

NIAGARA PENINSULA CONSERVATION AUTHORITY FULL AUTHORITY

WELLAND AGENDA

AGENDA FEBRUARY 17, 2010 – 7:00 p.m.

ROLL CALL

DECLARATION OF CONFLICT OF INTEREST

BUSINESS:

(1) MINUTES

(a) ANNUAL MEETING - JANUARY 20, 2010

Attached are the Minutes of the Annual Meeting held January 20, 2010.

(b) - FULL AUTHORITY MEETING - JANUARY 20, 2010

Attached are the Minutes of the Full Authority Meeting held January 20, 2010.

(c) BALL'S FALLS ADVISORY COMMITTEE MEETING – FEBRUARY 3, 2010

Attached are the Minutes of the Ball's Falls Advisory Committee Meeting held February 3, 2010.

(2) <u>DELEGATION</u>

Mr. Ian Christie, Mr. John Pellow, Mr. James Farrar, Mrs. Leslie Farrar, Mr. Tom Richardson and Mr. Ken Gonyou will be in attendance to speak in regards to a planning matter at 8 Giles Crescent in Pelham.

(3) <u>APPLICATION FOR SEVERANCE BY MR. & MRS. FARRAR; GILES CRESCENT, FONTHILL – REPORT NO. 06-10</u>

Attached is Report No. 06-10 regarding the Giles Crescent matter.

(4) BUSINESS ARISING FROM MINUTES

(5) CHAIRMAN'S REMARKS

(6) CAO'S REPORT

(7) <u>2009 CURRENT AND CAPITAL BUDGET YEAR END REPORT - REPORT NO.</u> <u>07-10</u>

Attached is Report No. 07-10 regarding the 2009 Current and Capital budget year end report.

(8) 2010 PROPOSED OPERATING BUDGET – REPORT NO.08-10

Attached is Report No. 08-10, regarding the 2010 Proposed Operating budget.

(9) <u>2010 PROPOSED CAPITAL BUDGET – REPORT NO.09-10</u>

Attached is Report No. 09-10, regarding the 2010 Proposed Capital budget.

(10) <u>CONSERVATION ONTARIO STATISTICAL SURVEY INFORMATION - REPORT NO. 10-10</u>

Attached is Report No. 10-10 regarding Conservation Ontario Statistical Survey Information.

(11) NATURAL AREAS INVENTORY – UPDATE, 2009 – REPORT NO. 11-10

Attached is Report No. 11-10 regarding the Natural Areas Inventory.

(12) YEAR IN REVIEW

Staff will be in attendance to provide an overview of the 2009 Authority programs and projects.

(13) PROJECT STATUS REPORT - REPORT NO. 12-10

Attached is Report No. 12-10 regarding this matter.

(14) <u>IN-CAMERA</u>

- (a) Complaint and Violation Status Report: Report No. CR-05-10
- (b) Tree By-Law Status Report Report No. CR-06-10
- (c) Lakefront Land Purchase Verbal Report
- (e) Land Acquisition Matters Verbal Report

(15) OTHER BUSINESS

ADJOURNMENT



NIAGARA PENINSULA CONSERVATION AUTHORITY

WELLAND JANUARY 20, 2010 7:00 p.m.

ANNUAL MEETING MINUTES

MEMBERS PRESENT: D. Ransom (Chairman)

B. Baty (Vice-Chairman)

B. Bentley
B. Butters
T. Dalimonte
C. D'Angelo
D. DiFruscio
A. Fevez
D. Goulbourne
B. Greenwood

B. Heit

B. Henderson N. Johnson

MEMBERS ABSENT: G. Burroughs (with regrets)

B. Steckley (with regrets)

STAFF PRESENT: T. D'Amario, CAO/Secretary-Treasurer

L. Sawatzky, Recording Secretary

T. McDougall, Executive Director Conservation Foundation

M. Stack, Director Communications J. Kukalis, Director, Water Management D. Baker, Director, Land Management

OTHERS PRESENT: Randy Momot, MacGillivray Partners

John Crossingham, Crossingham, Brady Don Pearson, Conservation Ontario

BUSINESS:

The Chairman called the Annual meeting to order at 7:03 p.m. and welcomed those in attendance.

1) <u>INTRODUCTIONS</u>

The Chairman acknowledged Mickey DiFruscio's many years as a member of the Authority and congratulated and thanked him for his great contributions over the years.

The Chairman then introduced, Mark Neufeld, Chair of the Source Water Protection Committee, John Crossingham, the Authority's solicitor, Randy Momot the Authority's auditor and Don Pearson, General Manager of Conservation Ontario, in charge of the 36 CA's in Ontario. He then asked Don Pearson to say a few words.

Don Pearson, thanked the chairman, noting it was a pleasure to be in attendance. He advised that Conservation Ontario is an organization that assists the 36 Conservation Authorities in Ontario to bring them together to develop positions to present to senior governments. He noted at this time environmental protection is an increasing priority to all 36 Conservation Authorities. He indicated that Conservation is a good deal for the taxpayers costing approximately \$100 per household all over Ontario. He congratulated the Authority on their successes in 2009 and noted that he perceived 2010 will be equally successful. He also advised that he was only a phone call away if we required any assistance.

After the introductions, the following resolution was presented.

FA-01-10

MOVED BY: T. Dalimonte SECONDED BY: M. DiFruscio

THAT: Tony D'Amario be appointed Acting Chairman for the election of the

Authority Chairman and Vice-Chairman for 2010.

"CARRIED"

2) <u>ELECTION OF OFFICERS FOR 2010</u>

Mr. D'Amario assumed the chair and declared all offices vacant. He then advised he would be following the Authority's voting and election procedures which have been followed for previous elections.

The following resolution was presented.

FA-02-10

MOVED BY: B. Butters
SECONDED BY: T. Dalimonte

THAT: John Crossingham and Randy Momot be appointed to serve as scrutineers

in the event of an election.

"CARRIED"

ELECTION OF CHAIRMAN

The Acting Chairman then called for nominations for the office of Chairman.

Mickey DiFruscio nominated Doug Ransom

The Acting Chairman called once again for nominations for the office of Chairman.

The Acting Chairman called for the third and final time for nominations for the office of Chairman.

Annual Meeting Minutes January 20, 2010, continued

Before closing nominations, the Acting Chairman asked Mr. Ransom if he would accept the nomination, which he advised he would.

There being no further nominations, the following resolution was presented.

FA-03-10

MOVED BY: B. Baty
SECONDED BY: B. Butters

THAT: nominations for the office of Authority Chairman for 2010 be closed.

"CARRIED"

Mr. Ransom was declared Chairman by acclamation.

ELECTION OF VICE-CHAIRMAN

The Acting Chairman continued and then called for nominations for the office of Vice-Chairman.

Mickey DiFruscio nominated Brian Baty

The Acting Chairman called once again for nominations for the office of Vice-Chairman.

The Acting Chairman called the third and final time for nominations for the office of Vice-Chairman.

Before closing nominations the Acting Chairman asked Mr. Baty if he would be willing to stand for the office of Vice-Chairman. Mr. Baty advised he would.

The following resolution was then presented.

FA-04-10

MOVED BY:
SECONDED BY:
B. Henderson
B. Baty

THAT: nominations for the office of Authority Vice-Chairman for 2010 be closed.

"CARRIED"

The Acting Chairman advised that Mr. Baty was elected Vice-chairman for the year 2010 by acclamation.

The Chairman then assumed the Chair.

The Chairman thanked Tony for being assuming the Chair for the election.

Annual Meeting Minutes <u>January 20, 2010 continued</u>

The Chairman then thanked the members of the NPCA for their support and cooperation during the past year and for year ahead. He thanked Brian Baty for his assistance in the past and for the future. He noted that Brian has been instrumental in financial issues and in directing the NPCA now and in the future.

Finally, he thanked Tony for his continued leadership. He advised that Tony ensures everyone is informed at all times. He is very conscientious with the staff and thankful for the work they do. The Chairman noted he too is pleased with staff and grateful to them for promoting public awareness of the NPCA. He also thanked staff too for their commitment of policies and working as a team, which is very evident. He noted that all departments of the NPCA work together to achieve the results necessary to carry out the projects and programs of the Authority. He indicated he is very proud to be have been a part of the Niagara Peninsula Conservation Authority for another exciting and successful year and looks forward 2010.

ADJOURNMENT

There being no further business, the following resolution was presented.

FA-05-10

MOVED BY: C. D'Angelo SECONDED BY: T. Dalimonte

THAT: this meeting do now adjourn.

Received at 7:12 p.m. "CARRIED"

"L. Sawatzky, Recording Secretary

D. Ransom, Chairman"



NIAGARA PENINSULA CONSERVATION AUTHORITY

WELLAND JANUARY 20, 2010 7:00 p.m.

FULL AUTHORITY MEETING

MEMBERS PRESENT: D. Ransom (Chairman)

B. Baty (Vice-Chairman)

B. Bentley B. Butters

T. Dalimonte

C. D'Angelo

D. DiFruscio

A. Fevez

D. Goulbourne

B. Greenwood

B. Heit

B. Henderson

N. Johnson

MEMBERS ABSENT: G. Burroughs (with regrets)

B. Steckley (with regrets)

STAFF PRESENT: T. D'Amario, CAO/Secretary-Treasurer

L. Sawatzky, Recording Secretary

T. McDougall, Executive Director Conservation Foundation

M. Stack, Director Communications J. Kukalis, Director, Water Management

D. Baker, Director, Land Management

OTHERS PRESENT: Randy Momot, MacGillivray Partners

John Crossingham, Crossingham, Brady

Don Pearson, Conservation Ontario

Mark Neufeld, Chair, Source Water Protection Committee

DELEGATIONS: Ken Gonyou

Tom Richardson Leslie Farrar James Farrar **Dorothy Christie** Ian Christie John Pellow

BUSINESS:

The Chairman called the meeting to order at 7:14 p.m.

(1) MINUTES FULL AUTHORTY MEETING – DECEMBER 9, 2009

There were no errors or omissions with respect to the minutes therefore, the following resolution was presented.

FA-06-10

MOVED BY: C. D'Angelo SECONDED BY: M. DiFruscio

THAT: the Minutes of the Full Authority meeting held December 9, 2009, be

received and approved as printed.

"CARRIED"

(2) **DELEGATION**

The Chairman asked Mr. Richardson to come forward to make his presentation.

Mr. Richardson provided the members with copies of his presentation in order to show the members where the property is and what the proposed application was for. Before completing his presentation Mr. Richardson asked Mr. Gonyou to come forward to provide a photo presentation. Following Mr. Gonyou's photo presentation Mr. Richardson completed his presentation. Following questions, the Chairman thanked both Mr. Richardson and Mr. Gonyou.

The Chairman then asked Mr. Christie to come forward to make his presentation. Mr. Christie advised he was in attendance on behalf of the neighbours and outlined his reasons the neighbours were opposed to this application. Mr. John Pellow, another neighbour, also came forward to outline his concerns regarding this application.

Following a question period, the Chairman thanked all for their presentations and the following resolution was presented.

FA-07-10

MOVED BY: B. Heit SECONDED BY: B. Bentley

THAT: the presentations made regarding the property at 8 Giles Crescent in

Pelham be received; and

The matter be referred back to staff for a report addressing the information referenced by the delegations.

"CARRIED"

(3) BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

(4) CHAIRMAN'S REMARKS

The Chairman commented that people he spoke to regarding the St. Johns Outdoor Centre were very impressed with the Authority's Director of Land Management Darcy Baker. He advised that it was felt that this acquisition came about largely due to the fine job done by Darcy. He also thanked other staff for their involvement with this project.

(5) CAO'S REPORT

The CAO advised that he had recently attended in Toronto to meet with Father Jackman to sign the final papers for the St. Johns Outdoor Centre. He noted that Father Jackman is a very personable gentleman who feels that the NPCA is the best organization to be taking over the St. Johns site.

The CAO met with Committee of the Whole in Hamilton on January 13th with Carmen D'Angelo to present the Authority's 2010 budget. He indicated that it was well received.

The CAO noted that with the recent cabinet shuffle Linda Jeffrey was appointed the new Minister of Natural Resources.

The CAO also advised that the Ministry of Natural Resources is doing a reorganizational change on January 26th, however, it should not affect the Authority.

The CAO had several dates to take note of for the members. Sunday, February 7th is the ice fishing derby at Binbrook Conservation Area, March 27th is the Foundation's elimination draw at the Welland Lions Club and the gala celebrating the Region's 40th anniversary is May 6th at the Hilton in Niagara Falls.

(6) <u>2010 MEETING SCHEDULE – REPORT NO. 01-10</u>

It was requested that the August meeting be changed to July 21st to accommodate the deadlines required by the Source Protection Authority. Therefore, no meeting will be held in August.

FA-08-10

MOVED BY: M. DiFruscio SECONDED BY: T. Dalimonte

THAT: the 2010 Authority Meeting Schedule as outlined in Report No. 01-10 be

approved as amended.

"CARRIED"

(7) BANK BORROWING RESOLUTION - REPORT NO. 02-10

The CAO advised that this is an annual resolution required by the Bank of Montreal should it be necessary for the Authority to borrow funds. The following resolution was presented.

Authority Meeting - Minutes January 20, 2010 - continued

FA-09-10

MOVED BY: B. Henderson SECONDED BY: B. Greenwood

THAT: WHEREAS Section 3(5) of The Conservation Authorities Act authorizes

Conservation Authorities to borrow such monies as may be required until

the payment of any grants and levies; and

WHEREAS the Niagara Peninsula Conservation Authority deems it appropriate to borrow such sums, with the total borrowed amount not to exceed \$800,000 at any one time in the year of 2010 to meet approved administration, maintenance and capital expenditures;

NOW THEREFORE BE IT RESOLVED that the Niagara Peninsula Conservation Authority be authorized to borrow from time to time from the Bank of Montreal by way of overdraft as per a Bank of Montreal overdraft agreement executed and signed by the Chairman and the Secretary-Treasurer of the Niagara Peninsula Conservation Authority, with the total amount not exceeding \$800,000 at any one time in 2010 to meet approved administration, maintenance and capital expenditures.

"CARRIED"

(8) <u>2010 PERMIT, DEVELOPMENT AND TECHNICAL REVIEW FEES - REPORT NO. 03-10</u>

The Director, Water Management outlined the report noting that most fees were adjusted for inflation.

A question was raised on the interpretation of the dredging fees. It was requested that staff look at this and possibly reword the terminology for this item.

FA-10-10

MOVED BY: T. Dalimonte SECONDED: B. Butters

THAT: i) Report No. 03-10 regarding the Permit, Planning and Technical Review

Fees, be received;

ii) Further that the Review Fees contained in Attachments 1 and 2

be adopted effective January 20, 2010

"CARRIED"

(9) <u>LAKE ONTARIO SHORELINE MANAGEMENT PLAN UPDATE NOVEMBER 2009 –</u> REPORT NO. 04-10

The Director, Water Management outlined the report noting that this was an update to the previous plan that was working on old base mapping and modeling on the Great Lakes Shoreline. He advised that board approval was required prior to sending it to the municipalities. The following resolution was presented.

Authority Meeting - Minutes January 20, 2010 – continued

FA-11-10

MOVED BY: A. Fevez SECONDED: B. Baty

THAT: Report No. 04-10 be adopted for use in the Planning and Regulations

Programs.

"CARRIED"

(10) MEDIAMIX INTERACTIVE INC. CONTRACT – REPORT NO. 05-10

The Director, Land Management outlined the report and advised that it was as a result of more information required by the board from the report brought to the December meeting. He noted that as requested, a copy of the contract was included with the report. The following resolution was presented.

FA-12-10

MOVED BY: B. Heit

SECONDED: D. Goulbourne

THAT: Report No. 05-10 be received, and

That staff be authorized to enter into a 5 year agreement with Mediamex Interactive Inc. to supply reservation software for Long Beach, Chippawa

Creek and Binbrook Conservation Areas.

"CARRIED"

(11) YEAR IN REVIEW

The Chairman suggested that this will be presented following the in-camera session.

(12) IN-CAMERA

In accordance with Authority policy, the following resolutions were presented.

FA-13-10

MOVED BY: D. Goulbourne

SECONDED BY: B. Baty

THAT: this meeting do now move in-camera.

Received at 8:27 p.m. "CARRIED"

FA-14-10

MOVED BY: A. Fevez SECONDED BY: D. Goulbourne

THAT: this meeting do now move back into open session.

Received at 9:24 p.m. "CARRIED"

Authority Meeting - Minutes January 20, 2010 – continued

As a result of the in-camera session, the following resolutions were presented. Brian Heit wished to be noted as being opposed to Report No. CR-03-10 and CR-04-10.

FA-15-10

MOVED BY: T. Dalimonte SECONDED BY: N. Johnson

THAT: the recommendations contained in report no. CR-04-10 be approved.

"CARRIED"

FA-16-10

MOVED BY: M. DiFruscio SECONDED BY: B. Bentley

THAT: the resolutions and recommendations contained within the confidential

reports during the in-camera session be approved.

"CARRIED"

(13) OTHER BUSINESS

Brian Heit inquired whether the 2009 actual budget figures would be available for the next meeting, which the CAO advised they would. He also questioned whether there was information available on the budget figures for the other 35 CA's in Ontario. The CAO advised that he had just received that information and would make it available for the next meeting.

There was no further business.

The Chairman indicated that due to the late hour, the Year in Review would be brought to the next meeting.

ADJOURNMENT

There being no further business, the following resolution was presented.

FA-17-10

MOVED BY: B. Baty SECONDED BY: C. D'Angelo

THAT: this meeting do now adjourn.

Received at 9:24 p.m. "CARRIED"



NIAGARA PENINSULA CONSERVATION AUTHORITY

BALL'S FALLS HERITAGE ADVISORY COMMITTEE MEETING

Ball's Falls February 3, 2010 3:00 p.m.

MINUTES

Members Present: M. Hunter

M. Holman E. Mitchinson

Staff Present: T. D'Amario, CAO/Secretary-Treasurer

D. Baker, Director, Land Management

C. Hayward, Curator

Regrets: D. Ransom

B. Baty L. Holmes F. High A. Petrie

BUSINESS:

1) Call to Order

The Chairman called the meeting to order at 3:20 p.m.

2) Election of Officers

Although there was a quorum in place, given the number of members absent, the Chairman and CAO agreed that elections would be deferred to the next meeting. All present were in agreement.

3) Minutes of Last Meeting – November 4, 2009

There being no errors or omissions, the following resolution was presented.

MOVED BY: Marion Holman SECONDED BY: Ellen Mitchinson

THAT: the minutes of the last meeting held November 4, 2009 be

approved.

"CARRIED"

4) <u>Business Arising From Minutes</u>

The Curator advised that several volunteers whose names had been forwarded to receive a Conservation Achievement Award were inadvertently omitted from the office mailing list; she noted that they would be mailed their award and an apology would be extended for the oversight.

A meeting has been scheduled for February to meet on site with both the Regional and Toronto Museums Advisors to discuss the expanded museological operations at Ball's Falls and the need to re-visit the status of our current community museum operating grant.

The Director Land Management updated the members on the status of the Marketing Plan update. He explained that a telephone poll would soon be undertaken in order to gauge public awareness of the NPCA and the new Centre. The information gleaned would be critical to provide a benchmark for future market evaluation and strategizing.

5) Appointments – Ball's Falls Heritage Advisory Committee - Report No. HC- 01- 10

Staff advised that John Mastroianni had completed his term on the committee in December and would not be seeking an extension due to personal commitments. A letter of thanks will be forwarded to John for his service. The Full Authority did approve an extension for both Marion Holman and April Petrie.

MOVED BY: Ellen Mitchinson SECONDED BY: Marion Holman

THAT: Report NO. HC-01-10 regarding the appointments to the Ball's

Falls Heritage Advisory Committee be received for information.

"CARRIED"

6) Centre for Conservation Collections Storage Project - Report No. HC- 02- 10

MOVED BY: Marion Holman SECONDED BY: Ellen Mitchinson

THAT: Report NO. HC-02-10 on the Centre for Conservation

Collections Storage Project be received; and that staff continue to source funding assistance to address collections

storage requirements.

"CARRIED"

7) <u>2010 Temporary Exhibition Schedule- Report No. HC- 03- 10</u>

A discussion on the upcoming exhibits and program took place. The Curator distributed a summary of the 2010 Temporary Exhibits and noted that staff are also currently working on the 2011 and 2012 schedule to secure exhibits. Current marketing materials produced by Centre staff were distributed.

MOVED BY: Ellen Mitchinson SECONDED BY: Marion Holman

THAT: Report No. HC-03-10 on the status of Ball's Falls Conservation

Area Projects be received for information.

"CARRIED"

8) <u>2010 Ontario Volunteer Service Awards - Report No. HC- 04- 10</u>

MOVED BY: Marion Holman SECONDED BY: Ellen Mitchinson

THAT: Report No. HC-04-10 regarding the 2010 Ontario Volunteer

Service Awards be received; and that staff submit the NPCA

nomination to the Ministry of Citizenship.

"CARRIED"

9) Status Report – Report No. HC-05-10

MOVED BY: Ellen Mitchinson SECONDED BY: Marion Holman

THAT: Report No. HC-05-10 on the status of Ball's Falls Conservation

Area Projects be received for information.

"CARRIED"

10) Other Business

The Curator noted the following:

- Mr. JD Pachereva has been hired as the new General Manager of the Twenty Valley Tourism Association. Lisa Haddow, former Executive Director, TVTA has left to take a position with the Good Earth Cooking School.
- Michael Chan replaces Aileen Carroll as the new provincial Minister of Culture.
- The Chair of the OMA is hoping to attend our April 7th meeting to present the OMA Corporate Service Award, awarded in 2009.

11) Adjournment

MOVED BY: Marion Holman SECONDED BY: Ellen Mitchinson

THAT: this meeting do now adjourn.

Received at 4:20 p.m.

"CARRIED"

Mike Hunter, Chair



250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2 Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.ca

To: Chairman and Members of the Authority

Date: February 17, 2010

Re: Application for Severance by Mr. & Mrs. Farrar; Giles Crescent, Fonthill –

Report No. 06 -10

This report has been prepared at the direction of the NPCA Board at their January 20, 2010 meeting and provides additional information regarding issues raised by delegations addressing the subject matter.

With reference to Figure 1 (attached), the owner has made application to the Town of Pelham to sever a portion of their existing lands, which currently contain a residential dwelling, in order to create an additional lot (i.e. Part 2), intended for residential building use.

Virtually the entire extent of the undeveloped Part 2, 3 & 4 are located on the valley slope of the St. John's subsystem of the Twelve Mile Creek. Current NPCA Policies do not allow for development within natural valleys due to the risk to public safety, impacts to both long term slope stability and the conservation of land. Staffs concerns are detailed in correspondence dated January 10, 2010 (attached) to the Town's Committee of Adjustment.

NPCA Policies, Procedures and Guidelines for Administration of O.Reg. 155/06 and Land Use Planning Policy Document are very specific with respect to prohibiting development within valley systems. New development is required to be set back a minimum of 7.5 m. from the top of a stable valley or more where bank stability is a concern. This particular application clearly does not meet these criteria and in fact results in development beyond the valley top of slope and within the valley system itself. NPCA staff advised the owner's agent of staff's position in this regard in past pre-consultation discussions.

The NPCA did comment on and raise objections to a similar severance proposal on November 3, 1993 and in a related staff report dated December 2, 1993 (copies attached). The application was denied by the land division committee at that time. Since then, the regulations and policies relating to valley land development have been enhanced and further support the objectives that prohibit new development in valley systems. The Authority's current Development, Interference with Wetlands, and Alteration to Shorelines and Watercourses Regulations, O.Reg 155/06, as amended came into effect on May 4, 2006 and this is ultimately the overriding legislation under which the current proposal must be assessed. Furthermore, NPCA policy provisions for transitional applications (i.e. prior to the effective date of O.Reg 155/06) are not applicable to this proposal.

NPCA staff also reviewed the Exhibit Booklet dated January 20, 2010 presented at the January meeting. The information provided includes landscaping enhancements and geotechnical information to address slope stability issues. This information would only be applicable for proposals where the NPCA policies allow for development to occur.

The overriding issue with respect to this development is whether or not a new building lot should be considered that results in the right to construct a dwelling or structure below the top of a significant valley slope. NPCA staff believe there are no unique circumstances of this application that would justify deviation from the current NPCA policy or differ from other similar applications that have been previously denied by the Board. Staff submit that NPCA approval of this application would most certainly result in a significant precedence being established that will be referred to in future similar applications throughout the watershed and undermine the NPCA's regulatory responsibilities in relation to conservation of natural valley lands.

Attachments:

- 1) Figure I vicinity of 8 Giles Crescent, Pelham
- 2) NPCA letter dated January 8, 2010
- 3) NPCA letter dated November 3, 1993
- 4) NPCA Staff Report dated December 2, 1993

RECOMMENDATION

That the report be received for information, and,

That the owner/agents of the subject lands be advised that the Authority's position with respect to this matter is confirmed as per the staff correspondence dated January 10, 2010

Prepared by: John Kukalis, C	C.E.T.; Director, Water Management
Respectfully Submitted by:	Tony D'Amario, P.Eng.; CAO/Secretary-Treasurer



TO: The Chairman and Members of the Authority

DATE: February 11, 2010

SUBJECT: 2009 Current & Capital Budgets – Unaudited Year End - Report No. 07-10

The attached Current and Capital Budget Summary identifies the unaudited 2009 Year End position for program revenues and expenditures. Board members can also refer to the Proposed 2010 Current and Capital Budgets provided as separate documents in this agenda, in which a column is included that identifies the unaudited 2009 Year End expenditures as compared to the proposed 2010 Current and Capital Budgets.

Current Budget

For the 2009 Current Budget, the Year End program expenditures are generally consistent with those previously noted to the Board. Overall, program expenditures are under the approved budget by approximately \$295,000 with the following significant variances.

Corporate Services

- Miscellaneous Revenues Anticipated earned interest lower than anticipated due to significant reduction in interest rates. Amounts indicated reflect additional funds received from OPG and others for projects not previously identified.
- Corporate Management expenditure increased as a result of OPG expenditures (as above)
- Office Services Decrease in expenditures from delays in purchasing office equipment and upgrades.
- Human Resources Savings in less than anticipated expenditures for Human Resource services.
- Information Technology Savings from delays in purchasing computer upgrades and replacements.

Resources Inventory and Environmental Monitoring

- Remedial Action Plan expenditures decreased as a result of decreased revenues from Environment Canada and the Ministry of the Environment
- Drain Classification Work reduced to reflect the actual revenue received from DFO.
- Water Quality Monitoring Increase in cost due to additional work paid for by MOE.
- Watershed Report Card not published in 2009. Options for 2010 under consideration, in partnership with Niagara Region

Flood Protection Services

 Slightly reduced anticipated revenues for permit fees for Regulations lower than the budget required the reallocation of General Levy savings in from other programs.

Environmental Advisory Services

 Lower than anticipated administrative fees received. Allocation of General Levy from savings in other areas required to offset. – Work reduced to reflect the actual revenue received from DFO.

Conservation Land Management

Less than anticipated expenditure for the Tree Conservation By-Law has resulted in unused Niagara Region special levies of approximately \$21,600. With the addition of unused levies in 2008 of approximately \$16,500 will result in an unused special levy amount of approximately \$38,000. It is recommended that this special levy amount be carried forward into 2010 to finance potential increases in the program costs, including legal fees from violations.

Conservation Land Program

- Wet season resulted in increased costs for maintenance (grass cutting) and lower than expected visitor attendance in all areas with the exception of Binbrook.
- Staff implemented mid season changes in Conservation Area operations to assist in offsetting lower revenues as a result of the above. Anticipated revenues for the Thanksgiving Festival as well as the other revenue generating Conservation Areas (exception Binbrook) are well below budgeted levels. For Niagara Conservation Areas, the anticipation net operating cost will exceed the special levy allocation and user revenues by approximately \$75,700 and accordingly balancing the year end position will require that same amount to be funded through the Niagara Conservation Areas operating reserve. The 2008 year end balance in that reserve is \$301,449. For the Binbrook Conservation Area, revenues were higher than anticipated and as such it is recommended that approximately \$55,800 be added to the Hamilton Conservation Areas operating reserve (2008 year end balance is \$99,847). The Haldimand Conservation Area expenses were approximately \$322 above the levy allocation and as such will require a similar expenditure from the Haldimand CA Reserve (2008 year end balance \$11,412).

Capital Budget

For the 2009 Capital Budget, the Year End program expenditures are also generally consistent with those previously noted to the Board. Overall, program expenditures are under the approved budget by approximately \$1.8 million with the following significant variances and recommendations. Total unspent levy is approximately \$662,505.

- Source Water Protection Plans and Technical Studies Unexpended amounts totaling \$40,700 to be carried forward to 2010. This program is 100 % funded by MOE.
- Upper Welland River Watershed Plan Unexpended funding of approximately \$23,000 to be carried forward to 2010.
- Beaverdam's and Shriners Creek Watershed Plan Unexpended funding of \$66,000 to be carried forward to 2010 due to delays in project completion.

- Projects completed at the E.C. Brown Conservation Area were funded by Ontario Power Generation.
- Welland River Agricultural Stewardship Projects were reduced to reflect actual funding received from Environment Canada and the Ministry of the Environment under the Remedial Action Plan.
- Welland River Miscellaneous Projects Program activities increased by approximately \$24,000 from additional revenue received from a Smartcentre compensation for development in Niagara Falls. The work will involve a fisheries improvement project in the Welland River in West Lincoln.
- The Well De-Commissioning Program did not achieve the level of applications expected for 2009. Efforts will be made in 2010 to increase awareness of the program and increase the uptake of available funding. It is recommended that the unexpended funds of approximately \$20,000 be carried forward to 2010.
- Conservation Land Development The following are recommendations with respect to the Conservation Land Development capital budget
 - Land Acquisition Unexpended funding of approximately \$283,000 (Niagara) and \$100,000 (Hamilton) to be placed into reserves for future land acquisition. NPCA staff are currently negotiating 6 land purchases in accordance with the NPCA acquisition strategy and previous acquisition approvals.
 - Balls Falls CA. Approximately \$229,000 of unexpended funding to be carried forward into 2010 to complete Heritage Building Work at the area that was unable to be completed in 2009.
 - Chippawa Creek Approximately \$335,000 to be carried over to 2010 to complete the sewage system work contract initiated in 2009.
 - Beamer Memorial Carry over of \$20,000 of unexpended 2009 funding to complete trail work not completed.
 - Binbrook Tract Re-allocation of \$12,000 of reserves not expended in 2009.
 - Rockway Work not completed in 2009 do to delays in relocating parking lot to prevent unauthorized dumping. Unexpended funding of \$22,700 to be carried forward to 2010.
 - Mountainview Anticipated work was not completed in 2009 and unexpended amount of \$10,000 to be carried forward to 2010.
 - Virgil Anticipated work was not completed in 2009 and unexpended amount of \$32,000 to be carried forward to 2010.
 - Smith Ness Anticipated restoration work was not completed in 2009 and unexpended amount of \$4,000 to be carried forward to 2010.
 - Two Mile Creek Work was not completed in 2009 and unexpended amount of \$4,200 to be carried forward to 2010.
 - Stevenville CA Unexpended amounts to be carried over into 2010 to complete the bridge replacement work contract initiated in 2009.
 - Wainfleet Wellands Work not initiated due to delays in obtaining provincial grant.
 Carry over of \$20,000 reserve allocation in 2009 to 2010.
 - Woodend Funds were allocated to reconstruct the road however staff have been exploring other less costly alternatives to complete reconstruction. The recent work undertaken by the "Gravel Doctor" that recycles the road base appears

- promising and may be a viable alternative to rebuilding the road. Staff will continue to monitor the performance of this alternative. Budget allocation to be carried forward into 2010 towards road reconstruction if necessary.
- Cave Springs Work not initiated in 2009 and reserve fund allocation of \$14,200 to be carried forward to 2010.

Below is a summary of the Capital Levy and Reserve amounts for 2009. The majority of the unspent amounts will be used for projects carried into 2009 (identified in the 2010 Capital Budget), and accordingly, it is appropriate to assign these amounts to reserve accounts pending their use. Accordingly, I am recommending that the net reserve funds be allocated to the corresponding reserve accounts.

Capital Funding Unspent Summary - 2009

Program	Unspent 2009	Unspent 2009	Net 2009	Proposed 2010	Net to
	Levy	Reserves	Unspent	Allocation of Unspent	Reserves
Watershed Studies	\$45,422	\$35,021	\$80,443	\$54,000	\$26,443
Resource Inventory	\$56,801	\$3,922	\$60,723	\$53,800	\$6,923
Flood Protection	\$27,928	\$0	\$27,928	\$0	\$27,928
Land Acquisition - Niagara	\$282,741	\$0	\$282,741	\$0	\$282,741
Land Acquisition - Hamilton	\$100,000	\$0	\$100,000	\$0	\$100,000
Conservation Land Dev.	\$149,615	\$855,570	\$1,005,184	\$978,591	\$26,593
	\$662,506	\$894,513	\$1,557,019	\$1,086,391	\$470,628

Subject to the approval of the Board, the 2009 Financial Statements and 2010 Budget will reflect the recommended appropriations.

RECOMMENDATION:

That Report No. 07-10 regarding the 2009 Current and Capital Budgets – Unaudited Year End be received; and

That the recommended appropriations be approved.

Respectfully Submitted By:	
	Tony D'Amario P Eng CAO/ Secretary-Treasurer



TO: Chairman and Members of the Authority

DATE: February 11, 2010

SUBJECT: Proposed 2010 Operating Budget - Report No. 08-10

Attached for your review and consideration is the Proposed 2010 Operating Budget.

The levy expenditures are identical to the preliminary budget approved in the October Board meeting and accordingly there are no revisions to the levy amount to the member municipalities. The increase in total revenues and expenditures are due to the following:

- \$50,000 special funding from Niagara Region (non levy) for educational displays relating to the Niagara Region Water Quality Strategy
- An additional grant from the Ministry of the Environment (\$15,000) with respect to additional work under the Water Quality Monitoring Program
- An additional Ministry of Natural Resources grant of approximately \$9200 to undertake additional works at the Virgil Dams.
- An increase in the Tree Conservation By-law budget to carry forward remaining funds from 2009 as outlined in the 2009 Year End report.

Summary

- the total expenditure under the Proposed 2010 Operating Budget is \$7,525,
- the general levy to be assessed to the member municipalities is \$2,165,650

A summary of the 2010 Preliminary Operating Budget and associated levy is presented below.

2010 Proposed Operating Budget

Operating Budget	Total <u>Expenditure</u>	Total <u>Levy</u>	<u>Niagara</u>	<u>Hamilton</u>	<u>Haldimand</u>
Corporate Services	\$1,286,200	\$1,008,200	\$957,022	\$39,695	\$11,483
Resource Inventory & Monitoring	\$451,283	\$287,200	\$272,621	\$11,308	\$3,271
Flood Protection Services	\$479,970	\$250,850	\$238,116	\$9,876	\$2,857
Environmental Advisory Services	\$424,600	\$215,600	\$204,656	\$8,489	\$2,456
Conservation Land Management	\$2,607,575	\$2,541,700	\$2,526,142	\$12,067	\$3,491
Conservation Land Programming	\$2,107,220	\$767,690	\$633,100	\$125,000	\$9,590
Vehicles and Equipment	\$168,300	\$97,300	\$92,361	\$3,831	\$1,108
Total	\$7,525,148	\$5,168,540	\$4,924,018	\$210,265	\$34,256

A comparison with the 2009 operation budget is provided below:

Levy Apportionment - 2010 Proposed Operating Budget

	2009	2010		2009	2010		2009	2010	
	General	General	%	Special	Special	%	Total	Total	%
Municipality	<u>Levy</u>	<u>Levy</u>	<u>Change</u>	<u>Levy</u>	<u>Levy</u>	<u>Change</u>	<u>Levy</u>	<u>Levy</u>	<u>Change</u>
Haldimand	\$16,382	\$24,666	50.6	\$9,470	\$9,590	1.3	\$25,852	\$34,256	32.5
Hamilton	\$82,538	\$85,265	3.3	\$123,400	\$125,000	1.3	\$205,938	\$210,265	2.1
Niagara	\$2,001,290	\$2,055,718	2.7	\$2,282,530	\$2,868,300	25.7	\$4,283,820	\$4,924,018	14.9
Total	\$2,100,210	\$2,165,650	3.1	\$2,415,400	\$3,002,890	24.3	\$4,515,610	\$5,168,540	14.5

RECOMMENDATION

That Report No. 08-10 regarding the Proposed 2010 Operating Budget be received; and

That the Proposed 2010 Operating Budget with a total expenditure of \$7,525,148 and a general levy of \$2,165,650 and special levies of \$2,868,300 to the Region of Niagara, \$125,000 to the City of Hamilton and \$9,590 to Haldimand County be approved; and

That the 2010 matching levy in the amount of \$174,500 and the total non-matching levy in the amount of \$1,991,150 for the 2010 Operating Budget be apportioned to the member municipalities on the basis of the CA Levy Regulation (O Reg. 670/2000) for the Niagara Peninsula Conservation Authority modified in accordance with the 4 Year Levy Implementation Plan for the Years 2010 – 2013 (NPCA Report No. 63 -09); and

That the special levies for the 2010 Operating Budget be assessed in the amount of \$2,868,300 to the Region of Niagara, \$125,000 to the City of Hamilton and \$9,590 to Haldimand County.

Respectfully Submitted By:	
	Tony D'Amario, P. Eng., CAO/Secretary-Treasurer



TO: The Chairman and Members of the Authority

DATE: February 11, 2010

SUBJECT: Proposed 2010 Capital Budget - Report No. 09-10

Attached for your review and consideration is the Proposed 2010 Capital Budget.

The levy expenditures are identical to the preliminary budget approved in the October Board meeting and accordingly there are no revisions to the levy amount to the member municipalities. Significant revisions relate to additional items with external funding as well as adjustments of projects to include unexpended funding from 2009 (reserves) to complete projects in 2010.

The budget also includes land acquisition funding as per previous years with total special levy amounts of \$500,000 for Niagara Region and \$100,000 for the City of Hamilton.

The allocation of unspent 2009 Capital Funding as discussed in the 2009 year end report has been included in the proposed 2010 Proposed Capital Budget. In addition, revisions have been made to the Provincial and Federal Grant revenues (and corresponding expenditures) for the Source Water Protection Program and the Water Quality Monitoring Program.

Summary

- the total expenditure under the Proposed 2010 Capital Budget is \$6,212,705
- the general levy to be assessed to the member municipalities is \$648,400

2010 Proposed Capital Budget

	Total <u>Expenditure</u>	Total levy	<u>Niagara</u>	<u>Hamilton</u>	<u>Haldimand</u>
Watershed Studies	\$1,865,600	\$275,000	\$178,750	\$27,500	\$68,750
Resource Inventory & Monitoring	\$1,887,450	\$1,018,400	\$946,662	\$66,613	\$5,124
Flood Protection Services	\$235,564	\$198,500	\$188,424	\$7,815	\$2,261
Conservation Land Development	\$2,224,091	\$695,000	\$500,000	\$195,000	\$0
Total	\$6,212,705	\$2,186,900	\$1,813,836	\$296,929	\$76,135

A comparison with the 2009 levy is as follows:

Levy Apportionment - Proposed 2010 Capital Budget

	2009 General	2010 General	%	2009 Special	2010 Special	%	2009 Total	2010 Total	%
Municipality	<u>Levy</u>	<u>Levy</u>	Change	<u>Levy</u>	<u>Levy</u>	Change	<u>Levy</u>	<u>Levy</u>	Change
Haldimand	\$9,076	\$7,385	-18.6	\$76,250	\$68,750	-9.8	\$85,326	\$76,135	-10.8
Hamilton	\$45,729	\$25,529	-44.2	\$246,050	\$271,400	10.3	\$291,779	\$296,929	1.8
Niagara	\$1,108,794	\$615,486	-44.5	\$1,242,050	\$1,198,350	-3.5	\$2,350,844	\$1,813,836	-22.8
Total	\$1,163,600	\$648,400	-44.3	\$1,564,350	\$1,538,500	-1.7	\$2,727,950	\$2,186,900	-19.8

RECOMMENDATION:

That Report No. 09-10 regarding the Proposed 2010 Capital Budget be received; and

That the Proposed 2010 Capital Budget with a total expenditure of \$6,212,705 and a general levy of \$648,400 and special levies of \$1,198,350 to the Region of Niagara, \$271,400 to the City of Hamilton and \$68,750 to Haldimand County be approved; and

That the 2010 general levy in the amount of \$648,400 be apportioned to the member municipalities on the basis of the CA Levy Regulation (O Reg. 670/2000) for the Niagara Peninsula Conservation Authority modified in accordance with the 4 Year Levy Implementation Plan for the Years 2010 – 2013 (NPCA Report No. 63-09); and

That special levies for the 2010 Capital Budget be assessed in the amount of \$1,198,350 to the Region of Niagara, \$271,400 to the City of Hamilton and \$68,750 to Haldimand County.

Respectfully Submitted By:	
	Tony D'Amario, P. Eng., CAO/Secretary-Treasurer



Respectfully Submitted By:

TO:	The Chairman and Members of the Authority
DATE:	February 11, 2010
SUBJECT:	Conservation Ontario Statistical Survey Information - Report No. 10-10
information that il matters for both	luest at the January Board meeting, attached are spreadsheet statistical llustrates a comparison of all Ontario Conservation Authorities on financial Conservation Authority Operations as well as the corresponding Foundation dition, a comparison of various land holdings by each Authority is provided.
RECOMMENDAT	ION:
That Report No. 10	0-10 be received.

Tony D'Amario, P. Eng. CAO/ Secretary-Treasurer



TO: Chairman and Members of the Authority

DATE: January 11, 2019

RE: Natural Areas Inventory - Update, 2009 - Report No. 11-10

Since 2006, the Authority has been working at completing the first comprehensive inventory of natural heritage features within our watershed. The goal of the project was to provide both the Authority and its' watershed partners with scientifically defendable information, on which to base planning and land use decision making upon. The deliverables of this project are Community Series (ELC) mapping for the entire watershed as well as, a report that includes detailed site technical summaries for each of the primary locations inventoried in the field, as well as, a master inventory of specific flora and fauna including a list of local rare species.

As much of the area north of the escarpment is either urban or Greenbelt Preservation area, and the escarpment had already been inventoried by the Niagara Escarpment Commission, the Natural Areas Inventory (NAI) field work focused on lands south of the escarpment. To date, the project has been extremely well received by the public and landowner uptake/inventory requests exceeded the ability NPCA had to complete them. In total, of the approx. 8,500 requests for access mailed out, 2400 or 28% of the landowners expressed a willingness to participate. Staff had expected to obtain a 7 -10% positive response based on experiences from other Authorities. In an effort to address the community interest, the Authority added additional field staff in the 2nd and 3rd years of the project and also extend the field/data collection component of the project by four(4) months. Even with this, only about a quarter (i.e. 527) of those wishing to be inventoried were able to be accommodated. Nonetheless, the quantity and quality of the data obtained is significant.

The final draft of the Natural Areas Inventory Report is ready to be circulated to the Project Committee before it is finalized for printing. Furthermore, staff is ready to begin mailing out Study Site Summaries to landowners that agreed to be inventoried, as part of our commitment to them. Given the nature of the project and the consultative approach of the NAI's development, staff do not contemplate any major changes at this stage. Nonetheless, prior to its issuance above noted information, staff believe it is appropriate for the Board to receive the final draft of the report.

Attached for the Boards review, please find an Executive Summary which provides much more detail surrounding the accomplishments of this program. It must be noted that the project could not have been successful without the financial and in kind support of the project sponsors (i.e. NGO's, Nature Clubs, Private Foundation, etc.) that are to numerous to list here, however a detailed list is included on page 17 of the attachment. To a number of factors including, our status as a charitable organization, NPCA was able to approximately double the base project funding provided by the Region of Niagara.

On a go forward basis, staff would also advise that the Region of Niagara has recently approved and provided funding for an application submitted under the Water Strategy for the NPCA to complete the next logical step in the natural heritage planning process, which is development of a Natural Heritage System Plan. Preliminary work on this project has begun and it will be completed mid 2011.

Attachments

1) Natural Heritage Areas Inventory – Executive Summary

RECOMMENDATION:

That Report No. 11-10 be received for information, and further that the final draft of the Natural Areas Inventory be adopted.

Prepared by: John Kukalis, Director of Water Management

Respectfully Submitted by:

Tony D'Amario, P.Eng. Chief Administrative Officer/Secretary-Treasurer



TO: Chairman and Members of the Authority

DATE: January 11, 2019

RE: PROJECT STATUS REPORT - COMMUNICATION & FOUNDATION

- **REPORT NO.12 -10**

COMMUNITY RELATIONS

Source Protection Program

Staff and the committee have been working to complete the draft Assessment Report in preparation for public consultation. Following the mandatory commenting period, a number of public open houses will be held during the month of April.

Annual Report

Staff is coordinating the production of the 2009 Annual Report.

Niagara Water Strategy

As members are aware the NPCA was an active participant in the development of the Niagara Water Strategy. We have undertaken a number of projects over the last several years to address some of the goals of this program. The Region of Niagara recently hired a new Project Manager to oversee the program and the NPCA is working on a number of projects as part of the strategy's initiatives. A symposium on Niagara Beaches will be held at Ball's Falls Centre for Conservation on March 27th.

Regional Tourism Organization

A number of initiatives are underway to discuss the transition of tourism funding in Niagara. Staff is working with a small group of tourism related organizations in preparation for the changes which will be implemented through the province in the very near future.

Outdoor Adventure Show

In partnership with OTMP and Conservation Ontario, the NPCA is participating in the Great Ontario Outdoor Adventure Show taking place at the International Centre in Toronto Feb 26, 27, 28. With over 260 Conservation Areas located throughout the province, this is the type of show that gives us a great opportunity to attract new users to our areas and reacquaint lapsed users with all that we have to offer.

Hawkwatch Season

While it may be snowing outside now, a sure sign that spring is around the corner, is the arrival of Hawkwatch season. The season runs March 1 to May 15 at Beamer Memorial Conservation Area. The annual public open house will take place on Good Friday, April 2, 2010 in conjunction with the Niagara Peninsula Hawkwatch.

Niagara Region 40th Anniversary

The Region of Niagara is celebrating the 40th Anniversary of its inauguration. A number of special events are planned throughout the year to recognize this milestone. A Gala dinner is planned for Thursday, May 6th. Staff is participating on the event organizing committee.

NIAGARA PENINSULA CONSERVATION FOUNDATION

Elimination Draw, Dinner & Auction

Board members are encouraged to attend and help spread the word about the Foundation's 'fun'draising event taking place on Saturday, March 27th at the Welland Lions Community Centre on River Road. For only \$65 a ticket, guests will be treated to a delicious five-course dinner, all drinks and the chance to win more than \$1,000 in cash prizes. In conjunction with the 'Legendary Bears' exhibit taking place at the Centre for Conservation at Ball's Falls, this year will also feature a bear auction that includes the three bears personalized by 105.7 EZ Rock morning show hosts Lori Love, Jack Peets and Michelle Cruise. Please notify staff if flyers or tickets are needed.

Golf Tournament

The 2010 Bob Welch Memorial Classic will be taking place on Tuesday, June 1ST at the Whirlpool Golf Course. Registration and sponsorship packages are being prepared and will be sent to previous golfers and new prospects in the near future. Staff will continue to work on securing sponsors and donations for this tournament.

Recommendation:

Report No. 12-10 outlining the status of the Communication and Foundation programs be received for information.

Respectfully Submitted by:	
· -	Tony D'Amario, P.Eng.
	Chief Administrative Officer/Secretary-Treasurer