

**FULL AUTHORITY MEETING  
ON-LINE TELECONFERENCE**

**Thursday, June 18, 2020  
9:00 A.M.**

**A G E N D A**

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**CALL TO ORDER – ROLL CALL**

*The Niagara Peninsula Watershed is located on the traditional territory of Indigenous peoples dating back countless generations. We want to show our respect for their contributions and recognize the role of treaty-making in what is now Ontario.*

**1. APPROVAL OF AGENDA**

**2. DECLARATIONS OF CONFLICT OF INTEREST**

**3. APPROVAL OF MINUTES**

- a) Minutes of the Full Authority meeting dated May 21, 2020

Page # 1

**4. CORRESPONDENCE**

- a) Correspondence from Conservation Ontario dated May 28, 2020 to Ministers of Finance, Infrastructure and Communities and Environment and Climate Change RE: Conservation Authorities – Implementation Agents for Stimulating a More Resilient, Sustainable and Green Canadian Economy (Recommend distribution to Federal Members of Parliament in NPCA Jurisdiction for their support)

Page #9

- b) Correspondence from AMO dated May 19, 2020 to the Minister of the Environment, Conservation and Parks RE: Conservation Authorities Next Steps (For Receipt)

Page #16

- c) Correspondence from Conservation Ontario dated June 3, 2020 to the Minister of the Environment, Conservation and Parks RE: Conservation Authorities Next Steps (For Receipt)

Page #18

**5. PRESENTATIONS**

**6. DELEGATIONS**

**7. CONSENT ITEMS**

a) Report No. FA-28-20 RE: Lakewood Beach Development – Board Update (For Receipt) Page #20

b) Report No. FA-31-20 RE: COVID-19 – Financial Impact and Recovery Planning – YTD MAY 2020 (to be provided under separate cover) (For Receipt)

c) Report No. FA-33-20 RE: Acquisition of Land 5050 Harrison Road, Binbrook Conservation Area, City of Hamilton (For Receipt) Page #25

## 8. DISCUSSION ITEMS

a) Report No. FA-32 -20 RE: 2020 Capital – Contract Award – Long Beach Comfort Station (For Approval) Page #28

## 9. COMMITTEE REPORTS

Minutes of the Governance Committee Meeting dated June 8, 2020 (For Receipt) Page #32

### 9.1 Items for Approval of the Board

a) Report No. GC-02-20 RE: Governance Committee Terms of Reference and 2020 Work Plan (For Approval) Page #36

b) Report No. GC-03-20 RE: Board Training (For Approval with Amendment per Recommendation GC-22-20 from the Governance Committee Minutes dated June 8,2020 as attached) Page #45

c) Report No. GC-04-20 RE: Per Diem and Honourarium Update (For Approval) Page #47

## 10. NOTICES OF MOTION

a) Motion of Reconsideration for Delegations at Electronic Meetings of the Board by Member Kawall (per Recommendation GC-24-20 from the Governance Committee Minutes dated June 8,2020 as attached)

## 11. NEW BUSINESS

**12. CLOSED SESSION**

- a) Personal matters about an identifiable individual including NPCA employees

**13. ADJOURNMENT**



**FULL AUTHORITY  
ONLINE TELECONFERENCE  
MEETING MINUTES  
Thursday, May 21, 2020  
9:30 A.M.**

**NOTE:** The archived recorded meeting is available on the NPCA website. The recorded video of the Full Authority meeting is not considered the official record of that meeting. The official record of the Full Authority meeting shall consist solely of the Minutes approved by the Full Authority Board. *NPCA Administrative By-law Section 14.5*

**MEMBERS PRESENT:** B. Johnson (Chair)  
S. Beattie  
D. Bylsma  
B. Clark (departed 12:17 p.m.)  
D. Coon-Petersen  
D. Cridland  
L. Feor  
R. Foster  
J. Hellinga  
D. Huson  
J. Ingrao  
K. Kawall  
B. Mackenzie  
J. Metcalfe  
W. Rapley  
E. Smith  
M. Woodhouse  
B. Wright

**MEMBERS ABSENT:** R. Brady  
R. Shirton  
B. Steele

**ALSO PRESENT:** Scott Plugers, KPMG

**STAFF PRESENT:** C. Sharma, C.A.O. / Secretary – Treasurer  
G. Bivol, Executive Co-ordinator to the C.A.O./Board  
R. Bisson, Manager, Communications and Public Relations  
A. Christie, Director, Operations and Strategic Initiatives  
D. Deluce, Senior Manager, Planning and Regulations  
M. Ferrusi, Manager, Human Resources  
L. Gagnon, Director, Corporate Services  
D. MacKenzie, Director, Watershed Management  
S. Miller, Senior Manager, Water Resources  
E. Navarro, Communications Specialist  
G. Verkade, Senior Manager, Integrated Watershed Planning and Information Management

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

## 1. APPROVAL OF AGENDA

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Resolution No. FA-50-20

Moved by Board Member Beattie

Seconded by Board Member Bylsma

**THAT** the correspondence from Patrick Maloney, Sullivan Mahoney, dated May 20, 2020 RE: Report No. FA-15-20 RE: NPCA Planning / Permitting Policy Housekeeping Amendment No. 2 **BE ADDED** to the agenda as item 4.c).

**CARRIED**

Resolution No. FA-51-20

Moved by Board Member Beattie

Seconded by Board Member Bylsma

**THAT** the agenda be hereby **APPROVED** as amended.

**CARRIED**

## 2. DECLARATIONS OF CONFLICT OF INTEREST

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None declared.

## 3. APPROVAL OF MINUTES

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- a) Approval of the Minutes of the Special Full Authority meeting dated April 16, 2020
- b) Approval of the Minutes of the Regular Full Authority meeting dated April 16, 2020

Being absent from the subject meetings, Members Huson and Smith abstained from the following vote:

Resolution No. FA-52-20

Moved by Board Member Clark

Seconded by Board Member Coon-Petersen

**THAT** the following minutes **BE ADOPTED**:

- Minutes of the Special Full Authority meeting dated April 16, 2020; and
- Minutes of the Regular Full Authority meeting dated April 16, 2020.

**CARRIED**

## 4. CORRESPONDENCE

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- a) Correspondence to Premier Doug Ford dated April 27, 2020 from Caroline Schultz, Executive Director, Ontario Nature, Tim Gray, Executive Director, Environmental Defence and Theresa McClenaghan Executive Director, Canadian Environmental Law Association

- b) Correspondence from Conservation Ontario dated May 12, 2020 RE: Conservation Ontario's comments on "Proposed amendments to Ontario Regulation 244/97 and the Aggregate Resources of Ontario Provincial Standards under the *Aggregate Resources Act*"

Resolution No. FA-53-20

Moved by Board Member Cridland  
Seconded by Board Member Feor

**THAT** the following items **BE RECEIVED**:

- Correspondence to Premier Doug Ford dated April 27, 2020 from Caroline Schultz, Executive Director, Ontario Nature, Tim Gray, Executive Director, Environmental Defence and Theresa McClenaghan, Executive Director, Canadian Environmental Law Association; and
- Correspondence from Conservation Ontario dated May 12, 2020 RE: Conservation Ontario's comments on "Proposed amendments to Ontario Regulation 244/97 and the Aggregate Resources of Ontario Provincial Standards under the *Aggregate Resources Act*".

**CARRIED**

- c) Correspondence from Patrick Maloney, Sullivan Mahoney, dated May 20, 2020 RE: Report No. FA-15-20 RE: NPCA Planning / Permitting Policy Housekeeping Amendment No. 2 (as tabled)

Resolution No. FA-54-20

Moved by Board Member Foster  
Seconded by Board Member Hellinga

**THAT** the correspondence from Patrick Maloney, Sullivan Mahoney, dated May 20, 2020 RE: Report No. FA-15-20 RE: NPCA Planning / Permitting Policy Housekeeping Amendment No. 2 **BE RECEIVED** as tabled.

**CARRIED**

## 5. PRESENTATIONS

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- a) Presentation by Scott Plugers, KPMG RE: Audited Financial Statements and Audit Findings Report

Resolution No. FA-55-20

Moved by Board Member Huson  
Seconded by Board Member Ingrao

**THAT** the presentation by Scott Plugers, KPMG RE: Audited Financial Statements and Audit Findings Report **BE RECEIVED**.

**CARRIED**

## 6. DELEGATIONS

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- a) Written delegation from Save Wainfleet – Keeping it Rural dated May 8, 2020 (supplemental documentation circulated under separate cover)

Resolution No. FA-56-20

Moved by Board Member Smith  
Seconded by Board Member Kawall

1. **THAT** the written delegation from Save Wainfleet – Keeping it Rural dated May 8, and 2020 supplemental documentation circulated to Members under separate cover **BE RECEIVED**.
2. **THAT** staff **BE DIRECTED** to prepare a report for the June meeting to respond to issues raised by the delegation.

**CARRIED**

## 7. CONSENT ITEMS

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- a) Report No. FA-13-2020 RE: 2020 Provincial Policy Statement Update

Resolution No. FA-57-20

Moved by Board Member Metcalfe

Seconded by Board Member Mackenzie

**THAT** Report No. FA-13-2020 RE: 2020 Provincial Policy Statement Update **BE RECEIVED**.

**CARRIED**

- b) Report No. FA-16-20 RE: Water Quality Monitoring Program Summary Report for the Year 2019 – Lengthy discussion ensued. Staff were requested to contact Hamilton Conservation and to circulate the first report card to members for comparison purposes.

Resolution No. FA-58-20

Moved by Board Member Rapley

Seconded by Board Member Mackenzie

**THAT** Report No. FA-16-20 RE: Water Quality Monitoring Program Summary Report for the Year 2019 **BE RECEIVED**.

**CARRIED**

Resolution No. FA-59-20

Moved by Board Member Clark

Seconded by Board Member Hellinga

**THAT** in conjunction with a legal opinion, staff **BE DIRECTED** to investigate the NPCA's obligations for public health risk notification and for reporting on water quality issues and to report back thereon to the Board.

**AND THAT** staff **ESTABLISH** a notification policy and protocol.

**CARRIED**

- c) Report No. FA-22-2020 RE: Auditor General Update Report to the Board

Resolution No. FA-60-20

Moved by Board Member Wright

Seconded by Board Member Beatty

**THAT** Report No. FA-22-2020 RE: Auditor General Update Report to the Board the following reports **BE RECEIVED**.

**CARRIED**

- d) Report No. FA-27-20 RE: 2019 Annual Report (additional documentation circulated under separate cover)

Resolution No. FA- 61-20

Moved by Board Member Bylsma  
Seconded by Board Member Clark

**THAT** Report No. FA-27-20 RE: 2019 Annual Report and additional documentation as circulated under separate cover **BE RECEIVED**.

**CARRIED**

## 8. DISCUSSION ITEMS

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- a) Report No. FA-14-20 RE: Potential Variance Process for NPCA Policy Document: Policies for the Administration of Ontario Regulation 155/06 and the Planning Act - Update

Resolution No. FA-62-20

Moved by Board Member Coon-Petersen  
Seconded by Board Member Cridland

1. **THAT** Report No. FA-14-20 RE: Removal of Proposed Variance Procedure for NPCA Policy Document: Policies for the Administration of Ontario Regulation 155/06 and the Planning Act - Update **BE RECEIVED** for consideration.
2. **THAT** the Board **DIRECT** Staff to amend the NPCA Policy Document: Policies for the Administration of Ontario Regulation 155/06 and The Planning Act to remove Section 12.7.4 entitled Variances.

**CARRIED**

- b) Report No. FA-15-20 RE: NPCA Planning / Permitting Policy Housekeeping Amendment No. 2 – Discussion ensued.

Resolution No. FA-63-20

Moved by Board Member Feor  
Seconded by Board Member Foster

1. **THAT** Report No. FA-15-20 RE: NPCA Planning/Permitting Policy Housekeeping Amendment No. 2 **BE RECEIVED** for consideration.
2. **THAT** the Board **APPROVES** option 3 as discussed in the report, to defer the proposed policy changes to “Section 8.2.3.5 Proposed New Development within 30 metres of a Wetland (Housekeeping Amendment No. 2)” and subsequently review all wetland policies following the establishment of a new Regulation by the Province.

**CARRIED**

- c) Report No. FA-17-20 RE: Final Draft Client Service Standards for Plan and Permit Review

Resolution No. FA-64-20

Moved by Board Member Hellinga  
Seconded by Board Member Huson



1. **THAT** Board **APPROVE AND ADOPT** Report No. FA-17-20 RE: Final Draft Client Service Standards for Plan and Permit Review guidance document and Appendix 1 as attached thereto.
2. **THAT** as part of the operationalization of this document, staff continue to **MONITOR** the volume of inquiries to determine adequate level of staffing required to meet new standards.
3. **THAT** the Permit Review guidance **BE INCORPORATED** in the proposed NPCA Procedure Manual (to administer the NPCA Policy Document Ontario Regulation 155/06 or as amended).
4. **THAT** a new comprehensive fee policy aligned with the new Client Service Standards **BE PRESENTED** to the Board once the updated Regulation (as part of Bill 108) has been issued.
5. **THAT** an interim fee update for 2021 **BE PRESENTED** for Board approval in Q4 2020.
6. **AND FURTHER THAT** NPCA's overall Client Service Delivery Charter **BE UPDATED** to align with the approved Planning Standards to ensure exceptional customer service organization wide.

**CARRIED**

- d) Report No. FA-20-20 RE: Walker's Creek and Beamer Creek (in the City of St. Catharines) Floodplain Mapping Update Formal Adoption

Resolution No. FA-65-20

Moved by Board Member Ingraio

Seconded by Board Member Kawall

1. **THAT** Report No. FA-20-20 RE: Walker's Creek and Beamer Creek (City of St. Catharines) Floodplain Mapping Update **BE RECEIVED**.
2. **THAT** the NPCA Board **APPROVES** the Walker's Creek and Beamer Creek Floodplain Mapping Update report and associated flood maps for use in the implementation of the NPCA's Ontario Regulation 155/06, a Regulation intended to reduce the negative impacts of natural hazards including flooding.
3. **AND FURTHER THAT** the report **BE CIRCULATED** to the Region of Niagara and City of St. Catharines for their information and use as appropriate.

**CARRIED**

- e) Report No. FA-25-20 RE: Pandemic Report (circulated to Members under separate cover)

Resolution No. FA-66-20

Moved by Board Member Mackenzie

Seconded by Board Member Metcalfe

**THAT** Report No. FA-25-20 RE: Covid-19 Pandemic – Financial Impact and Recovery Planning **BE RECEIVED**.

**CARRIED**

## 9. COMMITTEE ITEMS

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### 9.1 Audit and Budget Committee

#### 9.1.1 Minutes of the Audit and Budget Committee Meeting dated April 29, 2020

##### Resolution No. FA-67-20

Moved by Board Member Bylsma

Seconded by Board Member Cridland

**THAT** the minutes of the Audit and Budget Committee Meeting dated April 29, 2020 **BE RECEIVED.**

**CARRIED**

#### 9.1.2 Items for Approval of the Board

##### a) Report No. FA-24-20 RE: 2019 Audited Financial Statements

##### Resolution No. FA-68-20

Moved by Board Member Kawall

Seconded by Board Member Smith

1. **THAT** Report No. FA-24-20 RE: 2019 Audited Financial Statements **BE RECEIVED.**
2. **THAT** the 2019 Audited Financial Statements and the 2019 Audit Findings Report **BE APPROVED.**

**CARRIED**

##### b) Report No. FA-26-20 RE: Audit and Budget Committee Terms of Reference and 2020 Work Plan

##### Resolution No. FA-69-20

Moved by Board Member Kawall

Seconded by Board Member Smith

1. **THAT** Report No. FA-26-20 RE: Audit and Budget Committee Terms of Reference and 2020 Work Plan **BE RECEIVED** for information.
2. **THAT** the proposed changes to the Audit and Budget Committee Terms of Reference attached as Appendix 1 to Report No. FA-26-20 **BE APPROVED.**
3. **THAT** the 2020 Audit and Budget Committee **BE RENAMED** the Finance Committee.
4. **THAT** the 2020 Audit and Budget Committee Work Plan attached as Appendix 2 to Report No. FA-26-20 **BE APPROVED.**
5. **THAT** the final Audit and Budget Committee Terms of Reference **BE APPENDED** to the updated NPCA Administrative By-Law to be presented for Board approval in 2020.

6. **AND FURTHER THAT** until the approval of the updated Administrative By-Law and associated Terms of Reference, the Audit and Budget Committee **CONTINUE** to conduct its business per existing Terms of Reference dated September 18, 2019.

**CARRIED**

9.1.3 Items for Information of the Board

- a) Report No. FA-23-2020 RE: Financial Report – Q1 – 2020

Resolution No. FA-70-20

Moved by Board Member Kawall

Seconded by Board Member Smith

**THAT** Report FA-23-20 RE: Financial Report – Q1 - 2020 **BE RECEIVED** for information.

**CARRIED**

## 10. NOTICES OF MOTION

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None

## 11. NEW BUSINESS

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None

## 12. CLOSED SESSION

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None

## 13. ADJOURNMENT

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Resolution No. FA-71-20

Moved by Board Member Huson

Seconded by Board Member Kawall

**THAT** this meeting **BE** hereby **ADJOURNED** at 12:26 p.m..

**CARRIED**

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Brenda Johnson  
Chair  
Niagara Peninsula Conservation Authority

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Chandra Sharma  
Chief Administrative Officer / Secretary -  
Treasurer  
Niagara Peninsula Conservation Authority



May 28, 2020

The Honourable Bill Morneau  
Minister of Finance

The Honourable Catherine McKenna  
Minister of Infrastructure and Communities

The Honourable Jonathan Wilkinson  
Minister of Environment and Climate Change

Via E-mail

**Conservation Authorities – Implementation Agents for Stimulating a More Resilient, Sustainable and Green Canadian Economy**

Conservation Ontario represents the network of Ontario's 36 conservation authorities. We are writing to express our interest in working with your government to advance our shared objectives and to request your support for some program design considerations for any potential economic stimulus package arising from COVID-19.

As the Federal government assesses the ever-changing Canadian landscape due to the COVID-19 pandemic, it is abundantly clear that our way of life has been indefinitely disrupted. After spending the last two months predominantly indoors, Canadians are experiencing an unfamiliar disconnection from the natural world. With long-awaited warm weather arriving in Ontario, millions of Canadians are inspired to reconnect with natural areas, greenways, and trails as a reprieve to their mental and physical health.

The pandemic has additionally emphasized the need for access to the environment, through cleaner air, clearer water, and greener spaces. As restrictions begin to ease, Canadians are eager to recreate and improve the quality of open spaces and to invest in important projects. Governments and sectors of the economy that have been negatively impacted are looking to the government to stimulate the move towards a more resilient, sustainable green economy.

Ontario's Conservation Authorities, which cover a watershed jurisdiction that includes approximately 40% of the national population are uniquely qualified implementation agents, proficient and experienced in assisting all levels of government in delivering shovel worthy projects and programs. Any

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Tel: (905) 895-0716 Fax: (905) 895-0751 Email: [info@conservationontario.ca](mailto:info@conservationontario.ca)

economic stimulus program arising from this pandemic provides a rare opportunity for the Federal government to further our collective mission to protect, conserve and restore natural resources and develop resilient communities through education, the application of science, community engagement, service excellence and collaboration with our partners.

Conservation authorities are collaborating in many initiatives across the province including the Healthy Lake Huron and Lake Erie Action Plans to restore priority watersheds that drain into Lakes Erie and Huron using rural storm water management systems, wetland restoration, tree planting and promotion of soil health practices. Conservation authorities are also critical partners in the Greenbelt Foundation's Positively Green Initiative, a collaboration with 13 conservation authorities located in and around Ontario's greenbelt area. The projects identified in their proposal are valued at \$85 million and provide further evidence that the environmental sector is good for job creation, and, building better climate and community economic resilience.

Conservation Ontario represents the collective interests of all conservation authorities across the province and we are aware that conservation authorities are having discussions with senior staff in your Ministries about project priorities in their individual jurisdictions. We would like to take this opportunity to highlight potential funding opportunities for vital projects within our collective jurisdiction, which would facilitate flood and erosion risk reduction, nature-based climate solutions, expansion of green infrastructure, climate change adaptation and Great Lakes health.

Prior to delving into the details of these initiatives, we wanted to recognize how investing in conservation authorities allows the government to realize their re-employment objectives and promote prudent spending while operating during these difficult economic times. The following financial realities are widely supported by scientific studies:

- Investments in trails and green spaces lowers the need for more expensive investments in hospitals and health care.
- Investments in the existing critical flood and erosion control infrastructure managed by conservation authorities protects life and property and avoids significant costs associated with flooding in Ontario
- Investments in 'living shorelines' is more sustainable and resilient than investing in sheet steel/hard shorelines, reduces long-term operational costs, and provides multiple secondary benefits.
- Investments in green infrastructure creates jobs and is both effective and cost effective in the short and long-term.

It is therefore with good reason that Conservation Authorities see funding opportunities as a win-win situation, as your investment to facilitate Canada's economic recovery from pandemic conditions will also further develop resilient and prosperous watersheds throughout the Province.

To achieve this shared vision for a more resilient, sustainable and green economy, we feel there is an important opportunity for various ministries within your government to work directly with conservation authorities to undertake projects that will, in turn, stimulate other local business and sectors. For example:

- **Building Resiliency:**

Public and private infrastructure is particularly vulnerable to impacts from climate change as municipalities in Canada struggle with the cost of maintaining these crucial assets. Research is showing that investments in adaptation and risk mitigation measures can help ensure Canadian communities are resilient to threats caused by a changing climate, including risks to our public infrastructure. Some studies have shown a return on investment around 6:1, meaning that for every dollar invested in mitigation measures, \$6 is saved in future damages.

Conservation authority water and erosion control infrastructure annually already helps to avoid at least \$150 M in damages to properties. We deliver this program in partnership with the Province of Ontario for a total project investment of \$10 million (Provincial contribution is \$5 million). In response to increasing risk associated with climate change (e.g. high water levels and flooding/erosion), the 2020/2021 funding envelope for the program is oversubscribed by almost two-fold with an estimated total project cost of more than \$19 million for 102 project submissions from 30 conservation authorities across the Province.

In addition, over the past 13 years, conservation authorities have identified, on average, 128 studies and repair projects each year and this demand is expected to continue. These shovel worthy/shovel ready studies and repair projects are an investment in jobs and economic activity (e.g. consultants, contractors, materials) and are vital in protecting the people of Ontario from flood and erosion risk.

Federal investment in water and erosion control and green infrastructure programs would mean that more studies and projects could be completed by providing a greater proportion of total project costs to relieve the burden on municipal budgets. This would accelerate work to make critical infrastructure safe and resilient to the increasing impacts of climate change while stimulating the economy. On Toronto's waterfront for example, investments in protecting infrastructure such as water treatment plants, Billy Bishop Airport and connecting road and transmission networks from erosion will limit risks of failure, lengthen replacement cycles, so as to protect these essential assets for the long-term.

- **Greenspaces and Nature based activities for health and wellbeing:**

Over these last several months, we have learned just how important getting outside and visiting greenspaces and greenways are to the general public while experiencing pandemic conditions. Conservation Authorities collectively own and manage just over 500 conservation areas and over 3,500 km of trails that were visited by over 8 million people in 2018.

These natural areas offer a wide variety of nature-based activities that provide important mental and physical benefits to users. Visitors to these areas also provide spillover benefits to nearby communities visiting shops, cultural venues and restaurants. Conservation Areas and Greenways have positive impacts on property values and are a deciding factor for many individuals and industries choosing a new location. The Ontario Trails Council identified that in 2016, for example, trails represented over \$2 billion to the Ontario economy. In addition, being active, especially in outdoor spaces, has significant impact to the health of our communities, and in particular children's health. Health Canada estimates that only 12% of youth get adequate exercise.

In addition to these benefits, Federal investments in trails, greenways and conservation areas (e.g. land acquisition, infrastructure improvements such as improved and widened trails and bridges, active/green transportation links to similar sites or communities, touchless gates and pay systems as well as visitor monitoring systems and consistent signage) would enable safer visits in pandemic conditions and educate the public on how looking after the health of our environment will help to prevent future pandemics from occurring.

- **Healthy Great Lakes:**

Investments in conservation authority Rural Clean Water programs help to maintain soil health for agriculture and reduce nutrient loadings to the Great Lakes as documented in the Great Lakes Water Quality Agreement, and through existing Federal support of collaborative efforts to implement the Lake Erie Action Plan, and Healthy Lake Huron.

In 2018 conservation authorities engaged 737 landowners resulting in 683 projects (82% Agricultural). Over \$3 M grant dollars were provided to landowners to implement projects including windbreaks, soil erosion control measures, manure storage, stream buffers. The total value of these projects was estimated to be in the order of \$7.5 M to the rural and agriculture economy which went to design, materials, contractors and farmers to implement the projects. There is a greater demand for projects than funding available.

In order to actually improve the health and resiliency of the watersheds, new investments are needed to increase the scale, scope and intensity of our efforts. In economic stimulus studies undertaken in the United States it was estimated that every dollar invested in the Great Lakes Restoration Initiative is projected to generate more than three dollars in additional economic activity.

- **Habitat Enhancement, Rehabilitation and Restoration:**

Conservation authorities could increase delivery of habitat restoration and rehabilitation projects that provide multiple benefits to healthy Great Lakes, natural infrastructure, maintaining biodiversity, protecting water supplies, sequestering carbon, building climate resilience and air quality as well as flood resilience. In 2018 conservation authorities engaged close to 800 landowners resulting in almost 1500 projects:

- 201 wetland projects
- 911 habitat projects
- 259 shoreline riparian projects o 65 stream/fish habitat projects
- 178 projects aimed at invasive species management
- 135 projects were aimed to protect and restore species at risk habitat
- 673 hectares and 46 km of stream restored or rehabilitated

Total value of these projects was close to \$18 M supporting project planning/consultants, supplies, contractors, materials and labour to implement the projects.

These programs are delivered in partnership with agencies like Forests Ontario, which has documented the economic impact of tree planting and restoration programs in local economies. This study reported that the GDP impact on the Canadian economy of tree planting activities in Southern Ontario is estimated to be \$12.7 million annually. This equates to a 3:1 return on investment for the government's annual investment in the 50 Million Tree Program of which CAs are

key partners (planting over 50 percent of the trees funded under this program) which is more than any other agency under this program.

Stimulus investments would enable conservation authorities to meet the greater demand for projects. In 2018 they planted close to 2 Million trees on over 1100 hectares of land in southern Ontario. Over 2,000 landowners were engaged, resulting in 1,173 projects. Close to \$4.5 M grant dollars were provided to projects generating a total value of over \$5 M to the urban, rural and agricultural (44%) economy which went to planning, nurseries, tree planters, machinery and supplies.

Stimulus investments need to include delivery of habitat restoration and rehabilitation projects that will restore the health of forests, wetlands and rivers.

### **Key Short-term Program Design Considerations**

We believe that immediate and short term stimulus funding is needed to support resilient, sustainable, healthy, and prosperous communities and watersheds through investment in the types of projects described above. This investment can be administered through modifications to existing programs like the Disaster Mitigation and Adaptation Fund (DMAF), the Investing in Canada Infrastructure Program (ICIP) and Great Lakes Protection Initiative (GLPI), to swiftly generate job growth and new economic activity across the province. This would respond to the needs of small, rural and northern communities and farmers, in addition to the demands being placed on larger urban communities due to this Pandemic.

Some key short-term program design considerations include:

- **Increase investment in currently eligible projects described above and make these projects specifically eligible.**
- **Continue to allow Conservation Authorities the flexibility to apply directly for these funding programs and to include our municipal and agency partners as part of future intake processes.**
- **Modify the funding distribution to 75-100% federal contributions and modify program design to benefit all communities with smaller projects.** Our municipal partners have communicated consistently that finding matching funds for infrastructure and other projects will be challenging at this time because of the budget impacts of COVID 19 pandemic response. This issue is further exacerbated by the high dollar value expected for eligible projects (e.g. DMAF program).
- **Include Environmental Assessment and project planning design elements in addition to construction as eligible** for stimulus funding. A project that is well-planned and designed takes time and money and is an investment into shovel worthy project construction.
- **Include as eligible, monitoring of environmental improvements**, water quality, quantity, air quality, forest cover, biodiversity and areas of wetlands and other natural systems improved through restoration **to track program effectiveness and long term climate trends, in addition to evaluating and reporting the resulting job creation and benefits of economic stimulus to local economies.**



## Moving Forward

Summary of immediate Conservation Authority opportunities:

- Modifications to current federal programs will create projects that support jobs and stimulate local economies and provides an opportunity for quick implementation.
- Additional investments will stimulate flood and erosion control infrastructure projects in 2020/21. Such investment will mean the difference in whether or not many 2020/21 shovel ready/worthy flood and erosion control infrastructure studies and repair projects will occur.
- Federal investments in conservation authority trails, greenways and conservation areas will enable safer visits in pandemic conditions and educate the public about the importance of maintaining a healthy environment.
- Conservation authorities have many shovel ready/worthy and near ready, habitat enhancement, restoration and rehabilitation projects, often with many local partners.
- A greater investment in clean water projects will accelerate improvements to water quality of the Great Lakes and in our watersheds.
- With additional investments, conservation authorities can increase tree planting and habitat enhancement, rehabilitation and restoration across the province.

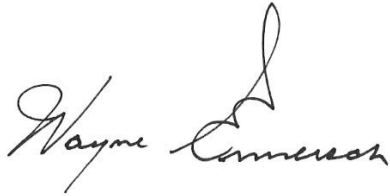
Conservation authorities have already started to develop and implement new standards and practices to ensure safety of staff and the public as they deliver current essential services under pandemic conditions, and plan for a broader delivery of programs and services as we recover towards what we believe will be a new resilient economy that continues to position Ontario, and Canada, competitively in the future.

While there is no specific blueprint for the Federal government to restart the Canadian economy under pandemic conditions such as we are experiencing, it makes sense to invest in projects and programs with experienced and tested partners who can provide additional co-benefits to other struggling local businesses and sectors. Ontario's conservation authorities offer a number of ready areas to develop or expand which will not just help people to get back to work and business to re-open, but will also be part of the growing foundation for the establishment of a greener economy which will take us into the future and better position us to develop more resilient, greener, healthy, and prosperous communities.

We thank you for your support with previous and current successful programs, such as the GLPI, DMAF, ICIP, and National Disaster Mitigation Program (NDMP). In developing an updated green economic stimulus program, we ask for your support to increase investments and to build upon the current or new programs following the above design considerations. This will ensure streamlined release of short-term stimulus funding.

On behalf of Conservation Ontario we would be pleased to meet with you and your staff to discuss our interest in the above and how we could work with you to support our mutual objectives.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne Comerich". The signature is fluid and cursive, with a large initial "W" and "C".

Chair of Conservation Ontario

Cc: The Honourable Bill Blair, Minister Public Safety and Emergency Preparedness  
The Honourable Seamus O'Regan, Minister Natural Resources  
The Honourable Marie-Claude-Bibeau, Minister Agriculture and Agri-Food

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Sent via email to: [minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca)

May 19, 2020

The Honourable Jeff Yurek  
Minister of the Environment, Conservation and Parks  
College Park  
777 Bay St, 5th Floor,  
Toronto, Ontario  
M7A 2J3

**Re: Conservation Authorities: Next Steps**

Dear Minister Yurek:

On behalf of the Association of Municipalities of Ontario, I am inquiring about the outcomes of the recent consultation regarding Conservation Authorities (CAs). While we understand that managing COVID-19 related activities comes first and foremost, we also know that prior to this outbreak, we were poised for next steps in transforming the relationship between municipal governments and Conservation Authorities. We want to ensure that these changes move forward in a way that is manageable.

To that end we first would ask for an update on the progress of analysing the feedback from the consultation that took place at the end of last year. We know that a substantial amount of input was received and that with other priorities in play, this work may not yet be completed.

Once the work is completed, we ask that the Ministry would meet with AMO Staff and Conservation Ontario staff jointly to discuss the potential directions and approaches to move forward in keeping with the changes in the legislation.

Of greatest importance is a full understanding of what types of conservation authority activities will be subject to Municipal/CA memoranda of understanding (MOUs). Given the impacts of COVID -19 on municipal workloads, we ask that ongoing joint meetings start as soon as is practical so that together we can facilitate any changes that municipal governments would have to implement. For example, the creation of MOU templates will be a helpful way to efficiently move forward on this, saving municipal staff time.

MOUs with CAs will add a layer of complexity to the municipal budgeting process, particularly in the first year. The MOU needs to be integrated into both the municipal and CA budgeting process. Furthermore, municipal budgets drafted this fall for 2021 will be focused on the aftermath of COVID-19, and economic recovery. Adding the

need to generate MOUs may not be as successful as hoped if rushed. AMO has suggested to properly prepare and execute MOUs, if templates are provided will take about a year. Given the budgeting implications of the MOUs and the fact that 2021 municipal budgets will be complex enough grappling with the aftermath of COVID -19, AMO suggests that templates be created this year and local MOUs start in the first quarter of 2021.

To keep momentum going on the changes to the *Conservation Authority Act*, AMO suggests that follow up on improvements to the use of "Section 28" would benefit both the Conservation Authority review through your ministry and reducing the potential for flood damage through the MNRF.

As well, this approach would allow municipal governments to continue their COVID-19 response into the fall with out drawing staff resources off to new activities related to coordination with the CA/ municipal budgeting processes and negotiating contracts. Furthermore, all municipal activities will need to reflect the COVID-19 related longer term new costs and ways of doing business.

We look forward to continuing to work together with you on this important matter and the AMO staff are pleased to be available to meet with your staff and move this matter forward.

Sincerely,



Jamie McGarvey  
AMO President  
Mayor of Parry Sound

cc: The Honourable Steve Clark, Minister of Municipal Affairs and Housing  
The Honourable John Yakabuski, Minister of Natural Resources and Forestry  
Wayne Emmerson, Chair, Conservation Ontario



June 3, 2020

The Honourable Jeff Yurek  
Minister of Environment, Conservation and Parks (MECP)  
777 Bay Street, 5th Floor  
Toronto, ON, M7A 2J3

Sent via email to: [minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca)

**Re: Conservation Authorities: Next Steps**

Dear Minister Yurek,

On behalf of our member conservation authorities (CAs), I am writing to lend our support for AMO's May 19<sup>th</sup> letter to you in which they express concerns about the next steps to be taken with Conservation Authorities.

It is understood and supported that managing COVID-19 related activities is everyone's immediate priority, and, it is also agreed that moving forward in the transformation of the Conservation Authority and municipal relationship needs to occur in a manageable way.

Conservation Ontario has been surveying the CAs on disruptions and impacts to their delivery of programs and services, as well as, considering how we can support all levels of government in economic stimulus and job recovery during and post-COVID-19. While the impact is variable across the CA community, all have experienced significant revenue reductions, which in some cases has resulted in layoffs of permanent staff and seasonal staff not being hired (including some who support the flood management program), cancellation of programs (many of which are revenue-generating), and, closure of conservation areas. All these impacts have certainly had broader impacts to the local economies across the Province but can be resolved with time, collaboration and support tools. CAs are very keen to support all levels of government in economic recovery and job creation with shovel ready projects.

Conservation Authorities share AMO's concerns with regard to the impacts of COVID-19 on municipal (and CA) workloads. In particular, we have heard concerns with regard to the potential additional complexity to the CA/municipal budgeting process if there are no clear communication protocols and tools available to facilitate changes that CAs and municipalities will need to implement. Some conservation authorities and municipalities have even gone so far as to suggest that this is not the right time to be creating any new pressures on CA/Municipal budget

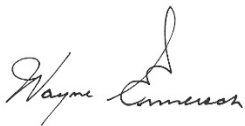
processes, particularly in the midst of dealing with impacts from COVID-19 and the need for economic recovery.

The above is one example of challenges that might be experienced in implementing amendments made under the *Conservation Authorities Act*. As you and your staff move forward with finalizing your analysis of feedback from consultations to date, we ask that the Ministry meet with Conservation Ontario staff and AMO staff jointly to discuss outcomes and approaches to move forward efficiently.

Finally, Conservation Ontario also supports the Province moving forward as expeditiously as possible to finalize the Section 28 regulation consultations being led by the Ministry of Natural Resources and Forestry [i.e. ERO#013-4992: “Focusing conservation authority development permits on the protection of people and property”] as well as updates to the supporting technical guides. Progress in this important business area would be consistent with concerns raised in the MECP Stakeholder Engagement sessions, and with priorities identified in the Made-in-Ontario Environment Plan, and, Ontario’s Flooding Strategy. The Section 28 Regulations are a critical component of Ontario’s approach to reducing risks posed by flooding and other natural hazards and strengthening Ontario’s resiliency to extreme weather events.

Thank you for your consideration in support of all our efforts to continue to serve Ontarians during these challenging times while moving forward on your vision for Conservation Authorities in Ontario. We look forward to continuing to work together in this regard and CO staff are available at your convenience.

Sincerely,



Wayne Emmerson  
Chair, Conservation Ontario

c.c.

The Honourable John Yakabuski, Minister of Natural Resources and Forestry  
The Honourable Steve Clark, Minister of Municipal Affairs and Housing (MMAH)  
Jamie McGarvey, President, Association of Municipalities of Ontario  
CAOs, All Conservation Authorities

**Report To: Board of Directors**

**Subject: Lakewood Beach Development - Board Update**

**Report No: FA-28-20**

**Date: June 18, 2020**

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**Recommendation:**

That Report No. FA-28-20 RE: Lakewood Beach Development - Board Update **BE RECEIVED.**

**Purpose:**

The purpose of this report is to provide background information and a brief chronology for a proposed Condominium development in the Township of Wainfleet known as the Lakewood Beach Development as requested by the NPCA Board of Directors at the May 21, 2020 Board meeting.

**Background:**

At the May 21, 2020 Board Meeting, Save Wainfleet (a resident group) submitted a written delegation pertaining to the Lakewood Beach Development. The Lakewood Beach Development is a Plan of Condominium, consisting of 41 units (single family dwellings). The subject property is located at 11705 Lakeshore Road in the Township of Wainfleet. There is no municipal servicing (sanitary sewers and water) in this area so the development is to be serviced on a private communal water/sewage system.

NPCA regulated features that apply to this property are the Casey Drain (and the associated 100 year flood plain), Lake Erie Shoreline (and the natural hazard components associated with it) and two tributaries to the Casey Drain. When the NPCA originally reviewed the Draft Plan of Condominium application (November 2014 and January 2017), the review also included commenting on Niagara Region Official Plan natural heritage policies, stormwater management, and ground water under the previous Memorandum of Understanding (MOU) with Niagara Region. Since the development was given Draft Plan Approval by the Township in 2017, the NPCA's commenting role changed under the Niagara MOU, which has resulted in the NPCA being no longer responsible for clearing conditions related to the Region's Official Plan, stormwater management and ground water. The Owner/Applicant, Region of Niagara and the Township of Wainfleet are aware of this.

There is a long history to the approval process on this property that has involved several appeals to the former Ontario Municipal Board (OMB). That history is provided in Appendix 1. It is important to note that decisions of whether or not to allow such development along the Lake Erie Shoreline and the density of the development have already been made through the original Official Plan amendments (OPA) and Zoning By-law amendment (ZBA) by the Township of Wainfleet. The application for Plan of Condominium only serves to divide the subject property into condominium

ownership and provides the process to facilitate servicing the development. It should be noted that as part of the NPCA's conditions, the Owner obtained three NPCA Work Permits (one for a balanced cut/fill of the flood plain on the subject property; one for a stormwater drainage outlet into Lake Erie; one for shoreline protection measures and a boardwalk to the beach).

## **Discussion:**

The Save Wainfleet correspondence contained nine "asks" of the NPCA. The various asks and our response are provided below.

1. *We ask that positioning of the homes so close to the shoreline be addressed. This is a potential property damage issue.*

With respect to reconsidering the placement of the dwellings in the Condominium, the NPCA does not issue final approval of the Condominium. That approval rests with the Township. NPCA would be asked to verify if we are satisfied with clearing the Conditions of Draft Plan Approval that we had requested. Approval or reconsideration of the overall layout of the Plan of Condominium is done by Township Council. At this time, the only outstanding Condition for the NPCA to clear is review a draft development agreement for the Condominium. It should be noted that the majority of dwellings are proposed outside of any NPCA's Regulated Areas.

2. *We ask the Fowler's Toad Habitat be re-defined. This is an environmental protection issue.*

The Fowler's Toad Habitat is protected under the *Endangered Species Act (ESA)*, which is administered by the Ministry of Environment, Conservation and Parks (MECP). The NPCA fully supports protection of species at risk. The Owner/Applicant has worked extensively with the Ministry of Natural Resources (MNR), who previously administered the ESA, to develop a protection plan for the Fowler's Toad Habitat which resulted in obtaining an Overall Benefit Permit on January 26, 2016. The extent of the Fowler's Toad Habitat is defined in the Overall Benefit Permit, which expires January 31, 2027. As this request pertains to an active, Overall Benefit Permit, it should be directed to the MECP.

3. *We ask that the configuration of the Casey Drain be re-engineered. It is a flooding issue for the neighbours as well as for Lakewood. This is a health and safety issue.*

The Casey Drain is a Municipal Drain. As such, the Township of Wainfleet is the lead agency for initiating any works/improvements to the Casey Drain (the NPCA is involved in the approval process for any works done to the Casey Drain). This request should be directed to the Township of Wainfleet. NPCA staff is willing to work with the Township to facilitate any improvements to the Casey Drain.

4. *We ask that the contents of the Septic holding tanks be tested for nonbiodegradable medications before the full removal of the systems under the Environmental Protection Act and Ontario Cleanup Guidelines. This is a groundwater protection issue.*

The NPCA has no jurisdiction over private septic system or their removal and, therefore, cannot compel the Owner/Applicant to undertake any testing. This is an issue that should be directed to the MECP as they administer the *Environmental Protection Act* and are



responsible for approval of private septic systems that generate flows greater than 10,000 litres per day.

5. *We ask that the NPCA reverse the policy passed in 2013 that reduced their area of influence from a significant wetland from 120 m to 30 m. This is a regulatory issue.*

NPCA staff note that at no time has the area of influence for Provincially Significant Wetlands (PSWs) been reduced to 30 metres. The 120 metre area of influence is prescribed in *Ontario Regulation 155/06*. While NPCA policies are generally more permissive for proposals between 30 metres and 120 metres from a PSW, it should be noted that large scale proposals within 120 metres are carefully reviewed in relation to their hydrologic impacts by NPCA staff.

6. *We ask the NPCA assist this process by updating the Watershed mapping along the Lake Erie Coastline as soon as possible. This is an administrative and mandate issue.*

The Lake Erie Shoreline Management Plan was completed in June 2010. This report is the basis for delineating the extent of the NPCA's regulated shoreline hazards for Lake Erie. The update of this study has been identified for the 2021 budget. This would be subject to Board approval and availability of funding.

7. *We ask that the NPCA add their purchased Lakeshore property to their Restoration Projects 2020 list. This is a conservation issue.*

The NPCA has already established its list of properties for restoration for 2020. NPCA staff appreciate this request and are currently looking into enhancing the restoration program to include multi-benefit, large scale restoration projects. This request will be taken into consideration for future budget and will be subject to established Restoration Prioritization Criteria, funding, and Board approval.

8. *We ask that the whole approval process for this property be reviewed, from initial approval to build under the Condominium Act, to the sale of property to NPCA in 2014, and to each amendment made to accommodate this project. This is an integrity issue.*

The Ontario Auditor General did a full audit of the NPCA in 2018 and spoke to the NPCA's purchase of a portion of the subject lands in 2014. NPCA staff have no further comment on that issue. With respect to the comment about reviewing the Lakewood Beach review process, NPCA staff appreciate this feedback. We are constantly reviewing all our development review processes to ensure they follow best management practices and are compliant with all applicable Provincial legislation and policies. We will continue to make process improvements where warranted and ensure our policies and procedures are kept up-to-date.

9. *We ask that every professional, including the coastal engineers, storm and waste water management professionals, and endangered species experts, in fact, anyone who has made a recommendation or given approval for this project, and, that every agency, whether provincial, regional or municipal, be required to re-visit the site and re-evaluate their decisions and amend their recommendations where necessary.*

Draft Approval of the Plan of Condominium is set to lapse on March 22, 2021, while the NPCA Work Permits that have been issued expire in December of this year. NPCA staff are

aware of constantly evolving shoreline erosion issues. At this time, NPCA staff have advised the Owner/Applicant that as part of a renewal of the Work Permits, updated studies (coastal report, flood plain cut/fill analysis, grading plan, etc.) will be required. This would also be recommended to the Township of Wainfleet should they receive a request for an extension of Draft Plan Approval.

Permission of the NPCA may be cancelled if it is the opinion of the Authority (Board) that the conditions of the Permits have not been met, however this would need to be carefully considered. Prior to cancelling the Work Permits, the Owner/Applicant must be notified and given an opportunity to request a Hearing of the NPCA Board of Directors to explain how the conditions have been met. Should the Board wish to proceed with cancelling the three Work Permits for the Lakewood Beach development, staff should be directed to prepare a report to this effect.

NPCA staff do not advise cancelling the NPCA Work Permits at this time. While the Owner/Applicant has not yet initiated any of the works anticipated under the Work Permits, there is no evidence to suggest the Applicant/Owner has not met or cannot meet the conditions of the Work Permits. NPCA staff are of the opinion that it would be more appropriate to proceed with requiring updated studies as part of a request for extension to the Work Permits. This is how staff are currently proceeding in this matter.

**Financial Implications:**

There are no financial implications to this report.

**Links to Policy/Strategic Plan:**

The Lakewood Beach Development was reviewed by NPCA staff and considered to meet the NPCA's Planning Policies in place at the time.

**Related Reports and Appendices:**

Appendix 1 – Chronology of Approvals

**Authored by:**

*Original Signed by:*

\_\_\_\_\_  
David Deluce, MCIP, RPP  
Senior Manager, Planning & Regulations

**Reviewed by:**

*Original Signed by:*

\_\_\_\_\_  
Darren MacKenzie, C.Tech., rcsi  
Director, Watershed Management

**Submitted by:**

*Original Signed by:*

\_\_\_\_\_  
Chandra Sharma, MCIP, RPP  
Chief Administrative Officer/Secretary-Treasurer

## Appendix 1 – Chronology of Approvals

- Prior to 2008, there were previous applications for Official Plan amendment (OPA) and Zoning By-law amendment (ZBA) that proposed a private development on the subject lands (appears to be for a total of 35 units) by way of future Plan of Condominium.
- The ZBA was appealed to the OMB and an interim decision was made May 5, 2008 and ordered that there were unresolved issues around communal servicing, Fowler's Toad Habitat and Shoreline protection.
- The applicant applied for another OPA to the Township to amend the Township OP to allow for the development to be serviced by way of a private communal system. Township Council approved the second OPA and it was appealed to the OMB.
- March 2010, the OMB dismissed the appeal of the OPA and allowed the appeal to the ZBA in part (incorporated a holding provision to address Fowler's Toad Habitat issues).
- 2012, the Township's new OP is approved, and it included a site-specific amendment to allow an additional 6 units for the subject lands. This brings the total number of units for the site to 42.
- 2014 (November) the applicant applies for a Draft Plan of Condominium (Vacant Land) and ZBA. Note that a concurrent individual Environmental Assessment is initiated to determine the form of communal servicing (both water supply and waste treatment). The ZBA is to change the zoning to accommodate the additional 6 units. NPCA provides comments in January 2015 requiring additional information.
- Applicant resubmits the applications in January 2017
- February 2017, NPCA provides comments to the Township in support of the applications, which included recommended Conditions of Draft Plan Approval
- The applicant has received Permits from the NPCA for installation of shoreline protection measures and cut/fill for realignment of the flood plain to accommodate the development.
  - Permit No. 201800789 pertained to the cut/fill
  - Permit No. 201800788 for shoreline protection installation with a boardwalk
  - Permit No. 201800787 for stormwater outlet into Drain
- As of January 2019, the only outstanding item in order for the NPCA to issue a clearance of the Conditions is reviewing the development agreement between the owner and Township. This has not yet been circulated to agencies for review.

**Report To: Board of Directors**

**Subject: Acquisition of Land 5050 Harrison Road, Binbrook Conservation Area, City of Hamilton**

**Report No: Report No. FA-33-20**

**Date: June 18, 2020**

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**Recommendation:**

**THAT** Report No. FA-33-20 RE: Acquisition of Land at 5050 Harrison Road, Binbrook Conservation Area, City of Hamilton **BE RECEIVED** for information.

**Purpose:**

The purpose of this report is to inform the NPCA Board of Directors of a 0.06 hectare (0.14 acre) parcel of land acquired from the City of Hamilton abutting 5050 Harrison Rd at Binbrook Conservation Area for a nominal fee of \$2.00.

**Background:**

Binbrook Conservation Area, situated within the municipality of Hamilton, was purchased by the NPCA in 1968. This Conservation Area is a key property within the NPCA land holdings and has a strategic location to attract over 500,000 residents from Hamilton, Haldimand and Niagara.

The Conservation Area is 375 hectares (959 acres) in size; in which Lake Niapenco represents 174 hectares (430 acres). The Lake represents the largest in land lake in the watershed.

Binbrook CA offers multi-use recreational opportunities including swimming, zip lining, an inflatable water park and hiking to name a few.

In September, 2019 the NPCA was successful in acquiring an additional 38 acres of property adjacent to Binbrook CA. NPCA staff have initiated 3 capital projects at Binbrook CA in 2020 which include a new septic system, upgrading the water system and a new office pavilion for Treetop Trekking.

**Discussion:**

On February 13, 2020, the City of Hamilton initiated contact with the NPCA about transferring 2 small parcels of land abutting 5050 Harrison Rd (Binbrook CA) to the NPCA, totaling 0.06 hectares (0.14 acres). The reason for the land transfer was that the City of Hamilton was addressing issues with a modified road allowance which was adjacent to lands owned by the NPCA. The land transfer agreement was signed on March 19, 2020. The land transfer closed on June 2, 2020.

As per NPCA's current land acquisition strategy NPCA may acquire property interests in municipal lands, at a nominal cost, when they are located within the boundaries of approved NPCA acquisition parcels.

**Financial Implications:**

NPCA acquired 2 parcels of 0.06 hectares land abutting 5050 Harrison Rd (Binbrook Conservation Area) from the City of Hamilton for the compensation of \$2.00. The City of Hamilton agreed to reimburse the NPCA's legal fees and expenses for a maximum compensation of \$1,500.

**Related Reports and Appendices:**

1. Binbrook Conservation Area Property Map

**Authored by:**

*Original Signed by:*

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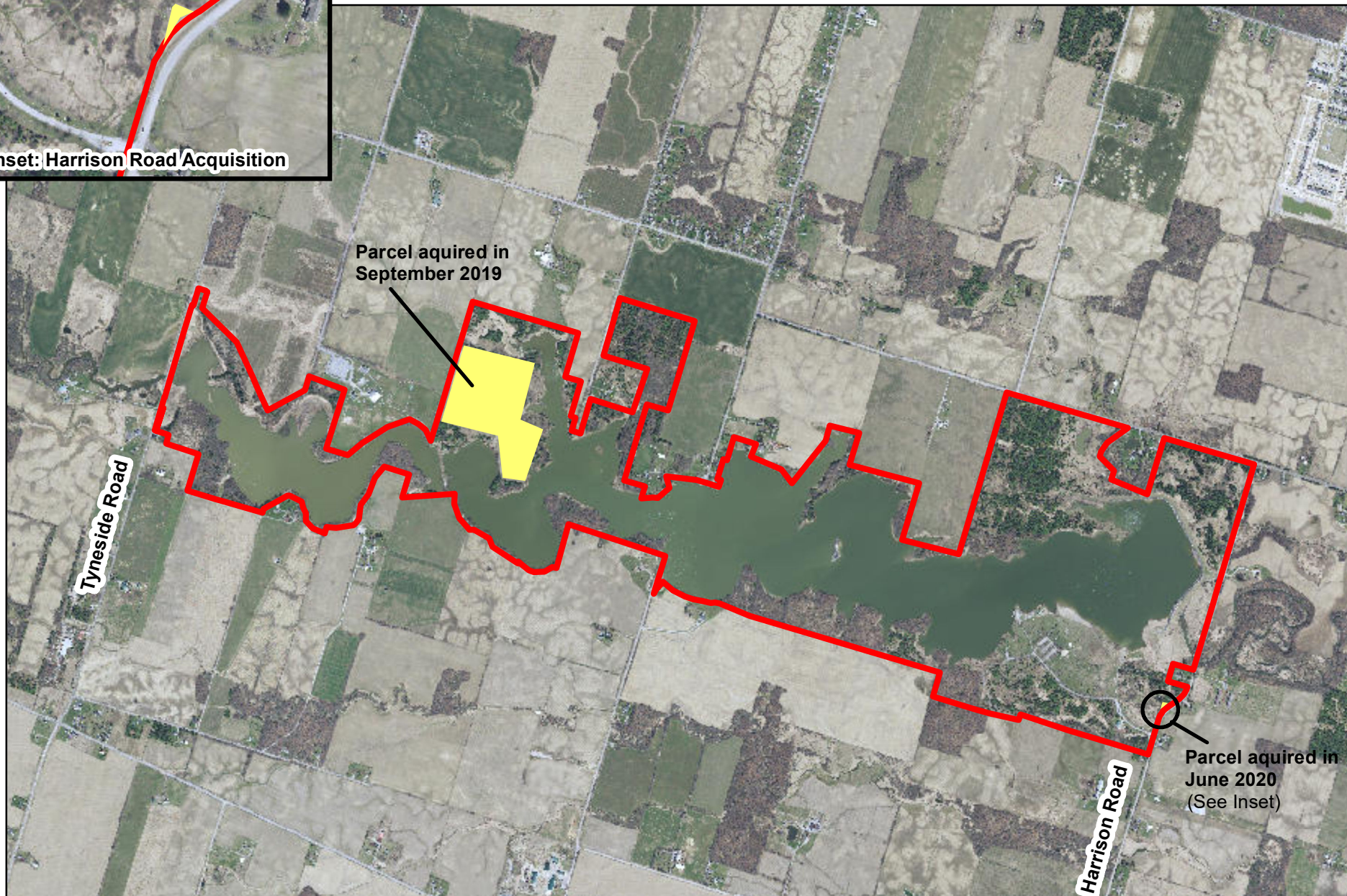
Adam Christie  
Director, Operations and Strategic Initiatives

**Submitted by:**

*Original Signed by:*



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Chandra Sharma MCIP RPP  
CAO/Secretary-Treasurer



## Binbrook Conservation Area Recent Land Acquisitions

### Legend

-  Conservation Area Boundary (Binbrook) Airphoto 2015
-  Recent Land Acquisitions



**Report To: Board of Directors**

**Subject: Capital Contract Award – Long Beach Comfort Station**

**Report No: FA-32-20**

**Date: June 18, 2020**

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**Recommendation:**

1. **THAT** Report FA-32-20 RE: Capital Contract Award – Long Beach Comfort Station **BE RECEIVED** for information.
2. **THAT** capital contract award Purchase Requisition #087 issued to Duomax Development Ltd. In the amount of \$361,000 plus HST **BE APPROVED**.
3. **AND FURTHER THAT** staff **BE AUTHORIZED** to execute all necessary documents as appropriate.

**Purpose:**

The purpose of this Report is to request approval by the Board of Directors for a capital contract award to Duomax Development Ltd. for the construction of a comfort station at Long Beach in the amount of \$361,000 plus HST. This approval is required to comply with provisions in both the Procurement and Delegation of Authority Policies.

**Background:**

In 2018, in an effort to increase camping revenues, 26 campsites were upgraded to 30 amp electrical, resulting in an increased demand for washroom and shower amenities. The current comfort station was built over 30 years ago, and existing facilities are not sufficient to support the additional 26 campsites. Renovations to the North side comfort station were approved for a 2019 capital project in the amount of \$75,000. This provision was intended to support an addition to the existing structure and/or erecting a second structure to increase capacity. Further to a detailed review and analysis in the summer of 2019, it was determined that the best course of action was to proceed with demolition of the existing structure and build a new facility. As a result of this review, staff updated the projection from \$75,000 to \$250,000 in July 2019 to incorporate the change in scope. This provision of \$250,000 will be carried forward to 2020. Staff proceeded with formal drawings for the project, which dictate an additional \$110,000 in work to complete. Full budget for this initiative, approved by the Board: \$360,000.

This project was approved by the Board as part of the 2020 Capital budget ([https://npca.ca/images/uploads/board\\_files/FA\\_October\\_16\\_Agenda\\_Package.pdf](https://npca.ca/images/uploads/board_files/FA_October_16_Agenda_Package.pdf) - page 391 to 394).

**Discussion:**

Please note provisions in the Delegation of Authority Policy, Appendix A:

**COMMITMENT/CONTRACTUAL**

**A. Procurement**

The following thresholds identify levels of approval that must be secured prior to entering into a purchasing process such as Tenders, Proposals or Quotes. This Policy is in alignment with the related provisions in the Procurement Policy. Approval of the CAO/Secretary-Treasurer is required for all procurement commitments where the budget is exceeded by \$25,000 or greater.

**A.1 Board Approved Capital Projects Approval Thresholds**

Competitive Procurement	
Commitment/Spending Limits	Delegation
\$250,001 AND OVER	NPCA Board of Directors
\$50,001 TO \$250,000	CAO/Secretary-Treasurer
\$0 TO \$50,000	Director

Please note provisions in the Procurement Policy, Appendix B:

**NPCA Purchasing Authorization and Methods**

**Goods, Non-Consulting, Consulting, Services, & Construction**

**Table 3**

**Board of Directors Approved Capital Project(s)**

Amount	Purchase Method	Approver
0 to \$50,000	Purchase Order*	Manager + Director
\$50,000 to \$250,000	Purchase Order*	Manager + Director + CAO
>= \$250,001	Purchase Order*	Director + CAO + Board of Directors

\*With Corporate Services Approval.

In accordance with the Procurement Policy for competitive procurement, RFP No. NPCA-2020-011 was issued and posted to Merx on April 20, 2020 and closed on May 20, 2020. The following categories, weighting and descriptions were used to evaluate the 7 compliant submissions that were received upon closing:

- Proponent team, qualifications and experience with scope of work 20%
- Detailed work plan 15%
- References 10%
- Environmental considerations/initiatives 10%
- Pricing (total construction cost) 45%
- Total 100%

Staff are recommending contract award to the top ranked proponent, Duomax Development Ltd.



**Financial Implications:**

Contract award exceeds approved capital budget for this project by \$1,000; variance is not deemed material and will be sourced by underspending in other project(s) within the 2020 capital envelope.

**Related Reports and Appendices:**

Appendix 1 – Purchase Requisition #087 – Duomax Development Ltd.

**Prepared by:**

**Submitted by:**

*Original Signed by:*

*Original Signed by:*

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Lise Gagnon, CPA, CGA  
Director, Corporate Services

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Chandra Sharma, MCIP, RPP  
Chief Administrative Officer/  
Secretary-Treasurer



Purchase Requisition

Requisition Number	<b>087</b>
Requisition Date	June 4 2020
Payment Terms	<b>Net 30</b>
Buyer	Eric Gervais
Email	<a href="mailto:egervais@npca.ca">egervais@npca.ca</a>

**Account 008421-611**

Page 1 of 1

<b>Supplier:</b>
Duomax Development Ltd. 3224 Campden Road Vineland, Ontario L0r 2C0 Canada

<b>Bill To:</b>
Niagara Peninsula Conservation Authority 250 Thorold Road West, 3rd Floor Welland, Ontario L3C 3W2

Freight	FOB	Currency	Reference
		<b>CAD</b>	NPCA-2020-011

Line #	Qty Ordered	Description	Unit Cost	Ext Amount
1	1	Construction of New Comfort Station at Long Beach Conservation Area North Side as per RFP NPCA-2020-011 and supplied Drawing from Shoalts Engineering	\$ 361,000.00	\$ 361,000.00
2				\$ -
3				\$ -
4				\$ -
<i>sub Total</i>				\$ 361,000.00
<i>HST</i>				\$ 46,930.00
<i>Total Purchase Order</i>				\$ 407,930.00

<b>Message</b>
Please coordinate with Jeff Fazekas

Jeff Fazekas - See attached Email  
 Initiator \_\_\_\_\_ Date \_\_\_\_\_

Adam Christie - See attached Email  
 Director \_\_\_\_\_ Date \_\_\_\_\_

**GOVERNANCE COMMITTEE  
ONLINE TELECONFERENCE  
MEETING MINUTES  
Monday, June 8, 2020  
9:30 a.m.**

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**MEMBERS PRESENT:** R. Foster, Chair  
R. Brady (attended 9:40 a.m.)  
J. Ingrao  
B. Johnson  
K. Kawall  
B. Mackenzie  
E. Smith

**MEMBERS ABSENT:** M. Woodhouse  
B. Clark

**STAFF PRESENT:** C. Sharma, Chief Administrative Officer / Secretary - Treasurer  
G. Bivol, Executive Co-ordinator to the C.A.O. / Board  
M. Ferrusi, Manager, Human Resources  
G. Shaule, Administrative Assistant

Chair Foster called the meeting to order at 9:33 a.m.

## 1. APPROVAL OF AGENDA

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Recommendation No. GC-17-2020

Moved by Member Ingrao

Seconded by Member Kawall

**THAT** the agenda for the June 8, 2020 Governance Committee meeting **BE ADOPTED** as presented.

**CARRIED**

## 2. DECLARATIONS OF CONFLICT OF INTEREST

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None declared.

## 3. APPROVAL OF THE MINUTES

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a) Minutes of the NPCA Governance Committee meeting dated February 26, 2020

Recommendation No. GC-18-2020

Moved by Member Smith

Seconded by Member Kawall

**THAT** the minutes of the meeting of the NPCA Governance Committee dated February 26,

#### 4. CORRESPONDENCE

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None.

#### 5. PRESENTATIONS

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None.

#### 6. DELEGATIONS

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None.

#### 7. Consent Items

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a) Report No. FA-11-20 RE: Freedom of Information Statistical Report 2019

Recommendation No. GC-19-2020

Moved by Member Kawall

Seconded by Member Ingraio

1. **THAT** Report No. FA-11-20 RE: Freedom of Information Statistical Report 2019 **BE RECEIVED** for information.

2. **AND THAT** staff **BE DIRECTED** to investigate best practices implemented at other Conservation Authorities.

**CARRIED**

b) Report No. FA-12-20 RE: Public Sector Salary Disclosure

Recommendation No. GC-20-2020

Moved by Member Brady

Seconded by Member Smith

**THAT** Report No. FA-12-20 RE: Public Sector Salary Disclosure **BE RECEIVED** for information.

**CARRIED**

#### 8. DISCUSSION ITEMS

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a) Report No. GC-02-20 RE: Governance Committee Terms of Reference and 2020 Work Plan - Discussion ensued with respect to the potential role of Governance Committee in the C.A.O. performance review process. Staff was directed consult other Conservation Authorities and municipal bodies to determine best practices and report back to the Committee.

Recommendation No. GC-21-2020

Moved by Member Kawall

Seconded by Member Smith

1. **THAT** Report No. GC-02-20 RE: Governance Committee Terms of Reference and 2020 Work Plan **BE RECEIVED**.
2. **THAT** the proposed changes to the Governance Committee Terms of Reference attached as Appendix 1 to Report No. GC-02-20 **BE APPROVED**.
3. **THAT** the final Governance Committee Terms of Reference **BE APPENDED** to the updated NPCA Administrative By-Law to be presented for Board approval in 2020.
4. **AND FURTHER THAT** until the approval of the updated Administrative By-Law and associated Terms of Reference, the Governance Committee **CONTINUE** to conduct its business per existing Terms of Reference dated April 17, 2019.
5. **THAT** the 2020 Governance Committee Annual Work Plan - 2020 attached as Appendix 2 to Report No. GC-02-20 **BE APPROVED**.

**CARRIED**

b) Report No. GC-03-20 RE: Board Training

Recommendation No. GC-22-2020

Moved by Member Ingrao

Seconded by Member Kawall

1. **THAT** Report No. GC-03-2020 RE: Board Training **BE RECEIVED**.
2. **AND THAT** the Chief Administrative Officer / Secretary-Treasurer **BE DIRECTED** to prioritize educational sessions for the Board of Directors in the following areas for 2020 and into 2021 as required:
  - Conflict of Interest,
  - Code of Conduct,
  - Floodplain Mapping,
  - Administrative By-Law,
  - The NPC Foundation and
  - Levy training.

**CARRIED**

c) Report No. GC-04-20 RE: Per Diem and Honourarium Update

Recommendation No. GC-23-2020

Moved by Member Brady

Seconded by Member Kawall

1. **THAT** Report No. GC-04-20 RE: Per Diem and Honourarium Update **BE RECEIVED**.
2. **THAT** the proposed changes to the Per Diem and Honorarium section of the NPCA Administrative By-Law attached as Appendix 1 to Report No. GC-04-20 **BE APPROVED**.
3. **THAT** the information contained within Appendix 1 of Report No. GC-04-20 **BE INCLUDED** to the updated Administrative By-Law to be presented for Board approval in 2020.

4. **AND FURTHER THAT** the approved amendments to the Per Diem and Honourarium Update **BE FORWARDED** to the Full Authority Board for immediate adoption.

**CARRIED**

- d) Board Member Evaluation – Discussion ensued with respect collective evaluation processes. Staff were directed to investigate best practices and to revisit the issue for the September Committee meeting.

## 9. NEW BUSINESS

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- a) Delegations to Board Meetings – Member Kawall requested that the Board consider allowing Delegations to present via video feed for Board meetings held online given the anticipated duration of the current pandemic and state of emergency. It was noted that this would entail a reconsideration of prior direction from the Board.

Recommendation No. GC-24-2020

Moved by Member Kawall

Seconded by Member Smith

**THAT** the Governance Committee recommends the Board implement a process to provide for live presentations by delegations via video at online Board meetings.

**CARRIED**

## 10. ADJOURNMENT

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Recommendation No. GC-25-2020

Moved by Member

Seconded by Member

**THAT** the meeting of the NPCA Governance Committee hereby **ADJOURNS** at 11:13 a.m..

**CARRIED**

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Robert Foster,  
Committee Chair

---

Chandra Sharma  
Chief Administrative Officer /  
Secretary - Treasurer

**Report To: Governance Committee**

**Subject: Governance Committee Terms of Reference and 2020 Work Plan**

**Report No: GC-02-20**

**Date: June 3, 2020**

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**Recommendation:**

1. **THAT** Report No. GC-02-20 RE: Governance Committee Terms of Reference and 2020 Work Plan **BE RECEIVED**.
2. **THAT** the proposed changes to the Governance Committee Terms of Reference attached as Appendix 1 to Report No. GC-02-20 **BE APPROVED**.
3. **THAT** the 2020 Governance Committee Annual Work Plan - 2020 attached as Appendix 2 to Report No. GC-02-20 **BE APPROVED**.
4. **THAT** the final Governance Committee Terms of Reference **BE APPENDED** to the updated NPCA Administrative By-Law to be presented for Board approval in 2020;
5. **AND FURTHER THAT** until the approval of the updated Administrative By-Law and associated Terms of Reference, the Governance Committee **CONTINUE** to conduct its business per existing Terms of Reference dated April 17, 2019.

**Purpose:**

The purpose of this report is two-fold, firstly to present the revised draft of the Terms of Reference to the Governance Committee for approval and inclusion within the revised Administrative By-law to be presented to Board for approval in Fall of 2020. The second purpose of this report is to present the draft 2020 Work Plan to the Governance Committee for adoption by the Committee.

**Background:**

Terms of Reference

The existing Terms of Reference were approved with updates on April 17, 2019. The business of the Committee has evolved requiring further clarity of its purpose and responsibilities.

Further to this, the Terms of Reference for all NPCA Committees need to be integrated with the Administrative By law scheduled to be updated in the Fall of 2020. This offers an opportunity to revisit and update all Standing Committees to ensure consistency.

The suggested updates to the Governance Committee Terms of Reference are provided as a redline version in Appendix 1, the highlights of which are noted as follows:

- More clarity and details have been provided around scope and responsibilities of the committee, reporting to the Board and meetings; and
- More structure around number of meetings aligned with a robust work plan.

### **Discussion:**

The Governance Committee Annual Work Plan - 2020 forms a key component of the governance reporting, planning and control structures of the organization, and identifies key priority initiatives required in the year ahead. Additionally, the Work Plan outlines how implementation of this work will be monitored against major deliverables and the Key Performance Indicator (KPI) framework.

### **Financial Implications:**

None.

### **Links to Policy/Strategic Plan:**

Adoption of the Governance Committee Terms of Reference and 2020 Work Plan ties in with the NPCA Mission Statement's objective to:

*"To implement our Conservation Authorities Act mandate by remaining a responsive, innovative, accountable and financially sustainable organization."*

### **Related Reports and Appendices:**

Appendix 1: Governance Committee Terms of Reference (Draft)

Appendix 2: Governance Committee Annual Work Plan – 2020 (Draft)

#### **Authored by:**

*Original Signed by:*

\_\_\_\_\_  
Grant Bivol,  
Executive Co-ordinator to the C.A.O. / Board

#### **Submitted by:**

*Original Signed by:*

\_\_\_\_\_  
Chandra Sharma, MCIP, RPP  
Chief Administrative Officer/Secretary-  
Treasurer



# Niagara Peninsula Conservation Authority

## TERMS OF REFERENCE

### GOVERNANCE COMMITTEE

Date of Committee Review – March 27, 2019

Date of Board Approval – April 17, 2019

Revised and Approved August 14, 2019

Revised and Approved June 3, 2020

**Committee Type: Standing Committee (NPCA By-Law Section xxxx)**

#### **Committee Purpose and Scope:**

The purpose of the Committee is to assist the Board of Directors in the provision of effective oversight of matters related to Board Governance including NPCA Administrative By-Law, code of conduct, conflict of interest, Board roles and responsibilities, board meetings and associated procedural matters. The Committee also provides oversight to NPCA policy conformity with applicable legislation.

The Board of Directors delegates the following powers to the Standing Committee and reserves the right to delegate any other powers as the Board of Directors determines appropriate, such that in keeping with the Board of Directors Administrative By-law and the Conservation Authority Act.

Should the timing be such that staff is unable to report to the Governance Committee on the matters listed below. Staff may report to the Board of Directors instead.

Key roles and responsibilities include:

#### **1.0 Board Governance**

- 1.1. Regular review and update of NPCA Administrative By-Law to ensure it is relevant and consistent with Conservation Authority Act;
- 1.2. Ensure Board is fully oriented with Board roles and responsibilities, code conduct, and conflict of interest as established by the NPCA Administrative By-Law;
- 1.3. Make recommendation regarding Board Training and orientation;
- 1.4. Review and recommendation Board member compensation;
- 1.5. Set framework and process of Board performance review as required;
- 1.6. Review and recommend practices and procedures for Board meetings, such as board agenda content, consent agenda order of consideration.

#### **2.0 Policy Conformity**

Updated: 6/3/202008/14/2019

-Report No. CA-105-19  
Governance Committee Revised Terms of Reference  
Page 3 of 4

- 2.1 Review and make recommendation to the Board of Directors on all matters relating to NPCA governance policies and procedures;
- 2.2 Review and provide input on Municipal Memorandum of Understanding related to planning or budget matters;
- 2.3 Review and provide input to planning policy conformity with CA Act and associated provincial legislation;

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### Committee Purpose and Scope:

The Governance Committee's scope is to review NPCA Procedural By-laws, code of conduct, conflict of interest, the NPCA policy manual and board roles and responsibilities.

Specifically, key responsibilities include:

Key Responsibilities	
1	<ul style="list-style-type: none"> <li>• Reviewing and recommending changes and approval of the NPCA Administrative By-law.</li> </ul>
2	<ul style="list-style-type: none"> <li>• Reviewing and recommending changes to the NPCA's Code of Conduct policies, including the Conflict of Interest Policy.</li> </ul>
3	<ul style="list-style-type: none"> <li>• Reviewing legislative changes to governance issues to ensure NPCA compliance.</li> </ul>
4	<ul style="list-style-type: none"> <li>• Clarifying NPCA policy on members per diems and honorariums.</li> </ul>

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<b>5</b>	<ul style="list-style-type: none"> <li>• <del>Reviewing the NPCA's Policy Manual and recommending any changes or new policies to the Board.</del></li> </ul>
<b>6</b>	<ul style="list-style-type: none"> <li>• <del>Reviewing and recommending practices and procedures for Board meetings, such as board agenda content, consent agenda order of consideration.</del></li> </ul>

### **Committee Authority and Decision Making**

⋮

~~On January 7, 2019, the NPCA Board of Directors passed the following resolution: "direct staff to draft the terms of reference to be approved by the Board regarding the formations of a governance committee comprised of 4-5 members to review NPCA policies, roles and responsibilities."~~

~~Decisions and recommendations, including amendments to the Terms of Reference, will be made by the Committee members and then sent to the Full Authority Board for approval~~

~~Committee will be govern by NPCA Administrative By-Law and Code of Conduct. The Terms of Reference sets the Roles and responsibilities of the Committee;~~

~~Recommendations made by the committee will be sent to the Board of Directors for approval.~~

### **Membership:**

The Committee will have five (5) members, appointed by the Board of Directors at each Annual Meeting, and will include the Chair and Vice Chair in ex-officio, non-voting capacity. Members can be added to the Committee upon approval of the Board of Directors throughout the year.

### **Meetings- Requirements:**

~~The meeting schedule for the Governance Committee shall be approved annually by the Board of Directors for the upcoming year. The committee shall meeting a minimum of four times per year. Additional Mmeetings can will be held at the call of the Committee Chair. Agendas will be prepared by staff with the approval of the Committee Chair and circulated five days in advance of a meeting and posted on the NPCA website. Minutes will be prepared by staff and distributed to the Committee members and Senior staff prior to the next meeting. Minutes will be forwarded to the Board of Directors for approval.~~

### **Meeting Location:**

Meetings will be at the NPCA Head Office (250 Thorold Road West, Welland), Ball's Falls Conservation Area, or at a location determined by the Committee Chair.~~on-line Meeting will be held in person or on-line.~~

### **Resources/Budget:**



~~The work will be done by the Committee, NPCA staff and any duly procured and authorized consultant. Costs will be discussed by the Committee and if required, taken to the Board of approval.~~

**Decision-making:**

~~The committee will operate openly. All decisions will be made by committee votes. Results of the deliberations and subsequent votes will be reflected in the minutes.~~



NIAGARA PENINSULA  
**CONSERVATION**  
AUTHORITY

Report No. CA-105-19

Governance Committee Revised Terms of Reference  
Page 3 of 4

# Niagara Peninsula Conservation Authority

## TERMS OF REFERENCE

### GOVERNANCE COMMITTEE

Date of Committee Review – March 27, 2019

Date of Board Approval – April 17, 2019

Revised and Approved August 14, 2019

Revised and Approved June 3, 2020

**Committee Type: Standing Committee (NPCA By-Law Section xxxx)**

#### **Committee Purpose and Scope:**

The purpose of the Committee is to assist the Board of Directors in the provision of effective oversight of matters related to Board Governance including the NPCA Administrative By-Law, code of conduct, conflict of interest, Board roles and responsibilities, Board meetings and associated procedural matters. The Committee also provides oversight to NPCA policy conformity with applicable legislation.

The Board of Directors delegates the following powers to the Standing Committee and reserves the right to delegate any other powers as the Board of Directors determines appropriate, such that in keeping with the Board of Directors Administrative By-law and the Conservation Authority Act.

Should the timing be such that staff is unable to report to the Governance Committee on the matters listed below, staff may report to the Board of Directors instead.

#### **Key roles and responsibilities include:**

##### **1.0 Board Governance**

- 1.1. Regular review and update of the NPCA Administrative By-Law to ensure it is relevant and consistent with the Conservation Authority Act;
- 1.2. Ensure the Board is fully oriented with Board roles and responsibilities, code of conduct, and conflict of interest as established by the NPCA Administrative By-Law;
- 1.3. Make recommendations regarding Board training and orientation;
- 1.4. Review and recommend Board member compensation;
- 1.5. Set framework and process of Board performance review as required;
- 1.6. Review and recommend practices and procedures for Board meetings, such as board agenda content, consent agenda, order of consideration, etc..

## **2.0 Policy Conformity**

- 2.1 Review and make recommendations to the Board of Directors on all matters relating to NPCA governance policies and procedures;
- 2.2 Review and provide input on Municipal Memorandums of Understanding related to planning or budget matters;
- 2.3 Review and provide input to planning policy conformity with the CA Act and associated provincial legislation.

## **Committee Authority and Decision Making**

The Committee will be governed by the NPCA Administrative By-Law and Code of Conduct. The Terms of Reference sets the roles and responsibilities of the Committee.

Recommendations made by the Committee will be sent to the Board of Directors for approval.

### **Membership:**

The Committee will have five (5) members, appointed by the Board of Directors at each Annual Meeting, and will include the Chair and Vice Chair in ex-officio, non-voting capacity. Members can be added to the Committee upon approval of the Board of Directors throughout the year.

### **Meetings:**

The meeting schedule for the Governance Committee shall be approved annually by the Board of Directors for the upcoming year. The Committee shall meet a minimum of four times per year. Additional meetings can be held at the call of the Committee Chair. Agendas will be prepared by staff with the approval of the Committee Chair and circulated five days in advance of a meeting and posted on the NPCA website. Minutes will be prepared by staff and distributed to the Committee members and prior to the next meeting.

### **Meeting Location:**

Meetings will be at the NPCA Head Office (250 Thorold Road West, Welland), Ball's Falls Conservation Area, or at a location determined by the Committee Chair. Meetings will be held in person or on-line.



Niagara Peninsula Conservation Authority

Governance Committee Annual Work Plan - 2020

DRAFT	Quarter 1			Quarter 2			Quarter 3			Quarter 4		
	JAN-2020	FEB-2020	MAR-2020	APR-2020	MAY-2020	JUN-2020	JUL-2020	AUG-2020	SEP-2020	OCT-2020	NOV-2020	DEC-2020
Governance Committee						03-Jun			30-Sep			
Full Authority Board		19-Feb		16-Apr	21-May	18-Jun	TBD		TBD	21-Oct	18-Nov	16-Dec
<b>1. Terms of Reference and Work Plan</b>												
a) Annual review of terms of reference and work plan						X						
b) Terms of Reference and Workplan to the Board for approval						X						
<b>2. Administrative By-Law Updates</b>												
a) Per Diem Clarification						X						
b) Code of Conduct Updates									X			
c) Conflict of Interest Clarification									X			
d) Administrative -By Law Draft Review										x		
<b>3. Board Training</b>												
a) Identification of training topics						X						
b) Generation of Training Schedule						X						
c) Implementation									x	x	x	
<b>4. Board Self-Evaluation</b>												
a) Selection of evaluation model						X						
b) Board evaluation											x	
<b>5. Corporate Policies and Procedures</b>												
a) Planning Policies and Procedural Manual and Future Bill 108 conformity ( to be initiated in Q4 and completed in 2021 )										x		
b) Lifetime Pass Policy									X			
c) MOU and SLA									X			
d) Policy and Program conformity with new Legislation ( all Policies)									x			
e) Legal Services procurement									X			
<b>6. Committee Performance</b>												
a) Evaluation and review of Committee performance	February 2021 - capture 12 months of activity (2020)											
<b>7. Mid and Long Term Objectives</b>												
	2021	2022	2023									
Bill 108 Conformity												
Planning Policies and Procedural Manual												
Municipal MOU's Post Bill 108												
Board Per-diem												
Other Policies												

**Report To: Governance Committee**

**Subject: Board Training**

**Report No: GC-03-2020**

**Date: June 3, 2020**

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**Recommendation:**

1. **THAT** Report No. GC-03-2020 RE: Board Training **BE RECEIVED**.
2. **AND THAT** the Chief Administrative Officer / Secretary-Treasurer **BE DIRECTED** to prioritize educational sessions for the Board of Directors in the following areas for 2020 and into 2021 as required:
  - Conflict of Interest,
  - Code of Conduct,
  - Floodplain Mapping,
  - Administrative By-Law, and
  - The NPC Foundation.

**Purpose:**

In light of the ongoing pandemic, the purpose of this report is to prioritize to the extent possible for 2020 and into 2021, specific training initiatives as approved on August 14, 2019 in Report No. FA-107-19 RE: Board of Directors Training and Development. It is also an opportunity for the Governance Committee to identify additional areas where further training may be sought.

**Background:**

The Auditor General's Special Report on the Niagara Peninsula Conservation Authority identified the need for Board training in order for Members to fully understand and fulfill their roles and obligations as Directors. The majority of Members were newly appointed in 2019 and a number of Members joined the organization without prior public sector board experience or after the adoption of the staff report on training and development. With the appointments staggered throughout 2019, Members also received varying levels of initial orientation and onboarding. To date, for the current term, in addition to items covered through initial orientation sessions, information and training has been provided on: the History of the NPCA, Audited Financial Statements, the Budget Process, Water Quality Monitoring, the Niagara River Remedial Action Plan, Board Governance, Floodplain Mapping (Welland River), Conservation Authorities Act – Permits and Hearings as well as Public Comment and Legal Implications.



**Discussion:**

In 2019 and into 2020, areas for additional Board training were identified, including requests for sessions on: Conflict of Interest, Code of Conduct, Floodplain Mapping, Administrative By-laws and the Foundation.

With the pandemic restrictions in place, a number of training opportunities planned for the year have been delayed. In light of the current situation, staff are seeking approval to prioritize the educational opportunities identified in Report No. FA-107-19 to those areas of specific training noted in the above staff recommendation. Any approved training will be further vetted by staff to ensure that the format for program delivery is the most beneficial and cost-effective solution for the Board under prevailing restrictions on meetings and gatherings. Given the Board workload and meeting schedule, if deemed unfeasible due to cost or otherwise, the training recommended above will be pushed to 2021 and evaluated in conjunction with the remaining training identified in Report No. FA-107-19.

**Financial Implications:**

The approved budget for Member training was established at \$10,000 for 2020.

**Links to Policy/Strategic Plan:**

Training and education for Members will better equip the Board to fulfill its legislated mandate and advance the goals identified in its strategic plan.

**Related Reports and Appendices:**

Report No. FA-107-19 RE: Board of Directors Training and Development (not included)

**Authored by:**

*Original signed by:*

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Grant Bivol,  
Executive Co-ordinator to the C.A.O / Board

**Submitted by:**

*Original signed by:*

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Chandra Sharma, MCIP RPP  
Chief Administrative Officer/Secretary-Treasurer

**Report To: Chair and Members of the Governance Committee**

**Subject: Per Diem and Honourarium Update**

**Report No: GC-04-20**

**Date: June 3, 2020**

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**Recommendation:**

1. **THAT** Report No. GC-04-20 RE: Per Diem and Honourarium Update **BE RECEIVED**;
2. **THAT** the proposed changes to the Per Diem and Honorarium section of the NPCA Administrative By-Law attached as Appendix 1 to Report No. GC-04-20 **BE APPROVED**;
3. **THAT** the information contained within Appendix 1 of Report No. GC-04-20 **BE INCLUDED** to the updated Administrative By-Law to be presented for Board approval in 2020;
4. **AND FURTHER THAT** the approved amendments to the Per Diem and Honourarium Update **BE FORWARDED** to the Full Authority Board for immediate adoption.

**Purpose:**

The purpose of this report is to provide clarification on what qualifies as a Board Member per diems and what qualifies under Honourarium.

In response to the Auditor General Recommendation #6:

*To ensure that per diem payments to Board members are reasonable and transparent, we recommend that the Niagara Peninsula Conservation Authority:*

- *Clarify its Board policies to specify the meetings and other functions for which Board members may receive per diem payments in the future; and*
- *Continue to publish information on actual Board per diems and other expenses annually online.*

**Discussion:**

On October 22<sup>nd</sup>, 2019, the Governance committee approved clarifications to the Administrative By-Law in relation to Per Diems, Honorariums, Expenses and Mileage.

As several Board Members have continued to have questions on what qualifies as a per diem, further clarification was made to the Per Diem and Honourarium section of the NPCA Administrative By-Law to ensure consistent and accurate application.

**Financial Implications:**

There are no financial implications.

**Related Reports and Appendices:**

Appendix 1: Honourariums, Per Diems, Expenses and Mileage

**Authored by:**

*Original signed by:*

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Misti Ferrusi, B.A., CHRL  
Human Resources Manager

**Submitted by:**

*Original signed by:*

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Chandra Sharma, MCIP, RPP  
Chief Administrative Officer/Secretary-Treasurer

## APPENDIX 1

### 5. Per Diems, Honourariums, Expenses and Mileage

- 5.1 The per diem rate is the daily rate established by the board that applies to the Chair, Vice-Chair and Board Members for service to the Authority in attendance at Authority Board Meetings, Standing Committee meetings, Source Protection Authority meetings or other such meetings as previously approved by the board or Chair. **A per diem rate shall be applied no more than once per day.**
- 5.2 The honourarium is the annual rate established by the board that applies to the Chair and Vice-Chair for additional duties performed as they relate to the business of the Authority.
- 5.3 The Authority shall **review the per diem rates and honourariums for Members and Chair/Vice-Chair** as part of the administrative by-law updates.

#### 5.3.1 A per diem allowance shall be applicable for:

- a) Attendance as a member at **Full** Authority Board meetings, Source Protection Authority meetings, Standing Committee meetings and Ad Hoc Committee meetings as established by the Full Authority Board
- b) Attendance at other such business functions as may be from time to time requested at the direction of the **Chair and/or CAO**.

Examples may include:

- i. Attendance at meetings of municipal councils to present the Authority's Annual Budget and General Levy requirement, if the Member does not sit on that council and when such council presentations are scheduled through the Chair's office or at the request of the Full Authority Board;
- ii. Attendance at meetings of working groups or committees when appointed by the Full Authority Board to such group or committee as an "official representative" of the Authority;
- iii. Attendance at workshops, conferences or tours hosted by the Authority or Conservation Ontario, if

participation is open to all Members and registration is made through the Chair's office;

- iv. Any other business approved as eligible for a per diem allowance by the [Chair and CAO](#).

#### 5.3.2 An honourarium shall be applicable for:

- a) [Administrative tasks as they relate to business of the Authority such as signing documents, reviewing agenda's, preparing correspondence etc.](#)
- b) [Acting in the capacity of the Authority spokesperson for board-related matters](#)

- 5.4 The Authority will reimburse Board Members' travel expenses incurred for the purpose of attending meetings and/or functions for which a per diem applies on behalf of the Authority. Mileages are based on the Board Member's principle residential address in the municipality they represent, and the rate shall be in accordance with the established rate for the Authority.
- 5.5 The Authority will reimburse members for actual costs of meals, lodging, transportation and conference fees when costs are necessarily incurred in the conduct of Authority business as applicable under s. 5.3 in accordance with established rates.
- 5.6 The Chair, Vice-Chair and Board Members will be responsible for filing claims with the Executive Coordinator to the Board of any expenses, per diems and mileage incurred for other than Full Authority Board Meetings Source Protection Authority Meetings, or Committee meetings on a quarterly basis or at the request of the Authority.
- 5.7 [All Board Member per diem and expense claims will be reviewed for compliance with the Administrative by-law by the CAO and Chair and any per diem denials will be brought to the Governance Committee for review.](#)
- 5.8 Board of Directors per diems, expenses and mileage shall be reported quarterly and posted on the NPCA website.