specified by the Tribunal.
18. The Tribunal may dismiss the appeal and may make any decision that the Committee could have made on the original application.

Appeals should be directed to:

Secretary-Treasurer  
Port Colborne Committee of Adjustment  
City of Port Colborne  
66 Charlotte Street  
Port Colborne, Ontario L3K 3C8  
Telephone: (905) 835-2900



Application B06-19-PC

February 15, 2019

**IN THE MATTER OF** The Planning Act, R.S.O., 1990, Chapter P13, Section 53(1);

**AND IN THE MATTER OF** the property legally known as Block 74 in Westwood Estates (Registered Plan 59M-428); now in the City of Port Colborne, Regional Municipality of Niagara; municipally known as s/s Stanley Street.

**AND IN THE MATTER OF AN APPLICATION** by the agent Upper Canada Consultants for the owners Lester Shoalts Ltd. for a severance under Section 53(1) of the Planning Act, R.S.O. 1990, Chapter P. 13, so as to permit the conveyance of Part 2 having a lot frontage of 31.44m (103.14ft) with a total lot area of 928.6m<sup>2</sup> (9995.69ft<sup>2</sup>) for a proposed residential use. Part 3 will retain a lot frontage of 26.54m (87.07ft) on Stanley Street with a lot area of 1466.6m<sup>2</sup> (15786.86ft<sup>2</sup>) for a proposed Stormwater Management/Wetland use.

That application B06-19-PC be **GRANTED** subject to the following conditions:

1. That the applicant amends the Westwood Park Phase II Plan of Subdivision grading plan to the satisfaction of the Director of Engineering and Operations to reflect the creation of the new lot.
2. That the owner submit a letter to the City indicating that (s)he is aware of the requirements of By-law 4748/130/05 which requires the collection of the parkland dedication at the time of the building permit application based on the value of the property the day before issuance of the permit and that (s)he will advise any future purchasers of this requirement.
3. That the applicant provides the Secretary-Treasurer with the deeds in triplicate for conveyance of the subject parcel or a registrable legal description of the subject parcel, together with a copy of the deposited reference plan, if applicable, for use in the issuance of the Certificate of Consent.
4. That a final certification fee of \$204 payable to the City of Port Colborne be submitted to the Secretary-Treasurer.
5. That the owner enter into a Development Agreement with the City of Port Colborne to include fencing along the portions adjacent to the wetlands.

For the Following Reasons:

1. The application conforms to the policies of the Regional Official Plan, City of Port Colborne Official Plan and will also comply with the provisions of Zoning By-law 6575/30/18, as amended.
2. This decision is rendered having regard to the provisions of subsection 51(24) of the Planning Act, R.S.O. 1990, c.P.13.

**DATED AT PORT COLBORNE** this 12th day of February, 2019.

**DECISIONS SIGNED:**

|  |  |  |                                     |  |
|--|--|--|-------------------------------------|--|
| <u>"Dan O'Hara"</u>                    | <u>"Gary Bruno"</u>                    | <u>"Angie Desmarais"</u>               | <u>"Donna Kalailieff"</u>           | <u>"Eric Beauregard"</u>               |
| Signature of<br>Member of<br>Committee | Signature of<br>Member of<br>Committee | Signature of<br>Member<br>of Committee | Signature of Member<br>of Committee | Signature of<br>Member of<br>Committee |

**NOTE:** THE LAST DATE ON WHICH AN APPEAL TO THE LOCAL PLANNING APPEAL TRIBUNAL MAY BE FILED IS:

**MARCH 7, 2019.**

**NOTE:** The Decision of the Committee of Adjustment, when not appealed, does not become final and binding until **20 days** from the giving of the decision has elapsed as set out in subsection (21) of Section 53 of The Planning Act, R.S.O. 1990, Chapter P.13, as amended.

**THE FOLLOWING IS AN OVERVIEW OF CERTAIN SUBSECTIONS OF SECTION 45 OF THE PLANNING ACT.  
FOR ACCURACY YOU ARE REQUESTED TO CONSULT THE PLANNING ACT.**

10. The Secretary-Treasurer shall not later than ten days from the making of the decision send one copy of the decision, certified by him or her, to (a) the Minister, if the Minister has notified the Committee by registered mail that he or she wishes to receive one copy of all decisions of the Committee; (b) the applicant; and (c) to each person who appeared in person or by counsel at the hearing and who filed with the Secretary-Treasurer a written request for notice of the decision, together with a notice of the last day for appealing to the Local Planning Appeal Tribunal.
12. The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Local Planning Appeal Tribunal against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by certified cheque or money order in the amount of \$300 made payable to the Minister of Finance as prescribed by the Municipal Board under the Local Planning Appeal Tribunal Act as payable on an appeal from a Committee of Adjustment to the Tribunal.
13. The Secretary-Treasurer of the Committee, upon receipt of a notice of appeal filed under subsection (12), shall forthwith forward the notice of appeal and the amount of the fee mentioned in subsection (12) to the Local Planning Appeal Tribunal by registered mail together with all papers and documents filed with the Committee of Adjustment relating to the matter appealed from and such other documents and papers as may be required by the Tribunal.
14. If within such 20 days, no notice of appeal is given, the decision of the Committee is final and binding, and the Secretary-Treasurer shall notify the applicant and shall file a certified copy of the decision with the clerk of the municipality.
16. On an appeal to the Local Planning Appeal Tribunal, the Tribunal shall, except as provided in subsections (15) and (17), hold a hearing of which notice shall be given to the applicant, the appellant, the Secretary-Treasurer of the Committee and to such other persons or public bodies and in such manner as the Tribunal may determine.
17. Despite the Statutory Powers Procedure Act and subsection (16), the Tribunal may dismiss all or part of an appeal without holding a hearing, on its own motion or on the motion of any part if, (a) it is of the opinion that (i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the tribunal could allow all or part of the appeal, (ii) the appeal is not made in good faith or is frivolous or vexatious, or (iii) the appeal is made only for the purpose of delay; (b) the appellant has not provided written reasons for the appeal; (c) the appellant has not paid the fee prescribed under the Local Planning Appeal Tribunal; or (d) the appellant has not responded to a request by the Tribunal for further information within the time specified by the Tribunal.
18. The Tribunal may dismiss the appeal and may make any decision that the Committee could have made on the original application.

Appeals should be directed to:

Secretary-Treasurer  
Port Colborne Committee of Adjustment  
City of Port Colborne  
66 Charlotte Street  
Port Colborne, Ontario L3K 3C8  
Telephone: (905) 835-2900

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**Report To:** Board of Directors

**Subject:** Alternative Full Authority Meeting Dates

**Report No:** FA-30-19

**Date:** March 20, 2019

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**RECOMMENDATION:**

1. That Report No. FA-30-19 respecting the 2019 Full Authority meeting dates **BE RECEIVED**.
2. That the April 17, 2019 meeting date **BE CHANGED** at the March Board meeting in order to invite the Auditor General to the April Meeting.
3. That staff **BE REQUESTED** to poll Board members to determine the best date and time for future Board meetings.

**PURPOSE:**

The purpose of this report is to seek Board direction regarding future meeting dates and times for the Full Authority.

**DISCUSSION:**

The NPCA establishes its Board meeting schedule in January or February of each year. Generally Regular Full Authority Meetings are held on the third Wednesday of each month from 9:00 a.m. to 12:00 noon. This current meeting date and time is causing a conflict for several Board Members, and in turn, may result in a lack of quorum for Board Meetings.

Further, the Chair has requested that the Auditor General be invited to the April Board meeting, which necessitates that the meeting date for April be solidified as soon as possible.

Finally, when the Interim CAO/Secretary-Treasurer accepted the position, she had previous scheduled vacation from Thursday May 9<sup>th</sup> returning Monday May 27<sup>th</sup>. If possible, the Interim CAO/ST would like to attend a May Board meeting if it is rescheduled.

**FINANCIAL IMPLICATIONS:**

There are no financial implications to the changing of Full Authority meeting dates

**Submitted by:**

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**D. Gayle Wood**  
**Interim CAO/Secretary-Treasurer**

*Prepared with input from Chair Dave Bylsma and Vice Chair Huson*

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**Report To: Board of Directors**

**Subject: Meeting Provincial Priorities for Reducing Regulatory Burden**

**Report No: FA-31-19**

**Date: March 20, 2019**

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**RECOMMENDATION:**

WHEREAS the provincial government intends to increase the supply of housing and streamline the land use planning and development approval process to achieve this goal; and

WHEREAS the Conservation Authorities play an important role in the planning and development review process with respect to watershed protection and hazard lands; and

WHEREAS Conservation Authorities support and can help deliver the Government's objective not to jeopardize public health and safety or the environment;

THEREFORE BE IT RESOLVED THAT the Niagara Peninsula Conservation Authority Board of Directors **ENDORSE** the three key solutions developed by the Conservation Ontario working group: to improve client service and accountability; increase speed of approvals; and, reduce "red tape" and regulatory burden; and

THAT staff **BE DIRECTED** to work with Conservation Ontario and our clients to identify additional improvements; and further; and

THAT staff **BE DIRECTED** to implement these solutions as soon as possible.

**PURPOSE:**

The purpose of this report is to seek endorsement of the Board of Directors for staff to pursue streamlining and client service measures to contribute to provincial priorities for housing supply, as requested by Conservation Ontario.

**BACKGROUND:**

In June of 2018 a new government was elected and moved quickly to implement the *Plan for the People* platform which included promises to:

- "Cut red tape and stifling regulations that are crippling job creation and growth, and
- ...single-window access for approvals with a hard one-year deadline"

Since that time the government has introduced a number of consultations, draft proposals and proposed amendments to legislation in support of their agenda.

### Made in Ontario Environment Plan

The Ministry of Environment, Conservation and Parks released the *Preserving and Protecting our Environment for Future Generations: A Made-in-Ontario Environment Plan (2018)* that affirmed support for conservation and environmental planning and specifically mentioned that they would:

- “work in collaboration with municipalities and stakeholders to ensure that conservation authorities focus and deliver on their core mandate of protecting people and property from flooding and other natural hazards and conserving natural resources”.

### Housing Supply Action Plan

The Ministry of Municipal Affairs and Housing has initiated consultations on a *Housing Supply Action Plan* with the purpose to increase supply and streamline the development approval process. The Ministry is also reviewing the *Planning Act* and the *Provincial Policy Statement* to ensure that the land use planning and development approvals process is aligned with their goal.

### Concerns About CAs

Conservation authorities (CAs) in Ontario are part of the planning and development approvals process as we implement our mandate. Concerns have been expressed that conservation authorities “need to stick to their mandate” and that they present a “significant barrier” to timely development approvals. Many of these concerns arise in the Greater Toronto Area where land development is complex, and demands are high, however, it is also very relevant to other areas in the province where development is occurring.

CAs have acknowledged that we can always improve our processes and relationships with the many stakeholders that we interact with. In 2007 Conservation Ontario and CAs participated with the Ontario Home Builders Association (OHBA) and the Building Industry and Land Development Association (BILD) along with municipalities, the province and other stakeholders as members of the Conservation Authority Liaison Committee (CALC). The current Interim CA/ST was part of this process.

In 2010, the Ministry of Natural Resources and Forestry (MNRF) and Ministry of Municipal Affairs and Housing (MMAH) approved the *Policies and Procedures for Conservation Authority Plan Review and Permitting Activities* that would form part of MNRF’s Policies and Procedures Manual. Conservation Ontario provided training in 2012 and 2014 to assist CAs in implementing the best practices laid out in this document. Each CA was encouraged to prepare publicly available policies and procedures to ensure transparency and outline expectations to stakeholders including review and permitting timelines and fees. All NPCA’s policies, guidelines and mapping are available to our clients and staff work to adhere to the review and permitting timelines as determined through the CALC process. Current issues regarding our website to provide client access to information are being worked on by staff.

It is imperative that conservation authorities engage in the conversation about our very important role in land use planning and development approvals as well as helping the new government understand our mandate and the relationships we have with our municipalities.

### **ANALYSIS:**

Conservation Ontario (CO) is working with the new government. Through this process a number of CAO’s and General Managers volunteered to establish a small CO working group to work with CO to identify recommendations for solutions that will address the issues identified by the



government around the housing supply **while still protecting natural hazards management and plan review activities required to protect the health and safety of Ontario's watersheds and residents.**

#### Conservation Authority Mandate

The CO working group discussed clarifying and restating our mandate as supported by the recent update to the *Conservation Authorities Act (2017)* and as described in the province's *Made in Ontario Environment Plan*:

"The core mandate of conservation authorities is to undertake watershed-based programs to protect people and property from flooding and other natural hazards, and to conserve natural resources for economic, social and environmental benefits".

This has always been the purpose of CAs and now, more than ever, it is necessary to have organizations like this on the ground and being able to work at the right scale to protect and manage natural resources. Our monitoring, identification of issues and appropriate mitigation measures, helps our communities to be able to respond to ongoing environmental issues. Further, as the federal and provincial governments restrict their activities more to policy related activities there is a gap in capacity to address local environmental issues.

The following excerpt from a Conservation Ontario briefing note to the province identifies that:

"Conservation authorities are a cost-effective mechanism for the Province and municipalities for the delivery of objectives under the Provincial Policy Statement (PPS).

- In addition to acting as a commenting agency on behalf of the Province with regard to natural hazards, conservation authorities also act as regulators. Additionally, conservation authorities act as technical advisors for municipalities in the review of planning applications, and, as source protection authorities under the Clean Water Act supporting policy implementation.
- Conservation authorities ensure that applicants and municipal planning authorities are aware of regulations and requirements as well as assist in the coordination of applications under the Planning Act and the Conservation Authorities Act. The focus is to eliminate unnecessary delay or duplication in the process as it relates to protecting public health and safety from natural hazards, now and into the future.
- Conservation authorities, through the provision of advice from watershed-based science, enable municipalities to cost effectively consider in their decision-making other PPS considerations such as 'wise use and management of resources' and stormwater."

#### Streamlining Conservation Authority Activities

The CO working group has been evaluating ways that CAs can streamline approval activities and "reduce red tape" in order to help the province. It is recognized that we need to identify the **outcomes** that the province and our municipalities need and review and **modify our processes** to ensure the **best solutions**.

The CO working group developed the following three key solutions that we will work on with the community and municipalities. Through these activities we will also identify any other specific concerns to be addressed.

1. Improve Client Service and Accountability

- Provide client service training and establish client service standards implementing activities such as one point of contact for applications, and template guidelines for policies, processes, and, CA/Municipal MOUs that have clear deadlines for the different plan review services.
- Our commitment to timely approvals will be reported on annually.
- Initially, focus efforts on conservation authorities with high growth areas (GGHG/GTA and other parts of the province) where housing supply is needed immediately.

2. Increase speed of approvals

- Assess current application review/approval timelines, identifying problem areas where timelines are not being met and developing solutions to meet timelines.
- Establish timelines that match the complexity of development applications (e.g. simple and complete applications can be processed more quickly).

3. Reduce “red tape” and regulatory burden

- Examine where conservation authorities can improve or change our processes to speed up or simplify permitting in hazard areas.
- Explore additional legislative or regulatory amendments to achieve increased housing supply and decreased approval timeframes.

Work Underway Among CAs

Some of these activities have already been started with the CO Section 28 Regulations Committee meeting over the past six months to identify potential streamlining options that can be implemented immediately.

We too experience issues with other regulatory or planning processes that influence our ability to complete our work. We have identified several of these including the opportunity to revisit recent changes to the *Safe Drinking Water Act (O. Reg 205/18)* and streamlining of approvals under the *Endangered Species Act*.

NPCA has developed a customer service charter which requires updating by staff and approval by the Board. Staff recommend that NPCA should embrace the key actions identified by the CO working group and develop additional actions based on internal discussions.

**COMMUNICATIONS PLAN:**

NPCA will communicate with our stakeholders any changes to our processes regarding planning and permitting to ensure a smooth transition.

**FINANCIAL IMPLICATIONS:**

There is no financial impact to NPCA for this project.

**Submitted by:**

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**D. Gayle Wood**  
**Interim CAO/Secretary-Treasurer**



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**Report To:** Board of Directors

**Subject:** Interim CAO/Secretary-Treasurer Workplan Priorities

**Report No:** FA-19-19

**Date:** March 20, 2019

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**RECOMMENDATION:**

1. That Report No. FA-19-19 respecting the Interim CAO/Secretary-Treasurer's Workplan Priorities **BE APPROVED.**

**PURPOSE:**

The purpose of this report is for the Interim CAO/Secretary-Treasurer to present her 5-month workplan priorities, as discussed with the NPCA Chair and Vice Chair, and to gain input and approval from the Board of Directors.

**BACKGROUND:**

On March 1, 2019, the Interim CAO/ST met with the Chair and the Vice Chair to discuss work plan priorities during her 5-month contract period.

**DISCUSSION:**

Based on discussion with the Chair and Vice Chair, the following high level workplan priorities are presented to the Board of Directors for review and feedback:

1. **Work with the NPCA Staff Team to Improve Communication and Ensure Stabilization**
  - Initiate monthly staff meetings, commencing March 1, 2019
  - Meet with human resources staff to discuss key HR priorities
  - Meet individually with all staff to discuss their programs
  - Establish regular Management Team meetings
  - Introduce an Interim CAO newsletter
  - Ensure Conservation Ontario Weekly Newsletter is distributed to staff
  - Introduce Chair and Vice Chair to staff.
2. **Establish Working Relationships with the Chair, Vice Chair and Board of Directors**
  - Establish communication protocols with Chair, Vice Chair and Board
  - Contact individual Board members to discuss concerns, commencing with a February 28, 2019 email

- Draft monthly board agendas, as well as Committee agendas for priority committee work
- Ensure agendas and minutes are timely, accountable and transparent
- Introduce a one-page **Board Meeting Highlights** for the Board Members and their municipalities
- Develop a Board Orientation Program, commencing at the March 20<sup>th</sup> meeting
- Establish On-boarding and Orientation for future Niagara Region Board Members
- Prepare a March Staff Report regarding proposed changes to the 2020 Budget process for referral to the NPCA Budget Committee.

### **3. Improve Working Relationship with Municipalities/MPP's**

- Establish contacts with all municipal CAO's to discuss priorities and concerns
- Attend Municipal CAO Meetings
- Commence budget discussion for 2020 with funding municipalities
- Attend Council meetings as requested
- Contact MPP's for meetings to discuss current priorities.

### **4. Improve Community and Media Relations**

- Conduct initial Interviews with CHCH, CKTB, The Standard
- Discuss a communication's plan with staff
- Provide continuous and positive media releases
- Identify community groups and attend meetings
- Introduce a "Interim CAO Meet and Greet" with the Community in advance of Board meetings.

### **FINANCIAL IMPLICATIONS:**

The proposed Interim CAO/ST priorities will be completed within the current salary envelope and approved 2019 budget.

**Submitted by:**

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**D. Gayle Wood**  
Interim CAO/Secretary-Treasurer

**Report To:** Board of Directors

**Subject:** Conservation Ontario Appointees

**Report No:** FA-20-19

**Date:** March 20, 2019

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**RECOMMENDATION:**

1. That Report No. FA-20-19 appointing the Chair and Vice Chair as voting and alternate delegates to Conservation Ontario **BE APPROVED** on an interim basis until the final Board of Directors is constituted in 2019.

**PURPOSE:**

The purpose of this report is to gain the Board's approval of the interim appointees to Conservation Ontario (CO) on behalf of the NPCA.

**BACKGROUND:**

Conservation Ontario is a non-profit organization that represents Ontario's 36 Conservation Authorities. Each Conservation Authority designates a voting delegate and an alternate delegate to CO. The organization is governed by a six-member elected Board of Directors and directed by a Council comprised of appointed individuals from Ontario's 36 Conservation Authorities.

Conservation Ontario has the following Vision and Mission:

**Vision** – to engage Conservation Authorities in matters of common interest, and shape effective policy relating to Conservation Authorities.

**Mission** – to promote and continually strengthen a watershed-based conservation coalition in Ontario.

CO's business functions include:

- Policy and Program Development
- Business Development and Partnerships
- Communications
- Education and Training
- Collective Corporate Services
- Government Relations
- Information Management and Research.

## **DISCUSSION:**

According to NPCA By-Laws, the Chair is the voting delegate appointed to CO and the CAO is the alternate. Given the interim nature of the current CAO's contract, it is recommended that the Chair be the voting delegate and the Vice Chair be the alternate, with the Interim CAO attending CO meetings with them to provide advice and recommendations.

In 2019, Conservation Ontario will meet four times – April 1<sup>st</sup>, June 24<sup>th</sup>, September 30<sup>th</sup>, and December 9<sup>th</sup>.

Conservation Ontario meeting minutes should be placed on Full Authority agendas, at which time the Chair, Vice Chair and CAO can address any questions or comments from the Board of Directors.

The Interim CAO/ST is supportive of CO and NPCA's regular attendance at meetings. With the ongoing review of conservation authorities by the provincial government, participation of each CA at CO is important.

## **FINANCIAL IMPLICATIONS:**

The Chair and Vice Chair would receive a per diem to attend each CO meeting plus mileage. The CAO's salary would cover attendance. The 3 appointments will car pool to the meeting, when possible. Lunch is provided by Conservation Ontario.

**Submitted by:**

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**D. Gayle Wood**  
**Interim CAO/Secretary-Treasurer**

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**Report To:** Board of Directors

**Subject:** Status of NPCA Committees

**Report No:** FA-21-19

**Date:** March 20, 2019

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**RECOMMENDATION:**

1. That Report No. FA-21-19 regarding the Status of NPCA Committees **BE RECEIVED**; and
2. Further, that the Budget and Audit Committees be blended with a new Terms of Reference to **BE APPROVED** at the April Board of Directors Meeting; and
- 3.. Further, that the following members **BE APPOINTED** to the Budget and Audit Committee in addition to the Chair and Vice Chair , Regional Councillor Zalepa, Board Member Wright and Councillor Metcalfe.

**PURPOSE:**

The purpose of this report is:

- To provide the Board of Directors with an updated status of NPCA Standing and Ad Hoc Committees; and
- To provide the Board of Directors with recommendations regarding key committees to be activated and/or continued within the fiscal year.

**BACKGROUND:**

A series of NPCA Ad Hoc and Standing Committees have been created over the years. The following table provides an overview of these Committees, in alphabetical order according to the committee name and recommends priorities for committee work.

| COMMITTEE   | STANDING<br>(SC)<br>Ad Hoc (AH) | CREATED | ACTIVE/<br>INACTIVE | RECOMMENDATION   |
|---|---------------------------------|---------|---------------------|--|
| NPCA Advisory Committee                               | SC                              | 2014    | Inactive            | Important Committee – needs further consideration by the new Board of Directors and reactivation in fourth quarter of 2019   |
| Audit Committee                                       | SC                              | 2018    | Inactive            | Recommend blending with the Budget Committee in Q1 of 2019   |
| Budget Committee                                      | SC                              | 2018    | Inactive            | Recommend blending with the Audit Committee with meeting to be held prior to the April Board meeting   |
| CAO Selection   | AH                              | 2019    | Active              | High priority for continuance into second quarter of 2019  |
| Governance Committee                                  | AH                              | 2019    | Active              | High priority for continuance in 2019. Next meeting will be held March 27, 2019  |
| Conservation Ontario Biennial Tour Planning Committee | AH                              | 2017    | Inactive            | Given the tour is in September 2019, it is recommended that staff work directly with Chair and Vice Chair and provide continuous reports to the Board of Directors |
| Strategic Planning Committee                          | AH                              | 2017    | Inactive            | Committee should be re-activated after the completion of a Business Plan and prior to consideration of the new strategic plan prior to 2021                        |
| Water Quality Improvement Grant Review Committee      | SC                              | 2018    | Inactive            | Committee should be reactivated after consideration of a report in April 2019  |
| Watershed Floodplain Committee                        | SC                              | 2018    | Inactive            | Committee's role should be re-considered during the fourth quarter of 2019.  |

### **DISCUSSION:**

Committee work is important; however, given limited staff resources and vacancies, it is important to focus on priority committee work as we finish our first quarter of 2019 and enter the second quarter. Staff recommend the following priorities for focus, in addition to the **CAO Selection Committee** during Q2:

- **Budget/Audit Committee** – the NPCA Auditor is expected to present the 2018 Financial Statements to the Board in April 2019. Creation of a blended Audit and Budget Committee should be activated at the March 20, 2019 Board of Directors' meeting. Further, staff will need to commence discussions with municipal staff regarding the 2020 budget in June of 2019. It is recommended that this Committee review a new, consultative budget approach for 2020.
- **Governance Committee** – It is important to continue the review of the Auditor General's recommendations by this Committee. The Chair has requested the Interim CAO to invite the Auditor General to the April Board of Directors' meeting. The Governance Committee's next meeting is scheduled for March 27<sup>th</sup>, 2019.
- **Water Quality Improvement Grant Committee** – With outstanding applications to review and revenue in the 2019 budget for this program, this Committee requires priority focus, subject to Board consideration of a report in April regarding the restoration program.

### **FINANCIAL IMPLICATIONS:**

Terms of Reference have been approved for the priority Committees noted above. All Committees, except the CAO Selection Committee have approved a membership composition including the Chair, Vice Chair and at least 3 other board members. Member per diems and mileage would be required to attend committee meetings, which is addressed in the 2019 budget. Staff salaries to assist with the Committees are also addressed in the 2019 budget.

**Submitted by:**

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**D. Gayle Wood**  
Interim CAO/Secretary-Treasurer

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**Report To: Board of Directors**

**Subject: Draft Proposed Budget Process – 2020 Budget**

**Report No: FA-22-19**

**Date: March 20, 2019**

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**RECOMMENDATION:**

1. That Report No.FA-22-19 regarding the Draft Proposed Budget Process for the 2020 budget **BE RECEIVED**; and
2. Further that the Draft Proposed Budget Process for 2020 be forwarded to the Budget Committee for review, revisions and recommendation and forwarded **FOR APPROVAL** at the April Board of Directors' Meeting.

**PURPOSE:**

The purpose of this report is:

- To provide draft proposed changes to the 2020 NPCA budget process which will provide for more formal consultation and interaction with our municipal funding partners; and
- To request the Board of Directors to refer this matter to the Budget Committee for further review, revisions and recommendation to the Board of Directors.

**BACKGROUND:**

The Interim CAO/ST has reviewed the current budget process utilized by the NPCA and recommends that a process paralleling that provided to the Regions of York, Durham, Peel and Halton, by neighboring CA's, be considered. This process would provide for more consultation with funding municipalities for the draft 2020 budget.

**DISCUSSION:**

Municipalities generally commence budget discussions for the upcoming year around June. NPCA should also commence its budget process around June of each year, as follows:

**June 2019**

- Staff will consult with staff of funding municipalities regarding upcoming budget year
- Staff will prepare a report for the Budget Committee which outlines budget assumptions for the upcoming year, including inflation, COLA, levy, growth, special operating and capital funds
- Levy guidance for the upcoming year would be provide at this point by the Committee



- The Committee will provide a recommendation for the Board of Directors in July.

#### **July 2019**

- The Board provide direction and approval on budget assumptions for 2020 and will direct staff to prepare a draft Budget.

#### **September 2019**

- Staff will present a draft budget operating budget to the Budget Committee for recommendation to the Board of Directors' for approval, in principle.
- Board will direct staff to consult with funding municipal staff regarding the draft operating budget and direct staff to prepare a capital budget for consideration in October.

#### **October 2019**

- Staff will report municipal discussions to the Budget Committee/Board and the Board will direct staff to prepare a final budget both operating and capital.

#### **November 2019**

- Staff will present a final budget for Board consideration.

#### **Late November/Early December 2019**

- Council presentations by the NPCA CAO, with Chair/Vice Chair and Senior staff regarding the budget will occur.

#### **December/January 2019/2020**

- Board will provide a weighted vote on the NPCA levy and a majority vote on operating and capital budgets.
- Levy letters will be sent out to participating municipalities and within 30 days of receipt of the apportionment letter, municipalities have the ability to appeal apportionment only.

#### **FINANCIAL IMPLICATIONS:**

Per Diems and mileage will be provided to the Budget Committee members and staff salaries, which are currently within the 2019 budget will cover staff costs to prepare the budget and consult with member municipalities.

**Prepared by:**

**Submitted by:**

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**John Wallace**  
**Manager, Finance**

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**D. Gayle Wood**  
**Interim CAO/Secretary-Treasurer**

**Report To:** Board of Directors

**Subject:** Fleet Service Provider - Thomas Solutions Ltd.

**Report No:** FA-23-19

**Date:** March 20, 2019

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**RECOMMENDATION:**

1. That Report No. FA-23-19 pertaining to Thomas Solutions Inc. bid for NPCA's fleet support **BE RECEIVED**; and
2. That the NPCA Board of Directors **AUTHORIZE** the Interim CAO/Secretary-Treasurer to enter into a five (5) year agreement, awarding Thomas Solutions Inc. to be the NPCA's fleet service provider.

**PURPOSE:**

The purpose of this report is to gain Board approval for the Interim CAO/Secretary-Treasurer to sign a five (5) year agreement with Thomas Solutions Inc. for fleet support.

**BACKGROUND:**

In October 2018 the Auditor General of Ontario's Office identified that the procurement process for the Niagara Peninsula Conservation Authority's fleet support was not properly conducted. On January 14, 2019 the Niagara Peninsula Conservation Authority posted the Request for Proposal for Fleet Support Solution on MERX. The Request for Proposal closed on February 8, 2019. Only one submission was received (Thomas Solutions Inc.).

**DISCUSSION:**

Thomas Solutions Inc. has been a fleet rental, leasing, commercial vehicle management company for over 50 years in Hamilton, ON. The NPCA has used Thomas Solutions Inc. fleet services for the last Five (5) years. Thomas Solutions Inc. has the inventory to provide the NPCA what they need for daily operations which includes seven total vehicles annually. Thomas Solutions allows the Niagara Peninsula Conservation Authority to return some of its fleet vehicle(s) during the Fall/Winter Season when they are not in operational use without any penalty. The agreement includes all maintenance (Excluding Tires Damage & Windshield Damage).

**FINANCIAL IMPLICATIONS:**

The total cost over the 5-year agreement period is an estimated **\$267,900.00 (\$53,580 per year for 7 vehicles)** plus 0.08 cents per Kilometers if over 3,000kms per vehicles per month. The following vehicles are required:

**Full Size Trucks****Short Term (One Vehicle)**

Monthly Cost for 6 Rental \$853.00 + HST for 5 Years = \$25,590.00 + HST

**Long Term (Two Vehicles)**

Monthly Cost for 12 Month Rental = \$853.00 + HST x 2 Vehicles for 5 Years = \$102,360.0 + HST

**Compact Crossover SUV****Short Term (One Vehicle)**

Monthly Cost for 6 Rental \$705.00 + HST for 5 Years = \$21,150.00 + HST

**Long Term (One Vehicle)**

Monthly Cost for 12 Month Rental = \$705.00 + HST x 1 Vehicle for 5 Years = \$42,300.00 + HST

**Mid Size SUV****Short Term (One Vehicle)**

Monthly Cost for 6 Rental \$850.00 + HST for 5 Years = \$25,500.00 + HST

**Long Term (One Vehicle)**

Monthly Cost for 12 Month Rental = \$850.00 + HST x 1 Vehicle for 5 Years = \$51,000.00 + HST

**RELATED REPORTS AND APPENDICES:**

1. Fleet Support 2018 Comparison
2. Thomas Solutions Inc. Long Term Rental Fleet Service Agreement

**Prepared by:**

**Submitted by:**

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**Adam Christie**  
**Manager, Strategic Initiatives**

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**D. Gayle Wood**  
**Interim CAO/Secretary-Treasurer**

*This report was prepared in consultation with Eric Gervais, Procurement Specialist*

# NON OWNED VEHICLE INVENTORY

Appendix 1 - Report FA-23-19

TOTAL INVENTORY Rental Per Month INVENTORY ITEMS: 7

\$5,533.00

| Make   | Year | Model    | Trim | Unit Number | Location         | Rental Date      | Rate     | Qty of Month | Total        |
|--------|------|----------|------|-------------|------------------|------------------|----------|--------------|--------------|
| FORD   | 2019 | F150CC   | XLT  | 821         | Welland Office   | April 3 2017     | \$813.00 | 12           | \$ 9,756.00  |
| FORD   | 2011 | F150CC   | XL   | 1235        | Long Beach       | November 6 2017  | \$813.00 | 12           | \$ 9,756.00  |
| FORD   | 2011 | F150CC   | XLT  | 1243        | Central Workshop | April 25 2018    | \$813.00 | 6            | \$ 4,878.00  |
| FORD   | 2010 | ESCAPE   | XLT  | 1421        | Welland Office   | November 6 2017  | \$645.00 | 6            | \$ 3,870.00  |
| FORD   | 2012 | ESCAPE   | XLT  | 1508        | Welland Office   | April 25 2018    | \$645.00 | 12           | \$ 7,740.00  |
| FORD   | 2017 | EXPLORER | LTD  | 1650        | Welland Office   | September 7 2016 | \$999.00 | 12           | \$ 11,988.00 |
| FORD   | 2015 | EXPLORER | XLT  | 1874        | Central Workshop | May 25 2018      | \$805.00 | 6            | \$ 4,830.00  |
| Totals |      |          |      |             |                  |                  |          |              | \$ 52,818.00 |

TOTAL INVENTORY Rental Per Month INVENTORY ITEMS: 7

\$5,669.00

| Make   | Year    | Model    | Trim | Unit Number | Location         | Rental Date | Rate     | Qty of Month | Total        |
|--------|---------|----------|------|-------------|------------------|-------------|----------|--------------|--------------|
| FORD   | 2018/19 | F150     | XL   | TBA         | Welland Office   | TBA         | \$853.00 | 12           | \$ 10,236.00 |
| FORD   | 2018/19 | F150     | XL   | TBA         | Long Beach       | TBA         | \$853.00 | 12           | \$ 10,236.00 |
| FORD   | 2015/16 | F250     | XLT  | TBA         | Central Workshop | TBA         | \$853.00 | 6            | \$ 5,118.00  |
| FORD   | 2015/16 | ESCAPE   | XLT  | TBA         | Welland Office   | TBA         | \$705.00 | 6            | \$ 4,230.00  |
| FORD   | 2015/16 | ESCAPE   | XLT  | TBA         | Welland Office   | TBA         | \$705.00 | 12           | \$ 8,460.00  |
| FORD   | 2015/16 | EXPLORER | XLT  | TBA         | Welland Office   | TBA         | \$850.00 | 12           | \$ 10,200.00 |
| FORD   | 2015/16 | EXPLORER | XLT  | TBA         | Central Workshop | TBA         | \$850.00 | 6            | \$ 5,100.00  |
| Totals |         |          |      |             |                  |             |          |              | \$ 53,580.00 |

Variance

1.44%

## **Long Term Rental / Fleet Service Agreement**

Thomas Solutions Limited (dba Thomas Solutions) herein after referred to as Thomas, and the Niagara Peninsula Conservation Authority (dba NPCA) herein after referred to as NPCA hereby agree to the following Service Agreement.

Thomas agrees to supply on an on-going and continuous basis, safe, licensed, legal for road use, work trucks and other vehicles to NPCA for use in Ontario. The work trucks may also be used throughout Canada. Trucks that may need to be brought into the United States need to be approved by Thomas first.

NPCA agrees that Thomas will be their preferred supplier for fleet vehicle services such as supplemental, rental and long term vehicle/fleet needs during this time in accord with NPCA's wishes, expectations and specifications as it pertains to vehicle, class, size, options and even accessories, add-ons and upfits. NPCA will allow Thomas to quote on any purchases or other means of sourcing vehicles. NPCA reserves the right to change the volume of their order with Thomas at any time. However, they agree that they will use Thomas as their preferred supplier for 5 years from the date of this agreement with the option to renew at the end of the initial term for 2 (two) one year extensions. This Agreement will be automatically renewed unless otherwise specified by one or both parties with one month written notice.

Unlike traditional leases, Thomas will not charge any penalty, fee or "residual" charge for any vehicles returned/not required due to business changes under this Service Agreement.

### **Thomas Solutions is responsible for:**

- Providing mechanically sound, road safe, fit, licensed vehicles in accord with your specifications and exceeding MTO requirements.
- Performing all regular maintenance. This includes replacing wear parts as required (brakes, shocks, ball joints, etc) – for additional detail please see Appendix A.
- Dealing directly with manufacturers and dealerships with respect to any warranty or recall issues.
- Performing all required emissions tests, safeties, licensing and other government requirements.
- Handling any and all fleet needs as required.
- Outfitting any Thomas vehicles that the customer would like with an Asset Management and Tracking solution (GPS). Cost for this service and install will be added to the monthly rental rate as required – pricing can be provided.
- Initial delivery of vehicles to NPCA office.
- Towing of Thomas vehicles is paid for by Thomas when it is a covered mechanical failure per Appendix A or the fault of Thomas Solutions. Towing is only covered when there is no possible way to get the vehicle to the nearest Thomas approved repair facility.

### **NPCA is responsible for:**

- Bringing the units into Thomas or a Thomas chosen maintenance partner on specified maintenance intervals. A dash board card is provided to notify your drivers when this is.
- Being aware of vehicle repair needs and bringing the unit in for repair in a timely fashion. For example, if a unit is leaking oil and NPCA continues to drive it until the engine fails, this is not

considered normal maintenance and will be a chargeable repair to NPCA. Most companies employ a daily “circle check” form whereby their drivers inspect key aspects of the vehicle for safety and mechanical defects. If NPCA would like us to provide a form we can.

- NPCA will be responsible for the costs associated with damaged items as outlined but not limited to those found in Appendix A. For example, a driver runs over a nail, the tire repair is at your cost. However, if tires are worn out and a replacement is due, it is at Thomas’ cost.
- Providing regular fluid top ups between service if needed. Alternatively you may bring it into Thomas and we will provide this top up free of charge.
- Tire damages. We cannot control where your employees drive the vehicles or how much and thus do not cover tire damages. We can repair and replace tires in our shop if required at our going shop rate. Our offering does include new tires when tires wear out based on kilometers of use and the expected mileage that tire is supposed to deliver based on manufacturer specifications.
- To ensure that the vehicle is only operated by NPCA employees in accord with the NPCA’s vehicle use policies and procedures. If other driver’s are expected, they should be listed in advance.
- Upon pickup, vehicle is provided full of fuel and shall be returned as such.
- Providing proof of vehicle insurance – both collision and liability.
- Damages: minor dents and dings are acceptable. Items that should be addressed are anything that will affect the safety of the vehicle or reduce its life (eg. scratches that are deep and will turn into costly rust repairs or lead to the rotting out of key components).
- Windshield damages are not covered by Thomas, windshields do not wear out. Cracked, broken or damaged windshields are the responsibility of the NPCA.
- Providing that the vehicle is used in an appropriate operating manner e.g. pulling loads that do not exceed the weight and pulling capacity of the truck.
- Regular washing as NPCA sees fit to uphold their public image.
- Movement of vehicles to and from various NPCA offices and sites.
- Towing of Thomas vehicles is the responsibility of NPCA when the need is related to damages caused by NPCA’s vehicle operator. Examples include:
  - Truck is driven off the road and the vehicle is heavily damaged structurally and unable to be driven
  - Lights in the vehicle are left on and battery fails
  - Steering failure due to bent components from a strike or collision
- NPCA is not responsible for any residual fee, cancellation charges or safety deposit.

### **Pricing:**

Specific Pricing for NPCA - please refer to Appendix A.

### **General Notes:**

- Please refer to Appendix A for Pricing Details and any additional terms.
- Thomas can provide asset tracking / fleet tracking solutions. The install and monthly service charge is additional over and above the monthly rental rate. Options and pricing can be provided and rolled into the monthly rate if you so chose.
- Geographic coverage – Thomas can provide vehicles for all of NPCA needs.

- Thomas can provide delivery and pick up of vehicles to / from almost any location, this can be quoted to NPCA as required and done at cost.
- Thomas has provided NPCA with a special monthly mileage overage charge of \$0.08 per km if paid for upfront. Overpayments will be worked out annually or upon vehicle return and any credits owed will be either credited against existing monies owed, carried over or paid out to NPCA. This is applicable to all mileage over 3000 km per month which is included in the pricing.
- Maintenance reporting per vehicle can be provided annually or as needed.
- New vehicle colour can be chosen by customer.
- Used vehicle colour is not guaranteed.
- All vehicles provided to NPCA can include, where requested: back-up horns, back racks, fire extinguishers and towing packages as per the approved quote for the desired upfitting. With respect to back-up horns, please let us know if there are any vehicles for which you do NOT want backup horns or if a switch is required (eg. personal vehicles).
- Thomas can provide assistance with vehicle customization and accessorizing – racking, vehicle signage and so forth – a quote will be provided as needed – this cost is not included in the base monthly truck price.
- Other options such as specialty lights, safety lights, ladder racks, pintle hooks, trailer braking systems, step bars, running boards, caps, etc can be added at your pleasure. These may be added at time of initial addition to the fleet or after the fact. This will be on an as-quoted basis, upon approval by NPCA.
- Maintenance and mileage reporting per vehicle can be provided annually or as needed.
- As your fleet needs grow or your existing leases end or owned vehicles die, Thomas recommends a blended fleet solution combining both new and used vehicles. We can arrange this for you at no cost.
- There is no money down required for this service agreement, unlike traditional leases.
- Fuel is the responsibility of NPCA.

### **Servicing of Vehicles:**

Thomas does provide a dash board card in each vehicle outlining the vehicle service schedule.

Servicing of vehicles in Southern Ontario (within a 1 to 2 hour drive of Hamilton/GTA) will be done by Thomas at Thomas' Niagara or Hamilton location. Co-ordination of routine servicing will be managed by Thomas with NPCA together. For emergency service in Southern Ontario, Thomas may bring the vehicle back to any of its locations. Alternatively, Thomas does have a mobile repair unit that can be deployed to assist where needed.

Servicing of vehicles (both for routine maintenance and other repairs) outside of Southern Ontario will be done at a Thomas owned facility in that jurisdiction or by our nearest vehicle service and repair partner. If at a Thomas repair partner, Thomas will set up this relationship as and when needed and will provide this information to NPCA at the time of rental. All repairs and maintenance will be billed directly to Thomas' account. NPCA does need to give Thomas at least 1 week notice of where potential repairs and maintenance may need to be performed if outside of the Southern Ontario market.



The main service contact at Thomas Solutions for NPCA is: Shane McCausland  
Thomas Solutions Service: 1-877-479-1388  
Emergency number: 905 971 7721

**Spare Vehicles:**

Thomas will provide spare vehicles to NPCA for use when a unit is in for maintenance to reduce any lost time of your employees. Spare vehicles will be similar to those of your main vehicles but may not always be the exact same. These will be provided to NPCA as a percentage of fleet size. This percentage will range between 7 and 10% of the fleet size. Spare units are free for regular maintenance items but for accidents/damages that are the customer's responsibility, daily rental rates apply.

**Payment Terms:**

Payments under this Service Agreement are due Net 30 days from receipt of invoice for rental amount and Net 30 for Service and Repair charges. First months fees are due at the time the vehicle is delivered and can be made via credit card over the phone or by cheque.

**Meetings and Account Review:**

A typical part of the Thomas Solutions program is regular communication with our customers and continually assessing if we are fully meeting their needs. We would like to suggest we book a monthly meeting which may be as short as 10 minutes. However, if another time frame works better for you we are open.

**Signatures:**

We, the undersigned hereby agree to the above documented Service Agreement:

**Service Provider, Thomas Solutions:**

Name (print): Greg Marotta

Title: General Manager

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Customer, NPCA:**





**Work Trucks   Cartage   Manpower**

70 Beach Rd, Hamilton, ON, L8L 8K3  
905-545-8808 or 1-877-479-1388  
Fax: 905-549-9016

[www.thomassolutions.ca](http://www.thomassolutions.ca)

Name (print):

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Title:

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Signature:

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Date:

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## **Appendix A: Vehicle Pricing for NPCA**

**In the RFP, you had specific vehicles you requested a quote for. Those are listed below as is a general pricing list.**

3 (three) white 2019 F150/250 Crew Cab Long-Box 4x4 (note F150 Crew Cab is a 6ft box max): \$853 per month per unit plus tax

- Includes 3,000 km per month
- Overages at \$0.08 per km

2 (two) white 2019 Compact Crossover SUVs (Ford Escape SE AWD with 1.5L Ecoboost): \$705 per month per unit plus tax

- Includes 3,000 km per month
- Overages at \$0.08 per km

2 (two) white or black 2014 to 2019 Mid-size SUVs (Ford Explorer 4dr 4x4 XLT): \$850 per month per unit plus tax

- Includes 3,000 km per month
- Overages at \$0.08 per km

## **General Work Truck Pricing (per month, per vehicle basis)**

| <b>Vehicle</b>                               | <b>Used<br/>Per Month</b> |
|--|---------------------------|
| Ford Focus – Hatch (approx)                  | \$ 480                    |
| Ford Fusion                                  | \$ 590                    |
| Ford Ranger – Extended Cab (approx)          | \$ 590                    |
| F150 (1/2 ton) – Regular or Extended Cab 2wd | \$ 745                    |
| F150 (1/2 ton) – Crew Cab                    | \$ 795                    |
| F250/F350- Regular Cab with 4x4              | \$ 823                    |
| F250/F350- Crew Cab with 4x4                 | \$ 873                    |
| F450 (Diesel)                                | Approx \$1,000            |
| Club Wagon Passenger Van                     | \$ 950                    |
| Minivan                                      | \$ 675                    |
| Econoline Work Van (E250/E350)               | \$ 755                    |
| Cube Van (approx – will vary based on size)  | \$ 1,000                  |
| Bucket Truck                                 | \$ 1,600                  |
| UTV – Side by Side (2 seater)                | \$ 500                    |

|   |        |
|---|--------|
| UTV – Side by Side (4 or 6 seater)  | \$ 850 |
| BattPack – 4,000 watt portable battery powered generator (rent, rent to own purchase) | \$ 500 |

**Notes:**

- Pricing is for trucks that are 2 wheel drive, gas powered and have a 6'-8' box with mud and snows unless otherwise specified.
- For four (4) wheel drive vehicles please add \$68 per month to the monthly price per truck where not indicated..
- For trucks traveling outside of the Niagara, Hamilton, Halton, Haldimand and the GTA there is a \$40 per month additional charge for repair network administration.
- Applicable taxes are additional (HST).
- All customization is additional.
- For Diesel trucks – please add \$99 per month to the monthly prices listed above.
- Spare keys included. Lost keys are approx. \$90 due to current technology (coded).
- Pricing includes 3,000 km per month per vehicle, mileage overages are charged at \$0.08 per km
- Trailering capability and licensing is additional and chargeable at \$129 per month. Please provide us with the details or your needs prior to trailering to ensure liabilities are met.
- Thomas will provide initial delivery of the vehicles to NPCA at no cost. Subsequent delivery and pick up of vehicles to / from almost any location, this will be quoted to NPCA as required and done at cost.
- Maintenance and repairs are covered by Thomas Solutions however it is the responsibility of the customer to bring the unit to a Thomas Solutions approved facility for the required maintenance. The customer is to contact Thomas solutions when maintenance is needed and Thomas Solutions will direct the customer to the appropriate Thomas approved service provider.
- The customer is responsible on a daily basis for ensuring the truck or car is in good working order before driving it and that regular fluid top-ups are completed as well as regular circle checks.
- New vehicle colour can be chosen by customer.
- Used vehicle colour is not guaranteed.
- Damages are the responsibility of NPCA – please see additional detail in this section pertaining to what constitutes damages or billable repairs and what is routine maintenance.
- Tire damages are the responsibility of NPCA.
- There is no money down required for this service agreement, unlike traditional leases.
- Fuel is the responsibility of NPCA.

**Maintenance Included:**

Some, but not all, maintenance that will be required over the life of the unit is outlined below. Depending on the type of vehicle, included maintenance may vary. The list below is a guideline.

- Oil changes, lube, filter and complete service and inspection every 6 months (or sooner).
- Electrical maintenance- as required over the life of the vehicle (eg. ECM, ABS modules, electronic engine control components, sensors, etc).
- Brakes- full front brake job (pads, rollers, calipers).
- Brakes- full rear brake job (pads, rollers, calipers).
- Parking Brake System- maintained regularly at every inspection - cables, shoes, linkages included.
- Ball joints- replacement of the left and right, both upper and lower.
- Steering linkage- inner and outer, left and right.
- Suspension- we will include all shocks; front and back, both left and right as required up to a maximum 2 sets.
- Wheel bearings- front – as required.
- Wheel bearings- rear – as required.
- Drive shaft- front u-joint plus double cardan – as required.

- Front drive axle- left and right u-joints.
- Drive shaft- rear u-joint.
- Drive shaft- rear hanger bearing.
- HVAC- service and replacement if required for compressors, evaporators, blowers, resistors and the accumulator.
- Fuel pump system.
- Power accessories.
- Power Steering pump.
- Radiator, hose, waterpump.
- Steering box, sector shafts and seals.
- Serpentine belt.
- Complete exhaust.
- Driveline- if required due to wear.
- Tune-ups- plugs, wires, etc.
- Emissions (EVAP system).
- Starting system (starter, alternator, battery).
- Wipers/Blades.
- Pulleys, belt tensioner, idler.

**Exclusions:**

- Any damages are excluded from the pricing above. This includes but is not limited to such items as collisions, strikes, flying debris, road hazards or any glass related damages. We cannot control how/where the drivers operate.

**Report To:** Board of Directors

**Subject:** Ohnia: kara Aspiring Global Geopark

**Report No:** FA-24-19

**Date:** March 20, 2019

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**RECOMMENDATION:**

1. That Report No. FA-24-19 respecting the Niagara Peninsula Conservation Authority (NPCA) providing permission to Honaker Aspiring Global Geopark Steering Committee to include all NPCA Conservation Areas as potential Ohnia:kara Aspiring Global Geopark geosites **BE RECEIVED**; and
2. NPCA staff **BE AUTHORIZED** to continue to participate in the Ohnia:kara Steering Committee as part of our in-kind contribution to the initiative; and
3. Staff be directed to forward a copy of the multi-year agreement, providing permission to Ohnia:kara Aspiring Global Geopark Steering Committee to include all NPCA Conservation Areas as potential Ohnia:kara Aspiring Global Geopark geosites, to the Board of Directors **FOR APPROVAL**.

**PURPOSE:**

The purpose of this report is for the Board to consider allowing all NPCA Conservation Areas to be potential Ohnia:kara Aspiring Global Geopark geosites.

**BACKGROUND:**

On June 20, 2018, Mr. Darren Platakis, Founder/CEO of Geospatial Niagara, provided Board Members with an informational presentation about the Ohnia:kara Aspiring Global Geopark for Niagara. The presentation included the following information; definition of a Global Geopark; characteristics of a Global Geopark; why is a Geopark not a conventional park; what is Geotourism; updates on the global Geopark accreditation process to date; Indigenous communities' perspectives; creating a solid foundation; working to earn political support and moving forward. The delegation respecting the Ohnia:kara Aspiring Global Geopark was received and endorsed by the NPCA's Board of Directors. The following resolution was carried:

Resolution No. FA-135-18  
Moved by Board Member Quirk  
Seconded by Board Member Darte

1. That the delegation provided respecting Global Geoparks **BE RECEIVED AND ENDORSED**;
2. That NPCA staff **BE DIRECTED** to explore partnership opportunities for Global Geoparks; and

3. That the Global Geoparks presentation **BE REFERRED** to the Niagara Peninsula Conservation Foundation for consideration.

Since the presentation to the NPCA Board of Directors, the Ohnia:kara Steering Committee have presented at municipalities, the Niagara Regional Council, and recently provided a Policy Update by the Niagara Community Observatory at Brock University.

## **DISCUSSION:**

Geotourism is a form of nature-based tourism that showcases an areas' geographical character. It is a niche market that has grown over the past 20 years, containing three pillars focusing on education, conservation and sustainability. The growing phenomenon of geotourism helped with the emergence of the concept of a geopark.

There are currently 140 Global Geoparks in 36 countries, but only three of these are in Canada (Stonehammer, New Brunswick, Tumbler Ridge, British Columbia and Perce, Quebec).

Members of the Niagara Ohnia:kara Steering Committee have submitted an expression of interest to the Canadian National Committee for Geoparks to become a UNESCO Global Geopark. This has enabled the group to market the concept and create a formal application as an "Aspiring Global Geopark". The Ohnia:kara Aspiring Global Geopark is a non-profit grassroots effort to bring the brand to Niagara. The Steering Committee is made up of residents and professionals from Brock University, Clickback, Niagara Regional Native Centre, Geospatial Niagara, and the NPCA.

Branding Niagara as a UNESCO Global Geopark may provide an institutional path for the entire Region to gain international recognition by drawing attention to the extent of existing geological and cultural assets, including waterfalls, trails, historical sites, wineries, and artisans. Niagara has long been a world-famous destination, anchored by its iconic falls. Further to this, it has been a meeting place for Indigenous peoples dating back 12,000 years. The importance of tourism to Niagara's local economy is acknowledged by its designation as one of the Niagara Region's four pillars of economic development strategy. The inclusion of geotourism would serve to reinforce existing tourism sectors, diversify into new areas, and produce new attractions that highlight the unique character of the Niagara Region.

Efforts are currently focused on successfully achieving the Ohnia:kara Global Geopark designation, which is a pre-UNESCO accreditation, a mandatory prerequisite to demonstrate the capabilities of launching and managing a Geopark.

The Ohnia:kara initiative is at the beginning of its application process. Once completed, the application will be vetted through the Canadian National Committee for Geoparks before moving to UNESCO for final approvals. This initiative will involve establishing a geosite subset, many of which would be NPCA sites. These sites will require signage, coordination with Niagara Tourism Infrastructure, including cycle routes, hospitality services, transportation etc. If approved as a UNESCO Global Geopark, the designation will be re-evaluated every four years, through a progress report and a site visit.

## **FINANCIAL IMPLICATIONS:**

There is ample evidence to support the fact that designated Global Geoparks are having positive economic impacts on their regions. Economic impact studies have shown a substantial increase in visitors, with some examples proving that sites have doubled in visitors since Geopark designation.

Ohnia:kara Aspiring Global Geopark is requesting \$12,000 from the NPCA for appropriate signage and affiliation costs and \$12,000 in-kind which would include internal staff expertise to support educational program development.

The prior Board of Directors authorized staff participation in this project as part of NPCA in-kind contributions. The additional \$12,000. Has not been placed in the 2019 budget.

As part of the Board's consideration of the multi-year agreement, the Board can provide direction to staff regarding the placement of the \$12,000 in the draft 2020 budget.

## **RELATED REPORTS AND APPENDICES:**

Appendix 1 – Ohnia: kara Board Presentation (June 2018) and Brief

Appendix 2 – Ohnia: kara An Aspiring Global Geopark NCO Policy Brief #37

**Prepared by:**

**Submitted by:**

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**Adam Christie, Manager Strategic Initiatives**

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**D. Gayle Wood, Interim CAO/Secretary  
Treasurer**

**This report was prepared in collaboration with Renee Bisson, Manager Community Engagement, Kerry Royer, Community Outreach and Volunteer Coordinator.**

### **Appendix 1: Approved meeting minutes from June meeting**

#### **Appendix 2:**

**Ohnia: kara Aspiring Global Geopark Board Presentation from June 20, 2018**

[https://npca.ca/images/uploads/common/Ohniakara\\_NPCA\\_Board\\_Presentation\\_June\\_2018.pdf](https://npca.ca/images/uploads/common/Ohniakara_NPCA_Board_Presentation_June_2018.pdf)

#### **Appendix 3:**

**Ohnia: kara Aspiring Global Geopark NPCA Brief**

[https://npca.ca/images/uploads/common/d. pLATAKIS\\_NPCA\\_Brief\\_06-11-18\\_.pdf](https://npca.ca/images/uploads/common/d. pLATAKIS_NPCA_Brief_06-11-18_.pdf)

#### **Appendix 4:**

**Brock University-Niagara Community Observatory NCO Policy Brief #37**

<https://npca.ca/images/uploads/common/NCO-37-OHNIKARA-ASPIRING-GEOPARK-web-FINAL-JAN-2019.pdf>



**NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA)  
FULL AUTHORITY  
MEETING MINUTES**

Wednesday, June 20, 2018  
9:30 a.m.  
Ball's Falls  
Centre for Conservation – Glen Elgin Room  
3292 Sixth Avenue, Jordan, ON

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**MEMBERS PRESENT:** S. Annunziata (Chair)  
B. Baty  
S. Beattie  
F. Campion  
P. Dart  
D. DiFruscio  
D. Joyner (at 10:36 a.m.)  
P. MacPherson  
J. Maloney (at 9:40 a.m.)  
T. Quirk  
R. Shirton  
B. Timms

**MEMBERS ABSENT:** J. Diodati  
A. Jeffs  
J. Kaspersetz (Vice-Chair)

**STAFF PRESENT:** M. Brickell, Chief Administrative Officer/Secretary-Treasurer  
D. Barrick, Senior Director, Corporate Resources  
G. Furtney, Acting Director, Watershed Management  
L. McManus, Clerk/ Executive Coordinator

|   |
|---|
| <p><b>NOTE:</b> The archived recorded meeting is available on the NPCA website. The recorded video of the Full Authority meeting is not considered the official record of that meeting. The official record of the Full Authority meeting shall consist solely of the Minutes approved by the Full Authority Board. <i>NPCA Board of Directors Policy Handbook Regulation #2, Meeting Procedures Sec.16.0</i></p> |
|---|

The Board Chair called the meeting to order at 9:37 a.m. and welcomed those Board, staff and community members present.

## **1. ADOPTION OF AGENDA**

---

### **1.1 Addition of Items**

There were no addition of items to the agenda.



## 1.2 Change in Order of Items

### Resolution No. FA-129-18

Moved by Board Member Campion

Seconded by Board Member Shirton

That the order of the agenda **BE AMENDED** to move the In-Camera session (Agenda Item 7.) to be dealt with immediately following the Presentation section (Agenda Item 3.1).

### Resolution No. FA-130-18

Moved by Board Member Quirk

Seconded by Board Member Baty

That the order of the agenda **BE AMENDED** to move the In-Camera session (Agenda Item 7.) to immediately following the Delegation section (Agenda Item 3.2).

**CARRIED**

## 1.3 Adoption of Agenda

### Resolution No. FA-131-18

Moved by Board Member Shirton

Seconded by Board Member Beattie

That the agenda **BE ADOPTED as amended.**

**CARRIED**

## 2. DECLARATION OF CONFLICT OF INTEREST

---

There were no declarations of Conflict of Interest.

## 3. PRESENTATIONS (and/or Delegations)

---

### 3.1 Presentations

3.1.1 Board Member Baty introduced and welcomed Ms. Shirley Lazareth. Ms. Lazareth proceeded to present long-time NPCA Board Member Domenic (Mickey) DiFruscio with a book of her poems.

### 3.2 Delegations

3.2.1 Mr. Chuck and Mrs. Laurie Jansen, Lowbanks residents, provided Board Members with information respecting erosion impact. Topics of the delegation were as follows:

- Who we are?
- Objective
- Current Issues
- What are others doing?
- Conclusion

Resolution No. FA-132-18

Moved by Board Member Darte

Seconded by Board Member Quirk

1. That the delegation provided respecting Erosion Impact **BE RECEIVED** for information.

**CARRIED**

Resolution No. FA-133-18

Moved by Board Member Darte

Seconded by Board Member Quirk

1. That the notice requirements under Section 11 of the Niagara Peninsula Conservation Authority Regulation #2 – Meeting Procedures **BE WAIVED** to permit the consideration of a motion from Board Member Maloney with respect to the delegation on the subject of Erosion.

**CARRIED**

Board Chair Annunziata explained that as per Section 11.5 any motion or other business may be introduced for consideration of the Authority provided that it is made clear that to delay such motion or other business for the consideration of an appropriate Standing 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 the majority of the members of the Authority present.

Resolution No. FA-134-18

Moved by Board Member Maloney

Seconded by Board Member Shirton

1. That the Niagara Peninsula Conservation Authority **URGE** the Provincial Government to immediately establish an effective, reasonable program of financial assistance to shoreline property owners to construct works to combat erosion and provide protection;
2. That the Niagara Peninsula Conservation Authority make all efforts to **EXPEDITE** the issuance of any necessary permits required for the remedial works; and
3. That the Niagara Peninsula Conservation Authority **URGE** the Federal, Provincial and Regional Governments to take all necessary steps to reduce the water level of the Great Lakes.

**CARRIED**

3.2.2 Mr. Darren Platakis, Founder/CEO, Geospatial Niagara provided Board Members with information respecting Global Geoparks. Topics of the delegation were as follows:

- UNESCO Global Geoparks – Why Not Niagara?
  - What is a Global Geopark?
  - Characteristics of a Global Geopark?
  - Why is a Geopark NOT a conventional park?
  - What is Geotourism?
  - The Global Geopark accreditation process to date
  - Indigenous Communities' Perspectives
  - Creating a Solid Foundation
  - Working to Earn Political Support
  - Moving Forward

Resolution No. FA-135-18

Moved by Board Member Quirk

Seconded by Board Member Darte

1. That the delegation provided respecting Global Geoparks **BE RECEIVED AND ENDORSED**;
2. That NPCA staff **BE DIRECTED** to explore partnership opportunities for Global GeoParks; and
3. That the Global Geoparks presentation **BE REFERRED** to the Niagara Peninsula Conservation Foundation for consideration.

**CARRIED**

## 7. BUSINESS – IN CAMERA

---

7.1 Motion to Move in to Closed Session

Resolution No. FA-136-18

Moved by Board Member MacPherson

Seconded by Board Member DiFruscio

That the NPCA Full Authority meeting **DO NOW MOVE** in to Closed Session for the purposes of:

- 7.1.1 A Matter respecting advice that is subject to Solicitor-Client Privilege – Update

**CARRIED**

7.2 Motion to Reconvene in Open Session

Resolution No. FA-137-18

Moved by Board Member Darte

Seconded by Board Member Joyner

That the Niagara Peninsula Conservation Full Authority Board meeting **RECONVENE** in Open Session.

**CARRIED**

7.3 Business Arising from Closed Session

Resolution No. FA-138-18

Moved by Board Member Quirk

Seconded by Board Member Beattie

That staff **PROCEED** as directed in Closed Session.

**CARRIED**

## 4. ADMINISTRATIVE BUSINESS

---

4.1 Approval of Draft Minutes

4.1.1 Full Authority Board Minutes – May 29, 2018

Resolution No. FA-139-18

Moved by Board Member Quirk

Seconded by Board Member Shirton

That the Full Authority Board minutes of the meeting held on May 29, 2018  
**BE APPROVED** as presented.

**CARRIED**

In respect of completing business that was time sensitive Board Chair Annunziata, with the agreement of Board Members, requested that the remaining items be dealt with in the following order.

## 6. BUSINESS FOR CONSIDERATION

---

6.1 Standing Committee Reports

6.1.2 Budget Steering Committee – June 18, 2018

Resolution No. FA-140-18

Moved by Board Member Quirk

Seconded by Board Member Joyner

That the minutes of the Budget Steering Committee meeting held on June 18, 2018 **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**CARRIED**

6.1.1 Strategic Planning Committee – June 11, 2018

Resolution No. FA-141-18

Moved by Board Member Quirk

Seconded by Board Member MacPherson

That the minutes of the Strategic Planning Committee meeting held on June 11, 2018 **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**CARRIED**

## 6.2 Reports

There were no reports for consideration

## 4.2 Business Arising from Minutes

There was no business arising from the minutes.

## 4.3 Correspondence

- 4.3.1 Vancouver Sun Article entitled, “B.C. golf courses part of North American plan to attract Monarch butterflies”

Resolution No. FA-142-18

Moved by Board Member Baty

Seconded by Board Member Shirton

That the Correspondence Item respecting a Vancouver Sun article **BE RECEIVED** for information.

**CARRIED**

# 5. BUSINESS FOR INFORMATION

---

Resolution No. FA-143-18

Moved by Board Member Joyner

Seconded by Board Member MacPherson

That the following items **BE RECEIVED** for information.

- 5.1 Financial and Reserve Report – Month Ending May 2018  
Report No. 50-18

- 5.2 Ontario Power Generation (OPG) Update  
Report No. 51-18

**CARRIED**

## 4.4 Chairman's Remarks

In respect of time the Chairman chose to forego his comments.

## 4.5 Chief Administrative Officer Comments

Mark Brickell, CAO/Secretary-Treasurer, provided Board members with the following information/announcements:

- Erika Navarro, Communications Specialist, was recently nominated for a Young Business Professional Award through the Greater Niagara Chamber of Commerce
- NPCA staff recently attended a team building exercise that concentrated on “The Kindness Advantage”. NPCA staff members have committed to conducting 1,000 acts of kindness over the next 6 weeks

- A “Welcome Back” barbecue for seasonal campers was held at Long Beach on Saturday, June 16, 2018 an additional barbecue is planned for Chippawa Creek on Saturday, June 23, 2018
- Binbrook FunSplash Sports Park Grand Opening is being held on Saturday, June 23, 2018 from 10:00 a.m. – 12 noon
- The Pen Centre Pollinator Garden Launch is being held on Friday, June 22, 2018 at 10:00 a.m.

## 8. NOTICE OF MOTION

---

There were no notices of motion.

## 9. NEW BUSINESS

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### 9.1 Pollinator Gardens – New Partnerships

Board Member DiFruscio requested that Board Chair Annunziata, along with NPCA staff members, approach local golf courses to partner with the NPCA in creating pollinating gardens on their properties.

## 10. ADJOURNMENT

---

There being no further business, the Full Authority meeting adjourned at 12:28 p.m. with the following resolution;

### Resolution No. FA-144-18

Moved by Board Member Shirton

Seconded by Board Member Baty

That the Full Authority Meeting **BE NOW ADJOURNED.**

**CARRIED**

---

Sandy Annunziata  
Board Chair,  
Niagara Peninsula Conservation Authority

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Lisa McManus  
Clerk,  
Niagara Peninsula Conservation Authority





# UNESCO Global Geoparks - Why Not Niagara?

## INTRODUCTIONS

Phil Davis, Cultural Resource Coordinator, Niagara Regional Native Centre

Ian Lucas, Board Secretary, Geospatial Niagara

Darren Platakis, Founder/CEO, Geospatial Niagara





# UNESCO Global Geoparks - Why Not Niagara?

## What is a Global Geopark?

“A **Geopark** is a unified area that advances the protection and use of geological heritage in a sustainable way, and promotes the economic well-being of the people who live there.”



# UNESCO Global Geoparks - Why Not Niagara?

## Characteristics of a Global Geopark?

1. Established to grow local sustainable Geotourism
2. Bottom-up grassroots community-driven Organisation
3. Not-For-Profit
4. High value tourism destination
5. Self-funding with Sponsorships, Memberships & Co-Branding options



# UNESCO Global Geoparks - Why Not Niagara?

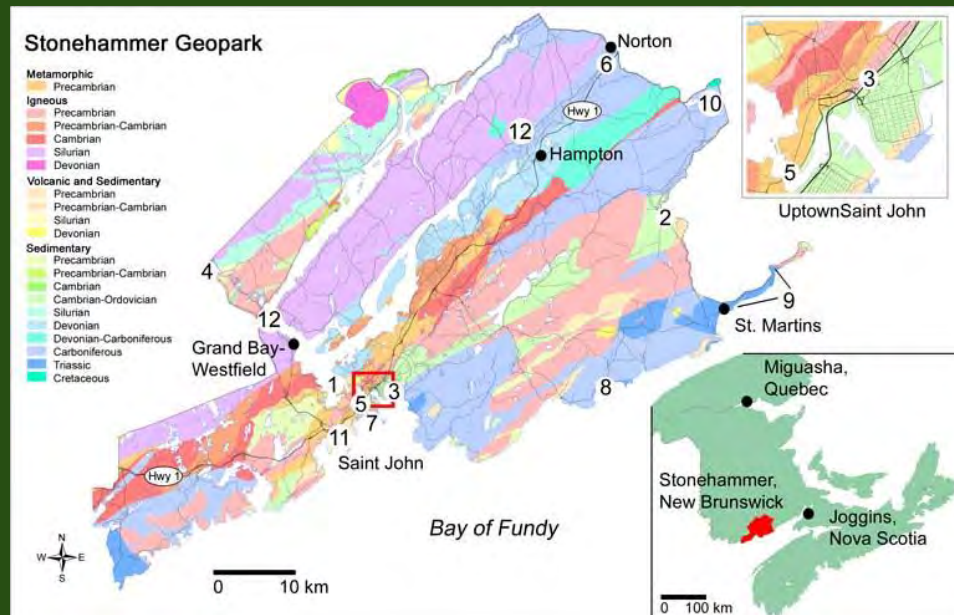
## Why is a Geopark NOT a conventional Park?

1. NOT a legislative boundary. NOT a conventional park
2. No restrictions on any economic activity inside the Global Geopark where activity complies with indigenous, local, regional, provincial and national legislation
3. No land use restrictions



# UNESCO Global Geoparks – In Canada

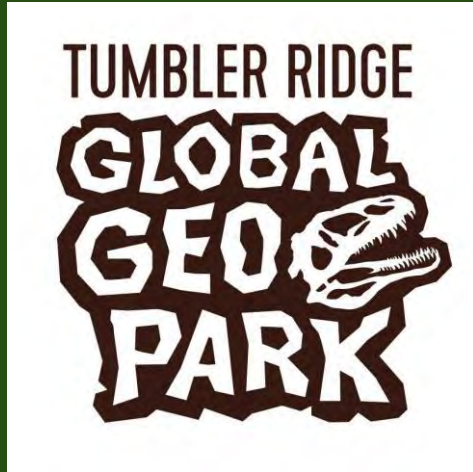
## Stonehammer – St. John, NB





# UNESCO Global Geoparks – In Canada

## Tumbler Ridge – Tumbler Ridge, BC





# UNESCO Global Geoparks – In Canada

## Percé – Percé, QC

500 MILLIONS D'ANNÉES D'HISTOIRE DE LA TERRE

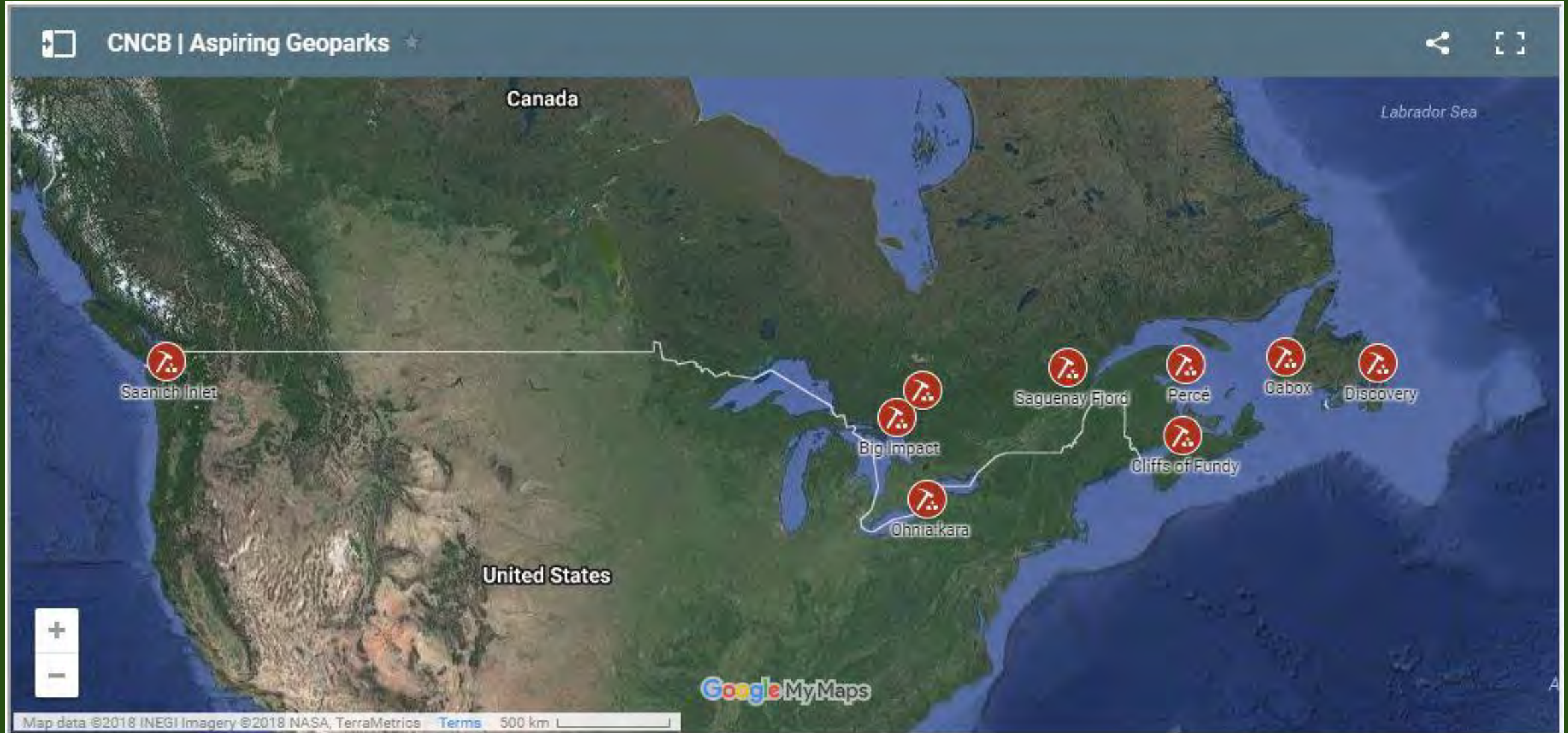


POUR VOIR PERCÉ AUTREMENT





# Other Aspiring Global Geoparks – In Canada



# UNESCO Global Geoparks - Why Not Niagara?

## What is Geotourism?

Geotourism sustains or enhances the *distinctive geographical character* of a place – its environment, heritage, aesthetics, culture and well-being of its residents.





# UNESCO Global Geoparks - Why Not Niagara?

## Economic Benefits of Geotourism?

1. New job opportunities
2. New economic activities
3. Diversification of tourist offerings
4. Additional sources of income – especially in rural regions
5. Local products – local handicrafts – local economies



Niagara Regional  
Native Centre



# Branded Business Opportunities



# UNESCO Global Geoparks - Why Not Niagara?

## Financial Benefits of Geotourism?

### Stonehammer – 2015 – 2016

- \$252.4 million - +6.4%
- 1.7 million visitors - +5%
- 726,000 overnight visits - +4.6%

### Tumbler Ridge – 2014 – 2017

- 2,000 visitors in 2014 – 17,000 visitors in 2017

# UNESCO Global Geoparks - Why Not Niagara?

## Financial Benefits of Geotourism?

### UK experience - 7 Geoparks across UK in Rural, Deprived areas

- £18.84MM/year in NET financial benefit after costs of UNESCO status
- This includes £4.6MM/year in grants attracted on a competitive basis
- Acquiring & keeping UNESCO status = £330K/year for seven Geoparks

### Portuguese experience - 3 Geoparks

- Net direct benefits after all costs gave investment leverage of 7.7:1
- UNESCO Nomination costs averaged €55K per Geopark
- Affiliation costs per geopark averaged €5,417/year



# UNESCO Global Geoparks - Why Not Niagara?

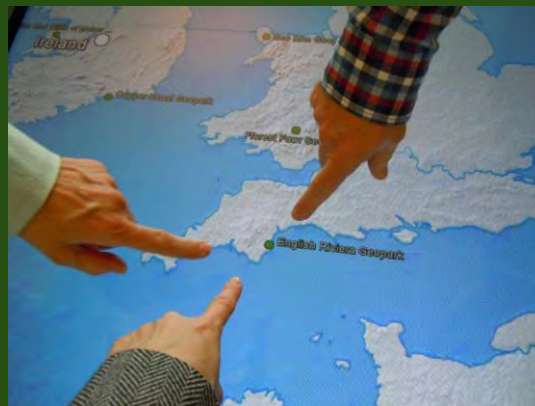
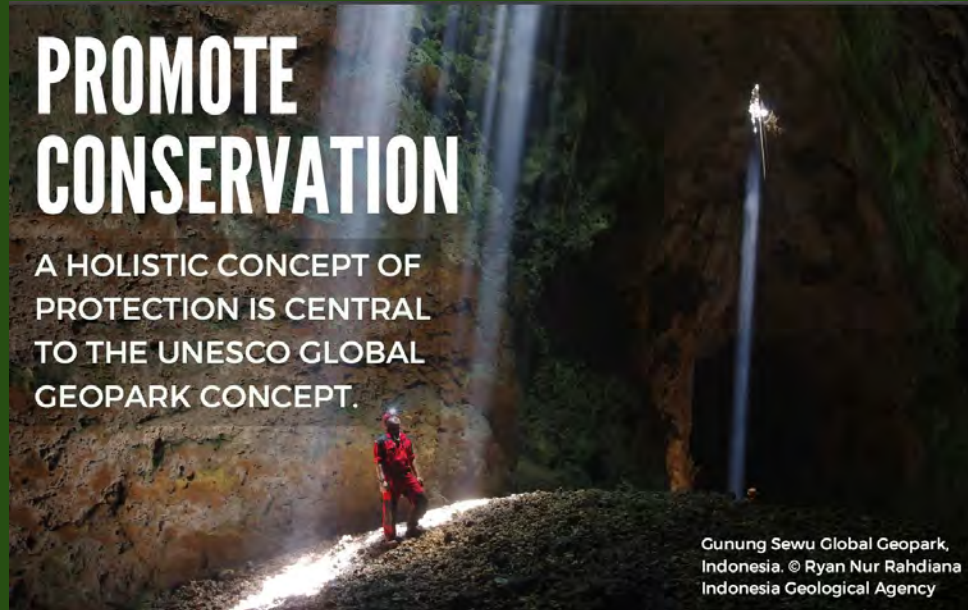
## More Key Pillars of Geotourism?

1. Conservation & Restoration
2. Sustainability & Growth
3. Cultural Awareness
4. Educational - K to Post-Secondary & Beyond





# Conservation, Education, Sustainability





# World-class Geosites (Geomorphological Themes)





# Enhanced Tourism Revenues



Niagara Cycling Tourism





# Unique Cultural Events



**FREE EVENT**

Food and Craft Vendors Onsite  
Drug and Alcohol Free Event

**October 1st**  
**12pm GRAND ENTRY**  
**Montebello Park**

Our Partners:

64 Ontario St  
St. Catharines,  
ON L2R 5J5

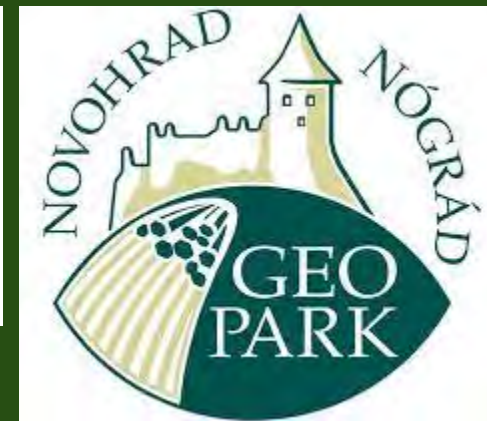
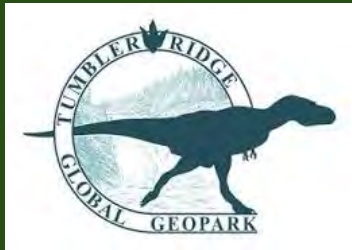
More Information: 905 685 8547

FirstOntario  
PERFORMING ARTS  
CENTRE

St. Catharines



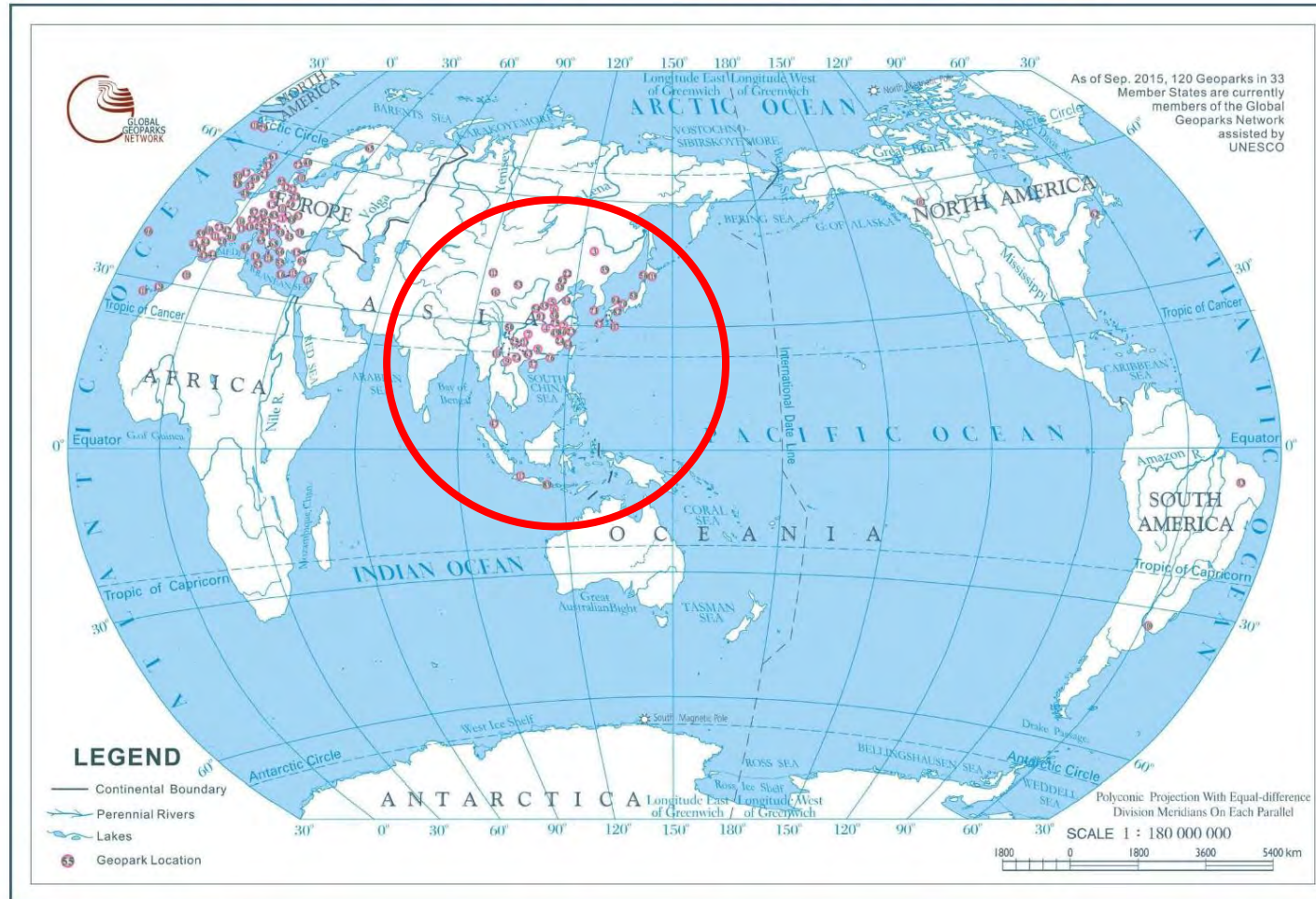
# Distribution of UNESCO Global Geoparks:





# Highest concentrations in China and Southeast Asia

## Distribution of GGN Members

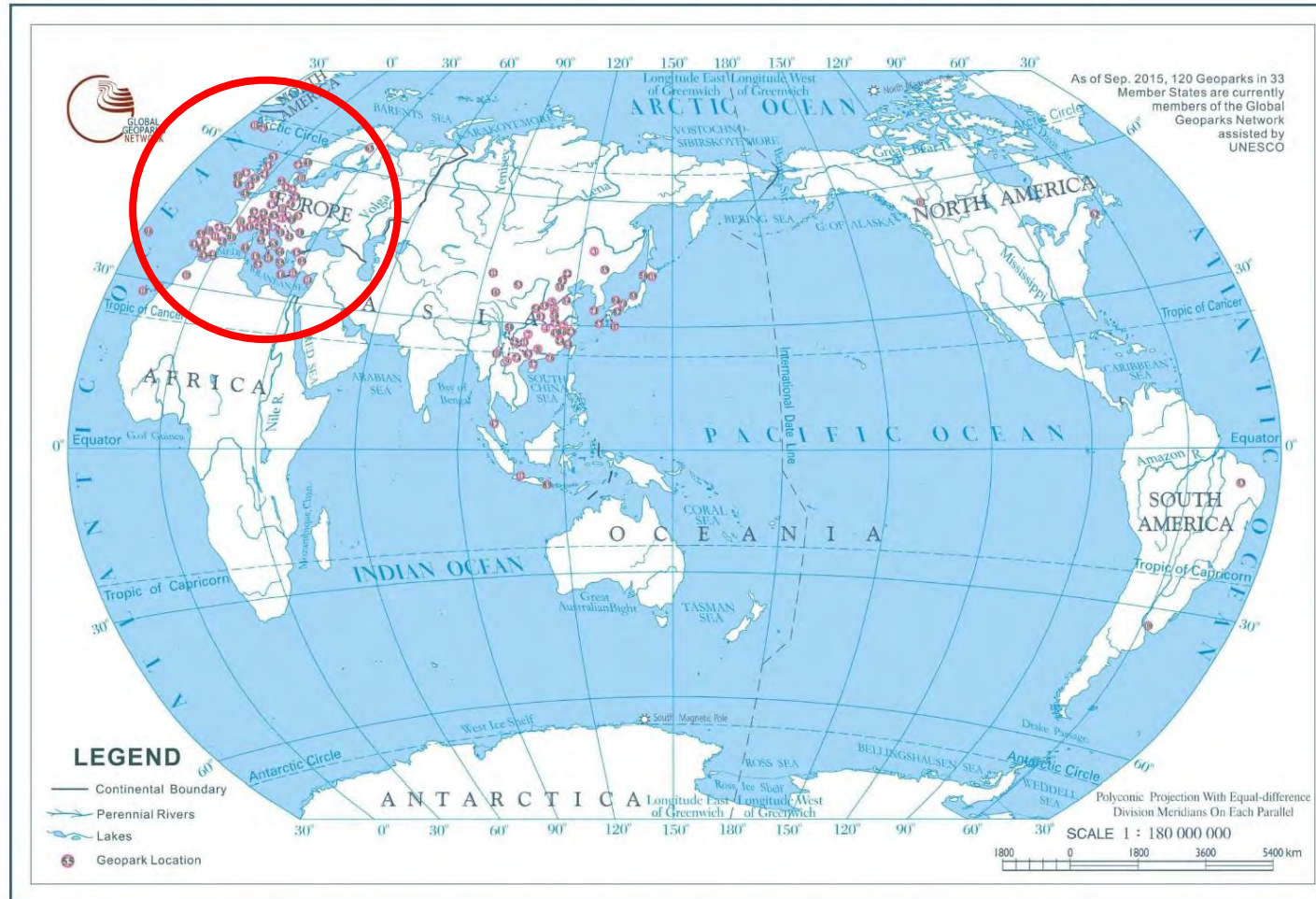


审图号: GS ( 2008 ) 1895 号

2012年5月

# And Europe

## Distribution of GGN Members



审图号: GS (2008) 1895 号

2012年5月





# Only 5 in the Americas

## Distribution of GGN Members



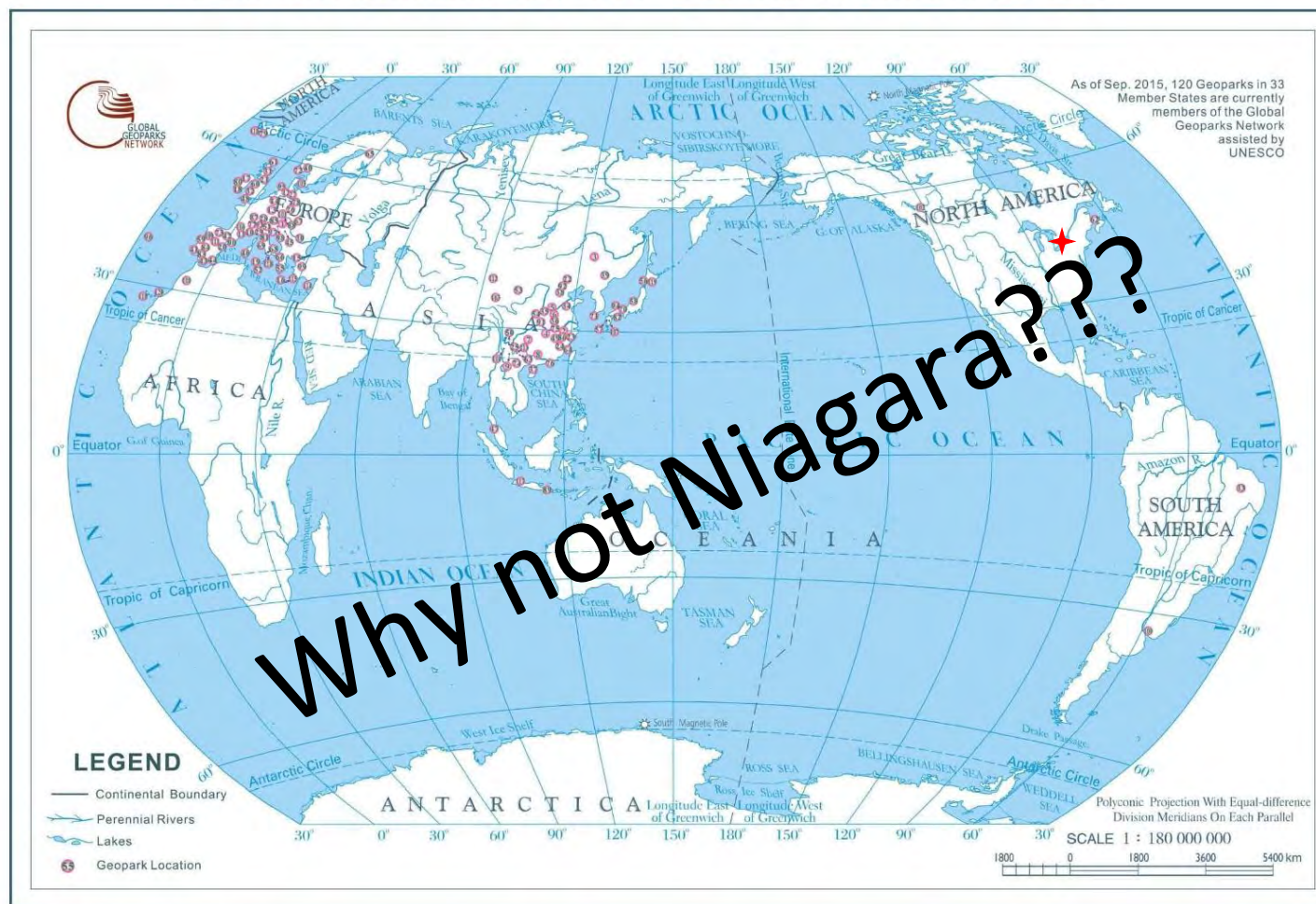
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2012年5月



# It's Our Time !

## Distribution of GGN Members



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2012年5月



# UNESCO Global Geoparks - Why Not Niagara?

## Near-Term Compelling Talking Points

1. ALL Niagara Municipalities & Indigenous Communities ACTIVELY involved
2. Cultural diversity, including local community organisations, nature enthusiasts, historical societies, & conservation clubs
3. Measurably increase Tourism revenue profiles
4. Canada Summer Games awareness opportunities
5. 2024 Total Solar Eclipse opportunity



# We Have So Much To Offer From...





To ...



&





To ...



&



Photos courtesy - Colleen Beard  
Historic Welland Canals Mapping Project



To ...



&



# UNESCO Global Geoparks - Why Not Niagara?

## The Global Geopark accreditation process to-date

1. Officially an “Aspiring” Global Geopark (3 years)
2. All progress reporting milestones met
3. Planned final application in 2019
4. Independent Incorporation, Board and Advisory Committees - By end of June
5. Stakeholder approaches to-date...





... Stakeholder approaches

# UNESCO Global Geoparks - Why Not Niagara?

City of St. Catharines

Town of Lincoln

Brock University

Niagara College GIS Geospatial  
Management Program

Niagara Community Observatory

Niagara Regional Native Centre

DSBN - Spark Niagara

Ontario Association of Geographic  
and Environmental Educators

Niagara Peninsula Field Naturalists

Association of Professional Geoscientists (ON)

Walker Industries

Chris Bittle and Vance Badawey

NPCA

OMAFRA

Ministry of Tourism, Culture and Sport

Niagara Tourism Network

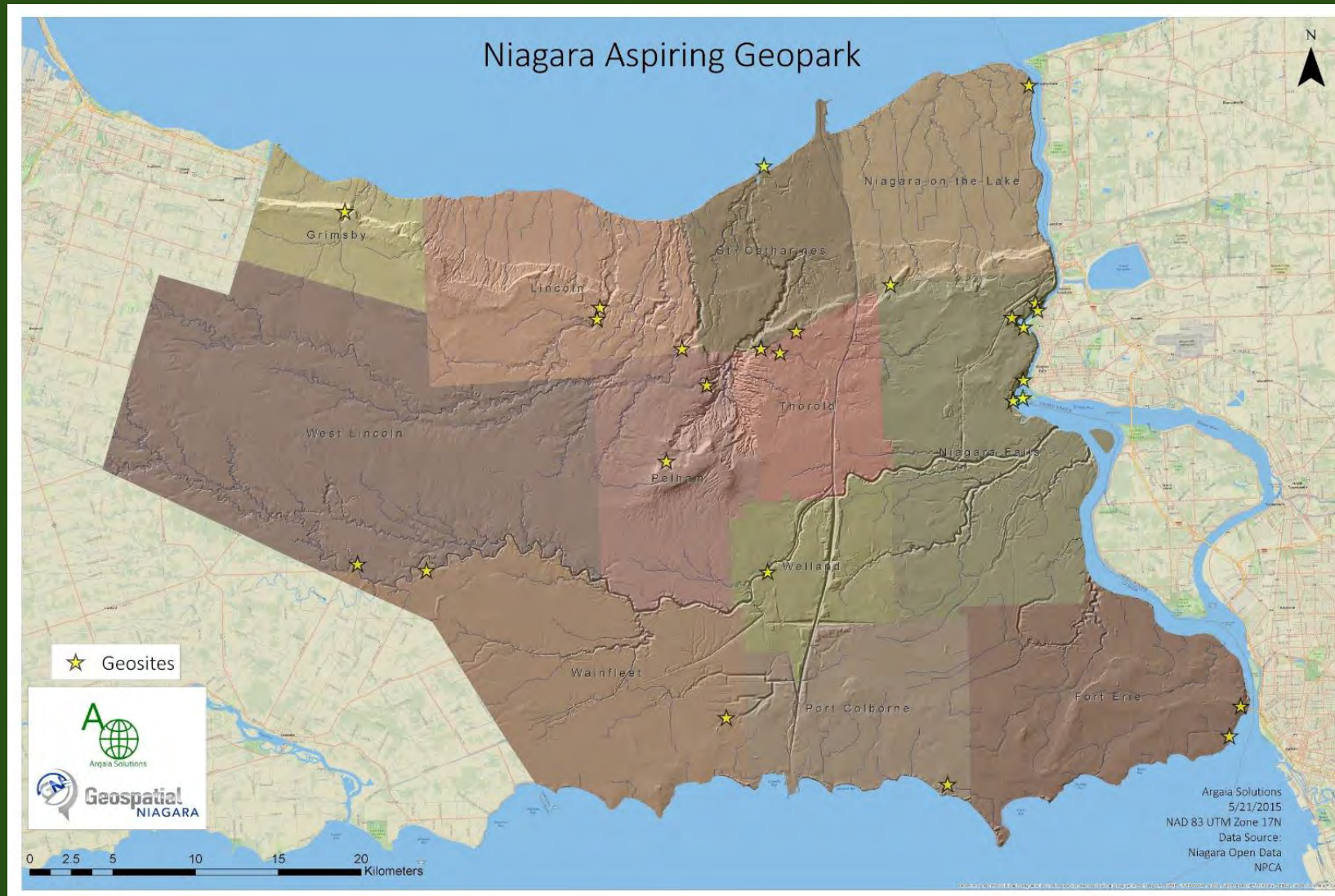
Niagara Cycling Tourism Centre

The Environmental Sustainability Research  
Centre

Bert Miller Nature Club



# Ohnia:kara Global Geopark - Starts Here



# UNESCO Global Geoparks - Why Not Niagara?

## Indigenous Communities' Perspectives

Mr. Phil Davis. Cultural Resource Coordinator – Niagara Regional Native Centre



Niagara Regional  
Native Centre



# UNESCO Global Geoparks - Why Not Niagara?

## Creating a Solid Foundation

1. The Right People
  - a. Representative Board of Directors
  - b. Executive Director
  - c. Subject Matter Experts
2. Funding
  - a. Phase 1. UNESCO Accreditation & Grassroots organisation
  - b. Phase 2. Startup Execution
  - c. Phase 3. Sustainability Revenues, Growth & Maturity





# UNESCO Global Geoparks - Why Not Niagara?

## Working to Earn Political Support

1. Planning and Economic Development Committee
2. Regional Council
3. Municipalities
4. Regional and Provincial Agencies
5. Ohnia:kara Board & Executive Director Candidate Recommendations



# UNESCO Global Geoparks - Why Not Niagara?

## Moving Forward

Please contact us for more information, and to request an Organisation tailored presentation / discussion or a brief meeting at the Region:

Darren Platakis, Executive Director, Geospatial Niagara Inc.

905.964.4169

[darren@geospatialniagara.com](mailto:darren@geospatialniagara.com)





# UNESCO Global Geoparks - Why Not Niagara?

Thank you



Niagara Regional  
Native Centre



# Ohnia:kara Aspiring Global Geopark NPCA Brief

Update June 11th 2018

## Delegation:

Darren Platakis - Founder/CEO Geospatial Niagara

Ian Lucas - Secretary Geospatial Niagara -

Philip Davis - Cultural Resources Coordinator - Niagara Regional Native Centre

## To-date:

- April 25th Niagara Region Planning and Economic Development Committee Presentation. Well received with valuable follow-up outcomes.
- Invitations issued to carefully considered Board of Directors candidates (all Niagara based), drawn from a cross-section of key expertise categories.
- Meetings are being arranged with Niagara based stakeholders, including Indigenous groups, Municipalities, Conservation agencies, and Tourism related organisations, to build further support for the Ohnia:kara aspiring UNESCO Global Geopark.

## Our Ask:

Global Geoparks are grassroots community led projects that must demonstrate broad community engagement and commitment to be designated. The Ohnia:kara Aspiring Geopark will bring a sense of pride and strengthen our Niagara community identities while educating about the importance of the geology and its impacts on our industry and cultural history through the recognition of the indigenous peoples that call this land home.

- 1) We are seeking written endorsement of the Ohnia:kara Aspiring Global Geopark by the current NPCA board.
- 2) We are asking that the NPCA consider becoming an Associate Founding Member of the Ohnia:kara Aspiring Global Geopark at a funding level to be proposed through negotiations with the New Board of Directors and acceptable to the NPCA.
- 3) We are seeking permission to include NPCA conservation areas as potential "Geosites" within the Geopark.
- 4) We would suggest that the NPCA consider involvement in the Ohnia:kara Aspiring Geopark as part of their new strategic plan development.

## Recent - UNESCO Conference June 3/5th:

Hosted and supported by the Canadian Commission for UNESCO (CCUNESCO), this two and a half day conference included senior CCUNESCO officials, members of the committee that helps Canadian Aspiring Global Geoparks to achieve full UNESCO accreditation, the existing three accredited Canadian UNESCO Global Geoparks, and the current officially aspiring UNESCO Global Geoparks (including Ohnia:kara).

A key feature/policy obligation of all UNESCO Global Geoparks, is a commitment to provide support to the others, particularly during the “aspiring” phase, together with sharing new ideas continuously.

New information about the economic impacts to regional tourism were provided:

- Stonehammer - 2015-2016 - \$252.4 million +6.4%, visitors 1.7 million +5%, 726,000, overnight visits +4.6%
- Tumbler Ridge - 2014 - 2,000 visitors to Geopark, 2017 - 17,000 visitors to Geopark

## Ahead:

- Community engagement opportunities through community events, festivals and a proposed Speaker Series.
- Connect with potential corporate sponsors, community champions. Find foundational tourism operators/organizational partners.
- Creating an educational awareness package for DSBN/NCDSB schools, students, parents, parent councils. What is a Geopark?
- Board/steering committee organization and bylaws.
- Working to participate/present at the 8th International Conference on UNESCO Global Geoparks, September 2018 hosted by the Adamello Brenta Global Geopark, Trentino, Italy.



## OHNIA : KARA AN ASPIRING GLOBAL GEOPARK

### INTRODUCTION

#### What is a UNESCO Global Geopark?

Niagara has long been a world-famous destination, anchored by its iconic Falls. In fact, it has been a meeting place for Indigenous peoples dating back 12,000 years.

The tourism infrastructure that has developed over the decades at Niagara Falls specifically has entrenched this position and its effect has gradually cascaded through Niagara-on-the-Lake and into the rest of the region, primarily through its historical, agricultural and viticulture assets. The importance of tourism to Niagara's local economy is acknowledged by its designation as one of the Niagara Region's four pillars of economic development strategy. Recognition of its role has been accompanied by the desire to expand its impact throughout the region.

Several types of tourism already exist in Niagara, providing a spectrum of different opportunities in a variety of different cultural and environmental contexts. Many of these different types of tourism include mass, rural and farm, cycling, culinary, wine, brewery, and ecotourism. The inclusion of geotourism would serve to reinforce these existing tourism types, but also diversify into new areas, and new products and attractions, that highlight the unique character of the Niagara region.

Geotourism is a niche-market that has grown over the past 20-plus years. It is a form of nature-based tourism that showcases an area's geographical character, its "earth history" which includes geology and landscape, flora and fauna, and their interaction with humans to form a cultural identity. It is a niche that focuses on education, conservation, and sustainability (Megerle & Pietsch, 2017; Dowling, 2011; Farsani et al., 2011). It is through the growing phenomenon of geotourism that the relatively new concept of the "geopark" – and the official designation of the UNESCO Global Geopark – has emerged.

UNESCO defines its geoparks as a "single, unified geographical area where sites and landscapes of international geological significance are managed with a holistic concept of protection, education and sustainable development" (UNESCO 2016).

While the concept of geoparks date back to the 1990s, specifically with their establishment in Europe and China, it wasn't until 2004 that the Global Geoparks Network was formed under UNESCO. Furthermore, the official branding of the UNESCO Global Geopark did not occur until 2015. There are currently 140 UNESCO Global Geoparks in 36 countries, but only three of these are in Canada: Stonehammer in New Brunswick (designated a Global Geopark in 2010), Tumbler Ridge in British Columbia (2014), and Percé in Quebec (2018), signifying that the concept is relatively new in Canada. Members of the Niagara community through Geospatial Niagara have submitted an expression of interest to the Canadian National Committee for Geoparks to become a geopark. This has enabled the group to now market the concept and create a formal application as an "Aspiring Global Geopark". **The Ohnia:kara Aspiring Global Geopark is a non-profit grassroots effort to bring the brand to Niagara.**





## What is UNESCO looking for?

In its application, UNESCO asks that the aspiring Global Geopark addresses 10 topics:

1. the importance of natural resources in the region and their sustainable use;
2. existing geological hazards, such as volcanoes and earthquakes, and disaster mitigation strategies;
3. climate change;
4. educational activities for all ages that spread awareness of geological heritage and its links to our geography, culture and heritage;
5. scientific research with academic institutions;
6. exploring the links between communities and Earth, including activities and partnerships with the arts and heritage communities;
7. the empowerment of women;
8. a sustainable economic development plan;
9. preserving and celebrating local and Indigenous knowledge by including those communities in the planning and management of the geopark; and
10. geo-conservation and the protection of geosites. (UNESCO 2016)



The UNESCO designation does not carry any regulatory status, although sites within the geopark may already be protected by local laws. Rather, it is best understood as an international brand that signifies to potential tourists that this is a destination with significant geological and geographical assets worth visiting. That may seem obvious in Niagara. However, the UNESCO Global Geopark brand was originally meant to support and encourage sustainable economic development in rural areas by showcasing their formidable geological sites. With that goal in mind, a Global Geopark designation could be a means to expanding tourism interest across the Niagara region, by increasing the economic benefits of tourism to all 12 of its municipalities as well as adding value to its core tourism areas of Niagara Falls and Niagara-on-the-Lake, and giving visitors more reason to stay in the region for longer periods.

**This policy brief aims to introduce this relatively new concept to Niagara stakeholders and answer the question: What is a geopark, and how might it enhance an already popular tourism destination?** This study will highlight challenges and opportunities that Ohnia:kara organizers face in their bid for designation. It includes a discussion of the branding process, the current impact of tourism in Niagara and how a geopark designation might differentiate itself; and a brief look at the impact of some current Global Geoparks. It will also build a case for local support of the initiative, placing the discussion within the realm of amplifying culture and tourism assets across the region to contribute to Niagara's overall economic development.

## THE PROCESS

Ohnia:kara, the Mohawk word for "neck between two bodies of water", is proposed to be congruent with the boundaries of the Regional Municipality of Niagara. It has identified 78 "geosites" of geological, environmental, or cultural interest in all 12 municipalities of the region, but that list continues to grow as the group consults with stakeholders. The sites range from the Welland Canal to the Wainfleet Bog to Beamer Falls, as well as historical sites from the War of 1812 and the Mewinza Archeology Gallery in Fort Erie. The Niagara Peninsula Conservation Authority and the Niagara Parks Commission already oversee the bulk of the proposed sites, which should be considered an advantage as there is already infrastructure in place (trails, signage, parking, programming) for visitors and residents to enjoy many of these local assets.

A UNESCO Global Geopark carries a four-year designation after successfully completing an application that includes a dossier of information and a site visit from technical experts. The application should demonstrate the area has "geological heritage of international value" as assessed by scientific professionals, with accompanying details of geo-conservation pressures and efforts. A management team with a business and marketing plan should be in place. Part of the process includes having already implemented geopark projects as proof of commitment and capacity. Information signs at geosites and educational programs offered to schools are such examples.

The designation is re-evaluated every four years, through a progress report and another site visit.

The Ohnia:kara initiative is currently at the beginning of its application process. It has a steering committee and organizers have been making contacts with other geoparks and participating in international conferences and workshops. Once completed, the application will be vetted through the Canadian National Committee for Geoparks (CNCG) before moving to UNESCO for final approvals.

## ROLE OF TOURISM IN NIAGARA'S ECONOMY

Tourism has been identified by Niagara Region as one of four priority sectors in its economic development and growth strategy, alongside agribusiness, manufacturing, and transportation/logistics.

The tourism sector employs approximately 18 per cent of Niagara's workforce, or almost 40,000 people, and has a location quotient of 1.8 relative to Ontario (Niagara Region Economic Development, 2019). This signifies the concentration of a specialized labour pool in this region.

### TOURISM NUMBERS

The latest data from the Ontario Ministry of Tourism shows that the St. Catharines-Niagara Census Metropolitan Area had approximately 12.9 million "person-visits" in 2017. About 8.4 million came from Ontario (another 292,000 visitors from the rest of Canada), 1.1 million came from overseas, and 3.1 million from the U.S. Total expenditures were approximately \$2.36 billion. The ministry numbers measure, among other things, how many nights people stayed in the CMA, what type of accommodation they used, and what they did while they were here. We know, for example, that less than half of those who visited from Ontario stayed overnight (2.98 million) and the majority of those for only a couple of nights. Less than half of overseas visitors stayed overnight in the CMA, the bulk of those spending two nights or less.

*(Note: The St. Catharines-Niagara CMA does not include Grimsby or West Lincoln. Overseas visitors counted were over the age of 15.)*

It is a cross-sectoral industry that includes food and beverage, accommodation, performing arts, spectator sports, heritage institutions, and gambling. As such it provides quality-of-life amenities to residents while marketing to visitors outside the region.

Niagara Falls and its established tourism base is central to the region's competitive advantage. However, challenges in "growing and enriching the experience" moving forward have been identified in recent discussions around the strategic growth of the region (Niagara Region Economic Development 2018, p. 14).

Some of the challenges include:

1. encouraging return visits
2. increasing the number of overnight stays
3. making the entirety of the Niagara region a destination for those seeking a wine, culinary, or arts experience.

In a geopark model, Niagara Falls anchors the tourism experience, but the region-wide potential is realized. Brouder and Fullerton have referred to it as a "cascade effect" (2015). That is, Niagara Falls is still the focal point for tourists, but the rest of the region might also benefit. This policy brief recognizes that tourists to the region are not all alike. The casino buses travelling down the QEW are not necessarily filled with aspiring geotourists. Nor are the bus tours that take international visitors for a quick day trip. The geopark appeals to a separate genre of tourist (and resident) and lends a different perspective to Niagara's assets.

## WHY DO WE NEED A GEOPARK?

If Niagara is already such a popular destination, why do we need to be officially designated as a Global Geopark?

Branding Niagara as a UNESCO Global Geopark may provide an institutional path for the entirety of the region to gain international recognition by drawing attention to the extent of the existing geological and cultural assets, including its many smaller waterfalls, trails, historical sites, wineries, and artisans. For organizers, these branding efforts come with opportunities and challenges. Tourist amenities and attractions are already abundant, and the geopark can take advantage of this infrastructure to establish its own brand of tourism and add value to a visit, highlighting geological assets and earth history (which includes its interaction with humans through culture and heritage). However, the challenge occurs in: 1. differentiating what it can offer to the experience and, 2. quantifying its impact on the established tourism sector as well as the local economy at large.

What difference will a UNESCO Global Geopark make and how can it be measured? The difficulty lies in that often these geosites are not gated (Lemky, 2014), or they may be one of several reasons someone might visit an area.

This could be mitigated through geopark-specific activities and attractions. For example, if it had its own visitors' centre and took visitor counts at its promoted geosites. Because one goal of the Ohnia:kara initiative is to attract tourists already at

<sup>1</sup>Location quotients measure employment concentration in a geographical area compared to a larger geographical area, in this case Niagara to Ontario. If the LQ is greater than 1, that indicates a larger proportion of workers in a sector than the larger area, and a comparative advantage in terms of a specialized labour pool. Agriculture (location quotient 1.94), arts/entertainment/recreation (1.92 LQ), and food/accommodation (1.75 LQ) are the three most significant sectors in Niagara in terms of employment (Niagara Region Economic Development 2018, p. 13).



Niagara Falls to explore the surrounding region (in the hopes they might spend more time in the area), taking counts and surveys at geosites in the surrounding municipalities would give some indication if that strategy is working. Other solutions may include on-site surveys, website visits via on-site QR codes, or “passport” programs in which visitors get stamps for each site visited and then trade them in at the end of a vacation for a small reward.

Determining whether or not the geopark brand is attracting tourists who otherwise would not have made the trip to Niagara may be more difficult. Overall numbers gathered by Statistics Canada before and after the branding can be compared, but one would be challenged to measure how much can be attributed to the actual geopark versus other factors.

This ability to differentiate becomes a significant issue not only when looking for funding and partnerships, but also when making its case to UNESCO in seeking official designation.

The Niagara Escarpment, for example, has been a UNESCO World Biosphere Reserve since 1990. In the case of such branding overlap, UNESCO stipulates an “Aspiring Global Geopark” must show how it would add value to the region both independently and in cooperation with other designations. In this case, Ohnia:kara may argue that as a promoter of geotourism, it can help the Biosphere Reserve tell its story by guiding people to lesser known geosites as the escarpment winds to its greatest asset, Niagara Falls. There are other overlaps, as well: with Ontario Parks, the Niagara Peninsula Conservation Authority, the Niagara Escarpment Commission, and the Niagara Parks Commission.

Megerle and Pietsch (2017) recognized this trade-off in the case of German geoparks – the risk of decreased visibility of a geopark due to the larger profile of established protection agencies, versus the benefit of geosites already enjoying degrees of legislated protection and administrative oversight. In the German case, geoparks overlapped with nature parks, national parks, and a UNESCO Biosphere Reserve. Risks included competition between brands<sup>2</sup> and confusion amongst the public about the difference between them. The danger was having this play out with businesses and other stakeholders questioning the value of paid membership in a geopark. But the research also saw the opportunity of working with higher-profile organizations with better financial resources and infrastructure to mount joint marketing campaigns and joint activities.

## GEOPARKS AROUND THE WORLD: THE COSTS AND BENEFITS

There is evidence that designated Global Geoparks are having positive economic impacts on their regions.

**China**, for example, housed 204 national geoparks in 2017 (35 of them UNESCO Global Geoparks), and each was estimated to generate \$26 million USD per year (Ng 2017), or approximately \$34.5 million CAD. The geopark brand has been used in China since 2000 as part of a rural poverty alleviation strategy with the geoparks directly employing 20,500 managers and administrators, and 464,000 part-time and full-time frontline workers (Ng 2017).<sup>3</sup>

Of course, China could be considered an outlier due to its population size and the sheer number of geoparks. A peer-reviewed study by Farsani et al. (2011) looked at employment numbers in a survey of 25 Global Geoparks in Europe, Asia (excluding China, which did not answer the questionnaire), Australia, and South America. It found an average of 18 people were directly employed by a geopark’s administration. This did not count indirect employment impact in related industries such as food and beverage, accommodation, or retail.



We can infer from these numbers, versus those in China, that the number of people directly employed by a geopark depends on how its management board has decided to run the business and could vary greatly. For example, does the geopark run its own tours, have its own museum, or a dedicated visitors’ centre?

In the Farsani survey, direct employment by geoparks included seasonal workers in visitor centres and as tour guides at sites, as well as facility coffee shops and those working in other

<sup>2</sup>Which can result in too many signs. Biosphere Reserves had better funding and could afford more signage which led to a higher profile than the geopark in which it was situated.

<sup>3</sup>The challenges of operating the brand have included managing such a “high demand for facilities and amenities, visitor management, environmental and heritage protection, and recruiting young people to work in remote parks.”

amenities. The survey found revenue-generating activities run directly by the geoparks included recreation/sports activities, themed restaurants, spas, and bakeries; "geoproducts", and partnerships with existing businesses. Other activities designed to increase the awareness of the geopark and its benefits included education programs (workshops, conferences, tours), and conservation activities (p. 75-76).

An economic impact study conducted for three of **Portugal's** four Global Geoparks in 2014 (the fourth had just opened) found that visitor numbers had doubled since designation. (The parks had been designated between 2006 and 2014, but no indication was given for the timeframe of the increase.) All indicators, as self-reported by the managers, saw various increases in employment, number of restaurants, available beds, hotels, visitors from the school community, average expenses per visitor/day, average length of stay, and overall number of visitors.

The estimated average income (which it reported as average "economic benefit" to the community) of the three parks was 424,940 Euros per year (approx. \$647,398 CAD), 57 per cent of revenues from government sources (mainly municipal and regional), 19 per cent from private sources, and 24 per cent classified as "external".<sup>4</sup>

The study found the initial cost of earning the UNESCO designation ranged from approximately 30,000 Euros to 80,000 Euros (\$45,000 to \$121,000 CAD), including marketing and management plans, inventory and assessment of geo-heritage sites, and a technical team (Portuguese National Commission for UNESCO, 2014, p. 55). The annual cost of affiliation, including the work of technicians, promotional rate payments to the Geopark networks, and participation in conferences, was estimated at 5,417 Euros (\$8,100 CAD).

In the **United Kingdom**, a 2013 report estimated the annual financial benefit that its seven Global Geoparks brought was 18.84 million pounds (\$32 million CAD) – taking into account the estimated "cost of status" at 330,000 pounds (\$562,000 CAD) or approximately 47,000 pounds each (\$80,000 CAD) (UK National Commission for UNESCO, 2013, p. 12).

The report stated that the designation had been used to increase tourism numbers which in turn brought spill-over effects into the local economy and the seven parks had secured a combined 4.6 million pounds/year in funding (\$7.8 million CAD), not accounting for revenues from visitor spending. Its Marble Arch Caves Geopark, given as an example, attracted 250,000 visitors per year which the report equated to an annual 3.9 million pounds (\$6.6 million CAD) in visitor spending per year due to the UNESCO designation (pg. 14).

## SOURCES OF INSPIRATION

Part of the campaign to become a UNESCO Global Geopark, and retain its standing, is to network with already established Global Geoparks in order to gain insight, not only into best practices, but to gain ideas and inspiration into what is possible. Two geoparks that stand out as relevant to the Niagara experience are the **English Riviera Global Geopark** in South Devon, England and the **Beaujolais Global Geopark** in eastern France. But we have also included **Hong Kong** as a brief talking point – considered an urban geopark, it provides an example of how an already world-famous destination has used the branding.

### English Riviera

The English Riviera UNESCO Global Geopark in southwest England is an interesting comparative case for Niagara as it has been a popular domestic vacation destination pre-dating its 2007 UNESCO designation. The English Riviera has declared itself an "urban" geopark with a population of 134,000 over 62 square kilometres, including the resort towns of Torquay, Paignton, and Brixham, around Torbay.<sup>5</sup>

This area became well-known during the Napoleonic Wars when the families of naval officers settled in the area and word spread of its attractiveness. It was also once the United Kingdom's largest fishing port. These days, tourism is its dominant industry, recording nine million bed-nights per year and employing 15,000 people either directly or indirectly.

While the economic impact of the geopark, specifically, was not publicly available, the English Riviera Geopark Organization is mentioned more than once as part of the area's tourism strategy moving forward as it aims to grow its visitor numbers. Between 2010 and 2015, this area saw a 12 per cent increase in domestic visitors and an eight per cent increase in their spending (to 274.4 million pounds in 2015, or \$464.5 million CAD). The number of overseas visitors increased by one per cent and their spending by three per cent. Overall, in 2015, there were 4.5 million trips made to Torbay and 436 million pounds (\$739.2 million CAD) spent.

The English Riviera Global Geopark calls itself an "urban geopark" though 45 per cent of its land remains undeveloped as farmland, woodland, or open space. It has its own visitors' centre, themed playground, and website promoting activities and trails centered around its 32 geosites. It encourages its business partners and commercial members to use the branding to "stand above the crowd" when seeking funding. The geopark operates within the established tourism community as one of 14 stakeholders in the Destination Management Group for the local authority. Its own management organization includes tourism, geography, heritage, business, and educational stakeholders, as well as members of the local council. (English Riviera UNESCO Global Geopark website).

<sup>4</sup>No definition was given for "external sources", but this would include entrance fees, etc.

<sup>5</sup>By way of comparison, Niagara's population is spread out across 1,854 square kilometres.

## Beaujolais

The Beaujolais UNESCO Global Geopark in eastern France seems a natural case to study for Niagara due to its world-famous wine region (producing primarily red wine from the Gamay grape). This geopark located just northwest of Lyon, within view of the Alps, was designated in 2018 and makes the direct connection between its geological and hydraulic resources, and its viticulture, agriculture and history of its community. It currently has 26 geosites, ranging from historical buildings and sites, to vistas, trails, and protected areas. An interactive map of geo-activities on its website features guided tours and walks, museums and trails. As it is a new geopark, economic benefits are not available, and details about its structure are not yet publicly available. (Beaujolais UNESCO Global Geopark website).

## Hong Kong

The Hong Kong UNESCO Global Geopark features outcrops of volcanic rock columns, other rock formations and historical relics that are about an hour's drive from the centre of the city. The city of seven million people acts as host to visitors who make the trek to see the geosites via land-based or water-based tours. Tour guides are accredited. It has a Geopark Visitors Centre, a Volcano Discovery Centre, and several smaller "Geoheritage Centres". It provides an example of how a world-famous city has used the UNESCO branding to enhance and diversify the visitor experience (Ng 2014, Hong Kong UNESCO Global Geopark website).

## CONCLUSION

The UNESCO Global Geopark brand is meant to be used as a tool for communities to support and promote their natural resources and geological heritage through sustainable development practices, including geotourism, conservation, and education. The goal of this brief is to introduce this relatively new concept to economic development, tourism, conservation, and education stakeholders in Niagara. This region has already claimed its spot as a world-famous destination, thanks to the Niagara Falls and adjacent historical and cultural offerings. Wineries, breweries, and agritourism are adding to the draw of Niagara – the region – as a tourism destination. So much of this success already hinges on the uniqueness of Niagara's geography and geology, from the many waterfalls to the building and operation of the Welland Canal, to the soil and climatic factors that lead to a robust Niagara wine industry, particularly ice wine. Supporting a bid to become an internationally recognized geopark could even broaden the region's appeal to those looking for a recreational and educational geotourism experience, the benefits of which can be shared across all 12 municipalities of the region.

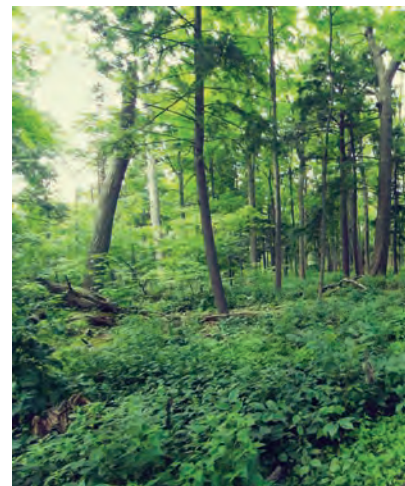
## NEXT STEPS

*By Charles Conteh & Carol Phillips*

The vision behind the UNESCO Global Geopark initiative in Niagara is not disconnected from the economic and sociocultural advancement of the region, but rather constitutes another potential engine that can only further drive the tourism sector. It should also be emphasized that leveraging and promoting cultural assets is a fundamentally community-driven initiative if it is to be sustainable. This policy brief encourages all sectors to consider the benefits of a UNESCO Global Geopark and how they may each contribute to its use as a tool of sustainable economic development.

To articulate the essential elements moving forward in a successful local geopark initiative, a framework from Jennifer Clark's work on resilient regions is instructive (2017). There are four core characteristics of resilient and adaptive regions that could inform the strategic direction of the geopark initiative in Niagara. First, building a deep specialized team of local geopark "activists"; second, creating a legitimate platform of institutionalized intermediaries to connect the various organizations and interests invested in the region's natural, environmental and cultural assets; third, cultivating an awareness of geoparks as fundamentally about the management of relationships and narratives between stakeholders in Niagara and the world; and fourth, a clearly articulated role for government at multiple scales of authority. The rest of this section elaborates on each of these elements.

The first element is the need to cultivate a critical mass of local geopark activists who are knowledgeable and passionate about the region's geological, geographic, cultural and historical uniqueness. As a strategic step, this would involve effective outreach to, and partnership with, local schools and post-secondary institutions to integrate geopark training modules into existing curriculum, and host regular public workshops to raise awareness about the region's stock of geopark assets. Ohniakara has already begun this outreach with programs in place at the post-secondary level.



Engaging people of diverse backgrounds and leveraging their skills and passions to create a compelling local ecosystem of geopark activists is an important part of developing a convincing and sustainable initiative. In fact, a major reason UNESCO gives for the designation of a Global Geopark is its educational



benefits – increasing awareness and appreciation for geology by teaching the communities within the geopark, as well as visitors, about the region's earth history.

Most importantly, geology and its role in earth history also provides a portal through which to learn about Niagara's Indigenous cultures which have existed here since time immemorial. With the help of Geospatial Niagara and the participation of Indigenous communities (such as the Niagara Regional Native Centre), educational units can be designed with hands-on experiences for students of all ages, elementary to post-secondary. As well, information at geosites, and on educational/promotional materials can also tell the story of the land from the Indigenous perspective.

The second element in the geopark region's strategic steps would be the creation of a platform for the institutional intermediaries that share the conservation and operational oversight of Niagara's physical assets. This platform can serve as facilitator and provide the glue that holds networks of disparate actors together. As we noted earlier, geoparks often overlap with nature parks, national parks, and biosphere reserves. An effective institutional intermediary platform will pre-empt competition between brands and confusion amongst the public about the difference between them. Moreover, it will address the concerns of businesses and other stakeholders questioning the value of paid membership in a geopark. The cooperation of these types of groups is essential to the upkeep, enhancement, and promotion of geosites. Working together, such an environmental network platform will not only provide the multidimensional perspectives for articulating and differentiating what a geopark can offer to the experience of visitors but also operationalizing those perspectives into quantitative indicators for measuring its impact on the established tourism sector as well as the local economy at large.



This platform could serve as the management team with a business and marketing plan. Where this new platform or management team fits within the

current Niagara tourism landscape is up for further discussion. But as we see from the English Riviera example, the initiative's inclusion in Niagara's tourism discussions and strategies is central to its success.

A third element in the initiative's strategic direction or next-steps is to frame its geopark initiative in terms of managing relationships and cultural narratives between Niagara and the world. Geopark assets are more than objects of nature. They are the critical relics of history that embody the natural heritage of a place. These relics provide the physical emblems that have

shaped the worldview and even belief systems of many generations of Indigenous peoples living in the region. The geopark initiative provides a mechanism for sharing those narratives with tourists from around the world, and with Niagara residents as well who may not be familiar with those stories embedded in these natural vestiges of the distant past. This third element ties well with the concept of branding.

The branding of a UNESCO Global Geopark provides an entrepreneurial opportunity to increase the number of, and expand existing, geotourism activities and visitor amenities. For those who have existing geopark-oriented businesses and events, the branding may help them build on their success by increasing international awareness of the geotourism opportunities in Niagara region.

The fourth and final element in the initiative's strategic next-steps is the question of the role of government. While there is a tendency to tout community initiatives with leadership provided by ordinary residents, the fundamental need for a clear role for local government leadership must not be lost or downplayed. A global initiative aimed at gaining the attention and winning the designation of UNESCO would require the backing, authority, legitimacy and resources of the state at various levels. To what degree, is a matter for discussion.

A geopark initiative for Niagara needs a broad agreement at the regional scale and requires a regional approach – and there is a tourism marketing structure in place for that. Meanwhile, tourism has been tagged by Niagara Region as a pillar of economic development moving forward and the industry is a major employer locally. The challenge is to leverage the entirety of Niagara's geographical and cultural assets to continue to grow the industry. The proposed Ohnia:kara geosites cut across regulatory, administrative, and operational lines. The Niagara Peninsula Conservation Authority, the Niagara Parks Commission, Parks Canada, Ontario parks, Niagara Escarpment Commission, St. Lawrence Seaway Authority, Niagara Region and its 12 municipalities all share responsibility for some facet of Ohnia:kara. Other than providing legitimacy to the efforts, what role can each level of government and regulatory body play? We should also bear in mind that Ohnia:kara provides an opportunity for greater recognition and appreciation for the role of Niagara's Indigenous peoples in the area's history and culture, which predates local governance structures.

The Ohnia:kara Aspiring Global Geopark provides an opportunity to broaden the appreciation for the entirety of Niagara's geological history and its impact on our cultural history through a means of sustainable economic development. For it to succeed, we suggest the geological "activists" and the tourism stakeholders must work closely together. This policy brief is meant only as a first step towards introducing the concept of a geopark to the Niagara community, outlining challenges and opportunities. What direction the geopark initiative takes is ultimately up to those relevant Niagara stakeholders.



## REFERENCES

Beaujolais UNESCO Global Geopark.  
<https://www.geopark-beaujolais.com/en/> (Accessed Dec. 6, 2018).

Brouder, Patrick and Chris Fullerton. 2015. Exploring Heterogeneous Tourism Development Paths: Cascade Effect or Co-evolution in Niagara. *Rural Tourism: Insights from the North Atlantic*, 15 (1-2): 152-156.

Clark, Jennifer. 2013. *Working Regions: Reconnecting Innovation and Production in the Knowledge Economy*. Regions and Cities: 66. Abingdon, Oxon; New York: Routledge.

Dowling, Ross, K. 2011. Geotourism's Global Growth. *Geoheritage*, 3: 1-13.

English Riviera UNESCO Global Geopark.  
[http://www.englishrivierageopark.org.uk/section\\_main.cfm?section=101](http://www.englishrivierageopark.org.uk/section_main.cfm?section=101) (Accessed Dec. 6, 2018).

Farsani, N.T., C. Coelho and Carlos Costa. 2011. Geotourism and Geoparks as Novel Strategies for Socio-economic Development in Rural Areas. *International Journal of Tourism Research*, 13: 68-81.

Hong Kong UNESCO Global Geopark.  
[http://www.geopark.gov.hk/en\\_index.htm](http://www.geopark.gov.hk/en_index.htm) (Accessed Dec. 6, 2018).

Lemky, Kim. 2014. "Assessing the Economic Impact of Geoparks," power point presentation to 6th International UNESCO Conference on Global Geoparks, Saint John, N.B.

Megerle, Heidi and Dana Pietsch. 2017. Consequences of overlapping territories between large scale protection areas and Geoparks in Germany: Opportunities and risks for geoheritage and geotourism. *Annales de géographie*, 5 (717): 598-624.

Niagara Region Economic Development. 2018. *Economic Analysis & Forecasting Draft Discussion Paper*.

Niagara Region Economic Development. 2019. *Niagara Tourism Profile*.

Ng, Sai L. 2014. Hong Kong Geopark: a paradigm of urban sustainable tourism. *Asian Geographer*, 31 (1): 83-96.

Ng, Young. 2017. "Economic Impacts of Geotourism and Geoparks in China," power-point presentation to the Global Eco Asia-Pacific Conference 2017, Adelaide.

Portuguese National Commission for UNESCO. Study on the Economic Value of the Connection to UNESCO Networks in Portugal. December 2014.  
[https://issuu.com/cbc\\_unesco\\_pt/docs/study\\_economic\\_value\\_unesco\\_network](https://issuu.com/cbc_unesco_pt/docs/study_economic_value_unesco_network) (Accessed Dec. 17, 2018).

UK National Commission for UNESCO. Wider Value of UNESCO to the UK, 2012-13. <https://www.unesco.org.uk/wp-content/uploads/2015/05/Wider-Value-of-UNESCO-to-UK-2012-13fullreport.pdf> (Accessed Dec. 17, 2018).

UNESCO. 2016. "UNESCO Global Geoparks."  
<http://unesdoc.unesco.org/images/0024/002436/243650e.pdf> (Accessed Dec. 6, 2018).

## Contact information

**About the author:** Carol Phillips, PhD, is the research coordinator at the Niagara Community Observatory, Brock University.

### Photos

*Page 1: Morningstar Mill, Comfort Maple*

*Page 2: Beamer Falls*

*Page 4: Niagara Gorge*

*Pages 6-7: Beamer Conservation Area Trail*

*Page 8: Ball's Falls*

The Niagara Community Observatory at Brock University is a public-policy think-tank working in partnership with the Niagara community to foster, produce, and disseminate research on current and emerging local issues. More information on our office, and an electronic copy of this report, can be found on our website [brocku.ca/nco](http://brocku.ca/nco)

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**Report To:** Board of Directors

**Subject:** Niagara Peninsula Conservation Authority (NPCA) Compliance and Enforcement Officer Appointment

**Report No:** FA-25-19

**Date:** March 20, 2019

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**RECOMMENDATION:**

1. That Report No. FA-24-19 respecting the Niagara Peninsula Conservation Authority (NPCA) Compliance and Enforcement Officer Appointment **BE RECEIVED**; and
2. That Jason Culp, NPCA Supervisor, Compliance and Enforcement **BE APPOINTED**, for the term of employment with the NPCA, as an Officer pursuant to Section 28 of the Conservation Authorities Act and Ontario Regulation 155/06.

**PURPOSE:**

The Niagara Peninsula Conservation Authority (NPCA) recently hired Mr. Jason Culp to fill the vacant position of Supervisor, Compliance and Enforcement. As a requirement of these duties, Mr. Culp needs to be appointed (for the term of employment) as Officer(s), pursuant to Section 28.1(e) of the *Conservation Authorities Act*, to fulfill job responsibilities.

**BACKGROUND:**

Enforcement activities related to Section 28.1(e) of the *Conservation Authorities Act* are also governed by Part III of the Provincial Offences Act (POA). By appointing staff as Officers under the *Conservation Authorities Act* they also become recognized by the Courts as Provincial Offences Officers and are therefore required to govern themselves in accordance with other applicable legal requirements (e.g. laying of information/charges, search restrictions, disclosure of evidence, etc.).

**FINANCIAL IMPLICATIONS:**

Mr. Culp will require training to become a Provincial Offences Officer. Conservation Ontario offers a week-long training course that commences on March 18, 2019 that Mr. Culp is registered to attend. The course covers use of notebooks, legal terminology, understanding by-laws, evidence gathering, POA Part III, Crown Briefs, officer safety and ethics amongst other items. It also includes in-class practical application of lesson material including a mock investigation and trial. The cost of the course is \$1,401.20 including HST. The registration fee includes training materials, accommodations and meals. The course is being held at Geneva Park in Orillia, Ontario and is included in the 2019 Budget.



Based on the above, it is recommended that Mr. Jason Culp be appointed as a Compliance and Enforcement Officer under Section 28 of the Conservation Authorities Act of Ontario for the term of their employment with the Conservation Authority, as specified under Section 28, 1(e) of the Act.

**RELATED REPORTS AND APPENDICES:**

1. Report 64-18 Compliance and Enforcement Officer Appointment (reference only)
2. Report 60-17 Appointment of Regulations Officer (reference only)
3. Report 49-15 Appointment of Regulation Officer (reference only)
4. Report 25-12 Appointment of Enforcement Officers (reference only)
5. Report 72-08 Appointment of Enforcement Officers (reference only)

**Prepared by:**

**Submitted by:**

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**Darren MacKenzie, C.Tech., rcsi**  
**Director, Watershed Management**

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**D. Gayle Wood, BES, CMMIII**  
**Interim CAO/Secretary-Treasurer**

**Report To:** Board of Directors

**Subject:** Niagara Peninsula Conservation Authority (NPCA) Compliance and Enforcement Officer Appointment

**Report No:** 64-18

**Date:** Sept 19, 2018

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**RECOMMENDATION:**

1. That Report No. 64-18 respecting the Niagara Peninsula Conservation Authority (NPCA) Compliance and Enforcement Officer Appointment **BE RECEIVED**; and
2. That Madison Hill, NPCA Compliance and Enforcement Officer **BE APPOINTED**, for the term of employment with the NPCA, as an Officer, effective September 24, 2018.

**PURPOSE:**

The Niagara Peninsula Conservation Authority (NPCA) needs to formally appoint (for the term of employment) Compliance and Enforcement Officer(s), as Officer(s), pursuant to Section 28.1(e) of the *Conservation Authorities Act*, to fulfill job responsibilities.

**BACKGROUND:**

Enforcement activities related to Section 28.1(e) of the *Conservation Authorities Act* are also governed by Part III of the Provincial Offences Act (POA). By appointing staff as Officers under the *Conservation Authorities Act* they also become recognized by the Courts as Provincial Offences Officers and are therefore required to govern themselves in accordance with other applicable legal requirements (e.g. laying of information/charges, search restrictions, disclosure of evidence, etc.).

**FINANCIAL IMPLICATIONS:**

There are no direct financial implications.

**Reviewed by:**



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Tareq Al-Zabet, Ph.D., P.Geo., CRSP  
Director, Watershed Management

**Submitted by:**



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Mark Brickell  
CAO/Secretary-Treasurer

*Prepared by Darren MacKenzie, Supervisor, Construction Permits & Compliance*

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**Report To:** Board of Directors

**Subject:** Appointment of Regulations Officer

**Report No:** 60-17

**Date:** May 17, 2017

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**RECOMMENDATION:**

That Report No. 60-17 be RECEIVED for information; and that the Board appoint Nicholas Gannon, Compliance and Enforcement Officer as an Officer pursuant to Section 28 of the *Conservation Authorities Act* and Ontario Regulation 155/06.

**PURPOSE:**

The NPCA recently hired Mr. Nicholas Gannon to fill the vacant position of Compliance and Enforcement Officer. He must in turn be appointed as an Officer under Section 28 of the *Conservation Authorities Act* to fulfill his job responsibilities.

**BACKGROUND:**

Enforcement activities related to Section 28 of the *Conservation Authorities Act* are also governed by Part III of the Provincial Offences Act (POA). By appointing staff as Officers under the *Conservation Authorities Act* they also become recognized by the Courts as Provincial Offences Officers and are therefore required to govern themselves in accordance with other applicable legal requirements, including laying of information/charges, search restrictions, and disclosure of evidence.

**FINANCIAL IMPLICATIONS:**

Mr. Gannon will require training to become a Provincial Offences Officer. The Ontario Municipal Law Enforcement Association offers a week-long training course twice a year <http://www.mleoa.ca/Content.asp?Key=16&cmd=ResetAll> .


The next course is in November 2017. The course covers notebooks, legal terminology, understanding by-laws, evidence, POA Part I, POA Part III, Crown Briefs, officer safety and ethics. It also includes in-class practical application of lesson material including a mock investigation and mock trial. The cost of the course is \$1,130 including HST. The registration fee includes training materials, dorm accommodations and meals. The course takes place at the Ontario Fire College in Gravenhurst, Ontario.

Based on the above, it is recommended that Mr. Nicholas Gannon be appointed as an Enforcement Officer under Section 28 of the Conservation Authorities Act of Ontario for the term of his employment with the NPCA, as specified under Section 28, 1(e) of the Act.

**RELATED REPORTS AND APPENDICES:**

Report 25-12 Appointment of Enforcement Officers (reference only)  
Report 72-08 Appointment of Enforcement Officers (reference only)  
Report 49-15 Appointment of Enforcement Officers (reference only)

**Prepared by:**



Darren Mackenzie, C.Tech., rcsi  
Supervisor, Construction Permits & Compliance

**Reviewed by:**



Peter Graham, P.Eng.  
Director, Watershed Management

**Submitted by:**



Mark Brickell;  
Acting Chief Administrative Officer / Secretary Treasurer

**Report To:** Board of Directors

**Subject:** Appointment of Regulation Officer

**Report No:** 49-15

**Date:** May 20, 2015

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**RECOMMENDATION:**

That Report No. 49-15 be received for information; and that the Board appoint Darren MacKenzie, Supervisor, Construction Permit Approvals as an Officer pursuant to Section 28 of the Conservation Authorities Act and Ontario Regulation 155/06.

**PURPOSE:**

The NPCA recently hired Mr. Darren MacKenzie to fill the vacant position of Supervisor, Construction Permit Approvals. He needs to be appointed as an Officer under the Section 28 of the Conservation Authorities Act to fulfill his job responsibilities.

**BACKGROUND:**

Enforcement activities related to Section 28 of the Conservation Authorities Act are also governed by Part III of the Provincial Offences Act (POA). By appointing staff as Officers under the Conservation Authorities Act they also become recognized by the Courts as Provincial Offences Officers and are therefore required to govern themselves in accordance with other applicable legal requirements (e.g. laying of information/charges, search restrictions, disclosure of evidence, etc.).

**FINANCIAL IMPLICATIONS:**

Mr. MacKenzie will require training to become a Provincial Offences Officer. The Ontario Municipal Law Enforcement Association offers the week long training course twice a year <http://www.mleoa.ca/Content.asp?Key=16&cmd=ResetAll>. The next course is in October 2015. The course covers notebooks, legal terminology, understanding by-laws, evidence, POA Part I, POA Part III, Crown Briefs, officer safety and ethics. It also includes in-class practical application of lesson material including a mock investigation and mock trial. The cost of the course is \$1,130 including HST. The registration fee includes training materials, dorm accommodations and meals. The course takes place at the Ontario Fire College in Gravenhurst, Ontario.

Based on the above, it is recommended that Mr. Darren MacKenzie be appointed as an Enforcement Officer under Section 28 of the Conservation Authorities Act of Ontario for the term of their employment with the Conservation Authority, as specified under Section 28, 1(e) of the Act.



**RELATED REPORTS AND APPENDICES:**


1. Report 25-12 Appointment of Enforcement Officers
2. Report 72-08 Appointment of Enforcement Officers

**Prepared by:**

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Suzanne McInnes, MCIP, RPP  
Manager, Plan Review and Regulations

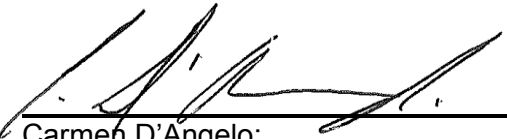
**Reviewed by:**



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Peter Graham, P.Eng.  
Director, Watershed Management

**Submitted by:**



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Carmen D'Angelo;  
Chief Administrative Officer / Secretary Treasurer

250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2  
Telephone 905 788 3135 | Facsimile 905 788 1121 | [www.npca.ca](http://www.npca.ca)

**To: Chairman and Members of the Authority**

**Date: May 16, 2012**

**Re: Appointment of Officers to Enforce the Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 155/06) – Report No. 25-12**

The Board will recall the Water Management Department was restructured and reorganized at the beginning of 2012. As part of those changes, responsibilities associated with investigation of complaints related to potential violations of the NPCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 155/06) were transferred to newly created positions within the Development Services Division. The new positions which include responsibilities in the areas of investigation and enforcement are as follows: Supervisor, Construction Permit Approvals; Construction Compliance Technician and Fish and Wildlife Technician.

In April of 2012, the positions noted above were filled and in order for the new staff to proceed with investigating complaints and undertaking the necessary follow action on matters of non-compliance, they must be specifically appointed by the Board as Officers in accordance with Section 10 of Ontario Regulation 155/06.

In the broader legislative framework, enforcement activities related to Section 28 of the Conservation Authorities Act are also governed by the Provincial Offences Act and specifically, Part III of that Act. By appointing staff as Officers under the Conservation Authorities Act, they also become recognized by the Courts as Provincial Offences Officers and are therefore required to govern themselves in accordance with other applicable legal requirements (i.e. laying of information/charges, search restrictions, disclosure of evidence, etc.)

### **RECOMMENDATION**


**That** the Board appoint Lara Widdifield, Supervisor, Construction Permit Approvals as an Officer pursuant to Section 28 of the Conservation Authorities Act and Ontario Regulation 155/06.

**That** the Board appoint Kiefer Paton, Construction Compliance Technician as an Officer pursuant to Section 28 of the Conservation Authorities Act and Ontario Regulation 155/06.

**That** the Board appoint Amy Brant, Fish and Wildlife Technician as an Officer pursuant to Section 28 of the Conservation Authorities Act and Ontario Regulation 155/06.

Prepared by: John Kukalis, C.E.T.; Director, Water Management

Respectfully Submitted by:

  
\_\_\_\_\_  
Tony D'Amario, P.Eng.; CAO/Secretary-Treasurer



250 Thorold Road West, 3rd Floor  
Welland, Ontario L3C 3W2  
Tel (905) 788-3135  
Fax (905) 788-1121  
E-mail: [npc@conservation-niagara.on.ca](mailto:npc@conservation-niagara.on.ca)

**TO: The Chairman and Members of the Authority**

**DATE: October 8, 2008**

**RE: Appointment of Enforcement Officers – Report No. 72-08**

Staff in the Land Management section of the Niagara Peninsula Conservation Authority are responsible for working with our municipalities and local landowners to provide advice and assistance through the municipal planning process as well as the processing of permits and investigation of potential violations of the Region's Tree and Forest Conservation By-Law. Currently, a number of staff are NPCA Enforcement Officers appointed by the Board under Section 28 of the Conservation Authorities Act of Ontario. The service level agreement with the Region of Niagara designates NPCA Enforcement Officers as By-Law Enforcement Officers for the purpose of the Tree and Forest Conservation By-Law.

Based on the above, it is recommended that Mr. Dan Drennan, Forester and Mr. Jeff Vlasman, Forestry Technician be appointed as Enforcement Officers under Section 28 of the Conservation Authorities Act of Ontario for the term of their employment with the Conservation Authority, as specified under Section 28 (e) of said Act.

**RECOMMENDATIONS:**

**That Mr. Dan Drennan and Mr. Jeff Vlasman be appointed as Enforcement Officers under The Conservation Authorities Act.**

Prepared by: Darcy Baker – Director, Land Management

Respectfully Submitted by:

**COPY**

\_\_\_\_\_  
Tony D'Amario, P.Eng.  
Chief Administrative Officer/Secretary-Treasurer

**Report To: Board of Directors**

**Subject: Resolution from Niagara Region Regarding Representation**

**Report No: FA-26-19**

**Date: March 20, 2019**

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**RECOMMENDATION:**

1. That Report No. FA-26-19 respecting Niagara Region representation on the NPCA **BE RECEIVED**
2. That the correspondence from Niagara Region dated March 1, 2019 **BE DIRECTED** to the NPCA Governance Committee for consideration and recommendation to the April Board of Directors' meeting.

**PURPOSE:**

The purpose of this report is:

1. To advise the Board members of the extension of the Niagara Region appointees to the NPCA for an additional period of 3 months commencing March 1, 2019,
2. To request that the Niagara Region letter dated March 1, 2019 be directed to the NPCA Governance Committee for review and recommendation to the April Board meeting.

**DISCUSSION:**

In a March 1, 2019 letter (attached) from Niagara Region, NPCA has been requested by Regional Council to:

1. "provide recommendations respecting Board composition and the recommended qualifications and process for appointments to the Board to Regional Council for consideration"; and
2. "determine the types of skills and/or experience required on this Board of Directors based on the mandate of the NPCA and subsequently providing a skills matrix for purposes of selecting those members to Regional Council before the end of April 2019".

**FINANCIAL IMPLICATIONS:**

The Governance Committee is scheduled to meet on March 27, 2019. The request by Niagara Region could be considered at that meeting should the board direct.

Per diems for this meeting are included in the 2019 approved budget.

**RELATED REPORTS AND APPENDICES:**

Appendix 1: March 1, 2019 Letter – ***Niagara Peninsula Conservation Authority Board Appointments – CL-C 18-2019***

**Submitted by:**

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**D. Gayle Wood**  
**Interim CAO/Secretary-Treasurer**



**Administration**

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

[www.niagararegion.ca](http://www.niagararegion.ca)

March 1, 2019

**CL 6-2019, February 28, 2019**

Gayle Wood

Interim Chief Administrative Officer, Secretary-Treasurer

Niagara Peninsula Conservation Authority

250 Thorold Road West; 3rd Floor

Welland, ON L3C 3W2

***SENT ELECTRONICALLY***

**RE: Niagara Peninsula Conservation Authority Board Appointments**

**CL-C 18-2019**

Regional Council at its meeting held on Thursday, February 28, 2019, passed the following resolution:

1. That Correspondence Item CL-C 18-2019, being a memorandum from A.-M. Norio, Regional Clerk, dated February 28, 2019, respecting Niagara Peninsula Conservation Authority Board Appointments, **BE RECEIVED**;
2. That Regional Council **EXTEND** the appointments of Councillors Bylsma, Chiocchio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, on the Niagara Peninsula Conservation Authority Board for an additional period of three months;
3. That the Niagara Peninsula Conservation Authority Board **BE REQUESTED** to provide recommendations respecting Board composition and the recommended qualifications and process for appointments to the Board to Regional Council for consideration;
4. That the Board of Directors of the NPCA **DETERMINE** the types of skills and/or experience required on this Board of Directors based on the mandate of the NPCA and subsequently providing a skills matrix for purposes of selecting those members to Regional Council before the end of April 2019;
5. That staff **BE DIRECTED** to develop a process that all lower tier municipalities can follow to determine who they will recommend as their representatives to the NPCA Board of Directors before the end of May 2019; and

6. That staff **BE DIRECTED** to develop a process that will determine a fair and acceptable mix of politicians to be responsible to Niagara taxpayers to serve on the NPCA Board of Directors along side those chosen via the skills matrix before the end of May 2019.

A copy of Correspondence Item CL-C 18-2019 is attached for your information.

Yours truly,



Ann-Marie Norio  
Regional Clerk

CLK-C 2019-062

Cc: Local Area Clerks  
J. Pilon, Acting City Clerk, City of Hamilton  
E. Eichenbaum, Clerk, Haldimand County

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## MEMORANDUM

CL-C 18-2019

**Subject: Niagara Peninsula Conservation Authority Board Appointments**

**Date: February 28, 2019**

**To: Regional Council**

**From: Ann-Marie Norio, Regional Clerk**

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At its meeting held on December 6, 2018, Regional Council passed the following resolution:

*That twelve (12) Regional Councillors representing Niagara Region, one from each municipality in the Niagara Region, **BE APPOINTED** to replace the current Niagara Region representatives, on an interim basis, on the Niagara Peninsula Conservation Authority Board, effective immediately for a period of three months until it is determined how to proceed with the Board composition.*

Council subsequently passed the following resolution:

*That Councillors Bylsma, Chiocchio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, **BE APPOINTED** to the Niagara Peninsula Conservation Authority Board for a three month period.*

In accordance with the above motion, the appointment of the members of the current board will expire on March 6, 2019. The appointment of the current Regional representatives on the NPCA Board was for a limited duration but with full authority to act respecting all matters of the Board.

The Clerk's Office has received correspondence from some local area municipalities respecting a local appointee to the NPCA Board (attached as Appendix 1). Niagara Region's Procedural By-law does not contain any provisions respecting appointments to the NPCA Board nor are there any policies related to this matter.

Section 4 of the *Conservation Authorities Act*, provides that a regional municipality shall be a participating municipality in place of the local municipalities within the regional municipality and shall appoint to the authority the number of members which the local municipality would otherwise have been entitled as participating municipalities.

Past practice with respect to the Board appointment of twelve (12) representatives, one from each local area municipality, has been to first ask the Regional Councillors who represent the municipality requiring representation whether or not they are willing to sit as a member of the Board. In the event that there is no interest from a Regional

Councillor of that municipality, the local municipal council is notified. The local council then determines how they would like to fill the spot on the Board. This could be with a local municipal councillor or a local citizen.

Council could decide to continue with the current appointment process practice; however, should Council wish to change this, the criteria and process would need to be defined. In considering this issue, Council may wish to seek input from the NPCA Board.

A resolution of Council is required to extend the current Board appointments. Suggested wording is as follows:

That Regional Council **EXTEND** the appointments of Councillors Bylsma, Chiocchio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, on the Niagara Peninsula Conservation Authority Board for an additional <insert period of time>; and

That the Niagara Peninsula Conservation Authority Board **BE REQUESTED** to provide recommendations respecting Board composition and the recommended qualifications and process for appointments to the Board to Regional Council for consideration.

Respectfully submitted and signed by

---

Ann-Marie Norio  
Regional Clerk



## Community Services

### Legislative Services

December 4, 2018

File #120203

Sent via Email: [ann-marie.norio@niagararegion.ca](mailto:ann-marie.norio@niagararegion.ca)

Ann-Marie Norio, Regional Clerk  
Niagara Region  
1815 Sir Issac Brock Way, P.O. Box 1042  
Thorold, ON L2V 4T7

Dear Ms. Norio:

**Re: Appointment to the Niagara Peninsula Conservation**

The Municipal Council of the Town of Fort Erie at its Inaugural Meeting of December 3, 2018 passed the following resolution:

**That:** Council recommends Leah Feor to The Regional Municipality of Niagara's Council as the Town of Fort Erie representative for appointment to the Niagara Peninsula Conservation Authority for the 2018-2022 term of Council.

Leah's contact information is as follows:

Leah Feor  
P.O. Box [REDACTED]  
Crystal Beach, ON L0S 1B0  
Phone: [REDACTED]  
Email: [REDACTED]

Trusting this information will be of assistance to you.

Yours very truly,

Carol Schofield, Dip. M.A.  
Manager, Legislative Services/Clerk  
[cschofield@forterie.ca](mailto:cschofield@forterie.ca)

CS:dlk





**City of Welland  
Legislative Services**

Office of the City Clerk

60 East Main Street, Welland, ON L3B 3X4

**Phone:** 905-735-1700 Ext. 2280 | **Fax:** 905-732-1919

**Email:** clerk@welland.ca | www.welland.ca

January 25, 2019

**File No. 16-129**

SENT VIA EMAIL

Niagara Peninsula Conservation Authority  
250 Thorold Street West, 3<sup>rd</sup> Floor  
Welland, ON L3C 3W2

Attention: Lisa McManus, Chief Administrative Officer and Secretary - Treasurer (Interim)

Dear Ms. McManus:

**Re: January 25, 2019 – WELLAND CITY COUNCIL**

At its meeting of January 25, 2019, Welland City Council passed the following motion:

**“THAT THE COUNCIL OF THE CITY OF WELLAND appoints John Ingrao to the Niagara Peninsula Conservation Authority from January 15, 2019 to November 14, 2022.”**

Yours truly,

Carmela Radice  
Deputy Clerk

TS:cap

c.c.: - A. Norio, Niagara Regional Clerk, sent via email



February 26, 2019

Ann-Marie Norio  
Regional Clerk Niagara Region  
1815 Sir Isaac Brock Way, P.O. Box 1042 Thorold, ON  
L2V 4T7  
Sent via email to [Ann-Marie.Norio@niagararegion.ca](mailto:Ann-Marie.Norio@niagararegion.ca)

**Re:** Niagara Peninsula Conservation Authority

Dear Ms. Norio,

Please be advised that at its meeting held on February 25, 2019, St. Catharines City Council approved the following motion:

WHEREAS on November 12, 2018, City Council directed staff to develop a process for appointing a representative to the Niagara Peninsula Conservation Authority (NPCA) Board to be implemented at the beginning of the 2018 – 2022 Term of Council; and

WHEREAS on December 10, 2018, City Council appointed Councillors Garcia, Miller, and Williamson to the NPCA Nominating Committee for the purpose of reviewing applications and making recommendations for appointment / nomination to the NPCA Board; and

WHEREAS the NPCA Nominating Committee has reviewed all applications and recommends Ed Smith for appointment to the NPCA Board;

THEREFORE BE IT RESOLVED that the City of St. Catharines recommends that Ed Smith be appointed to the NPCA Board as a representative of the City of St. Catharines for the remainder of the 2018 – 2022 Term of Council; and

BE IT FURTHER RESOLVED that the Niagara Region / NPCA be asked to provide a matrix for evaluating applicants; and

BE IT FURTHER RESOLVED that this resolution be forwarded to the Regional Clerk for distribution at Niagara Regional Council.

If you have any questions, please contact the Office of the City Clerk at extension 1524.

A handwritten signature in blue ink, appearing to read "Bonnie Nistico-Dunk".

Bonnie Nistico-Dunk, City Clerk  
Legal and Clerks Services, Office of the City Clerk  
:kn