

**NIAGARA PENINSULA CONSERVATION AUTHORITY
FULL AUTHORITY**

WELLAND

AGENDA

JANUARY 16, 2013 – 7:20 P.M.

ROLL CALL

DECLARATION OF CONFLICT OF INTEREST

BUSINESS:

(1) MINUTES FULL AUTHORITY MEETING – December 19, 2012

Attached are the Minutes of the Full Authority Meeting held December 19, 2012.

(2) BUSINESS ARISING FROM MINUTES

(3) CHAIRMAN'S REMARKS

(4) CAO'S REMARKS

(5) NPCA REGULATION AMENDMENTS – REPORT NO. 01-13

Attached is Report No. 01-13 regarding Housekeeping Amendments to the NPCA Regulation 155/06.

(6) BALL'S FALLS HERITAGE ADVISORY COMMITTEE - APPOINTMENT – REPORT NO. 02 -13

Attached is Report No. 02-13 regarding appointment for a committee at Ball's Falls.

(7) PROPOSED 2013 NPCA FEE SCHEDULE - REPORT NO. 03-13

Attached is Report No. 03-13 regarding Proposed 2013 NPCA Fee Schedule.

(8) TERMS OF REFERENCE – MASTER PLAN FOR ST. JOHNS CENTRE – REPORT NO. 04-13

Attached is Report No. 04-13 regarding T.O.R. for St. Johns Centre Master Plan.

(9) PFOS COMPOUNDS AT BINBROOK RESERVOIR (update) REPORT NO. 05-13

Attached is Report No. 05-13 regarding PFOS at Binbrook Reservoir.

(10) 2013 FULL AUTHORITY MEETING SCHEDULE

Attached is Report No. 06-13 outlining the 2013 meeting schedule.

(11) **VIOLENCE AND HARASSMENT – REPORT NO. 07-13**

Attached is Report No. 07-13 regarding Workplace Violence and Harassment Prevention Policy.

(12) **OTHER BUSINESS**

ADJOURNMENT

To: Chairman and Members of the Authority

Date: January 9, 2013

Re: Housekeeping Amendments - Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 155/06) – Report No. 01-13

The purpose of this report is to summarize the process behind and changes to Ontario Regulation 155/06 that are currently pending endorsement of the NPCA Board.

In 2007, as part of the provincial government's Open for Business initiative, the Province established the Conservation Authority Liaison Committee (CALC). The CALC included representation from the building and development industry, the Ministry of Natural Resources (MNR), municipalities, Conservation Ontario, and other stakeholder organizations. The primary goal of the group was to clarify conservation authority roles in municipal planning versus regulatory permitting. To this end, a key product of the CALC was a guidance document entitled "Policies and Procedures for Conservation Authority Plan Review and Permitting Activities" which was finalized in May 2010. During this process, it also became evident to the Provincial government that amendments to both the Conservation Authorities Act (CA Act) and the Regulations made pursuant to Section 28 of the CA Act were required for conservation authorities to be able to more efficiently serve their clients.

On October 25, 2010, the Open for Business Act came into effect. This legislation included a number of amendments to the CA Act most notably: streamlining the process for land dispositions for public infrastructure purposes; revising the limitations period for offences under Section 28 Regulations from 6 months to 2 years; and clarifying that conditions of a permit must be adhered to. Subsequently, on March 4, 2011, amendments were approved by the Province to Ontario Regulation 97/04, the "Content of Conservation Authority Regulation, this regulation being the parent regulation upon which each Authority's watershed specific Regulation is based and must conform with. Briefly put, the amendments were necessary to implement administrative changes to improve compliance with the timelines for decisions as recommended by the CALC. Pursuant to the parent Regulation, MNR and the CA's were given a period of approximately 21 months to bring the watershed specific regulations into compliance.

The pending and final legislative step in this reform process is for each Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 155/06 in NPCA's case) to be modified to be in compliance with the updated parent Regulation.

In September of 2011, the NPCA Board considered the conforming amendments to NPCA's Regulation (Report 48-11) drafted by the MNR and directed that local public comment be obtained. As such, ads requesting public comment on the conforming NPCA Regulation were placed in 8 local papers, on the website and 480 direct mail-outs were made. In late November 2011, the NPCA Board received the public comments (Report No. 60-11) and also endorsed the necessary template resolution required by the Province. Nevertheless, due to other technical and legal concerns at the Provincial level, none of the 36 CA's amended Regulations were processed at that time.

Finally, in late October of 2012 the MNR advised that it had made additional albeit minor revisions to the Regulations of all 36 CA's; that the amending process could not be delayed further due to the impending legislative deadline of Regulation 97/04; and that all CA's were required to again endorse updated template resolutions. The MNR advised that the amending process would occur in two batches. The first batch was processed earlier this month and NPCA is to be processed in the second batch, which requires and that the amended Regulation 155/06 and corresponding template resolutions be endorsed no later than January 25, 2013.

To summarize, the amendments are of an administrative/technical nature and do not expand the regulatory scope or jurisdictional area of the NPCA. In this regard, staff would note that the only change that departs from what had previously been approved by NPCA is that related to Section 9. While the previous draft allowed Board designated staff to issue a permit approval for up to 5 years, the current draft limits a staff approval to 2 years. Board approval is required for the additional 3 years.

A more detailed summary of the amendments is as follows:

- Section 2(1) a; Replaces outdated shoreline management report references.
- Section 2(1) e; Revised (reference letter from MNR Counsel dated June 11, 2007); Briefly put the wording deleted was originally intended to exempt development where previous Planning Act approvals had considered impacts to hydrologic functions to wetlands. Simply put, the exemption of this subsection is contradicted by Section 6 and so, while viewed in isolation this change may seem significant, it is an ineffective provision at best. Most CA's (including NPCA) can and do recognize previous Planning Act approvals in their Policy Documents and this amendment will not compel NPCA to change its current policy provisions related to recognition of Planning Approvals.
- Section 2(2) & (3); Replaces outdated floodplain, hazard land and wetland mapping references
- Section 3(3) & (4); Allows the Authority Board to designate staff members to approve permit applications for development in or adjacent to shorelines, valleys and floodplains (Board maintains responsibility for denials).
- Section 4; Clarifies the Authority's right to request supporting technical information for shoreline, valley and floodplain development permit applications.
- Section 6 (3) & (4); Allows the Authority Board to designate staff members to approve permit applications for alteration of watercourses and interference with wetlands (Board maintains responsibility for denials).
- Section 7; Clarifies the Authority's right to request supporting technical information for alteration of watercourse and interference with wetland permit applications
- Section 9 (1) through (11); allows Authority Board (not staff) to extend permit approvals from 2 years to up to 5 years.

In conclusion, the Board's ability to address local concerns via its "Policies, Procedures and Guidelines for Administration of Ontario Regulation 155/06 and Land Use Planning Policy Document (currently dated December 12, 2007 as amended)", has not been limited further by the final draft changes to the Regulation. Staff would advise that the changes summarized above will improve NPCA's flexibility to deliver it's regulations/permit program.

The Strategic Plan Sub Committee (joint Policy and Development Process Committee) will be meeting January 15, 2013 and staff will update the members with respect to comments received.

Attachments :

1) Draft showing proposed amendments to Ontario Regulation 155/06.

RECOMMENDATION

That Report No. 01-13 be received and the following resolution be adopted:

Whereas an 'amending' regulation to the individual Conservation Authorities Act Section 28 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation' has been prepared in conformity with the provisions in Section 28 of the Conservation Authorities Act and the amended Ontario Regulation 97/04;

THEREFORE BE IT RESOLVED THAT the Niagara Peninsula Conservation Authority adopts the subject 'amending' regulation that will amend the individual Conservation Authorities Act Section 28 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation'; O. Reg (155/06)

AND THAT the said 'amending' regulation be submitted to the Ministry of Natural Resources for consideration by the Minister of Natural Resources for the Minister's approval.

Prepared by: John Kukalis, C.E.T.; Director, Water Management

Respectfully Submitted by:



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

Conservation Authorities Act
Loi sur les offices de protection de la nature

ONTARIO REGULATION 155/06

**NIAGARA PENINSULA CONSERVATION AUTHORITY: REGULATION OF DEVELOPMENT,
INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND
WATERCOURSES**

Consolidation Period: From January XX, 2013 ~~May 4, 2006~~ to the e-Laws currency date.

No amendments.

This Regulation is made in English only.

Definition

1. In this Regulation,

“Authority” means the Niagara Peninsula Conservation Authority. O. Reg. 155/06, s. 1.

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 ~~column headed “100 Year Flood Limit” found in Table 3 of the most recent document entitled “Lake Ontario Shoreline Management Plan”, January 1994, which is available at or through the Authority at its head office of the Authority located at 250 Thorold Road West, Welland, Ontario, L3C 3W2,~~

(ii) the 100 year flood level, plus the appropriate allowance for wave uprush shown in the ~~column headed “100 Year Flood Limit” found in Section 3.2 of the most recent document entitled “Lake Erie Shoreline Management Plan”, June 1992, which is available at or through the Authority at its head office of the Authority located at 250 Thorold Road West, Welland, Ontario, L3C 3W2,~~

(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 ~~Section 4.4 of the document entitled “Lake Ontario Shoreline Management Plan”, January 1994, which is available at or through the head office of the Authority at the address given in subclause (i), and~~

(v) where a dynamic beach is associated with the waterfront lands, the appropriate allowance inland to accommodate dynamic beach movement shown in ~~Section 3.8.2 iii) of the most recent document entitled “Lake Erie Shoreline Management Plan”, June 1992, which is available at or through the head office of the Authority at the address given in subclause (ii);~~

(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, ~~but not including those where development has been approved pursuant to an application made under the *Planning Act* or other public planning or regulatory process. O. Reg. 155/06, s. 2 (1).~~

~~(2) The areas described in subsection (1) are the areas referred to in section 12 except that, in case of a conflict, the description of the areas provided in subsection (1) prevails over the descriptions referred to in that section. O. Reg. 155/06, s. 2 (2).~~

(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”.

(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.

Permission to develop

3. (1) The Authority may grant permission for development in or on the areas described in subsection 2 (1) if, in its opinion, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land will not be affected by the development. O. Reg. 155/06, s. 3 (1).

(2) The permission of the Authority shall be given in writing, with or without conditions. O. Reg. 155/06, s. 3 (2).

(3) Subject to subsection (4), the Authority’s executive committee, or one or more employees of the Authority that have been designated by the Authority for the purposes of this section, may exercise the powers and duties of the Authority under subsections (1) and (2) with respect to the granting of permissions for development in or on the areas described in subsection 2 (1).

(4) A designate under subsection (3) shall not grant a permission for development with a maximum period of validity of more than 24 months.

Application for permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing the type and location of the proposed development.

2. The proposed use of the buildings and structures following completion of the development.

3. The start and completion dates of the development.

4. The elevations of existing buildings, if any, and grades and the proposed elevations of buildings and grades after development.

5. Drainage details before and after the development.

6. A complete description of the type of fill proposed to be placed or dumped. ~~O. Reg. 155/06, s. 4.~~

7. Such other technical studies or plans as the Authority may request.

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland. O. Reg. 155/06, s. 5.

Permission to alter

6. (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland. ~~O. Reg. 155/06, s. 6 (1).~~

(2) The permission of the Authority shall be given in writing, with or without conditions. O. Reg. 155/06, s. 6 (2).

(3) Subject to subsection (4), the Authority’s executive committee, or one or more employees of the Authority that have been designated by the Authority for the purposes of this section, may exercise the powers and duties of the Authority under

subsections (1) and (2) with respect to the granting of permissions for alteration in or on the areas described in subsection 2 (1).

(4) A designate under subsection (3) shall not grant a permission for alteration with a maximum period of validity of more than 24 months.

Application for permission

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration.
2. A description of the methods to be used in carrying out the alteration.
3. The start and completion dates of the alteration.
4. A statement of the purpose of the alteration. ~~O. Reg. 155/06, s. 7.~~
5. Such other technical studies or plans as the Authority may request.

Cancellation of permission

8. (1) The Authority may **cancel a permission granted under section 3 or 6** if it is of the opinion that the conditions of the permission have not been met. ~~O. Reg. 155/06, s. 8 (1).~~

(2) Before cancelling a permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled. O. Reg. 155/06, s. 8 (2).

(3) Following the giving of the notice **under subsection (2)**, the Authority shall give the holder at least five days notice of the date of the hearing. ~~O. Reg. 155/06, s. 8 (3).~~

Period of validity of permissions and extensions

~~9. (1) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date. O. Reg. 155/06, s. 9 (1).~~

~~(2) A permission shall not be extended. O. Reg. 155/06, s. 9 (2).~~

9. (1) The maximum period, including an extension, for which a permission granted under section 3 or 6 may be valid is,

- (a) 24 months, in the case of a permission granted for projects other than projects described in clause (b); and
- (b) 60 months, in the case of a permission granted for,
 - (i) projects that, in the opinion of the Authority or its executive committee, cannot reasonably be completed within 24 months from the day the permission is granted, or
 - (ii) projects that require permits or approvals from other regulatory bodies that, in the opinion of the Authority or its executive committee, cannot reasonably be obtained within 24 months from the day the permission is granted.

(2) The Authority or its executive committee may grant a permission for an initial period that is less than the applicable maximum period specified in subsection (1) if, in the opinion of the Authority or its executive committee, the project can be completed in a period that is less than the maximum period.

(3) If the Authority or its executive committee grants a permission under subsection (2) for an initial period that is less than the applicable maximum period of validity specified in subsection (1), the Authority or its executive committee may grant an extension of the permission if,

- (a) the holder of the permission submits a written application for an extension to the Authority at least 60 days before the expiry of the permission;
- (b) no extension of the permission has previously been granted; and
- (c) the application sets out the reasons for which an extension is required and, in the opinion of the Authority or its executive committee, demonstrates that circumstances beyond the control of the holder of the permission will prevent completion of the project before the expiry of the permission.

(4) When granting an extension of a permission under subsection (3), the Authority or its executive committee may grant the extension for the period of time requested by the holder in the application or for such period of time as the Authority or its

executive committee deems appropriate, as long as the total period of validity of the permission does not exceed the applicable maximum period specified in subsection (1).

(5) For the purposes of this section, the granting of an extension for a different period of time than the period of time requested does not constitute a refusal of an extension.

(6) The Authority or its executive committee may refuse an extension of a permission if it is of the opinion that the requirements of subsection (3) have not been met.

(7) Before refusing an extension of a permission, the Authority or its executive committee shall give notice of intent to refuse to the holder of the permission, indicating that the extension will be refused unless,

(a) the holder requires a hearing, which may be before the Authority or its executive committee, as the Authority directs; and

(b) at the hearing, the holder satisfies the Authority, or the Authority's executive committee, as the case may be, (i) that the requirements of clauses (3) (a) and (b) have been met, and

(ii) that circumstances beyond the control of the holder will prevent completion of the project before the expiry of the permission.

(8) If the holder of the permission requires a hearing under subsection (7), the Authority or its executive committee shall give the holder at least five days notice of the date of the hearing.

(9) After holding a hearing under subsection (7), the Authority or its executive committee shall, (a) refuse the extension; or

(b) grant an extension for such period of time as it deems appropriate, as long as the total period of validity of the permission does not exceed the applicable maximum period specified in subsection (1).

(10) Subject to subsection (11), one or more employees of the Authority that have been designated by the Authority for the purposes of this section may exercise the powers and duties of the Authority under subsections (2), (3) and (4), but not those under subsections (6), (7), (8) and (9).

(11) A designate under subsection (10) shall not grant an extension of a permission for any period that would result in the permission having a period of validity greater than 24 months.

Appointment of officers

10. The Authority may appoint officers to enforce this Regulation. O. Reg. 155/06, s. 10.

Flood event standards

11. (1) The applicable flood event standards used to determine the maximum susceptibility to flooding of lands or areas within the watersheds in the area of jurisdiction of the Authority are the Hurricane Hazel Flood Event Standard, the 100 Year Flood Event Standard and the 100 year flood level plus wave uprush, described in Schedule 1. O. Reg. 155/06, s. 11 (1).

(2) The 100 Year Flood Event Standard applies to all watersheds within the area of jurisdiction of the Authority except for,

(a) the watersheds associated with Shriner's Creek, Ten Mile Creek and Beaverdams Creek (including Tributary W-6-5) in the City of Niagara Falls where the Hurricane Hazel Flood Event Standard applies; and

(b) Lake Ontario and Lake Erie in the Great Lakes-St. Lawrence River System, as described in the Schedule, where the 100 Year Flood Event Standard, plus wave uprush, applies. O. Reg. 155/06, s. 11 (2).

Areas included in the Regulation Limit

~~**12.** Hazardous lands, wetlands, shorelines and areas susceptible to flooding, and associated allowances, within the watersheds in the area of jurisdiction of the Authority are delineated by the Regulation Limit shown on maps 1 to 125 dated February 2006 and filed at the head office of the Authority at 250 Thorold Road West, Welland, Ontario under the map title "Ontario Regulation 97/04: Regulation for Development, Interference with Wetlands and Alterations to Shorelines and Watercourses". O. Reg. 155/06, s. 12.~~

12. OMITTED (REVOKES OTHER REGULATIONS). O. Reg. 155/06, s. 13.

SCHEDULE 1

1. The Hurricane Hazel Storm Event Standard means a storm that produces over a 48-hour period,
 - (a) in a drainage area of 25 square kilometres or less, rainfall that has the distribution set out in Table 1; or
 - (b) in a drainage area of more than 25 square kilometres, rainfall such that the number of millimetres of rain referred to in each case in Table 1 shall be modified by the percentage amount shown in Column 2 of Table 2 opposite the size of the drainage area set out opposite thereto in Column 1 of Table 2.

TABLE 1

73 millimetres of rain in the first 36 hours
6 millimetres of rain in the 37th hour
4 millimetres of rain in the 38th hour
6 millimetres of rain in the 39th hour
13 millimetres of rain in the 40th hour
17 millimetres of rain in the 41st hour
13 millimetres of rain in the 42nd hour
23 millimetres of rain in the 43rd hour
13 millimetres of rain in the 44th hour
13 millimetres of rain in the 45th hour
53 millimetres of rain in the 46th hour
38 millimetres of rain in the 47th hour
13 millimetres of rain in the 48th hour

TABLE 2

Column 1	Column 2
Drainage Area (square kilometres)	Percentage
26 to 45 both inclusive	99.2
46 to 65 both inclusive	98.2
66 to 90 both inclusive	97.1
91 to 115 both inclusive	96.3
116 to 140 both inclusive	95.4
141 to 165 both inclusive	94.8
166 to 195 both inclusive	94.2
196 to 220 both inclusive	93.5
221 to 245 both inclusive	92.7
246 to 270 both inclusive	92.0
271 to 450 both inclusive	89.4
451 to 575 both inclusive	86.7
576 to 700 both inclusive	84.0
701 to 850 both inclusive	82.4
851 to 1000 both inclusive	80.8
1001 to 1200 both inclusive	79.3
1201 to 1500 both inclusive	76.6
1501 to 1700 both inclusive	74.4
1701 to 2000 both inclusive	73.3
2001 to 2200 both inclusive	71.7
2201 to 2500 both inclusive	70.2
2501 to 2700 both inclusive	69.0
2701 to 4500 both inclusive	64.4
4501 to 6000 both inclusive	61.4
6001 to 7000 both inclusive	58.9
7001 to 8000 both inclusive	57.4

2. The 100 Year Flood Event Standard means rainfall or snowmelt, or a combination of rainfall and snowmelt, producing at any location in a river, creek, stream or watercourse a peak flow that has a probability of occurrence of one per cent during any given year.

3. The 100 year flood level means the peak instantaneous still water level plus an allowance for wave uprush and other water-related hazards for Lake Ontario and Lake Erie in the Great Lakes-St. Lawrence River System that has a probability of occurrence of one per cent during any given year.

O. Reg. 155/06, Sched. 1.



TO: The Chairman and Members of the Authority

DATE: January 9, 2013

SUBJECT: Ball's Falls Heritage Advisory Committee Appointment – Report No. 02-13

There is a need to fill the vacancy on the Ball's Falls Heritage Advisory Committee created when Linda Holmes resigned. At the January 7, 2013 meeting the committee members recommended that Betsy Foster, a local resident who has a long association with tourism in Niagara, be considered for the appointment.

Ms. Foster has been actively involved with programming at Ball's Falls, and was involved in the planning for the 2012 Ball's Falls Thanksgiving Festival. Given her interest, knowledge and dedication to Ball's Falls, staff believe that she would be a valuable asset with regard to the long term planning and operations of the site.

RECOMMENDATION:

That Betsy Foster be appointed to the Ball's Falls Heritage Advisory Committee for a 3-year term effective January 1, 2013 – December 31, 2016.

Prepared by: Darcy B. Baker, Director-Land Management

Respectfully Submitted by: _____

A handwritten signature in black ink, appearing to read "Tony D'Amario", written over a horizontal line.

Tony D'Amario, CAO/Secretary-Treasurer



To: Chairman and Members of the Authority

Date: January 9, 2013

Subject: 2013 Conservation Authority Fee Schedule - Report No. 03-13

Planning and Regulation Fees

Attached are the fee schedules for the Planning and Regulations Program. There are no recommended changes to the schedule for 2013.

Conservation Area Program

Each year NPCA staff consult with neighbouring Conservation Authorities and park agencies to compare fees for services. Although many agencies have not yet set their fees, the general trend is to hold rates with no increases. Operators are focusing on increasing business through promotion and packaged deals. NPCA staff are recommending a similar approach for 2013. A summary of the proposed Conservation Area Program Fees is attached to this report.

Day Use Fees

Day Use fees for adults, students and seniors will remain unchanged. Most areas are experiencing a steady growth in day use attendance, with the exception of Long Beach, where visitor numbers are being impacted by the nearby Regional Access Beach.

The new Boarder Pass attraction is expected to increase day use and season pass sales at Binbrook Conservation Area.

Pavilion Rentals

Pavilion rentals will remain unchanged at Long Beach, Chippawa Creek and Ball's Falls. Binbrook Conservation Area is compared to local facilities in the Hamilton Area. Our current rates are the lowest in the local market. As such, staff are recommending that the rates be increased to bring them in-line with other facilities. To reduce the impact to our visitors, the \$10 registration fee will be removed in 2013.

Season Pass

The season pass fee will remain unchanged. Staff believe the price point of this product is well placed in comparison to similar pass programs offered by the Hamilton Conservation Authority and Conservation Halton, who have more fee-for-service operations.

Camping Fees

Staff are recommending that camping fees remain unchanged. Recognizing that operational costs will increase slightly, staff are proposing several measures to reduce operational costs and enhance existing revenues. Among these ideas are the addition of a premium fee to existing non-serviced sites along the Welland River and backing onto Dils Lake at Chippawa Creek Conservation Area.

A premium fee has been in effect for lakeshore sites at Long Beach for several years. This approach will be implemented for seasonal sites at Chippawa Creek for seasonal sites along the Welland River. The net increase will be \$157 for a 15amp site and \$145 for a 30amp site.

Another new proposal involves installing individual metering for campsite electrical consumption. The meters would be used to gather general information on electricity use during the 2013 camping season with a view to implementing an electrical surcharge in 2014.

Seasonal campers have trailers equipped with air conditioners and refrigerators. Many campers also have second fridges on their campsite. All of this equipment consumes large amounts of electricity, especially during the hot summer days. In many circumstances, staff have observed air conditioners operating during the week, when campers are not even on the site. The objective of individual metering would be to encourage wise use of electricity and allow the NPCA to recover some of the utility costs from those patrons who keep equipment running when they are absent from the park.

Ball's Falls

The rental fees for facilities at Ball's Falls are set one year in advance. There is an option to review fees at the start of each year and modify the rate as required. This new rate would be applied to any event booked from that point on. Staff are not recommending any changes to the proposed 2013 rate. One new package is being proposed for groups renting the barn and the Centre for Conservation at the same time, providing a modest discount.

There are few changes proposed for 2014. The only facility which seems to be out of line with the market comparisons is the rental barn. This unique facility is in high demand, with every available weekend booked for 2013. Based on our review, the 2014 rental rate should be increased by 10%. Since the NPCA is still developing the rental business at the Centre for Conservation, staff recommend no change to the rental rates for this facility in 2014. Staff will review the rate next year and modify where necessary, should situations change.

RECOMMENDATION:

That Report No. 03-13 regarding the 2013 Conservation Authority Fee Schedule be approved.

Prepared by: Darcy Baker – Director, Land Management

Respectfully Submitted By:



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



Planning Review Fees
Schedule I
(Effective January 20, 2010)

CATEGORY	LEVEL	FEE
Official Plan Amendments	Minor	\$ 485.
	Major	\$2,365.
Zoning By-law Amendments	Minor	\$ 485.
	Major	\$2,365.
Minor Variances	Minor	\$ 325.
	Major	\$ 645.
Subdivision & Vacant Land Condominium	Minor	\$ 540.
	Major	\$3,495.
Draft Plan Modification		\$1,600.
Subdivision Clearance of Conditions	Minor	\$ 540.
	Major	\$1,965.
Complex Applications OPA/ZBA/site Plan etc.		\$6,345.

Minor – The site area is less than 4.5 hectares.

Major – The site area is equal to or greater than 4.5 hectares.

Complex Applications – Lifestyle Communities, Golf Courses, Aggregate Extraction and other non-standard development proposals not listed.

Subdivision Revision and Clearance Fees will be paid directly to the Conservation Authority and must be paid prior to issuance of revised draft conditions or the final Conservation Authority clearance letter. A draft plan modification fee will be applicable to developer driven amendments to a subdivision or condominium application.

Note 1: In addition to the above, fees will be charged for review of applicable supporting Technical Reports / Plans as per Schedule III.

All fees are to be made payable to the Niagara Peninsula Conservation Authority.

Approved January 20, 2010



Development Plan Review Fees
Schedule II
(Effective January 20, 2010)

CATEGORY	LEVEL	FEE
Building Permit Screening / Clearance		\$ 55.
Property Inquiries / Compliance Letters		\$ 215.
NEC Application Screening / Clearance		\$ 110.
Site Plan Agreement	Minor	\$ 485.
	Major	\$3,335.
Consents (Severances)	Minor	\$ 485.
	Major	\$1,130.

Minor – The site area is less than 4.5 hectares.

Major – The site area is equal to or greater than 4.5 hectares.

Note 1: In addition to the above, fees will be charged for review of applicable supporting Technical Reports / Plans as per Schedule III

All fees are to be made payable to the Niagara Peninsula Conservation Authority.

Approved January 20, 2010

Technical Review Fees
Schedule III
(Effective January 20, 2010)

(These technical review fees shall be applied to those development applications that are not part of an N.P.C.A. permit application)

CATEGORY	LEVEL	FEE
Stormwater Management Report Review	Minor	\$ 865.
	Major	\$1,885.
Floodplain Mapping	Up to 500 linear m	\$ 380.
	Over 500 linear m	\$ 700.
Grading & Drainage Plan Review	Minor	\$ 325.
	Major	\$ 600.
Geotechnical Report Review	Up to 500 linear m	\$ 430.
	Over 500 linear m	\$ 940.
Environmental Impact Studies	Minor	\$ 865.
	Major	\$ 1885.
Hydrogeological Report Review	Minor	\$ 865.
	Major	\$ 1885.

Minor – The area is less than 4.5 hectares.

Major – The area is equal to or greater than 4.5 hectares.

Note 1: Technical review fees of \$55/hour will be charged where more than two (2) reviews are required by the Conservation Authority due to submission of incomplete reports from the applicants.

All fees are to be made payable to the Niagara Peninsula Conservation Authority.

Approved January 20, 2010



PERMIT REVIEW FEES
SCHEDULE IV
(Effective January 20, 2010)

Category		Sub Category	Activity	Fee
FILL	1.	Grading/Cut & Fill:	Placement or removal of fill in excess of 25 cubic metres	\$1,335
	CONSTRUCTION WORKS			
	2.	Public Roads:	New/Replacement Bridge or Culvert Crossings – span > 3 m	\$2,720
			New/Replacement Bridge or Culvert Crossings – span < 3 m	\$1,640
			Bridge/Culvert Maintenance (includes repairs to soffit, wing walls and other superstructure, repair of inlet/outlet erosion)	\$ 515
	3.	Access Crossings:	New/Replacement Primary Access (e.g. main driveway entrance)	\$1,640
			New/Replacement Secondary Crossings (e.g. low flow, footbridge, golf cart crossing)	\$ 565
			Maintenance to deck, wing walls or other superstructure	\$ 310
	4.	Dams:	New/Replacement and Major Maintenance Dams	\$2,720
			Maintenance	\$1,025
	5.	Shoreline:	New/Replacement Shoreline Protection Works (e.g. walls, stone barriers)	\$1,640
			Maintenance of wall or barrier	\$ 520
	6.	Ponds:	New Pond with diversion structure/channel connection(includes Stormwater Management Facility in a regulated area)	\$1,385
			New Pond Construction without channel connection	\$ 565
			Pond Maintenance	\$ 260
	7.	Utilities:	Utility Watercourse Crossings (open cut)	\$ 2,720
			Utility in Floodplain	\$ 1,335
			Storm Drainage Outfall Construction	\$ 670
			Outfall Maintenance	\$ 260
	8.	Buildings:	New/ Reconstructions or Additions	\$1,640
			Accessory Structures (e.g. in ground pools, decks, docks)	\$ 260

Category		Sub Category	Activity	Fee		
WATERCOURSE ALTERATIONS	9.	Channels:	Channel Works > 500 m (includes realignment, invert cleanout, erosion protection, bio stabilization, etc.)	\$2,720		
			Channel Works < 500 m	\$1,640		
			Repair of localized erosion failure< 25 sq. m.	\$ 260		
			Cleanout of minor intermittent drainage courses where no fishery or ecological restrictions are present	\$ 260		
OTHER	10.	Great Lake Dredging:		\$ 1,640		
			11.	Miscellaneous:	Small watercourse, valleyland and shoreline works not defined above.	\$ 260
			12	On Site Technical Advice/Inspection Fee	Refundable if permit application is subsequently made with 12 months from inspection.	\$ 55
	13	Fisheries Review Fee Surcharge	Will be charged for areas where Fish Habitat concerns/restrictions are present	\$ 110		

Definition of Terms

"New "	is defined as any work/structure which is not presently existing, including additions, extensions and replacements.
"Maintenance"	is defined as work required to enable an existing work/structure to function as initially intended, and has the potential for negative environmental impact.
"Minor"	is defined as having a drainage area of less than 125 ha.

Notes

1.	Fees are non-refundable, except where review indicates that no permit is necessary.
2.	Permits are issued for a period of one year.
3.	A renewal fee of \$200.00 will be charged for renewals within one year of the expiry date.
4.	Changes to an expired permit, or lapse of more than one year will require full payment in accordance with the Fee Schedule in effect at the time.
5.	A 50% violation surcharge will be applied to the fee schedule where activities, which require a permit under Ontario Regulation 155/06, are undertaken without a permit.

Approved January 20, 2010

2013 "Proposed" Fee Comparison

*based on comparisons with 12 other parks / agencies

Notes:

All fees shown do NOT include tax

Some cells have been left blank where fee was unclear or not provided.

Organization	NPCA	NPCA	GRCA	HCA	HCA	Rock Pt.	Bissell's	N.E.T	Windmill	Highland	Knight's	NF KOA	Campark	Jellystone
Year	2012	2013	2012	2012	2012	2012	2012	2012	2012	2012	2012	2012	2012	2012
Facility			Byng	Valens	50 Point									
RESERVATION FEE:	\$12.00	\$12.00	\$13.00	\$11.00	\$11.00	\$11.25								
RESERVATION "Change" FEE (shorten):	\$8.00	\$8.00		\$6.50	\$6.50	\$9.00								
RESERVATION "Cancellation" FEE:	\$8.00	\$8.00		\$6.50	\$6.50	\$9.00								
Debit Fee (for purchases under \$10)	\$0.50	\$0.50												
ADDITIONAL VEHICLE FEE / night:	\$12.00	\$12.00	\$12.50	?	?	\$12.25	20pp							
WEEKEND PREMIUM FEE / night:							extra							
CAMPING														
NON-SERVICED:														
1 night	\$32.00	\$32.00	\$35.00	\$35.00	n/a	\$32.96	\$75.00	\$40.00	\$42.00		\$42.00	54-71	42-45	41-43
Week									\$270.00		\$269.95			
Season	\$1,600.00	eliminate	\$1,492.00	n/a		n/a								
NON-SERVICED PREMIUM (NEW):														
1 night		\$34.00												
15AMP & WATER														
1 night	\$36.00	\$36.00										60-80	47-50	47-49
Week														
Season	\$1,800.00	\$1,800.00									\$2,435.00			
15AMP PREMIUM & WATER														
1night	\$38.00	\$38.00												
Week														
Season	\$1,957.00	\$1,957.00												

2013 "Proposed" Fee Comparison

*based on comparisons with 12 other parks / agencies

Organization	NPCA	NPCA	GRCA	HCA	HCA	Rock Pt.	Bissell's	N.E.T	Windmill	Highland	Knight's	NF KOA	Campark	Jellystone
Year	2012	2013	2012	2012	2012	2012	2012	2012	2012	2012	2012	2012	2012	2012
Facility			Byng	Valens	50 Point									
30AMP PREMIUM & WATER														
1 night	\$42.00	\$42.00	\$43.00			\$41.16								
Week														
Season	\$2,205.00	\$2,205.00	\$2,248.00					\$2,400.00			\$3,765.00			
50AMP WATER & SEWER														
1 night					\$45.00		80-100					67-97	67-97	60-62
Week					sewer							sewer	sewer	sewer
Season					n/a			\$2,500.00						
OTHER:														
sewer hookup							extra							
electricity bill (seasonal)		opportunity					extra	extra						
cabin							100 - 300	\$70.00			available	available	available	
Weekend Premium Rates				below	below		extra	\$5/nt			extra			
Pets	2 max	2 max							\$5.00					
Air Conditioner Fee / day														
Premium Campsite Fee											\$7,000.00			
Large Trailer Premium								\$175.00						
Full-Time Seasonal Premium								\$200.00						
Pull-Thru Site Premium														
Combined Shed / Storage Fee		opportunity												
Vehicle Pass	70/65/60	70/65/60	118 & 77	100/72/57	100/72/57		15pp				\$300.00			
Deck storage fee	\$20.00	\$20.00												
				alcohol ban										
COMPARISONS (weekends):														
Non-serviced: 2 nights, 2 adults, 3 kids	\$64.00	\$64.00	\$70.00	\$70.00	none	\$65.92	\$150.00	\$94.00	\$84.00	none	\$84.00	108	\$84.00	82
15amp Serviced: 2 nights, 2 adults, 3 kids	\$72.00	\$72.00	none	none	none	none	none	none	none	none	none	120	\$94.00	94
30amp Serviced: 2 nights, 2 adults, 3 kids	\$80.00	\$80.00	\$86.00	\$80.00	\$80.00	\$75.66	\$180.00	\$104.00	\$104.00	none	\$104.00	\$120.00	\$102.00	102
30amp/seasonal: 2adults, 2students, 2cars	\$2,130.00	\$2,130.00	\$2,253.00	none	none	none	2625+	2300+	2035+	\$2400+	3068+	?	none	none

Where We Sit:

Lowest unserviced weekend rate Lowest serviced weekend rate Lowest "seasonal" rate. Area of concern

Proposed 2013 Fee Schedule Long Beach and Chippawa Creek

Day Use (tax included)	2012	2013
Adults	4.00	4.00
Seniors	3.00	3.00
Students	3.00	3.00
Max Car	15.00	15.00
Bus (over 20 / vehicle)	79.10	79.10

Camping (non-serviced)	2012	2013
one night	32.00	32.00
seasonal	1,600.00	

Camping (15Amp+Water)	2012	2013
one night	36.00	36.00
seasonal	1,800.00	1,800.00

Camping (15Amp premium)	2012	2013
one night	38.00	38.00
seasonal	1,957.00	1,957.00

Camping (30Amp+Water)	2012	2013
one night	40.00	40.00
seasonal	2,060.00	2,060.00

Camping (30Amp premium)	2012	2013
one night	42.00	42.00
seasonal	2,205.00	2,205.00

Binbrook Conservation Area

Day Use (tax included)	2012	2013
Car and Driver	5.25	5.25
Adult	4.25	4.25
Senior/Students	3.25	3.25
Max Car	16.00	16.00
Bus (over 20/vehicle)	79.10	79.10

Facilities Rental	2012	2013
Picnic Pavilion	75.00	100.00
Open Air Picnic Area	40.00	55.00
Registration Fee	10.00	0.00

Outdoor Weddings	2012	2013
service & non-lic. Reception	525.00	525.00
service & lic. Reception	650.00	650.00
Outdoor Weddings	290.00	290.00

Proposed 2012 Fee Schedule

Ball's Falls Conservation Area

Day Use (tax included)	2012	2013
Adults	5.75	5.75
Seniors	4.25	4.25
Students	4.25	4.25
Family (2 adults + children)	18.00	18.00
Bus (over 20/vehicle)	110.00	110.00

Field Centre	2012	2013
Organized Groups	95.00	95.00

Historical Tours	2012	2013
School Group/person	4.50	4.50
Adult Group/person	6.25	6.25
Minimum Tour Fee	55.00	55.00

Church Rental	2012	2013	2014
Wedding	550.00	577.00	577.00
Church Service (50 guests)	110.00	115.00	115.00
Church Service (100 guests)	165.00	175.00	175.00

Barn Rental	2012	2013	2014
Non-Wedding (Fri&Sat)	595.00	625.00	690.00
Non-Wedding (Sun-Thu)	410.00	430.00	475.00
Education (weekday)	105.00	110.00	120.00
Licensed Reception	765.00	800.00	880.00
Non-Lic. Reception	595.00	625.00	690.00

Glen Elgin Room (Centre)	2012	2013	2014
Non-Wedding (Fri&Sat)	1,045.00	1,100.00	1,100.00
Non-Wedding (Sun-Thu)	490.00	515.00	515.00
Glen Room	360.00	380.00	380.00
Non-Profit (weekday)	255.00	270.00	270.00
Licensed Reception	1,220.00	1,280.00	1,280.00
Non-Lic. Reception	1,045.00	1,100.00	1,100.00

Education Room (Centre)	2012	2013	2014
Non-Wedding (Sun-Thu)	135.00	140.00	140.00

Packages	2012	2013	2014
Church Wedding & Non-Lic. Reception at Barn	1,130.00	1,185.00	1,185.00
Church Wedding & Licensed Barn Reception	1,250.00	1,320.00	1,320.00
Church Wedding & Non-Lic Reception at Centre	1,570.00	1,650.00	1,650.00
Church Wedding & Lic. Reception at Centre	1,730.00	1,820.00	1,820.00
Barn Rental & Glen Elgin Room Lic. Event		2,030.00	2,120.00

Group Camping	2012	2013
Site Fee	20.00	20.00
Per Person / Night	4.00	4.00
Minimum Charge	50.00	50.00



TO: The Chairman and Members of the Authority

DATE: January 9, 2013

SUBJECT: Terms-of-Reference for St. Johns Centre Master Plan – Report No. 04-13

In October 2009, the NPCA began working in partnership with the Jackman Foundation on the acquisition of the St. Johns Centre Conservation Area on the Twelve Mile Creek. The five-year, phased acquisition included terms for the transfer of the property ownership to the NPCA in December 2011. The agreement will be complete at the end of 2014.

In December 2011, the NPCA Board approved the formation of the St. Johns Centre Advisory Committee to assist with interim management of the property and long-range planning for the site. Committee members include NPCA representatives along with former members of the St. Johns Centre Foundation.

Looking beyond the end of the acquisition agreement, NPCA staff have prepared a terms-of-reference for a Master Plan study that will guide the development and operation of St. Johns Centre Conservation Area, that respects the natural heritage of the valley system, ensures the preservation of the natural, built and archaeological heritage resources and reflects user demands and market trends, to achieve a self-sustaining operation.

Based on the above, staff developed a Terms of Reference for a Master Plan, which has been attached to this report for consideration. It was reviewed and approved by the St. Johns Centre Advisory Committee on December 11th and is being recommended to the NPCA Board.

The estimated cost of the study is \$25,000. This amount is included in the 2013 NPCA Budget under land acquisition. Staff are requesting approval to circulate the Terms of Reference and request proposals in accordance with the Authority's Policy and Procedures. Potential firms would be interviewed by the Advisory Committee and a recommendation prepared for consideration by the Full Authority at a future meeting.

RECOMMENDATION:

That Report No. 04-13 regarding the terms of reference for St. Johns Centre Conservation Area Master Plan be approved; and,

That staff be authorized to request proposals and interview prospective consultants.

Prepared by: Darcy B. Baker, Director-Land Management

Respectfully Submitted by:

A handwritten signature in black ink, appearing to read 'Tony D'Amario', written over a horizontal line.

Tony D'Amario, CAO/Secretary-Treasurer



St. Johns Centre Conservation Area Master Plan

Terms of Reference

Introduction

The St. Johns Centre is a 17.4 hectare (18.4 acre) property in the St. Johns Valley, situated in the headwaters of the Twelve Mile Creek. It contains a substantial portion of the only cold-water creek in Niagara, a grist mill, two residences and several historic building sites, including one of the oldest school houses in Canada. The property is owned by the Niagara Peninsula Conservation Authority, which operates a program of outdoor education in cooperation with the Jackman Foundation, the District School Board of Niagara and the Niagara Catholic District School Board.

The current operations are based on the terms of an acquisition agreement between the NPCA and the Jackman Foundation which expires at the end of 2014. This Master Planning exercise will develop the long-range vision for this property, beyond 2014.

Purpose

The purpose of the study is to prepare a long term plan to guide the development and operation of St. Johns Centre Conservation Area, that respects the natural heritage of the valley system, ensures the preservation of the natural, built and archaeological heritage resources and reflects user demands and market trends, to achieve a self-sustaining operation.

Objectives

The following objectives are set out to achieve the purpose of the study.

1. determine the future direction for the development and operation of St. Johns Centre Conservation Area and provide a five-year implementation plan and a ten-year development plan for the operation of the site
2. outline appropriate phases to be implemented to achieve optimum development
3. outline the operational costs and capital cost estimates to implement the 5 and 10 year plan
4. identify funding sources

Project Tasks

1. Research

The Consultant shall become familiar with the Twelve Mile Creek Watershed Plan, Niagara Escarpment Plan, the Regional Official Plan, City of Thorold Official plan, and the history of the site (both cultural and natural).

2. Site/ Operations Analysis

The Consultant shall:

- a) analyze the existing site administration and operation
- b) evaluate the current interpretation of the natural, built and archaeological heritage resources
- c) analyze current traffic access and parking and recommend a public access strategy
- d) investigate land acquisition or possible partnerships with landowners regarding future access and programming possibilities
- e) identify a strategy for developing community partnerships to carry out the recommendations in the 5-year and 10-year plan
- f) assess the existing facilities with regard to general site administration
- g) analyze and evaluate the need for visitor amenities, comprehensive educational programming and a broadened scope of events

3. Market Analysis

The Consultant shall:

- a) assess current visitation
- b) survey area users and special interest groups to determine needs and potential levels of use and facility requirements
- c) assess new opportunities for heritage, nature and recreation programming for both the local community and the tourist market
- d) analyze market needs, trends and supply for present and potential role of the site within the local and regional economy
- e) evaluate existing and recommend potential links to public and private sector operations

4) Public Consultation

The Consultant shall:

- a) contact interest groups that have similar goals and/or could have an impact on future site development
- b) obtain community input, through, but not limited to 3 public meetings

5) Development of Alternatives

Based on information derived through completion of Project Tasks 1 - 4, the Consultant shall identify and evaluate alternative development concepts and recommend an optimum conceptual plan. The evaluation of the alternative concepts shall include the following:

- a) economic feasibility
- b) capital costs and funding requirement
- c) environmental impact and compatibility
- d) maintenance and operational costs
- e) capital investment payback
- f) the relevance of pertinent provincial legislation

6) Preparation of Master Plan

Subject to approval of the preferred concept, the Consultant shall prepare 20 hard copies and one electronic copy of the detailed plan complete with:

- a) detailed development costs
- b) a five-year action plan and ten-year long range plan
- c) recommended phasing schedule
- d) detailed outline of any required approvals and references to legislation
- e) possible funding sources to implement the proposed concept

Meetings

Formal scheduled meetings with the steering committee shall be required at the completion of tasks 3, 5 and 6. The steering committee shall be composed of members of the St. Johns Centre Advisory Committee, and NPCA staff. In addition, the Consultant shall be required to conduct public meetings at the end of tasks 3, 5 and 6. The Consultant will also be asked to attend a meeting of the Conservation Authority at the completion of tasks 5 and 6.

The Steering committee shall require a minimum of one-week time to review document submissions prior to meeting. The consultant shall identify a per diem cost for additional meetings that may be required.

Timing

It is anticipated that the consultant will be engaged by March 22, 2013. The final document is to be completed by November 29, 2013.

Proposal and Contract Details

The proposal shall include a time schedule for completion of each of the specific tasks required to complete the study.

Costing of the study shall be based on a breakdown of the following components:

- a) preparation of tasks
- b) preparation of final plan
- c) meetings
- d) additional meetings (on a per diem basis)
- e) report preparation, binding and distribution
- f) disbursements and contingencies

The proposal shall outline the study team, qualifications and details regarding the experience of the firm and their principals.

The proposal shall identify the project manager and which team members are allotted to each task, and indicate the amount of time allocated.

The Consultant will be required to enter into an agreement with the Niagara Peninsula Conservation Authority. The Terms of Reference and Proposal details shall form part of this agreement. The Authority reserves the right to reject any or all proposals, and amend or negotiate any item of the Terms of Reference with any individual consultant.

Please limit your proposal to no more than ten pages.

Eight copies of letters of interest should be addressed to:

Niagara Peninsula Conservation Authority
250 Thorold Road West, 3rd Floor
Welland, Ontario
L3C 3W2

Attention: Darcy Baker - Director, Land Management

Before February 15th, 2013, 12:00 noon local time.



To: Chairman and Members of the Authority

Date: January 9, 2013

Subject: PFOS Compounds at the Binbrook Reservoir (update) – Report No. 05-13

In preparation for the 2013 ice fishing season, Conservation Authority staff have contacted researchers with the Ministry of the Environment to find out if any changes are proposed for the upcoming publication of the 2013-2014 Guide to Eating Ontario Sport Fish.

Staff will continue to advise visitors that they should be following the Province of Ontario's recommended consumption guidelines. A fact sheet on the Binbrook Reservoir will also be distributed. If we receive any information about revised guidelines, the fact sheet will be modified to reflect the proposed changes.

RECOMMENDATION:

That Report No. 05-13 regarding PFOS Compounds at the Binbrook Reservoir be received.

Prepared by: Darcy Baker – Director, Land Management

Respectfully Submitted By:

A handwritten signature in black ink, appearing to read 'Tony D'Amario', written over a horizontal line.

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



TO: The Chairman and Members of the Authority

DATE: January 9, 2013

SUBJECT: 2013 MEETING SCHEDULE - Report No. 06-13

Below is the proposed schedule for the Authority meetings in 2013, including the current annual and regular meeting of January 16, 2013. As in the past, meetings are proposed for the 3rd Wednesday of each month, excluding July where no meeting is scheduled. Meeting times have typically been set for 7:00 p.m. with location at the NPCA administrative offices in Welland and occasionally at Balls Falls.

The recommended 2013 meeting schedule is:

January 16 – Annual Meeting and Regular Meeting

February 20

March 20

April 17

May 15

June 19

August 21

September 18

October 16

November 20

December 18

RECOMMENDATION:

That the 2013 Authority Meeting Schedule as outlined in Report No. 06 -13 be approved.

Respectfully Submitted By:

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



To: Chairman and Members of the Authority

Date: January 9, 2013

Subject: Workplace Violence and Harassment Prevention Policy - Report No. 07-13

On Monday, January 7, 2013, an inspector from the Ministry of Labour visited the NPCA Main Office to investigate a complaint. During his inspection one deficiency was identified.

The Inspector was satisfied that the NPCA had policies and programs in place for the prevention of violence and harassment in the workplace, however the NPCA Workplace Violence Prevention Policy had not been reviewed since it was originally approved in June of 2010. Under Section 31.0.1 (c) of the Occupational Health and Safety Act, an employer is required to review the policies of workplace violence and harassment at least annually. The Ministry Inspector issued an order, requiring the NPCA to review their policy by March 1, 2013.

The NPCA Joint Occupational Health and Safety Committee reviewed the policy during their regular monthly meeting on January 8th. Based on staff conversations with the Ministry of Labour Inspector and comparisons with the Provincial Template, three changes are proposed to the NPCA policy:

- 1) Change the title to the "Workplace Violence and Harassment Prevention Policy";
- 2) Modify wording in the first paragraph to bring it in line with the Provincial template; and,
- 3) Add a paragraph about the role of management staff, in keeping with the Provincial template.

These changes are identified in bold lettering on the attached policy.

Staff recommend that the proposed policy be approved by the NPCA and included as Regulation 30 in the Niagara Peninsula Conservation Authority Terms of Employment and Personnel Regulations. Senior staff have put measures in place to ensure the policy is reviewed annually, in combination with the review of the NPCA Health and Safety Policy Statement.

RECOMMENDATION:

That Report NO. 07-13 regarding the NPCA Workplace Violence and Harassment Prevention Policy be approved and included as Regulation 30 in the NPCA Terms of Employment and Personnel Regulations.

Prepared by: Darcy Baker – Director, Land Management

Respectfully Submitted By:



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



REGULATION NO. 30

WORKPLACE VIOLENCE & HARASSMENT PREVENTION POLICY

The management of the Niagara Peninsula Conservation Authority is committed to the prevention of workplace violence and harassment and is ultimately responsible for worker health and safety. We will take whatever steps are reasonable to protect our workers from workplace violence from all sources.

Violent behaviour in the workplace is unacceptable from anyone. This policy applies to workers, visitors, clients, volunteers, co-workers or their domestic or intimate partners. Everyone is expected to uphold this policy and to work together to prevent workplace violence.

Consistent with the Occupational Health and Safety Act and the NPCA Health and Safety Policy, the NPCA will maintain a Workplace Violence Prevention Program to implement this policy. It includes measures and procedures to protect workers from workplace violence, a means of summoning immediate assistance and a process for workers to report incidents, or raise concerns.

The NPCA as the employer, will ensure that this policy and the supporting program are implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from violence in the workplace.

Supervisors will adhere to this policy and the supporting program. Supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the information they need to protect themselves.

Every worker must work in compliance with this policy and the supporting program. All workers are encouraged to raise any concerns about workplace violence and to report any violent incidents or threats.

Management pledges to investigate and deal with all incidents and complaints of workplace violence in a timely and fair manner, respecting the privacy of all concerned to the extent possible.

Signed: _____

Tony D'Amario – CAO/Secretary-Treasurer

Date: _____

Feb 26, 2013