

**FULL AUTHORITY MEETING
ON-LINE VIDEO CONFERENCE**

Thursday, January 21, 2021

9:30 A.M.

A G E N D A

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 December 17, 2020 (For Approval)

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4. CORRESPONDENCE

- a) Correspondence dated December 18, 2020 from Wayne Emmerson, Chair, Conservation Ontario to the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks RE: Indemnification Clause Requested in the Conservation Authorities Act or Regulations (For Receipt)

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- b) Correspondence dated December 18, 2020 from Brenda Johnson, NPCA Chair to the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks RE: Environmental Registry of Ontario Posting 019-2636 "A proposal under the Endangered Species Act to enable use of the Species at Risk Conservation Fund and to streamline authorizations for certain activities that impact species at risk, while maintaining protections for species at risk" (For Receipt)

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- c) Correspondence dated December 21, 2020 from Regional Clerk Ann-Marie Norio, Regional Municipality of Niagara RE: Niagara Official Plan – Consultation Update (For Receipt)

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- d) i) Email dated January 11, 2021 from the Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks RE: Ontario Moves Forward with Conservation Authorities Working Group (For Receipt)

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- ii) Correspondence dated January 14, 2021 from Regional Municipality of Niagara, Regional Chair Jim Bradley to the Honourable Jeff Yurek Minister of Environment, Conservation and Parks RE: Membership of the Conservation Authorities Working Group

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5. PRESENTATIONS

- a) Board Training and PowerPoint presentation by David Deluce, MCIP, RPP, Senior Manager, Planning and Regulations, Steve Miller, P.Eng. Senior Manager, Water Resources and Sarah Mastroianni, Manager, Planning and Development RE: Understanding Floodplain Mapping (To be provided under separate cover) (For Receipt)

6. DELEGATIONS

7. CONSENT ITEMS

- a) Report No. FA-01-21 RE: Human Resources - 2020 Q3 & Q4 Update (For Information)
- b) Report No. FA-02-21 RE: Watershed 2020 Year End Report (For Information)
- c) Report No. FA-03-21 RE: Compliance and Enforcement 2020 Year End Summary (For Information)

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8. DISCUSSION ITEMS

- a) Report No. FA-04-21 RE: 2021 Restoration Project Approvals - November 2020 Application Intake (For Approval)
- b) Report No. FA-05-21 RE: Postponement of the February 2021 Annual General Meeting to June 2021 (For Approval)

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9. COMMITTEE REPORTS

9.1 STRATEGIC PLANNING COMMITTEE

- 9.1.1 Minutes of the Strategic Planning Committee Meeting dated December 17, 2020 (For Receipt)

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10. MOTIONS

- a) Motion from Vice Chair Mackenzie RE: Improvements to NPCA Passive Conservation Areas (For Approval)

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11. NOTICES OF MOTION

12. NEW BUSINESS

- a) Verbal Update from the C.A.O.

13. CLOSED SESSION

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

14. ADJOURNMENT

**FULL AUTHORITY
ONLINE VIDEO CONFERENCE
MEETING MINUTES**
Thursday, December 17, 2020
9:40 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*

MEMBERS PRESENT: B. Johnson (Chair)
S. Beattie
R. Brady
D. Bylsma
B. Clark
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
B. Steele
M. Woodhouse
B. Wright
R. Shirton (departed 11:10a.m.)

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
J. Culp, Supervisor, Permits and Compliance
D. Deluce, Senior Manager, Planning and Regulations
M. Ferrusi, Manager, Human Resources
L. Gagnon, Director, Corporate Services
S. Gillis, Restoration Project Lead
N. Green Project Manager, Strategic Plan
D. MacKenzie, Director, Watershed Management
S. Miller, Senior Manager, Water Resources
G. Shaule, Administrative Assistant
G. Verkade, Integrated Watershed Planning/Information Management

The Chair called the meeting to order at 9:40 a.m.

1. APPROVAL OF AGENDA

Resolution No.165-2020

Moved by Member Mackenzie

Seconded by Member Rapley

THAT the Full Authority Agenda dated December 17, 2020 **BE APPROVED**.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

3. APPROVAL OF MINUTES

- a) Minutes of the Full Authority meeting dated November 19, 2020

Resolution No. 166-2020

Moved by Member Smith

Seconded by Member Steele

THAT the minutes of the Full Authority meeting dated November 19, 2020 **BE ADOPTED** as presented.

CARRIED

- b) Minutes of the Closed Session meeting dated November 19, 2020

Resolution No. 167-2020

Moved by Member Smith

Seconded by Member Steele

THAT the minutes of the Closed Session meeting dated November 19, 2020 **BE ADOPTED** to remain private and confidential.

CARRIED

4. CORRESPONDENCE

None.

5. PRESENTATIONS

- a) PowerPoint Presentation by S. Miller, Senior Manager Water Resources, RE: November 15, 2020 Lake Erie Storm Surge Summary – Steve Miller presented. Darren MacKenzie Director, Watershed Management also commented. Discussion ensued.

Resolution No. 169-2020

Moved by Member Woodhouse

Seconded by Member Shirton

THAT the PowerPoint presentation by S. Miller, Senior Manager Water Resources, RE: November 15, 2020 Lake Erie Storm Surge Summary **BE RECEIVED**.

CARRIED

- b) Bill 229 Budget Measures Act- Schedule 6 Changes to CA Act: Overview of Changes and Next Steps – Presentation by. C. Sharma, C.A.O. – Ms. Sharma presented via PowerPoint. Chair Johnson thanked the local municipalities for their support in proposing changes to the legislation. Vice Chair Mackenzie apprised the Board on comments from the recent Conservation Ontario meeting in respect of the newly enacted legislation. Discussion ensued.

Resolution No. 170-2020

Moved by Member Wright

Seconded by Member Metcalfe

THAT the PowerPoint presentation dated December 17, 2020 from C.A.O. Chandra Sharma RE: Bill 229 Budget Measures Act - Schedule 6 Overview: Amendments, Upcoming Regulations, and Required Actions **BE RECEIVED**.

CARRIED

6. DELEGATIONS

None.

7. CONSENT ITEMS

- a) Report No. FA-62-20 RE: NPCA's Role in the Joint Agency Review Team (JART) Process Related to Mineral Aggregate Applications - D. Deluce Senior Manager, Planning and Regulations commented. Members posed questions. Discussion ensued.

Resolution No.171-2020

Moved by Member Bylsma

Seconded by Member Brady

THAT Report No. FA-62-20 RE: Joint Agency Review Team (JART) Process Related to Mineral Aggregate Applications **BE RECEIVED**.

CARRIED

- b) Report No. FA-64-20 RE: Niagara River Riparian Buffers Project Contribution Agreement

Resolution No.172-2020

Moved by Member Beattie

Seconded by Member Clark

THAT Report No. FA-64-20 RE: Niagara River Riparian Buffers Project Contribution Agreement **BE RECEIVED**.

CARRIED

- c) Report No. FA-65-20 RE: 2020 Restoration Program Highlights, Evaluation Updates and 2019 Project Monitoring

Resolution No.173-2020

Moved by Member Cridland

Seconded by Member Feor

THAT Report No. FA-65-20 RE: 2020 Restoration Program Highlights **BE RECEIVED.**
CARRIED

- d) Report No. FA-70-20 RE: 2020 Virtual Thanksgiving Festival Update - Adam Christie, Director, Operations and Strategic Initiatives spoke. Discussion ensued.

Resolution No.174-2020
Moved by Member Hellinga
Seconded by Member Huson

THAT Report No. FA-70-20 RE: 2020 Virtual Thanksgiving Festival Update **BE RECEIVED.**
CARRIED

8. DISCUSSION ITEMS

- a) Report No. FA-72-20 RE: Development Application Tracking System Contract Award – CityView - D. Mackenzie, Director, Watershed Management presented.

Resolution No.175-2020
Moved by Member Coon-Peterson
Seconded by Member Kawall

1. **THAT** Report No. FA-72-20 RE: Development Application Tracking System Contract Award - CityView **BE RECEIVED.**

2. **AND FURTHER THAT** staff **BE AUTHORIZED** to award CityView (an unincorporated division of N. Harris Computer Corporation), in accordance with the NPCA Procurement Policy, with the contract to update the NPCA's CityView development application tracking system for a cost of \$119,761 plus applicable HST.

CARRIED

- b) Report No. FA-69-20 RE: Parks and Campsites Reservation System Contract Award – Camis Inc. - A. Christie, Director, Operations and Strategic Initiatives presented the report. Members posed questions.

Resolution No.176-2020
Moved by Member Mackenzie
Seconded by Member Rapley

1. **THAT** Report No. FA- 69-20 RE: Parks and Campsites Reservation System Contract Award –Camis Inc. **BE RECEIVED** for information.

2. **THAT** the award of contract in the amount of amount of \$149,995 plus HST for a 5-year term (2021-2025) to Camis Inc. **BE APPROVED.**

3. **AND FURTHER THAT** staff **BE AUTHORIZED** to execute agreements, as appropriate.

CARRIED

- c) Report No. FA-71-20 RE: Virgil Dams National Disaster Mitigation Program Application - S. Miller, Senior Manager, Water Resources presented the report. Members posed questions.

Resolution No.177-2020
Moved by Member Smith
Seconded by Member Steele

1. **THAT** Report No. FA-71-20 RE: Virgil Dams National Disaster Mitigation Program Application **BE RECEIVED**.
2. **AND THAT** the NPCA Board of Directors **SUPPORT** the funding application to the National Disaster Mitigation Program to obtain 50% funding to assist with offsetting the cost of installing adequate erosion protection along the earth dykes of the Upper and Lower Virgil Reservoirs in Niagara-on-the-Lake.

CARRIED

- d) Report No. FA-66-20 RE: NPCA Planning Policy Update and Procedural Manual - D. Deluce Senior Manager, Planning and Regulations presented. Discussion ensued.

Resolution No.178-2020

Moved by Member Metcalfe

Seconded by Member Shirton

1. **THAT** Report No. FA-66-20 RE: NPCA Planning and Permitting Policy Update and Procedural Manual **BE RECEIVED**.
2. **AND THAT** staff **BE AUTHORIZED** to commence the Planning and Permit Policy Update and subsequent Procedural Manual projects.

CARRIED

- e) Report No. 57-20 RE: NPCA Public Advisory Committee - New Member Appointment

Resolution No.179-2020

Moved by Member Coon-Peterson

Seconded by Member Cridland

1. **THAT** Report No. FA-57-20 RE: NPCA Public Advisory Committee - New Member Appointment **BE RECEIVED** for information.
2. **THAT** the NPCA Board of Directors **APPOINTS** the individuals identified in Confidential Appendix 1 to Report FA-57-20 as the members representing the following sectors of the NPCA Public Advisory Committee:
 - Natalie Seniuk - Public-at-Large (appoint)
 - Jonathan Musso Development (appoint)
 - Dion Kelly User/Volunteer (appoint)
3. **THAT** the following members of the Public Advisory Committee **BE RE-APPOINTED**:
 - John Ariens - Urban/Rural Planning (re-appoint)
 - Derrick Pont - Métis Nation (re-appoint)
4. **AND THAT** Confidential Appendix 1 to Report FA-57-20 **BE DEEMED** a public document and **RECEIVED** into the record.

CARRIED

9. COMMITTEE ITEMS

9.1 FINANCE COMMITTEE

9.1.1 Minutes of the Finance Committee meeting dated December 3, 2020

Resolution No. FA-180-2020
Moved by Board Member Bylsma
Seconded by Board Member Brady

THAT the minutes of the Finance Committee meeting dated December 3, 2020 **BE RECEIVED**.

CARRIED

9.1.2 Report No. FA-67-20 RE: (Draft) Reserves Policy

Resolution No. FA-181-2020
Moved by Board Member Beattie
Seconded by Board Member Clark

1. **THAT** Report No. FA-67-20 **BE RECEIVED**.
2. **THAT** the Reserves Policy **BE APPROVED** by the Board of Directors.

CARRIED

9.1.3 Report No. FA-68-20 RE: (Draft) Tangible Capital Assets Policy – Member Kawall spoke to the report as Chair of the Finance Committee. Lise Gagnon, Director, Corporate Services elaborated on the next steps.

Resolution No. FA-182-2020
Moved by Member Coon-Peterson
Seconded by Member Cridland

1. **THAT** Report No. FA-68-20 RE: Tangible Capital Assets Policy **BE RECEIVED**.
2. **THAT** the Tangible Capital Assets Policy **BE APPROVED** by the Board of Directors.
3. **AND FURTHER THAT** staff **CONTINUE** to develop best practices and guidance regarding consideration of green infrastructure and climate change in future updates to NPCA's Tangible Capital Assets Policy and Asset Management Plans.

CARRIED

9.2 PUBLIC ADVISORY COMMITTEE

9.2.1 Minutes of the Public Advisory Committee Meeting dated November 26, 2020

Resolution No. FA-183-2020
Moved by Member Feor
Seconded by Member Foster

THAT the minutes of the Public Advisory Committee meeting dated November 26, 2020 **BE RECEIVED**.

CARRIED

9.2.2 Minutes of the Watershed Floodplain Advisory Sub-Committee dated November 26, 2020 - D. MacKenzie, Director Watershed Management spoke on the upcoming public meetings for floodplain mapping.

Resolution No. FA-184-2020
Moved by Member Hellinga
Seconded by Member Huson

THAT the minutes of the Watershed Floodplain Advisory Sub-Committee meeting dated November 26, 2020 **BE RECEIVED**.

CARRIED

10. NOTICES OF MOTION

Vice-Chair Mackenzie read and submitted a motion for improvements of passive conservation areas to for inclusion at the next meeting of the Full Authority.

11. NEW BUSINESS

- a) Chief Administrative Officer, Chandra Sharma provided a verbal update to the Board on the following items and events:
- The success of the holiday trail at the Ball's Falls Conservation Area;
 - NPCA staff opting to donate to various charities in lieu of a holiday staff party;
 - Closure of NPCA Parks during the season but opportunities for passive use by the community;
 - Comment by Conservation Ontario on proposed changes to the Endangered Species Act, and the NPCA's intent to submit comments to the Province.
- b) Adam Christie, Director, Operations and Strategic Initiatives updated the Board on storm damage at Long Beach Conservation Area and damaged trees at St John's Conservation Area.

12. CLOSED SESSION

None.

13. ADJOURNMENT

By consensus of the Board, the meeting adjourned at 12:12 p.m..

Brenda Johnson, Chair
Niagara Peninsula Conservation Authority

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



December 18, 2020

The Honourable Jeff Yurek
Minister of the Environment, Conservation and Parks
College Park, 5th Floor
777 Bay Street
Toronto, ON, M7A 1W3

Re: Indemnification Clause Requested in the *Conservation Authorities Act* or regulations

Dear Minister Yurek:

On behalf of our members, I would first like to extend our sincere appreciation for bringing remarks to our December 14th Conservation Ontario Council meeting. Our members were pleased to have your participation.

In subsequent discussion at the meeting, Conservation Ontario Council passed the following resolution:

Whereas conservation authorities have been requesting that a clause of indemnification or statutory immunity for the good faith operation of essential flood and erosion control infrastructure and programming be added to the Conservation Authorities Act (CA Act) consistent with the same statutory indemnification afforded to municipalities, the Province and agencies of the Province;

Whereas recent planning and permitting amendments to the CA Act by Bill 229 create considerable concerns that the science-based watershed approach to decision making will be superseded by the Minister or the Local Planning Appeal Tribunal;

Whereas under the new provisions of the CA Act an authority must issue a permit where a Minister's Zoning Order has been issued by the Minister of Municipal Affairs and Housing even if it is contrary to the desires of the authority Board and or the professional advice of authority staff;

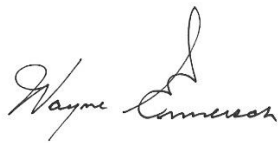
Therefore, be it resolved that the Province be requested to amend the CA Act and/or regulations to add a clause of indemnification for the good faith operation of essential flood and erosion control infrastructure and programming and/or issue indemnities under the appropriate Acts and regulations to conservation authorities that are compelled to issue permits due to the new provisions of CA Act and associated Planning Act Minister Zoning Order decisions

And that the Premier, Minister of Natural Resources and Forestry, Minister of Finance, Minister of Municipal Affairs and Housing, Minister of Environment Conservation and Parks, the Association of Municipalities of Ontario, and the City of Toronto, be circulated this resolution.

Should there be any questions or the need for additional information, please contact Kim Gavine, General Manager of Conservation Ontario, at 905-251-3268 or kgavine@conservationontario.ca.

Thank you again for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne Emmerson". The signature is fluid and cursive, with the first name "Wayne" written in a larger, more prominent script than the last name "Emmerson".

Wayne Emmerson
Chair, Conservation Ontario

c.c. The Honourable Doug Ford, Premier of Ontario
 The Honourable John Yakabuski, Minister of Natural Resources and Forestry
 The Honourable Rod Phillips, Minister of Finance
 The Honourable Steve Clark, Minister of Municipal Affairs and Housing
 Graydon Smith, president, Association of Municipalities of Ontario
 John Tory, Mayor, City of Toronto
 All CA General Managers / Chief Administrative Officers

December 18, 2020

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

Dear Minister Yurek,

RE: Environmental Registry of Ontario Posting 019-2636

Thank you for the opportunity to provide comments regarding “A proposal under the Endangered Species Act to enable use of the Species at Risk Conservation Fund and to streamline authorizations for certain activities that impact species at risk, while maintaining protections for species at risk”. The Niagara Peninsula Conservation Authority (NPCA) offers the following general comments on the proposal to enable the use of the Species at Risk Conservation Fund and the proposed amendments to conditional exemptions to streamline Endangered Species Act (ESA) authorizations under O. Reg. 242/08. Please note that in addition to these comments, the NPCA also echoes the comments on this proposal that have been provided by Conservation Ontario.

The NPCA is concerned with the entire premise of the proposed changes which would essentially allow for proponents to pay to remove species at risk (SAR) and their habitats as this can potentially erode protections previously in place for SAR and their habitats. We appreciate this government’s desire to ensure an efficient approvals environment for development, but we must ensure that it is not at the expense of some of our most important natural resources. There is presently insufficient information about what criteria will be required to assess that a proponent has sufficiently exhausted all options to avoid and minimize impacts to SAR. We recommend that more detail be established as to what specific actions would be required to demonstrate avoidance/minimizing impacts. There should be more than a token effort to avoid impacts to SAR before invoking this program.

The MECP should also set out in the Regulation who will determine which species are added and removed from the conservation fund species list. Based on the information in the notice, it is unclear if the six species currently listed on the conservation fund species list are going to be the only species listed. There should also be more detail around the criteria for including a species on the list to ensure there is a clear, scientific basis for their inclusion.

We are unsure of the rationale for the 1:1.5 Benefit ratio proposed. There is no indication of how this ratio was chosen or if it is appropriate for all species that are presently on the conservation fund species list or for those species that could be included in the future. Furthermore, how does this ratio take into account ecological function of the species for compensating? It is our opinion that basing a ratio purely on an area of habitat does not adequately ensure there is sufficient compensation.

The proposed changes do not seem very strong towards ensuring payment is collected up front before any SAR habitat is removed. This is a poor practice that creates the potential for having to chase down proponents for payment after the fact. The MECP should be requiring full payment up front, otherwise the proponent should not be allowed to use this option and have to obtain an overall benefit permit.

The proposed changes further indicate that: “it will be important for the Agency to understand the specific needs of a conservation fund species and develop a plan to support sound investments in protection and recovery activities.” These plans should be in place prior to permitting practices which would pay into the fund to avoid an unnecessary lag between removal of a species and/or their habitat from the landscape and the corresponding restoration/compensation effort carried out by the Trust/Agency.

The proposed changes would restrict the Trust/Agency from utilizing funds raised through this new program from acquiring land. This makes the development of these species-specific plans critical to ensure that lands are secured prior to this new structure coming into effect. Without plans in place and lands identified for restoration there will be an unacceptable lag between funds flowing into the Fund and restoration efforts being carried out.

Further, as the program continues into the future there are questions raised regarding the sustainability of this program as land resources suitable for restoration become scarce and the Trust/Agency being unable to acquire new lands to further its restoration efforts. We have heard from other Conservation Authorities with cash-in-lieu compensation policies where they have exhausted their inventory of restoration sites and are currently struggling to acquire land suitable for restoration or enter into agreements with land owners to accomplish these restoration goals. It is our opinion that this eventuality needs to be addressed within the proposed revisions to the ESA and O. Reg. 242/08 in order to ensure the long term feasibility of this program.

In establishing the Agency, the proposal talks about establishing a Board of Directors and the powers of the Board. It is unclear how the agency is going to be staffed. It seems there would need to be some sort of staff complement to process these requests. Also, what volume of requests does the MECP anticipate the Agency will receive? It seems this option would appeal to developers looking to by-pass due process and would create the potential for a high volume of requests. There should be sufficient staff to ensure a thorough review of the requests so that SAR are protected to the fullest extent possible.

It is our observation that the MECP seems to be experiencing an extensive backlog of authorizations under the ESA as evidenced by extended review times to inquiries made by proponents. We suggest the Province consider utilizing Conservation Authorities to assist in administering the ESA. Conservation Authorities already have much data and knowledge of their watersheds, including SAR. In addition, many SAR occur in areas regulated by Conservation Authorities, so we are already involved in protecting such species. It would help streamline approvals for proponents as in many instances we are already involved in the review of development applications.

Thank you for the opportunity to comment on this proposal. For any questions, or clarity on these matters kindly contact CAO, Chandra Sharma at csharma@npca.ca or 905-788-3135.

Respectfully,

A handwritten signature in cursive script that reads "Brenda Johnson".

Brenda Johnson
Chair, NPCA

Administration

Office of the Regional Clerk

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

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

www.niagararegion.ca

December 21, 2020

CL 23-2020, December 17, 2020
PEDC 10-2020, December 9, 2020
PDS 35-2020, December 9, 2020

Local Area Municipalities
Niagara Peninsula Conservation Authority

SENT ELECTRONICALLY

RE: Niagara Official Plan – Consultation Update

Regional Council, at its meeting of December 17, 2020, approved the following recommendation of its Planning & Economic Development Committee:

That Report PDS 35-2020, dated December 9, 2020, respecting Niagara Official Plan – Consultation Update, **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities, and the Niagara Peninsula Conservation Authority (NPCA).

A copy of Report PDS 35-2020 is enclosed for your information.

Yours truly,



Ann-Marie Norio
Regional Clerk
:me

CLK-C 2020-224

Distribution List: D. Heyworth, Official Plan Policy Consultant
D. Giles, Acting Commissioner, Planning & Development Services
N. Oakes, Executive Assistant to the Commissioner, Planning & Development Services

Subject: Niagara Official Plan - Consultation Update

Report to: Planning and Economic Development Committee

Report date: Wednesday, December 9, 2020

Recommendations

1. That Report PDS 35-2019 providing an update on consultation for the Niagara Official Plan since March 2020 **BE RECEIVED** for information; and
2. That Report PDS 35-2020 **BE CIRCULATED** to the Local Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

Key Facts

- The purpose of this report is to provide Council with an update on consultation which has taken place on the Niagara Official Plan since the last update provided in March 2020.
- The consultation strategy for the Niagara Official Plan is multi-layered, and includes consultation with the public, stakeholders, local planning departments and decision-makers.
- Overall, most participants have shown an interest in several topic areas of the Official Plan and recognized the interrelationships between topic areas.
- Our engagement showed that managing growth is the key challenge and opportunity. This includes recognizing the heterogeneous communities in Niagara while accommodating the growth that is coming; create thriving complete resilient communities; assist in addressing affordable housing and aging-in-place; address our changing climate and protect our significant natural heritage and water systems.

Financial Considerations

Council approved the resources to complete the New Official Plan over a 5 year period as part of the 2017 Budget Process.

The completion of the necessary background studies and preparation of the Niagara Official Plan along with appropriate consultation will require significant staff resources.

Analysis

Public Consultation

The Planning Department had to reconsider the delivery of consultation given the COVID pandemic. However, the use of virtual consultation methods along with the ability for citizens to call staff for discussion has been successful.

Since the last consultation update, public consultation has occurred through virtual Public Information Centres (PICs) and on-line surveys.

On-line surveys are demonstrating that they reach a broader audience and gather input from a wider demographic and participation across all municipalities. Virtual PICs allow attendees to bring forward questions and discussion on specific topics of interest resulting in more detailed discussion. Together, both of these formats are attracting more participation and complementing each other.

Virtual PICs

During the months of September/October 2020, six virtual PICs were held on key topic areas of the Official Plan. The following metrics are associated with these PICs:

PICs	Attendance	Questions
Natural Heritage System Options	68	64
Water Resource System Options and Watershed Planning	55	40
Growth Management (Regional structure, land needs, growth allocations, settlement area boundary review, housing)	79	41
Employment lands, Urban Design, District & Secondary Plans	35	7
Agriculture, Aggregates and Archeological Master Plan	57	15
Transportation, Servicing, and Storm Water	38	44

PICs	Attendance	Questions
TOTAL	332	211

Sessions lasted from approximately 90 minutes to two hours. Each session started with a staff and/or consultant presentation of 30-60 minutes followed by questions and answers. Participants could ask questions by typing and submitting questions or by calling-in. A recording of each virtual PIC, a copy of the presentation, and a table with input received in comment form and answers to questions that could not be provided during the sessions due to time constraints or need for further analysis are also posted on the Niagara Official Plan webpage.

A summary of the input received at the virtual public webinars is provided in two formats. The first is an outline of key themes raised through questions/comments for each session attached as **Appendix “1”**. The second is the detailed questions and comments (as submitted) received for each of the six sessions attached as **Appendix “2”**.

We highlight the following overall themes:

- Many participants are interested in several topic areas of the Niagara Official Plan recognizing the interrelationships between topic areas.
- There is some understanding that growth management, infrastructure and the natural environment cannot be considered in isolation of each other. This is essential to understanding the Niagara Official Plan, and we will need to strengthen this message moving forward.
- The role of regional versus local planning for various policy sections will need to be clarified moving forward.
- Managing growth properly is the key to good planning for all the interrelated topics of the Niagara Official Plan.
- A comprehensive consultation report will be provided in the next several months for the Natural Environment Work Program that analyses the input received through the virtual PICs along with all the other input received through the 2nd Point of Engagement in greater detail.

Online Surveys

Two online surveys, an Employment Policy Survey and Growth Management Survey have been conducted. Surveys were available online for approximately 1 month and were promoted through social media and stakeholder e-mailing to gather input.

Employment Policy Survey

There were 97 respondents to the Employment Policy Survey with participation largely reflective of the stakeholders consulted through the Region's Employment Strategy work. All municipalities were represented in terms of responses relative to location of residence and work.

Key themes extracted from the survey are provided in **Appendix "3"**. Many of these themes extend beyond the scope of the land use policy parameters of the Niagara Official Plan. However survey results will be shared with the Region's Economic Development and Transportation Divisions. The land use related themes are as follows and will be addressed by the employment program for the Official Plan:

- Niagara should prioritize municipal servicing and infrastructure for employment uses, including proactively providing servicing to vacant employment sites to make them more marketable.
- Employment development and redevelopment should be integrated within existing communities wherever possible and should blend with community character.
- Employment uses should be located with similar employment uses.
- Niagara's commuters have limited transportation options to get to work and would consider using an alternative means of travel, other than private vehicle, to get to work if it were reasonable and accessible.
- Niagara should encourage employers to promote transportation demand management practices and reduce surface parking spaces where possible.
- Employer needs, such as physical assets and building space, may shift as a result of the COVID-19 pandemic.
- Jobs that have transitioned to work-from-home jobs as a result of the COVID-19 pandemic may remain as such after the pandemic.

Growth Management Survey

The recent Amendment 1 to the Growth Plan resulted in the need for further feedback on key areas of the Growth Management Program from members of the public, local area municipalities, public agencies, and key stakeholders. One component of this was gathering input through the Growth Management Survey. A total of 217 participants responded to the survey and a total of 102 comments were received. Respondents were asked to rank key growth management and select preferred options between various growth management scenarios.

This item is covered in greater detail in a separate Report PDS 33-2020 (and the accompanying presentation) planned for December 9, 2020 Planning and Economic Development Committee.

Future Surveys

There will be other surveys conducted on major topic areas of the Official Plan. Regional Planning Staff have recently released a survey seeking feedback on the goals and objectives of the Niagara Watershed Plan project which is also being prepared in support of the Niagara Official Plan.

Report PDS 9-2020 was provided to Planning Committee in March 2020. This report summarized public consultation to date but also provided preliminary statements and key policy directives to acquire future public input on. Public input via a survey will be gathered on these statements in November/December 2020 so that Council can consider them as guidance in the finalization of key policy directives for the Niagara Official Plan.

Planning Advisory Committee

Planning staff gather input from an 8 member Planning Advisory Committee comprised of citizens with professional expertise in business, agriculture, environment, engineering and planning. The Committee last met virtually in September 2020 for updates and discussion on growth management, natural environment heritage and water system options as well as the then-planned PICs.

Stakeholder Engagement

Area Planners

Throughout September and early October, Regional Planning Staff met, individually, with all 12 local Planning Directors and Planning Staff to discuss growth management matters relating to land needs assessment and methodology, growth allocations, employment areas, settlement area boundary review and regional structure. These 12 one-on-one meetings also included an update and discussion on the Natural Environment Work Program including the identification and evaluation of natural heritage and water system options.

Stakeholder Groups

During the time that the virtual PICs were being undertaken, Regional staff were also undertaking the 2nd Point of Engagement for the Natural Environment Work Program which included: the PICs; virtual stakeholder workshops with the development, agricultural and environmental stakeholders; meetings with local planning staff; presentations to Provincial Planning Staff; presentation to the Planning Advisory Committee (PAC); presentation to the Agricultural Planning and Action Committee; presentation to the NPCA Board , PAC, and Staff; and Presentations to Niagara Escarpment Commission and Niagara Parks Commission staff. This results of this 2nd Point of Engagement will be presented to Council in January under a separate cover.

Regional planning staff have also discussed the growth management and natural environment work programs with the Niagara Homebuilders' group.

There was a presentation on the Niagara Official Plan and the natural heritage and water system options to Team Niagara representing the Economic Development Officers in the Region in November 2020.

Indigenous Consultation

Planning staff have twice met with Indigenous groups on the Niagara Official Plan. A sharing portal has been established to share background information on the Niagara Official Plan. Consultation with Indigenous Groups will continue on the expressed topic areas of interest.

Decision Making Bodies

In the first quarter of 2021, Regional Planning staff plan to organise online workshops with Regional Councillors and Planning Directors for each municipality to discuss growth management, natural environment and other areas of interest. This will provide an opportunity for decision-makers to have detailed discussion with staff on these matters.

To date, Planning staff have twice made presentations to local Councils on the Niagara Official Plan. In the second half of 2021, there will be a third round of presentations to local Councils on the Niagara Official Plan on Official Plan policy directions. Local municipalities are encouraged to inform their citizens to listen in on the presentations.

Official Plan Moving Forward

An Official Plan progress report is scheduled for January 2021. This report will outline how different sections of the Official Plan will be reported on going forward given the interrelationships of the sections of the Plan.

A key theme is the interrelated nature of the sections of the Regional Official Plan and managing growth. Managing growth is the challenge and opportunity to: recognize the heterogeneous communities in Niagara while accommodating the growth that is coming; create thriving complete resilient communities; assist in addressing affordable housing and aging in place; and protect our significant natural heritage and water systems.

Alternatives Reviewed

There are many approaches to consultation. The consultation strategy for the Niagara Official Plan is being done virtually because of the pandemic and is incorporating: topic specific, public sessions and public surveys; virtual workshops with stakeholders groups; Indigenous consultation; and virtual workshops with local and regional council members. Consultation has been and will continue to be a fluid process moving into the next stage of policy formulation stage.

Relationship to Council Strategic Priorities

Consultation on the Niagara Official Plan is an important process in supporting Council's priority as a Sustainable Engaging Government. The Plan will address Council's other priorities, being: Supporting Businesses and Economic Growth; Healthy and Vibrant Community; and Responsible Growth and Infrastructure Planning.

Other Pertinent Reports

PDS 1-2020 New Niagara Official Plan-Public Consultation Summary
PDS 33-2019 Growth Management Program Update for New Official Plan
PDS 9-2019 New Official Plan Consultation Timeline Framework
CWCD 421-2019 New Niagara Official Plan Updates

Prepared by:

Dave Heyworth
Official Plan Policy Consultant
Planning and Development Services

Recommended by:

Doug Giles, BES, MUP
Acting Commissioner
Planning and Development Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was reviewed by Erik Acs, MCIP, RPP, Manager, Community Planning, and Isaiah Banach, Acting Director, Community and Long Range Planning.

Appendices

Appendix 1	Key Themes from Virtual PICs
Appendix 2	Submitted PIC Questions and Comments
Appendix 3	Employment Policy Survey Themes

Appendix 1 - Key Themes

Natural Heritage Systems Options-Key Themes

- Advocacy for the most protective options and that environmental protection be prioritized above other land-use planning objective of the Region and the new Official Plan.
- Request for clarification on the steps of the work program including why mapping at this stage of the work program only being conceptual and misconceptions regarding the identification of a preferred option. ;
- Concerns related to the prioritization of environmental protection versus developable urban land.
- The importance of addressing climate change and biodiversity loss
- Questions and comments on the goals and objectives of the Official Plan and Natural Environment Work Program as well as discussion on canopy, tree, and vegetative cover in the Region
- Questions related to who pays for environment impact studies and determines significance of features associated with development applications.
- Reinforcement for the protection of appropriate buffers and linkages
- Recommendation that tree planting and other private landowner stewardship policies be included in the new Official Plan

Water Resource System Options and Watershed Planning-Key Themes

- Concern over the implementation of policies for unmapped features and timing of when system mapping would be available.
- Requests to prevent ground water contamination by policies that regulate the types of development on highly vulnerable aquifers.
- The importance of integrating watershed planning and growth management was stressed from the perspectives of protecting water quality and natural features in the urban area and reducing sprawl.

Growth Management (Regional Structure, Land Needs, Growth Allocations, Settlement Area Boundary Review and Housing)-Key Themes

- Questions on the methodology for growth allocation
- How the environmental policy review and watershed planning will inform the growth management work.

- The relationship between targets and growth and whether growth can be halted if targets are exceeded.
- Concerns over protecting established neighbourhoods from intensification.
- Concern over urban expansions and how they are assessed through the preparation of the Niagara Official Plan
- Clarification on the definition of “affordable” housing and that planning for “age in place” includes providing housing for the older and younger age demographics.

Employment Lands, Urban Design, District and Secondary Plans-Key Themes

- Clarification on the role different employment areas serve.
- The suitability of brownfields relative to future employment or conversion to other uses.
- The role of heritage building in urban design.

Agricultural/Rural Lands, Mineral Aggregate Resources, Archaeology-Key Themes

- Questions on site specific issues on expected or submitted aggregate applications in Niagara Falls, Fonthill and Port Colborne.
- Questions around the administration of the Archaeological Management Plan.
- Clarification as to how development can take place on some agricultural lands and not on others.
- Clarification on the region’s approach to identifying prime agricultural areas.

Infrastructure-Water and Wastewater, Storm Water, Transportation-Key Themes

- The relationship between development charges and provision of infrastructure.
- Question regarding the use of low impact development standards for storm water management.
- Questions on transit route planning and the provision of housing along transit routes.
- Site specific questions pertaining to existing or planned treatment plants.
- Incorporating cycling in planning for streets and at a broader community level.

Appendix 2 - Submitted Webinar Questions and Comments

Wednesday, September 23, 2020

Natural Environment - Natural Heritage System
Submitted Questions
When you consider your recommendation, I would ask you to consider: Do you in your work and life, simply do what is the minimum so that you do as little as possible OR do you do what is right to do (3C) and work to have the best possible scenario, problem solving, and outcome, now and for the future?
why are we talking about conceptual? is there a reason that the proposed mapping is not completed and not conceptual????
only conceptual?
Enhancement areas "MAYBE" used but these are not saved or mandated in 3B and can be ignored. Is that correct?
Without the linkages in place, you will have heat sinks and heat islands which will quickly make the natural areas dehydrate or swamp. Are you aware of what destruction has occurred in Oakville and other towns/cities when linkages within the natural water courses and natural vegetation areas was not considered or maintained?
How can you not map the required federal and provincial requirements with what you have now? Without that mapping of the current situation, there can be complete destruction and then is it 'oh sorry' we made a mistake. You need to map what is there currently for any habitat including fish.
In the introduction of your technical report you note that this work is essential for the preservation of the Region's natural heritage and water resources. What I was not able to find is a stated goal/objective for the natural environment component of the new OP. What is the stated goal?
I was also not able to find any performance criteria for the various options. So how will you evaluate if the policies are resulting in the desired outcomes for recommended options and shouldn't these performance criteria be included at this stage of evaluating options?
How does this planning relate to the current development in many communities throughout the region?
Covid 19 has shown us how important natural areas are to our health and well-being. These natural areas need to be where people live. Which option, 3b or 3c, do you feel would best ensure that these natural areas are protected.
In the North South background paper there was some discussion about moving from the 30 per cent forest cover goal to 23 per cent. What was suggested was York Region. Since the goal is to accomplish more forest cover this seems to be defensible. However, I am going to suggest some additional safeguards. One is that plantations, should be considered part of forest cover. Another is that there be periodic reviews perhaps annually to determine if success is actually being made in Niagara in increasing forest cover.
Why not map fish habitat?
Why isn't fish habitat being mapped?
Environment Canada says that a minimum of 30% forest cover is required for human and environmental health, currently Niagara has only 17.5% coverage. How do we end up with each of the options?
Please choose 3C, the other options are inadequate.
The background paper is opposed to specific policies for Short Hills Provincial Park. However, this could provide a means to link and expand the various natural areas outside the park. Could such policies be put into the plan to enhance other significant natural areas such as the Wainfleet Bog and Humberstone Marsh?

How would buffer sizes be determined? They often seem to be arbitrarily set
What priority will Linkages have within the Settlement Areas where there is an underlying designation (ie. residential) and proposed development, to ensure that there is no detrimental effect to the integrity of the complete NHS? Will the Region set the minimum buffer width that local municipalities must include or consider in their OP's for site specific applications?
Last night Mr. Norman mentioned that 3C was restrictive. Could you explain why and to whom was it restrictive.
How will you address the scope and scale of a proposal and studies. It seems that the "studies" could be differentiated. For example, a garage for 1 car is very different than a greenhouse.
Who determines what features in a woodlot are considered SIGNIFICANT and what else can be done to ensure that wooded land and wetlands don't change their designaiton based on a developers desires.
Further to Sean's first response, in consideration of balance across the Region from various perspective (Environmental, Social, Economic, etc.) have you considered how the options for 3A/B/C, will freeze lands more lands than are currently available for development and speed up the need for urban boundary expansions into the rural areas in several of the Region's municipalities?
Could polices be reviewed to require peer reviews of development applications that impact the Natural Heritage System? Right now having such reviews is at the discretion of the regional planning commissioner.
Where fish spawning areas are eliminated/disturbed by development, what possible measures may the developer be required to do.
how would these options impact the streams running through Niagara on the Lake e.g. One,Two and Three Mile Creek and also the historic Paradise grove Grove
When you say that climate change is being considered throughout the overall plan (mentioned with one of the very first slides that includes a pie chart) are you saying that the region's current research and understanding on climate change (climate change discussion paper 2019) is a primary guiding principal? If so, why hasnt this been made clear on this slide in regards to all aspects of the plan?
Concerning enhancement areas in the map you showed as an example, enhancement areas largely occurred around the edges of woodlands. Wlould this not suggest that the buffers were not large enough to protect these natural areas. Therefore, why go for the minimum requirments for buffer? Make buffers manditory as suggested in 3C. Go for option 3C which are most protective of the natural areas.
If a developer is altering the tree canopy, is that same developer responsible for tree planting and restoration in the said subdivision?
Your consultant stated that this is the development of concepts. If that is true, why have you included preliminary preferred options in the Technical report that was presented to the PEDC/Council? It appears that you are narrowing the choices before you receive feedback/input from the consultation process.
The minimum buffer approach in agricultural areas could take agricultural land out of production. How will these competing interests be addressed?
Considering NHS and WRS as continuous systems, linkages are essential to analysis, protection and enhancement of features and must include settlement areas. I support 3C.
Have other municipalities chosen an equivalent to 3C? Should Niagara not select the best option?
Have you confirmed that the Provincial Natural Heritage System mapping is correct? Will these be done?
Does this planning also take into consideration current pollution whether industrial, residential, agricultural - how to exacerbate / improve?
If climate change is the over arching concern shouldn't a 30% canopy cover be a primary consideration?

Regarding the forest cover issues. Since agriculture plants also provide some of the environmental benefits of forest cover, how is Niagara's agriculture considered in assessing the required forest cover? Clearly there is substantial benefit to both air quality and wildlife species of having so much agriculture in the region, whether it is fruit trees or even vineyards.
Have the municipalities in the Region shown support toward any one of the Options and do they have any concern about losing money from development charges as this roles out and how that will impact tax payers?
Will the site specific studies be paid for by the developer? If so that introduces an extreme bias as reported in the Auditor Generals report on the NPCA. Do any of these options provide 100% protection for significant woodlands/wetlands/wildlife habitat/flooding mitigation?
How will cumulative effects be considered as proposals are assessed over time?
Is the goal of the NHS and WRS to provide the best protection for natural and water resources or to provide flexibility for developers?
In response to your comment tha Niagara should be exempt from striving for a 30% canopy because the cause is farming; Given that agriculture is important and it would take a fair bit of time that we really don't have to adjust how that is done to be more environmentally responsible, then doesn't it then make sense to limit all that housing deveolpment that is currently encroaching not only on green spaces but also on farm lands? The fact that farming is responsible for our low level canopy should not be used as the excuse, but should be seen as a challenge to be over come.
In the Technical report, under the evaluation criteria Ensure protection of the natural environment system, you state that Option 3C best ensures the protection of a region-wide N.H.S, including within settlement areas. If there is an option that ensures the best protection and provides a resilient and I would add healthy and sustainable natural environment why shouldn't we pursue that option (i.e Option 3c)?
In section 5.0 (page 53) of the technical report you identify preliminary preferred options based on the criteria noted on the prior pages. I assume the coloured circles are your recommendation for each specific evaluation criteria. Option 3C has 3 green circles and option 3B only has 2 and ¾, so can you help us understand the rationale for recommending Option 3B as a preliminary preferred option?
There is constant reference to promoting development in Urban Areas. However, we know that Urban areas are continuous areas, which include sensitive areas. Why is there an implication that the sensitive areas are open for development simply because they are zoned Urban?
Where can we find the provincial NHS mapping?
Reagarding Discussion Question #2: Why are we provided with two non-option options (1 and 2), two bare minimum options (3a and 3b) and only one substantial option (3C)? Why are there not more options that do more than the bare minimum?
In the cover letter supporting the Technical Report, it states, "The preliminary preferred options are the recommendations of the Consultant team and are supported by the professional opinion of Regional Planning Staff. The preliminary preferred options still require the input of the public, stakeholders, and Indigenous groups." My question is – you have already recommended preliminary options, so what type of information/input might cause you to reevaluate your recommended preliminary options?

This is so that you have my verbal question in writing - thanks.

Going beyond minimum standards

Major question - How much tree planting will be involved?

Sub question to that - Will there be Carolinian Forest included in that?

Tree planting is an excellent way of helping climate change such as,

- a carbon sink - whether a small area or a large area,
- the mental health that greenery provides residents (regardless of who or where the resident is) - and particularly within settlement areas (trees reduce heat sinks, trees help drainage, etc),
- improves wildlife as well as bird, wildlife, & fish habitats,
- improves shorelines (whether rivers, lakes, etc) as well as wetlands
- improves maintenance within agricultural lands,

to name a couple.

Essentially, is there a tree planting program?

Submitted Comments

Your maps are not clear. growth areas are a line across the map, but not an enclosed area identified. It is not clear what the growth plan area is.

You say your goal is to set DIRECTION. Your technical report says "Option 3C best represents a FORWARD thinking SYSTEMS APPROACH ..." Why would you choose anything BUT the BEST, forward-directed Option (C)?

Sometimes an area used for recreation and/or active transport may not include key natural heritage features and so not acquire planning protection. I would suggest that such areas should be added to the list

Given that the provincial standards are inadequate and constantly are being loosened in a time when the concerns and need for environmental action are increasing, how could any option other than 3c be a serious consideration? I see with my own eyes in Thorold the massive development taking place. For example, there is a proposal to develop 77.9 hectare parcel of land on the northside of Chippawa Parkway. I see development taking place on Beverdams road which is in the middle of wetlands. When do we get to hear the take of the indigenous community. Our canopy is only 17.5%. We need to do better and that must take priority over development especially in green field spaces.

I believe there is an oversight in not recognizing the Province's Growth plan is significantly flawed. It's a one-size-fits-all approach that fails to recognize regional geography, and limitations. Niagara Region is a perfect example that crystallizes the Province's Growth plan's deficiencies. Geographically, we are an island, surrounded on three sides by Water, which constricts, and conflicts with our ability to grow responsibly, as it pertains to rapid real estate growth, and population growth. This puts enormous pressure on local Environment features, and is currently being realized in Niagara.

How do you mitigate Municipalities with independent agendas? Who have no climate plan, and who are willing to work to overrule PPS and best practices?

(apparently this format restricts the length of questions/comments, so I will continue after the cut-off)

I appreciate the amount of time and effort that has gone into this. But why are these the only options presented? From the perspective of Environmental Conservation during a Climate Crisis, and with all due respect, none of these options are optimal or acceptable. I humbly request that staff go back to the drawing board and present a plan that more effectively addresses the urgency, and imminent impact of climate change. I cannot stress enough, that first and foremost, this needs to be visualized through the lens of climate change with applicable sense of urgency. This must be the top priority to preserve what we all love about Niagara. We cannot blunder our way through this, as recent Developer Violations at Thundering Waters clearly demonstrate. The options currently being presented and recommended by staff are not the best options for the Environment. And the most protective options offered, are at best a weak compromise, if our Natural Heritage is to be properly protected for future generations.

Not just regarding fish habitat there is a lot of problem with lands which could be corrected through Significant Wildlife Habitat designations. Mapping of these lands right now is largely limited to deer wintering areas. It seems that a lot of work has to be done.

regarding forest cover the NPCA did a study which should a large area in agriculturally zoned lands which is actually reverting to forests naturally. I don't know what the actual percentage of the landscape this is. From looking at these maps it seems quite substantial. If this area was known the goal of 30 per cent might seem more realistic. These lands will likely become mature forests eventually if the agricultural designations are maintained and the land is not urbanized.

the city of Toronto has a very good approach and it posted on the website. Hamilton is working on a Biodiversity plan. can this approach be utilized!!

Bill 68 requires municipalities to demonstrate how they will maintain, protect and enhance the tree canopy and natural vegetation in the municipality. The option that best meets this (3C) should be strongly considered by the Region.

Please ensure that all questions and answers, and those that cannot be answered within the time allotted, are answered and posted on the Region's website with the PIC background documents for full transparency.

Thank you!

Regarding Peer review the current system on relying on provincial agencies has recently been weakened by the reduction in the commenting role of the Ministry of Natural Resources and Forestry. (MNRF) Also two letters by MNRF which were critical of environmental work by developer proponents in the case of Thundering Waters were never released to council or the public. I also received them with the help of the now disbanded Local Planning Review Support Center. This pattern would seem to show that a stronger provision in the regional plan needs to be added regarding peer review.

Regarding claims that protection of natural areas would create pressures to expand urban boundaries most of these lands are already protected to some degree and excluded from development potential. The exclusion of lands as enhancement areas would likely be limited in scale. The urban boundaries are quite large, especially because of the expansion in Fort Erie just south of Niagara Falls (Douglas Town) which came out of a judicial battle and has yet it seems to be recognized in urban boundary capacity.

Paradise Grove is a good example of a savannah habitat. These need to be recognized and protected in the official plan review. Right now protected ECA lands are all forests.

How do I get on this committee (committees)? You seem to not have a member-of-the-public (or members). Despite the importance of experts, the public probably needs to be involved here - not just at public meetings like today.

My email is janetashleypollock@gmail.com

Great discussion. Thank you.

Thank you - a good & informative meeting.

Thursday, September 24, 2020

Natural Environment - Water Resource System

Submitted Questions

is modeling growth upwards in a livable style like Singapore has done being considered?

I'm a newcomer to Niagara. I'd like to know why we have development on top of highly sensitive aquifers and what impact that has.

when are you be able to provide the full mapping on not only the watershed mapping and the natural heritage system ?How can one comment on this without the true facts?

also have you looked at what the correlation is between the growth numbers that have been put forth by the province and the impacts of those numbers to these proposals?

I am not sure why you are seeking input from the general public at this evidently very preliminary stage of the proceedings. After sitting through almost three of these presentations, I conclude that either I am not intelligent or that these sessions are not useful to the average lay person. I would need several introductory tutorial in order to begin to understand what you all have been saying. I feel you are talking mostly to yourselves though there may be other listeners who do understand you. I think that the presentations are extremely conceptual (as you acknowledge), highly abstract, consisting mostly of "motherhood" statements, while admitting that nothing definitive is being proposed. I get no idea of what is being proposed on the ground, area by area so that I can tell you what I feel about it. Basically, will you tell me you will stop the further destruction of Niagara's natural resources? Simplistic question???

Question: I guess I am not allowed to ask verbally on Zoom? Why is there no recognition of the need to PROTECT OUR AQUIFER in the South Coast of Niagara??? The need to protect human drinking water is paramount. Sorry Ron Schenckenberger, there is NO concern of developers to protect our AQUIFERS.

how to deal with past construction for example culverts etc. that have negatively affected the flow rate. This is definitely been the case at the 12 mile creek located in reach 8 the east tributary from Tremont Dr to Highway 406. This has caused accelerated erosion on the embankments near existing large apartment buildings putting over 300 or more tenants at risk. What will be done about this?

Why would we exclude settlement areas? - Aren't those artificial boundaries for watershed planning as some of the features and indeed the impacts to the watershed extends into settlement areas.

Did I hear you correctly that WRS Option 2A will map floodplains outside of the settlement areas, but not with them?

As development continues, is it not important to require all subsequent development proposals to undergo cumulative impact assessments?

In terms of identifying and informing healthy aquatic and terrestrial ecosystems would various Marsh Amphibian/Bird Monitoring surveys; Breeding Bird Surveys which have been conducted for decades be of use?

What solutions are being put forward at the 12 mile creek that have been negatively affected of the watershed in the area and erosion of the embankments. Specifically Reach 8 of the east tributary from Tremont Dr and Highway 406 have been negatively affected by accelerated flow rates. This has been caused by culvert construction for example that have caused accelerated erosion that has put some apartment buildings at risk (over 300-400 tenants). The City and the Region is aware of these problems for last twenty (20) years.

How polluted are we?

My sense is that this is being done to increase the population in the Niagara Region. This is due to people not being able to afford to live in the GTA. This means increase pollution and traffic on our highways. This pollution etc. impacts our water. This completion of this planning is a long way off - and developers are moving as fast as they can to develop areas that may be sensitive to our water. Will the province's desire to increase population in the Niagara region overtake the common sense that should result from this work?

The NPCA Watershed report card shows surface water quality with a "D" rating. Furthermore, this has been rated "D" since at least 2012 - which WRS option 2A or 2B will provide the greatest improvement in water quality?

What is going to be done to deal with new commercial and residential developments that are being proposed that will have negative long term effect on the water tributaries? There are many examples of garbage and pollution created by these developments but there has been no controls put in place to ensure our Niagara watercourse are maintained. What operational risk controls will be put in place to ensure there is no overdevelopment near the Niagara watercourses and flood plains. Also, will there be substantial penalties and enforcement put in place?

There was a substantial inventorying of natural areas, validated by field studies, called Nature for Niagara's Future - has this information been incorporated into your work?

There are streams that go through car wreckage yards in Niagara Falls and Fort Erie. Should not these streams be diverted from these areas to avoid future contamination?

It is excellent that the Region is taking a progressive stance with respect to meeting the policies outlined in the PPS 2017 for the Growth Plan and Greenbelt Plan. Thank you for acknowledging the NPCA and the RAP program as a valuable partner. Karst formations were mentioned as an area of potential future study, as a hazard area will the NPCA be involved with this study? Will a copy of the slide presentations be available after the meeting?

Last evening you mentioned that Fish Habitat would not be mapped, but there would be some sort of policy protection. How can policies be implemented to protect something that isn't mapped?

There are a lot of Karst areas in Smithville within the area being proposed for expansion. Are these areas being excluded from potential development, since Karst can be pathways for contamination.

Considering the Niagara Region's past performance and failing grade. Why wouldn't the best choice be to protect our Natural Heritage and Water Resources be paramount?

What do you see as the major long-term differences - impact-wise - between Options 2A and 2B?

Submitted Comments

Can't hear - please get closer to mike!

Comment - not question:

Ontario government has a watershed flow assessment tool - <https://www.ontario.ca/page/watershed-flow-assessment-tool>

as does Brock University

as does Ministry Northern Development and Mines, Ontario Geological Survey

Apologies, Karen, should have said, Brock University Earth Sciences

<p>Sidestepping drinking water, wastewater management, etc & their infrastructure ...</p> <p>How good are our water resources in Niagara region?</p> <p>Will the following be considered?</p> <ul style="list-style-type: none"> - as in recreation - fishing, swimming, shorelines/beaches, etc - as in flood control, water table - as in utilization by agriculture, industry, the Welland Canal, and urban developers - as in utilization by the indigenous population (hunting, fishing rights) - as in "how many exceptions?" - particularly ones that aren't efficient or safe or climate-friendly <p>and so on.</p> <p>It seems we haven't had a good report card score for a long time - we're pretty polluted.</p> <p>Really like the Goals & Objectives.</p>
<p>Reference material suggests that 2B is the better choice for water resources system for region-wide features because it includes settlement areas.</p> <p>It is essential to choose the best Option 2B which includes linkages in the settlement areas, appropriate for a continuous hydraulic/hydrologic WRS</p> <p>2B provides better protection for small linkages and features in and out of settlement areas as well as buffers.</p>
<p>I am concerned about the orange coloured areas marked for watershed studies based on future urban expansions. This is the first time I have learned of any urban expansions being considered through this plan review. On a need basis there is no reason for any urban expansions since this is supposed to be calculated on a regional basis. An attempt a few years ago to have an urban expansion in the Smithville area was rejected by the province since the rationale of a separate western need area was rejected by the province as a violation of both the Growth Plan and the PPS.</p>
<p>We NEED Niagara Region to protect our drinking water. Without CLEAN drinking water there is no reason for jobs...</p>
<p>The one area that I see an urban expansion concern is the Douglastown area of Fort Erie. This is because this area was essentially imposed by the province through the courts. A watershed plan re urban growth would be a helpful form of damage control.</p>
<p>Please suggest possible responsible uses for exhausted aggregate quarries where quarrying has been done into an aquifer.</p>
<p>Not sure how to speak in this call?</p>
<p>I was also shocked to see urban expansion areas proposed for north west Niagara Falls. Urban needs could be served within the urban boundaries in the Chippawa area. This is one of the reasons that the region is going ahead with the new sewage treatment plant here, so that infrastructure capacity problems in south Niagara Falls do not stop growth on lands which are appropriately zoned.</p>
<p>There was no discussion of strategies to clean up ground water contamination. This is a serious problem. Such situations on lands such as the former General Motors site are a big barrier to needed intensification. Seeing clean up costs as part of a strategy to curb ground water pollution is an important way to get action on this problem</p>
<p>appreciated you bringing forth my questions , however i never recieved an answer or commitment of when the mapping would be available.</p> <p>and to blame the provincial government is certainly a kop out!!!</p>
<p>I witnessed illegal dumping in Niagara Falls. This is known to the city council but nothing seems to be done about it. Could stopping such actions be part of a strategy to protect ground water.</p>
<p>I think that because contamination / pollution seems to be quite a concern, this portion of planning should address this issue. Please don't ignore your public.</p>

Wednesday, October 7, 2020

Growth Management
Submitted Questions
How does the Region decide how much growth is allocated to any given municipality?
The planning is focusing on established communities. regions such as Wainfleet has no "established communities and based on your definitions will be excluded from the planning. West Lincoln also has minimal growth planned. Are these communities going to have support to maintain their infrastructure needs to allow the projected growth in the designated areas?
Are these current webinars available for future viewing?
will the reports to council in winter 2020/ 2021 confirm the amount of land needed for growth AND identify the locations where urban expansion is recommended?
thank you for an informative presentation, truly appreciate the detailed. Given how the focus is on creating complete communities, what is the region's plan on creating community benefit agreements with developers to ensure the communities where development happens receive the localized benefits they need specifically to their neighbourhood. Does the region have an official community benefit agreement policy as a strategy to include inclusive growth?
With regards to the housing growth needs versus employment land growth requirements, has it been taken into consideration that many residents coming to Niagara are retirees?
How is Specialty agriculture defined?
with 3 different mapping proopsals , what would be the change in settlement areas and numbers between all three mapping proposals and whe will we see full and concise mapping instead of what has been proposed.
I am curious about how the environmental policy review will inform the urban land needs study specifically? Can you provide more information on how the impacts of the proposed policy framework and policies will be quantified?
As Planners determine the vacant land inventoryj/parcels within their own municipalities, and that information is provided to the Region to assist in developing allocation targets and density (# of persons per household/etc) of those parcels, what role does the Council of the municipal have in this process and can a Council request reconsideration of the allocation given to it? As the allocations to municipalities are "minimum targets", does a municipality have any ability to slow or stop development if targets are achieved earlier than 2051? As required in Amendment 1 of the Growth Plan, how are market forces now a requirement in determining land needs methodology and allocations within municipalities?
At the Natural Heritage session there were a number of identified areas where urban boundary expansion are taking place. One was Smithville, which I noted could result in negative environmental impacts because of the presence of Karst formations. There were at least two other urban boundary expansions which were identified. Two of these were in western Niagara Falls. Could all the areas where these expansions are being considered be mapped be clearly identified tonight. Could it be clearly indicated how people can be involved in what I believe from the previous meeting the watershed planning excercies which are guiding these excercies.
secondary question is: what is the region's community engagement strategy in hearing resident voices from equity seeking communities: BIPOC, persons without homes, etc.
when is the urban boundary line will be finalized?

Following up on the question by John Bacher, does the Region not have the authority to defer ALL urban expansion considerations to a date after the finalization on the Official Plan? I believe it should have this authority and as such NOT permit any expansions before that date.
How will the Niagara Region expect to reach the goals outlined by the province - and how well will the Niagara Region meet the goals
that is population goals supported by bi-partisan
Even though the province is predicting our growth related to an aging population.....is there any thought, activity, strategy to adjust this prediction to have a more "complete community" that include the younger demographic.
Talk about using the current infrastructure efficiently: the main water supply pipe is on Vansickle road, and the Niagara Health St.Catharines Centre had built for many years. Is any growth plan around the West end of St.Catharines around the Hospital?
Niagara-on-the-Lake is a very special place and as such has in the past been given a target of 15% intensification over about 26 years . However over the last five+ years we have been told that this is a minimum number of units and therefore we have seen staff recommendations and Council approvals of lots close to sensitive natural areas and in the Old Town Established residential areas quite regularly. My question is how do we protect our built and natural areas from these types of development as required under the heritage act and through provincial and regional and local environmental policies?.Gracia Janes
contamination of brownfields is a major barrier to good planning. Could strategies be developed to address these problems including financial assistance from senior levels of government? In the past there was no serious effort to estimate brownfield capacity. While the 30 year planning effort normally encourages sprawl, if it is assumed that some time in this period brownfields will be cleaned up it would encourage better planning.
How will you / do you define 'affordable' with regards to housing. It is a relative term. , so how do you plan to define and
re-define as you move through the years, and across the various municipalities.
With respect to my question.... Well I presented these concerns to the regions over a DECADE ago!!!! A lot of property owners have. What is the hold up with respect to getting some traction on this?
What are we DOING to keep these younger people here. Housing?? what about jobs strategy ??
Sorry i cant voice talk in. But, I would like to know how the Region of Niagara will allow building that is necessary to meet the provincial goals. We have to build
Can Mr.Giles explain the difference between HOUSING AFFORDABILITY and AFFORDABLE HOUSING one is subsidized and one isnt?
how will the region work with developers and builders to achieve housing affordability and remove roadblocks and delays that add to the cost of housing. More affordability =less affordable housing!!!
Submitted Comments

When the Niagara Region in the past was determining if any urban boundary expansion in the past, it determined this on a region wide basis. It seems that now already it has been determined that certain municipalities based on their own needs will need expansion. This seems to be a negation of region based planning. It seems to preclude encouraging filling in urban boundaries in municipalities like Fort Erie and Port Colborne before any urban boundary expansion takes place in Niagara.

There is an area known as Douglas Town in Fort Erie, which I believe has a lot of land for potential urban expansion. This is because a court over ruled municipal efforts to restrict growth here. Since land owners appear to have a right already to develop here, it would appear that watershed studies are urgently needed to restrain it in an orderly way. This area could also be a good alternative to urban expansions which would permit new site alterations on farmland and natural habitats.

We feel the lower level tiers of municipal govt are being resisting development that is needed to meet affordable housing needs

Jobs is what matters!!

there are aggressive needs, the province has dictated this

we have to meet the needs as dictated

only by box

this is a great need to meet the needs of the community

The Ontario Human Rights Commission has targeted NIMBY communities that refuse to allow 'undesirable' residents. This needs to change and we need to be inclusive

Thank you everyone. Excellent webinar.

Thursday, October 8, 2020

Employment Lands, Urban Design, District and Secondary Plans
Submitted Questions
It appears that heritage planning at regional level is moribund. Could concern with design, be a way to revitalize it?
The employment land map that showed three areas (Core plus two others). Could you explain how this was analyzed; are these all employment areas? Or will some that were described as Innovation/Knowledge have more flexibility in uses (especially mixed use)?
With regards to employment land requirements, are the previously utilized (but now vacant and abandoned) buildings/lands being considered for future use rather than remain in their current state and develop new areas?
is it preferred different types of employment (e.g. technology based companies vs tradition) be kept separate and grouped together or have a mix of employment types in an area?
Submitted Comments
One way that urban design could be used is to protect historic estate lots in Niagara on the Lake. Apart from heritage benefits these protect tree cover and the One Mile Creek. Regional guidelines could protect these areas in Niagara on the Lake, and perhaps similar areas in other parts of region where they exist.
I am from St. Catharines which still is governed by an obsolete 1965 transportation study. It would appear that design approach would be a way to make transportation less automotive centered by reducing street widths for example.
Thank you - short session tonight.

Tuesday, October 20, 2020

Rural and Agriculture, Mineral Aggregate Resources, Archaeology

Submitted Questions

How does the upcoming brown road proposal by walker in south end Niagara Falls fit with regional official plan. And will rehabilitation of winding down Taylor quarry be a likely requirement of approval of new quarry?

Regarding the Fonthill Kame, can you please outline how the new Official Plan will recognize and embed the Area of Natural and Scientific Interest (ANSI) for the Fonthill Kame?

What long term protection will the vulnerable aquifer thst stretches under Wainfleet, Port Colborne and Fort Erie from minineral aggregate operations

How will the Agricultural Policies impact lot creation?

Question in regards to AMP program. Which indigenous parties have being consulted in development of this plan as well are developers part of your consultation to gain their insight and recommendations.

In the presentation was it mentioned that the NR was using an agricultural consultant to help develop the official plan? If so, what firm or person is the consultant?

The new MNRF amendments have taken away the authority of local municipalities to restrict the depth of quarrying/pit excavation. However, the Municipalities still have the responsibility to protect the environment, including the groundwater/aquifers. Will the NOP recognize the difference between operations above, and below the groundwater table, i.e. recognizing that there are "dry pits" and "wet pits" and that they require different policies.

with respect to the archaeological mapping will there be a list of what types and age of artifact that will require designation

What role would the Region play in the process if archaeological features are discovered during construction? And will the archeological map be open to fine-tuning as time goes on?

How will the proposed AMP impact normal farm practices

I am so confused. Please explain the process of equitable application of the protection of prime agricultural area. We have prime tender fruit land at the bottom of the escarpment in Grimsby demolished for condensed housing, while useless clay land is being protected on top of the escarpment. We then see hamlets being allowed in some of the useless clay land area while other landowners, within the same area and with the same soil quality, being prohibited from land use change. This results in some taxpayer/landowners being disadvantaged financially without any clear equitable rationale.

Would you please give the E mail address for the panelists.

Has the Region considered completing a LEAR study, like other municipalities in the GGH have, instead of relying on the Provinces LEAR?

Does the Region consider Cannabis production to be an agricultural use? Will it allow zoning by-laws that conflict with the Farm and Food Production Protection Act?

Submitted Comments
Comment - really like that agriculture has been doing and will be doing diversity.

Wednesday, October 21, 2020

Infrastructure, Water and Wastewater, Stormwater, Transportation
Submitted Questions
If I understand the NOP goal (enviornmental protections) why doesn't the Region map aquifers in our rural areas - well systems are risk for groundwater contamination or removing protective covers in quarries in our rural communities
Will the aquifer used by rural residents in Wainfleet, Port Colborne and Fort Erie be identified as a drinking water source in the ammended ROP?
Mr.Lambert, the new waste water treatment plant proposal costing comes in at 345 million dollars can you let me know how the costs would be recovered for this ? I.E benifit to excisting and new growth I.E DC charges knowing that we are eliminating many pumping stations
Will the new Official Plan address the large increase in demand on water, effluent management and solid waste management created by the growth of the cannabis industry in the Region?
As far as quality of water being supplied to our homes, is that something that is handled by the individual municipalities, or is that something that falls under the Region?
Is there any water /wastewater servicing proposed for Wainfleet and is the capacity there for the build out of Rolling Meadows development in South Thorold?
thank you. Transit - does the plan support expansion of Regional transit routes? If so, what is the timing for expansion?
when the new waterwater treatment plant will start to function?
Why are there so many barriers to getting vegetative swales instead of conventional curbs and gutters? There is also a problem such in the old Town of Niagara on the Lake of these swales being converted to concrete curbs despite community opposition.
How could more progress be achieved in getting more roof gardens to reduce storm water runoff in Niagara. Some municipalities, notably Toronto has by-laws to encourage this. Could this be started in Niagara?
Can you share what the current impact our waste "sewage" water has on our lakes?
Can you explain how the development of the new OP will take into account the need to reduce carbon emissions in order to mitigate climate change?
How does the Regional plan promote housing options that allow for better public transit / active transportation?
Will Wainfleet be required to contribute to the cost of urban wastewater plans? There is no benefit to us!
Transit - does the plan support expansion of Regional transit routes? If so, what is the timing for expansion?
Does your mapping include the businesses that are licenced to take water, the amount allowed and if discharged, to where is it discharged and in what condition?
Parking lots are big generators of storm water. Could an effort be made to have some of this volume go into swales and other vegetative areas. Right now vegetative areas around parking lots do not receive water flow from them.
Are there plans to amalgamate the existing local transit operations with the current regional system and to establish a single transit service, similar to what has occurred in Durham and Waterloo for example?
Provincial policy restricts expansion of the water / sanitary network to certain situations - How often are these situations invoked to justify expansion? (e.g. Adjacent to settlement areas)

a biodiversity planning such as the City of Toronto can create needed habitats for storm water management in a natural way. riverine and buffers and stream edge and marshes, wetlands would help meet needed native habitats, will this be fully built in to the strategy????
Are there any current requirements for residential developers to include cycle and walking paths in their plans to make communities more sustainable?
How is the odor from waste water treatment plants monitored. Is there new technology to reduce the odor in the future?
Once the Official Plan has been finalized, is the language for directing each municipality 'shall', 'should', or a mix of both? (similar to what the region saw from the province)
Could the new sewage treatment plant in Niagara Falls have a forested buffer to reduce potential odour problems?
In Portland swales have been found to be complimentary to bicycle lanes. Could such an approach be developed in Niagara?
Has there been any talk from a regional level about removing/reducing parking minimums, or enforcing parking maximums, region wide? Is the region encouraging this?
how does the TMP correlate with the other parts of the OP considering we have no clear and concise mapping with regards to natural heritage areas and watershed mapping
Are local transit systems reassessing their schedules so a more reliable system is established to coincide with the increased schedules and investment of Regional Transit?
What is the process when a property in St Catharines has a change in the zoning and the property owner was not advised of this prior to the change? The property zoning had a negative effect on the value of the property and assessed value did not decrease. What should the property owner do to have this addressed and who should be contacted?
Is the Port Dalhousie water treatment plant going to be updated to handle the future increase in population due to the condominium growth in Port Dalhousie?
Is the cycling plan same as walking / hiking? Particularly (hopefully) if the routes are interconnected throughout the region.
What is the position of the group in regards to affordable rental development versus condominium development?
Is there a mechanism for community or organizations to make specific recommendations to the future OP?
Is the region considering any depaving initiatives as a means of improving biodiversity, permeability, and even food security (through urban farming)?
Will the group allocate funds for site specific damages to properties caused by the water shed and man made solutions that had a negative effect on a property? Or at least perform research
Do you actually have a committee made up of public members that you consult with - talk out with?
How often do you hold these forums?
Is there a defined list of waste water projects for the region based on priority
Is this the first time I heard of a specific Growth Management session?
Submitted Comments
We are pleased that there are no plans to expand water/waste water system in Wainfleet . Have spent considerable money to keep our septic systems up to date and do not support having to pay for additional waste water infrastructure that is not needed
All of the documents that are being sent out to individuals should be posted for others to review

Hurray more forums!!! I appreciate all your work on this plan and allowing the community to have a voice.

Appendix 3 - Key Themes from Employment Policy Survey

Key Themes from Employment Policy Survey

- “Jobs”, “Economic Diversity”, and “Skilled Labour Workforce” are the most commonly prioritized employment themes, with “Jobs” being consistently ranked as the highest priority amongst all themes.
- Niagara is a good place for skilled labour jobs, but its employers do not offer competitive wages compared to employers in the GTHA.
- Niagara must do more to attract employers that require skilled labour jobs and offer competitive working wages.
- Niagara is a good area to locate a new business and has amenities and infrastructure that is attractive to employers.
- Niagara should harness its existing economic strengths, while diversifying its economy by attracting new employers and economic sectors that it is typically not known for.
- Niagara must proactively plan for short- and long-term employment needs, including strategically protecting lands outside of urban areas for future employment opportunities.
- If given the choice, people would rather work in Niagara than in the GTHA.
- People who live in Niagara did not move here for its unique employment or economy, as job opportunities in Niagara can be found elsewhere in the GTHA.
- Niagara should prioritize municipal servicing and infrastructure for employment uses, including proactively providing servicing to vacant employment sites to make them more marketable.
- Employment development and redevelopment should be integrated within existing communities wherever possible and should blend with community character.
- Employment uses should be located with similar employment uses.
- Niagara’s commuters have limited transportation options to get to work and would consider using an alternative means of travel, other than private vehicle, to get to work, if it were reasonable and accessible.
- Niagara should encourage employers to promote transportation demand management practices and reduce surface parking spaces where possible.
- Employer needs, such as physical assets and building space, may shift as a result of the COVID-19 pandemic.
- Jobs that have transitioned to work-from-home jobs as a result of the COVID-19 pandemic may remain as such after the pandemic.

4. d) i) Email dated January 11, 2021 from the Honourable Jeff Yurek, Minister of the Environment, Conservation RE: Ontario Moves Forward with Conservation Authorities Working Group

From: Minister, MECP (MECP) <Minister.MECP@ontario.ca>

Sent: Monday, January 11, 2021 5:05:24 PM

To: Brenda Johnson <bjohnson@npca.ca>

Subject: Ontario Moves Forward with Conservation Authorities Working Group

Good afternoon,

In order to create a practical forum to help our government implement recent changes to the *Conservation Authorities Act* and ensure conservation authorities and other stakeholder groups have a stronger voice at the table, I have invited 10 individuals to participate in a newly-formed conservation authorities working group.

The working group members, chaired by Hassaan Basit, President and CEO of Halton Region Conservation Authority, have been drawn from a variety of conservation authorities, Conservation Ontario and the Association of Municipalities of Ontario, as well as the development and agriculture sectors. The full list of members include:

- Hassaan Basit, President and CEO, Halton Region Conservation Authority (Chair)
- Kim Gavine, General Manager, Conservation Ontario
- John McKenzie, Chief Executive Officer, Toronto and Region Conservation Authority
- Sommer Casgrain-Robertson, General Manager, Rideau Valley Conservation Authority
- Chris Darling, Chief Administrative Officer, Central Lake Ontario Conservation Authority
- Rob Baldwin, Chief Administrative Officer, Lake Simcoe Region Conservation Authority
- Brian Tayler, Chief Administrative Officer, North Bay-Matawa Conservation Authority
- Samantha Lawson, Chief Administrative Officer, Grand River Conservation Authority
- Cathie Brown, Senior Advisor, Association of Municipalities of Ontario
- Scott McFadden, Mayor, Township of Cavan Monaghan

The following individuals will also assist the Working Group by providing further perspectives, including on the section 28 Minister's regulation:

- Jason Sheldon, Vice-President, Land Development, Remington Group
- Gary Gregoris, Senior Vice-President, Land Development, Mattamy Homes
- Josh Kardish, Vice-President, EQ Homes
- Michelle Sergi, Director Community Development, Region of Waterloo
- Leslie Rich, Policy and Planning Liaison, Conservation Ontario

- Barb Veale, Director, Planning and Watershed Management, Halton Region Conservation Authority
- Laurie Nelson, Director, Policy and Planning, Toronto and Region Conservation Authority
- Mark Wales, Past President, Ontario Federation of Agriculture

The Working Group's first task includes looking at the first phase of proposed regulations impacting conservation authorities and their participating municipalities, which will be available for public consultation later this month. The proposed regulations will include:

- details on the programs and services conservation authorities will implement, and how the programs and services may be funded such as:
 - the mandatory programs and services to be delivered by conservation authorities;
 - the proposed agreements that may be required with participating municipalities to fund non-mandatory programs and services with municipal dollars; and
 - the transition period to establish those agreements;
- how conservation authorities will regulate development and other activities to ensure public safety through natural hazard management,
- the requirement for conservation authorities to establish community advisory boards; and
- a Minister's regulation under section 29 of the *Conservation Authorities Act* relating to conservation authority operation and management of lands owned by the authority.

Our government is committed to ongoing collaboration as we work to improve how conservation authorities deliver core programs and services to their communities. Drawing on their extensive knowledge and experience, the working group members we've assembled will provide valuable perspectives to help us make better informed decisions.

We look forward to your feedback as part of our consultation process on the upcoming regulatory postings.

Sincerely,

Jeff Yurek
Minister of the Environment, Conservation and Parks



Office of the Regional Chair | Jim Bradley

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

Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-685-6243

Email: jim.bradley@niagararegion.ca

www.niagararegion.ca

January 14, 2021

Sent by e-mail

The Honourable Jeff Yurek
Minister of Environment, Conservation and Parks
c/o Macdonald Block Mailing Facility,
77 Wellesley St W, PO Box 200,
Toronto, ON M7A 1N3

Re: Membership of the Conservation Authorities Working Group

Dear Minister Yurek,

As per your email dated Monday, January 11, 2021, I applaud the Minister's decision to develop a holistic working group to flesh out the implementation of the changes that were outlined in the *Conservation Authorities Act*. In your communication, you outlined the membership of the Conservation Authorities Working Group, which included numerous members that represent a diverse cross-section of the province.

After carefully reviewing the membership of this working group, I would respectfully suggest that the mandate of this group may be greatly enhanced by considering the inclusion of a member from Niagara. As I am certain you are aware, Niagara is uniquely located in the Greenbelt, while being situated between two Great Lakes and the Niagara River, bringing a distinct point of view to the working group. Niagara's conservation authority has also successfully navigated an effective and collaborative working relationship with members of two other municipalities within the watershed. This renewed relationship is even more notable considering the contentious situation our conservation authority found themselves in prior to the beginning of this term, involving a critical report from the Provincial Auditor.

Finally, Niagara continues to experience a significant amount of commercial, industrial and residential growth across the entire region. I believe our renewed conservation authority has been able to successfully strike a balance between protecting our natural environment, while also encouraging responsible growth and development. I believe Niagara's unique experience would be of benefit to the Conservation Authority Working Group.

Yours sincerely,

Jim Bradley, Chair
Niagara Region

cc: The Hon. Doug Ford, Premier
MPP Sam Oosterhoff
Brenda Johnson, Chair Niagara Peninsula Conservation Authority

Report To: Board of Directors

Subject: Human Resources - 2020 Q3 & Q4 Update

Report No: FA-01-21

Date: January 21, 2021

Recommendation:

THAT Report No. FA-01-21 RE: Human Resources - 2020 Q3 & Q4 Update **BE RECEIVED** for information.

Purpose:

The purpose of this report is to provide the Board with an update of Human Resources actions during the second half of 2020.

Background:

The Auditor General's Special Report recommended that the Board be updated regularly on Human Resources matters. The Auditor General's report also recommended a Human Resources action plan be generated based on staff feedback with updates occurring to the Board.

NPCA staff complement as of December 31, 2020 is:

- Permanent FT – 53
- Contract FT – 2
- Seasonal PT – 10
- Students - 2

Discussion:

Recruitment & Selection

The NPCA has a number of staffing needs as we continue to see elevated levels of requests and look to continue to offer professional and prompt service to members of the public. Due to the ongoing COVID-19 pandemic, we have continued to hire through virtual interviews and on-boarding and are looking forward to stream-lining this process further in 2021. All vacant positions have been posted for 2020 to allow a fair and equitable recruitment and selection process in line with the NPCA Recruitment and Selection policy.

Full Time Permanent

- Watershed Planner (4 vacancies) – Internal & External competition
 - 100 applications received
 - Successful internal candidate began on June 15, 2020
 - Successful external candidates (3) began on August 4 – 6, 2020
- Manager, Planning & Development – Internal & External competition
 - 24 applications received
 - Successful candidate began on October 18, 2020
- Program Assistant – Internal competition (backfill)
 - 4 applications received
 - Successful candidate began on September 14, 2020
- Restoration Technician – Internal & External competition
 - 229 applications received
 - Successful candidate began on November 16, 2020
- Senior Planning Ecologist – Internal & External competition
 - Interviews in progress

Full Time Contract

- RAP Student – Internal & External competition (temporary)
 - 86 applications received
 - Successful candidate began on July 27, 2020
- Customer Relations Representative – Internal & External competition (temporary)
 - 181 applications received
 - Successful candidate began on August 24, 2020
- Administrative Assistant – Internal & External competition (backfill)
 - 142 applications received
 - Successful candidate began on January 1, 2021
- RAP Project Assistant – Internal & External competition
 - 58 applications received
 - Successful candidate began on January 4, 2020

Part Time Seasonal

- Outdoor Educator – Internal & External competition
 - 34 applications received
 - Successful candidate began on October 5, 2020

Student

- Communication Student – Internal & External competition
 - 21 applications received
 - Successful candidate began on November 24, 2020
- Community Outreach Student – Internal & External competition
 - 32 applications received
 - Successful candidate began on November 23, 2020

Employee/Labour Relations

No grievances/complaints have been filed in 2020 with continued relationship building occurring between the employer, employees, and union.

Feedback and information were gathered from staff through the strategic planning process and this information will be used to create an updated Human Resources action plan for 2021.

Performance Management

Annual performance reviews for staff have been occurring regularly in line with the Performance Review Policy. While there were some delays due to the pandemic, 88% of staff eligible for a performance appraisal in 2020 have reviewed their performance with their supervisor/manager with the remaining 12% scheduled to occur in the month of January.

This process has aided in prioritizing training plans for 2021 and will further aid in succession planning exercises in the coming year.

Compensation & Benefits

During the latter half of 2020, a review of job descriptions has begun, with updates occurring as necessary, to ensure all required work is being performed by the appropriate role. This review also ensures staff members are being recognized for the work that they are performing and that each role is deployed appropriately ensuring full and effective use of time.

As part of this process, a market evaluation is being conducted for union roles to confirm salary ranges are appropriately competitive within the market and in line with pay equity.

Health & Safety

The first half of 2020 saw a focus on risk assessment and identification as it relates to COVID-19, to ensure NPCA staff were able to safely and effectively perform their role. During the latter half of the year, further consideration was given on how to move forward and transition towards an appropriate work model with procedures and protocols in place to allow staff to continue to work on projects and goals in the adapted and every changing work environment while also keeping staff regularly informed.

Financial Implications:

This is an update report and there are no financial implications.

Links to Strategic Plan:

As a good governance and administrative practice, this report provides updates to the Board on Human Resources practices within the NPCA.

Related Reports and Appendices:

None.

Authored by:

Original Signed by:

Misti Ferrusi, BA, CHRL
Manager, Human Resources

Submitted by:

Original Signed by:

Chandra Sharma MCIP RPP
Chief Administrative Officer/Secretary-Treasurer

Report To: Board of Directors

Subject: Watershed 2020 Year End Planning and Regulations Statistics

Report No: FA-02-21

Date: January 21, 2020

Recommendation:

THAT Report No. FA-02-21 RE: Watershed 2020 Year End Report **BE RECEIVED.**

Purpose:

The purpose of this report is to provide the Board of Directors a summary of the activities and achievements within the Planning and Regulations service area of the Watershed Department during 2020. The reporting of statistics related to Planning and Regulations is also a requirement of the Client Service Standards Document and Conservation Ontario.

Background:

At the July 16, 2020 NPCA Board of Directors meeting, staff presented report FA-64-20, Planning and Regulations Semi-Annual Update, which was received under Resolution FA-96-20. That report provided the Board with a statistical representation of what had been occurring within our watershed from January to June of 2020 with respect to planning and regulations. Within that report it was identified that the NPCA was experiencing an increase of approximately 20 percent in applications being processed over 2019.

As of the close of 2020, the volume of applications being processed did not subside and in fact increased to approximately 30 percent over 2019 numbers.

Discussion:

Plan Review & Regulations Summary

The Planning and Regulations section of the Watershed Management Department is responsible for reviewing Planning Act applications, Building Permit applications where there is a feature regulated by the NPCA, issuing work permits under Section 28 of the Conservation Authority Act and enforcing compliance to issued Section 28 permits and works that have not been approved by the NPCA within regulated areas.

During 2020, the NPCA experienced higher than normal volume of planning and permit applications. A total of 1247 applications (planning and permits combined) were reviewed during the year resulting in heavy workload for the Planning and Permitting team. This is approximately a 30 percent increase as compared to 2019 (total of 961 applications for the entire year). Planning and Regulations reviewed 900 Planning related files (i.e. *Planning Act* [various types and levels complexity], Niagara Escarpment Commission Development Permit applications, Building Permit applications, property information requests, etc.). Staff also provided comments on over 260 biology/ecology files, pre-consultation proposals and processed 347 work permits under Section 28. This represents the most Section 28 permits ever issued by the NPCA in any given year. A detailed break-down of these statistics is included in Appendix 1.

Staff also responded to various inquiries from the public and local municipalities, as well as attended weekly consultation meetings with the local municipalities and conducted site inspections where required. (Note: Site inspections from late March 2020 to present are conducted only if absolutely necessary and follow appropriate pandemic protocols)

In respect of enforcement activities, the NPCA Regulations team responded to 225 complaints in 2020, of which 41 were determined not to be the jurisdiction of the NPCA. A more detailed discussion on compliance activities has been submitted under Report FA-03-21.

Challenges and Measures:

This has been a very busy year with differing challenges to overcome. Not only has the organization had to adapt to working remotely and modifying processes for reviewing information and issuing permissions, the Planning and Regulation team had also been short-staffed for the first half of 2020.

Various measures had been implemented to address increased volume of applications and staff workload. These included:

- a) Function of coordinating NPCA work permit reviews was transitioned from the Regulations Officers to the Watershed Planners. This allows for a more streamlined review and frees up the Regulations Officers to focus on permit compliance and enforcement of our regulation under Section 28 of the Conservation Authorities Act;
- b) An Ecology Technician was hired to support planning and permit review;
- c) A short-term secondment was secured from Grand River Conservation Authority;
- d) Three new Watershed Planners were hired;
- e) A Manager of Planning & Development was hired from internal staff;
- f) Interviews are occurring for a Senior Planning Ecologist; and
- g) Additional staffing needs for planning, permitting and regulations is currently under review.

With the new staffing, improvements to our data management software CityView in 2021, NPCA will be in a better position to meet our Client Service requirements for our watershed.

Financial Implications:

All works carried out during were part of the approved 2020 budget.

Related Reports and Appendices:

Appendix 1 – Planning and Permitting 2020 Final Statistics

Authored by:

Original Signed by:

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

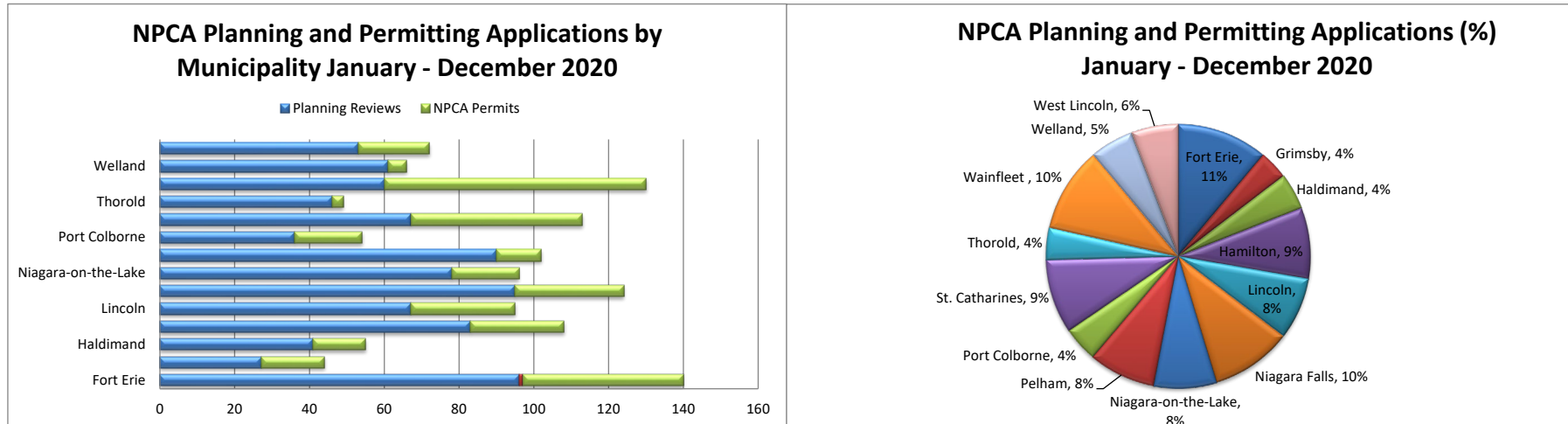
Submitted by:

Original Signed by:

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

Prepared with input from D. Deluce, Senior Manager, Planning & Regulations and J. Culp, Supervisor Compliance & Enforcement

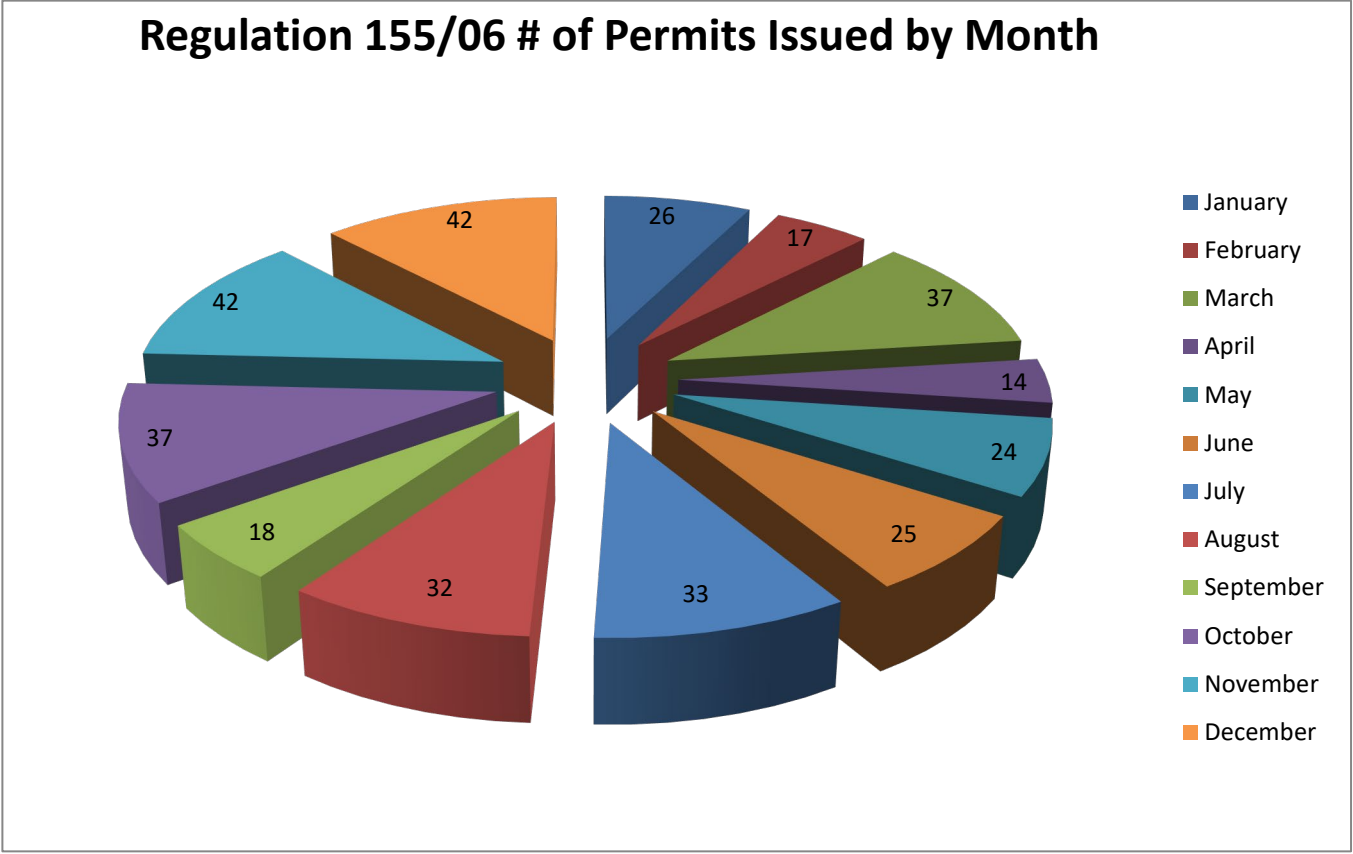
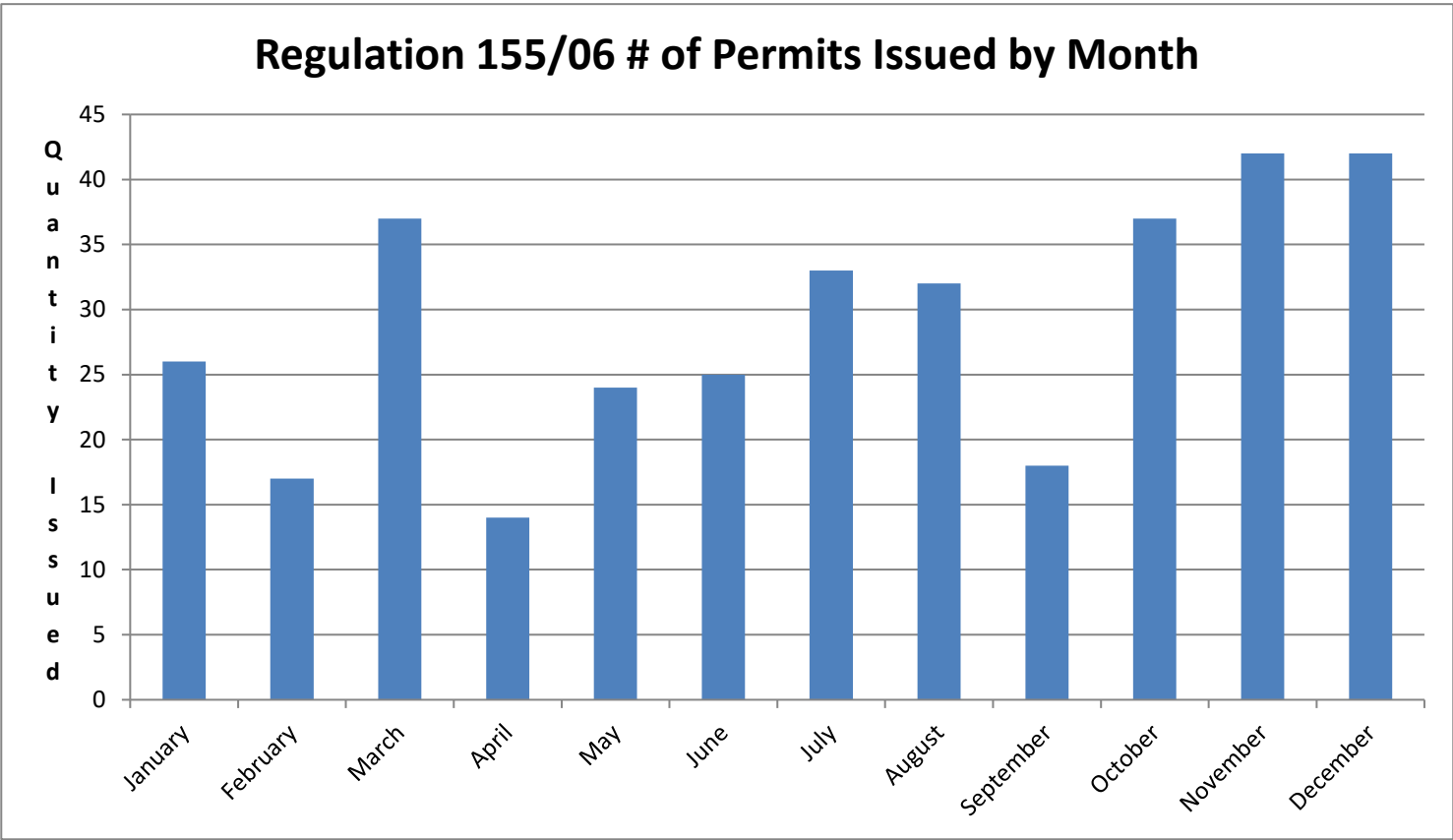
PLANNING AND PERMITTING COMBINED APPLICATIONS JANUARY TO DECEMBER 2020



Municipality	Planning Reviews	NPCA Permits	Total	%
Fort Erie	96	43	139	11%
Grimsby	27	17	44	4%
Haldimand	41	14	55	4%
Hamilton	83	25	108	9%
Lincoln	67	28	95	8%
Niagara Falls	95	29	124	10%
Niagara-on-the-Lake	78	18	96	8%
Pelham	90	12	102	8%
Port Colborne	36	18	54	4%
St. Catharines	67	46	113	9%
Thorold	46	3	49	4%
Wainfleet	60	70	130	10%
Welland	61	5	66	5%
West Lincoln	53	19	72	6%
Total	900	347	1247	100%

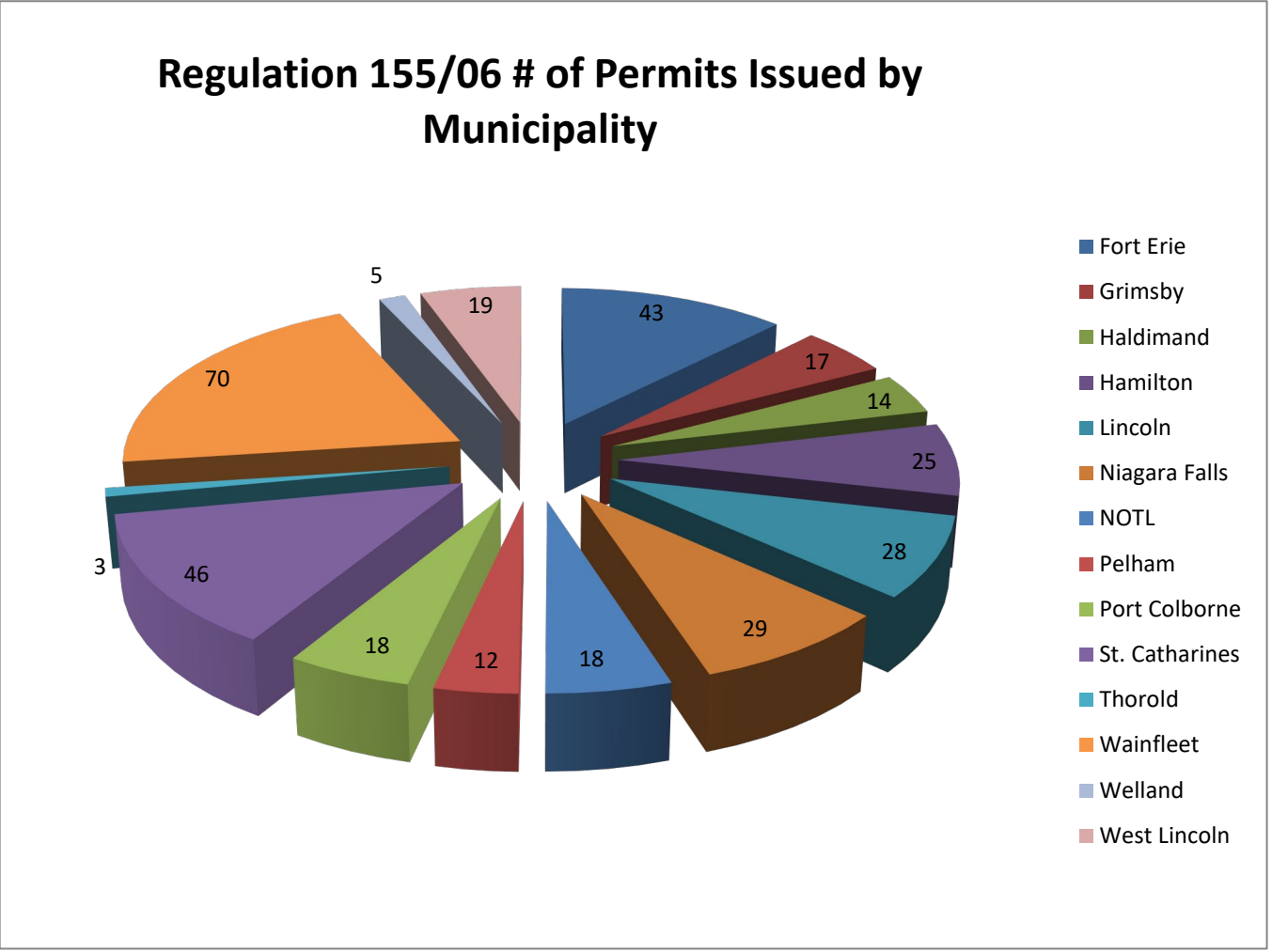
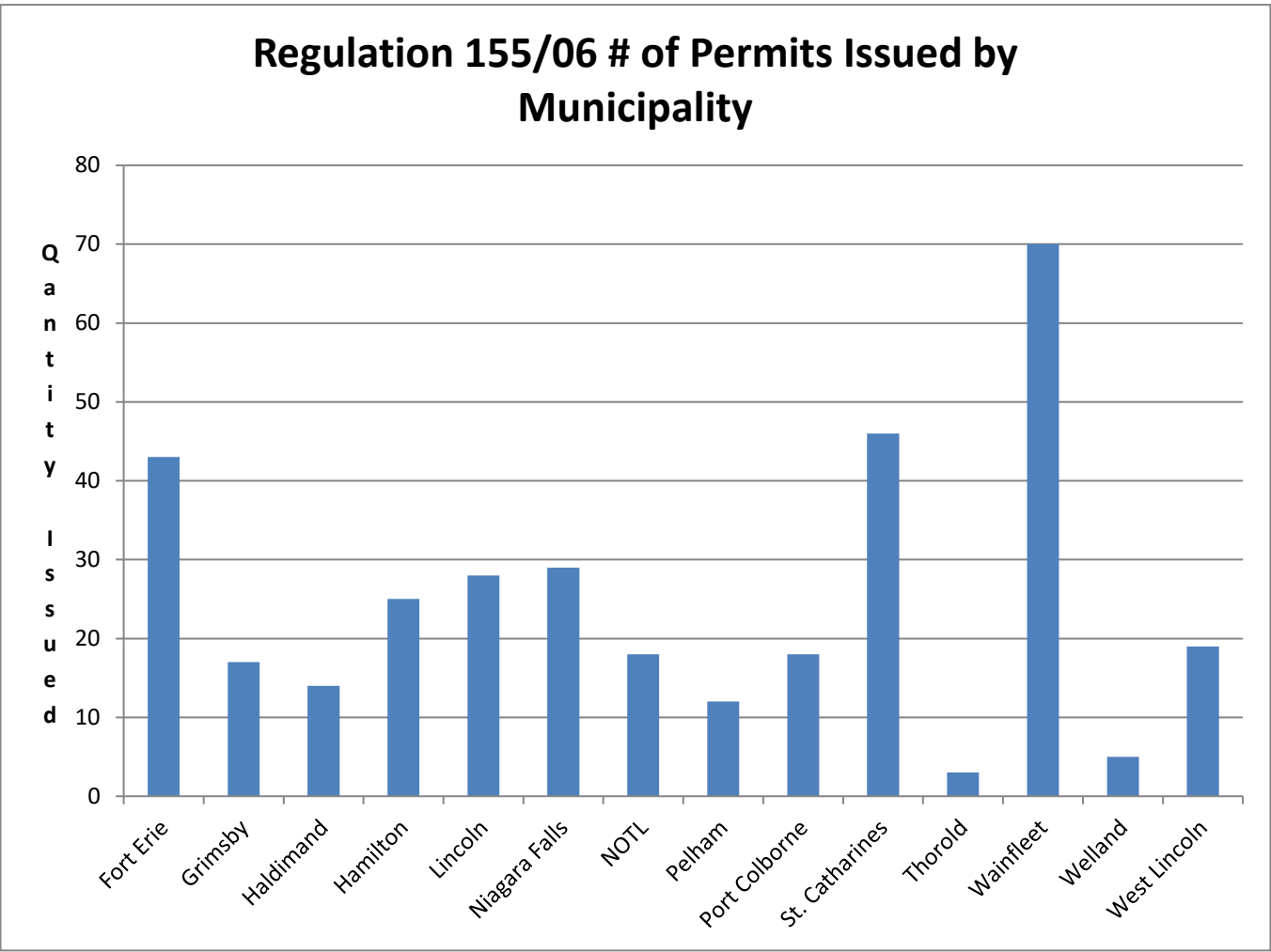
REGULATION 155/06 PERMITS ISSUED BY MONTH

Month	# of Permits Issued	% of Permits/Month
January	26	7%
February	17	5%
March	37	11%
April	14	4%
May	24	7%
June	25	7%
July	33	10%
August	32	9%
September	18	5%
October	37	11%
November	42	12%
December	42	12%
Total Issued	347	100%



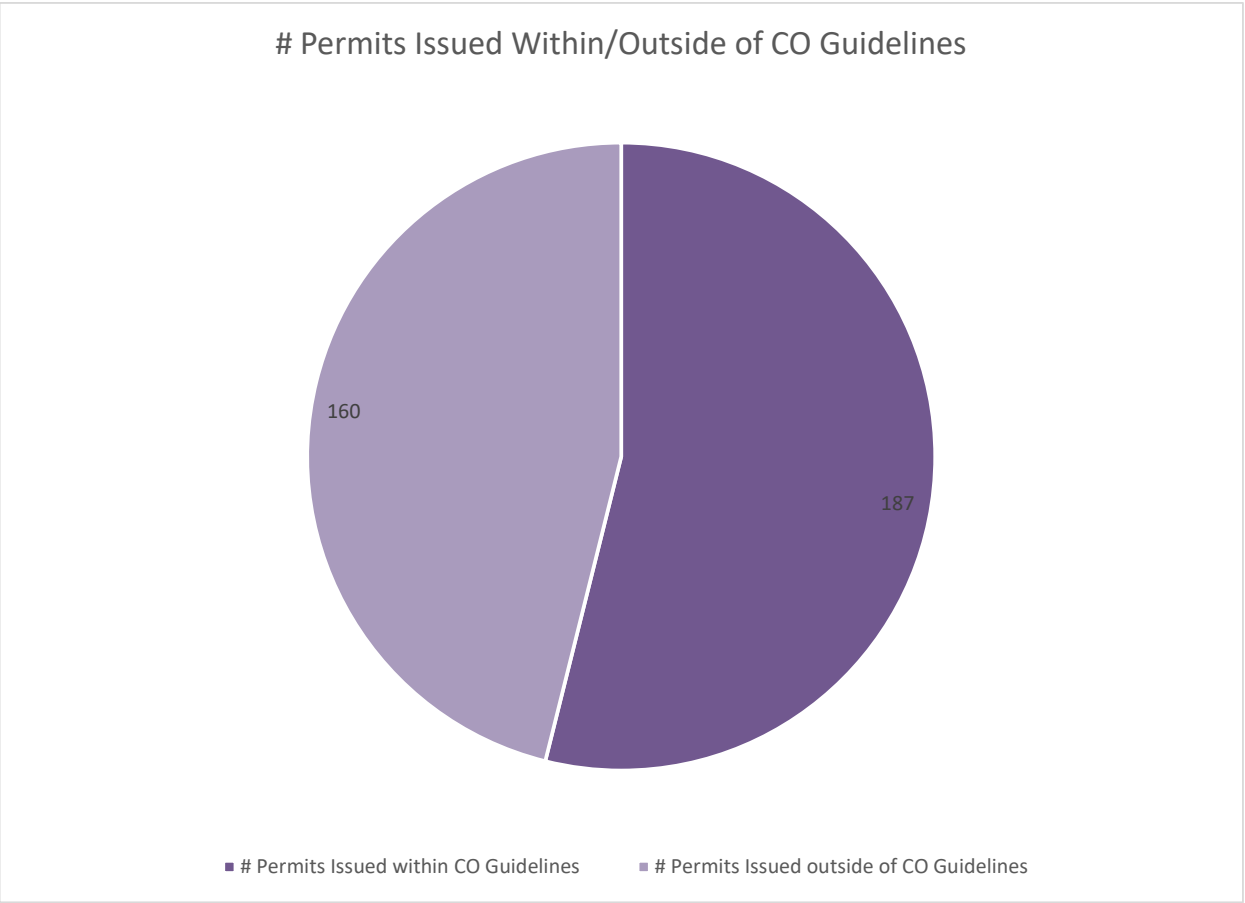
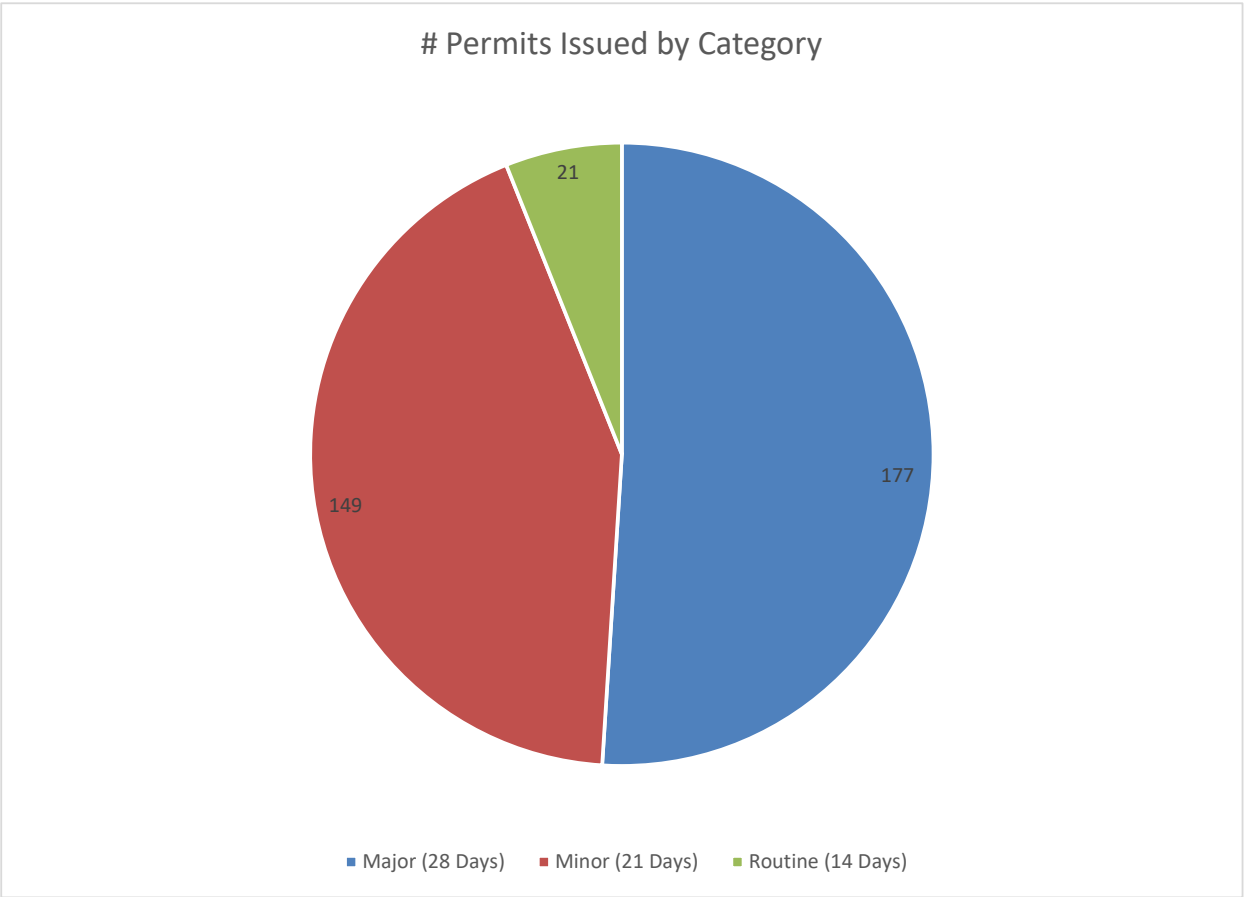
REGULATION 155/06 PERMITS ISSUED BY MUNICIPALITY

Municipality	# of Permits Issued	% of Permits
Fort Erie	43	12%
Grimsby	17	5%
Haldimand	14	4%
Hamilton	25	7%
Lincoln	28	8%
Niagara Falls	29	8%
NOTL	18	5%
Pelham	12	3%
Port Colborne	18	5%
St. Catharines	46	13%
Thorold	3	1%
Wainfleet	70	20%
Welland	5	1%
West Lincoln	19	5%
Total Issued	347	100



PERMIT PROCESSING TIME FROM COMPLETE APPLICATION SUBMISSION

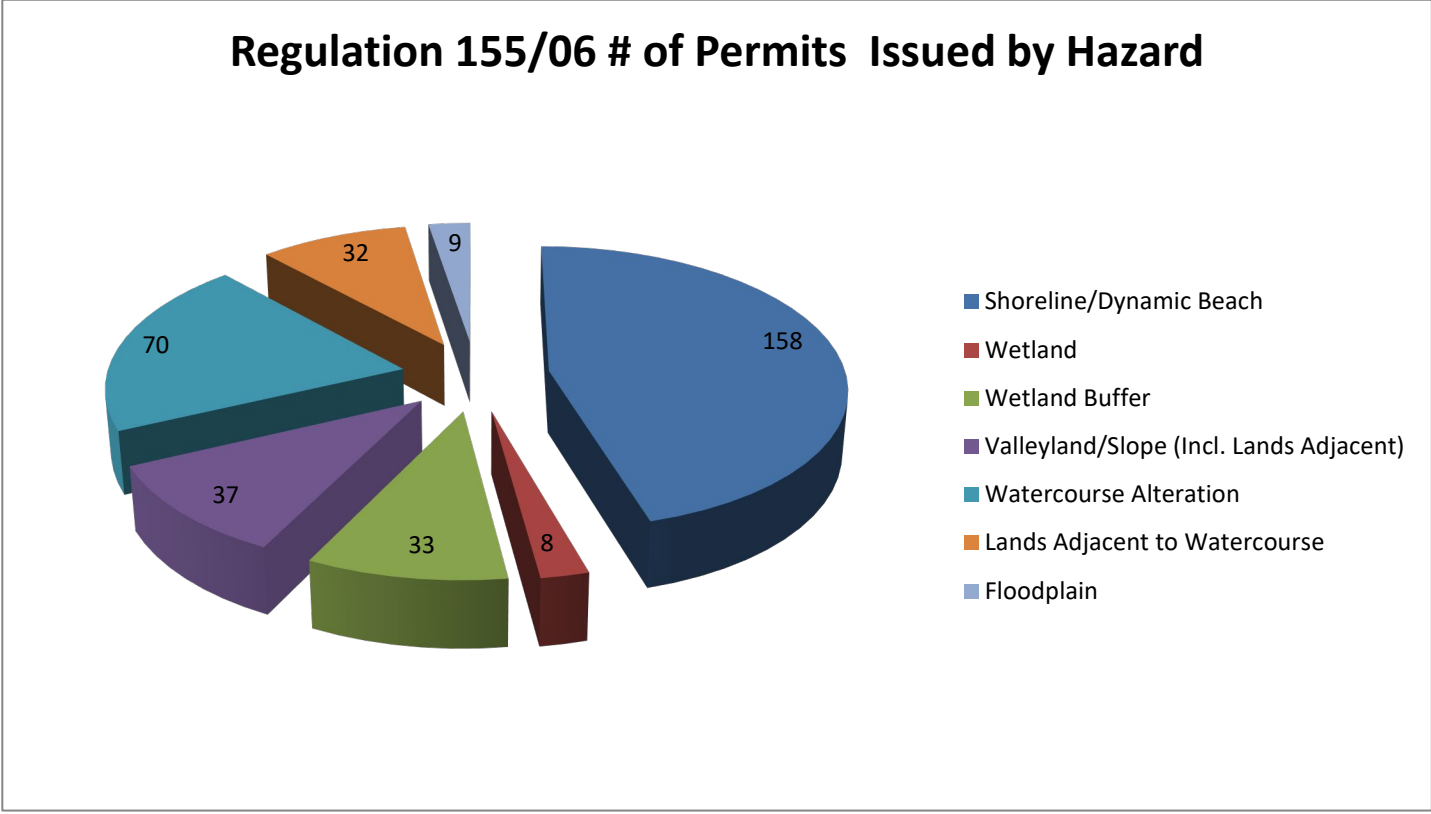
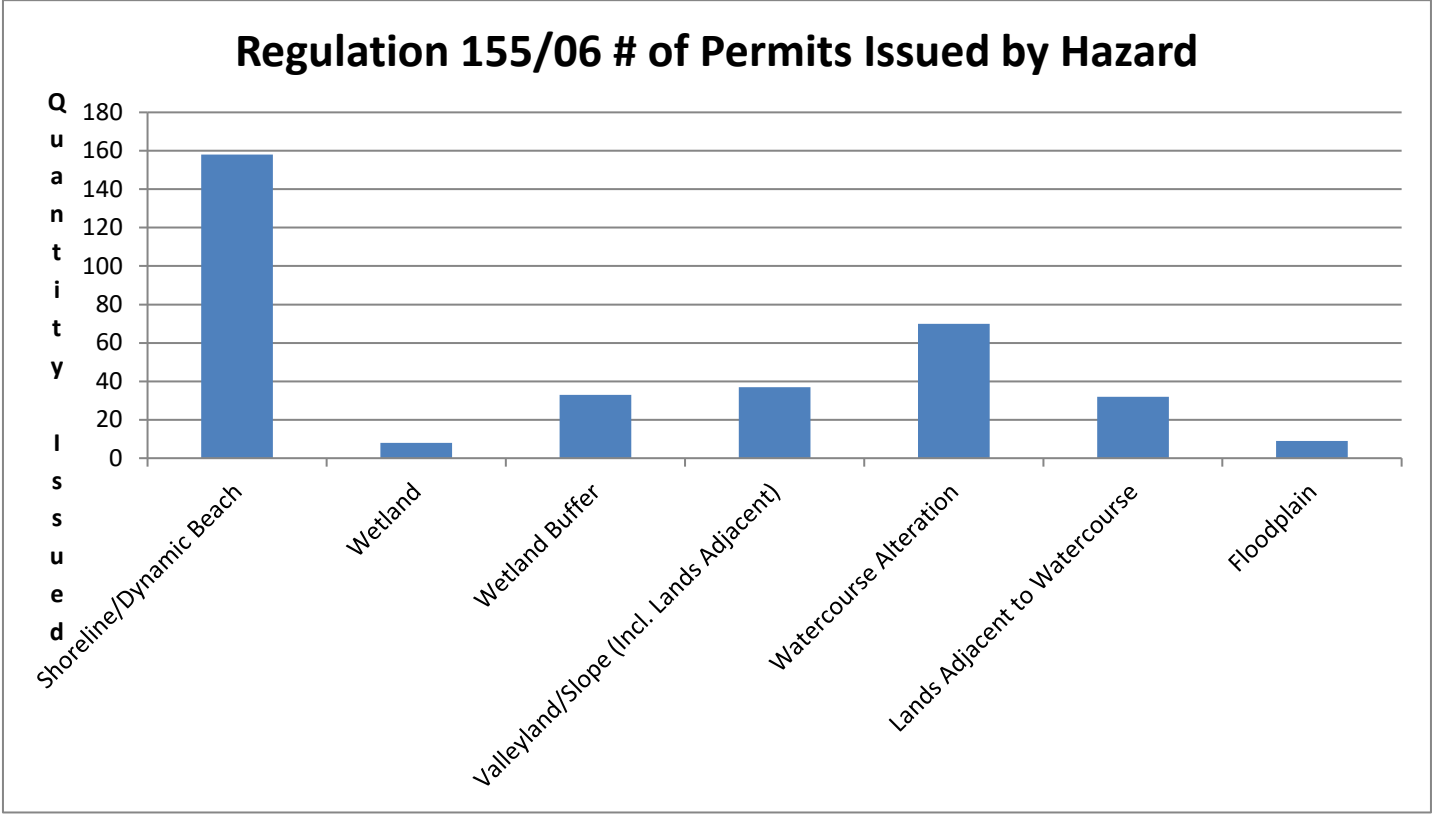
Permit Category	# of Permits Issued	% Permits by Class	# Permits Issued within CO Guidelines	# Permits Issued outside of CO Guidelines	% Permits Issued within CO Guidelines	% Permits Issued outside of CO Guidelines
Major (28 Days)	177	51%	103	74	58%	42%
Minor (21 Days)	149	43%	68	81	46%	54%
Routine (14 Days)	21	6%	16	5	76%	24%
Total Reviews	347	100%	187	160	54%	46%
Total Review Days	12128					
Overall Average Time to Process	35					



PERMITS ISSUED BY HAZARD/HERITAGE FEATURE

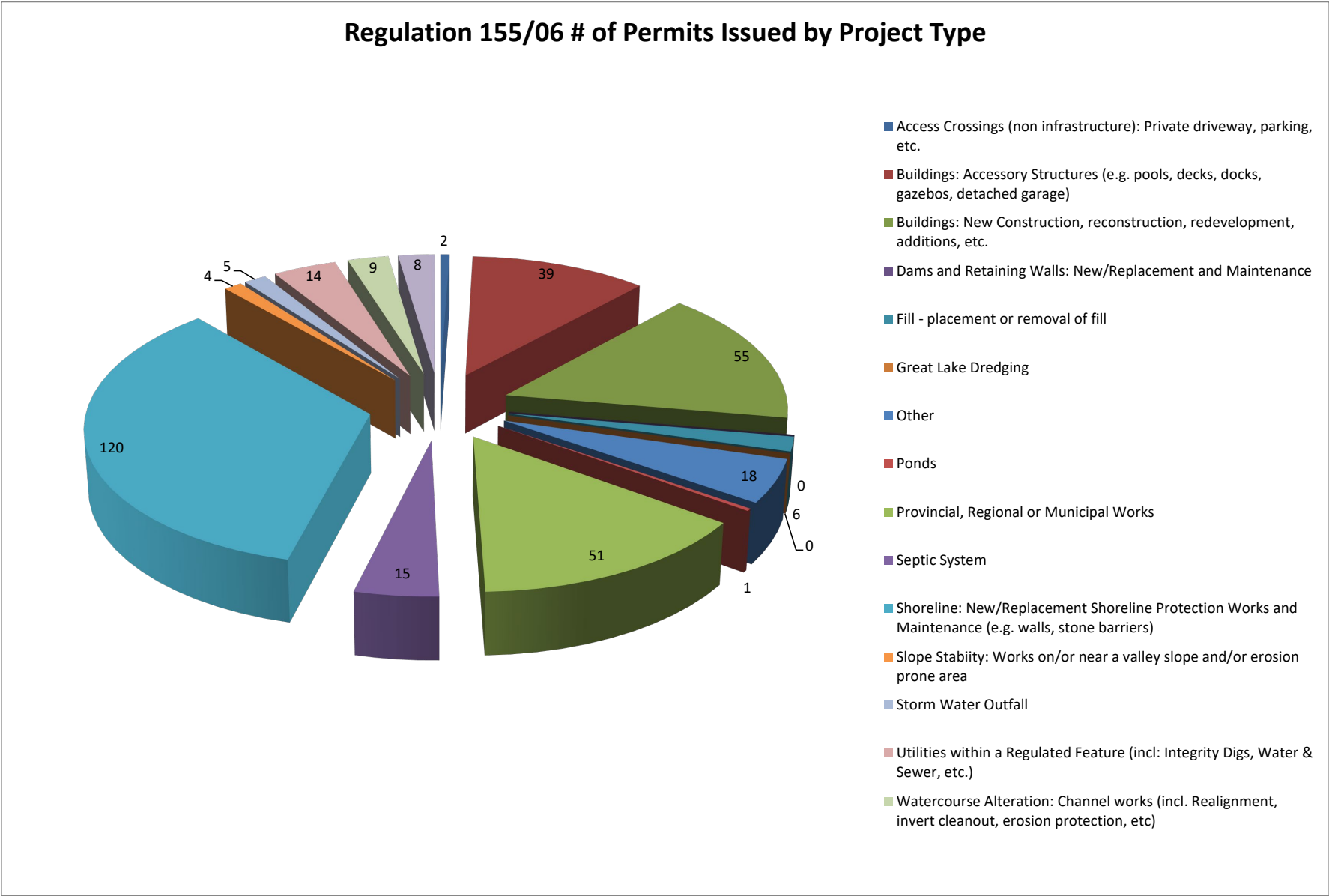
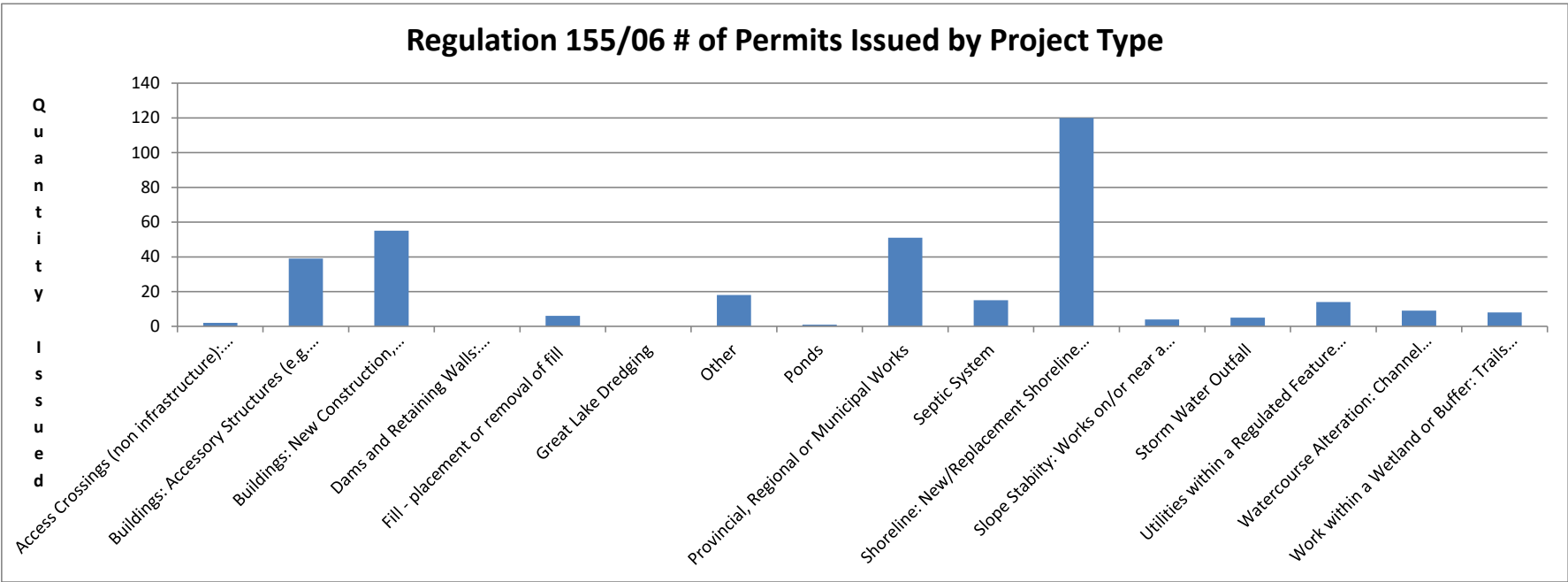
Feature	# of Permits Issued	% of Permits
Shoreline/Dynamic Beach	158	46%
Wetland	8	2%
Wetland Buffer	33	10%
Valleyland/Slope (Incl. Lands Adjacent)	37	11%
Watercourse Alteration	70	20%
Lands Adjacent to Watercourse	32	9%
Floodplain	9	3%
Total Issued	347	100%

Please Note: Each permit application can have more than 1 hazard identified, however, only one was chosen per application



PERMITS ISSUED BY TYPE OF PROJECT

Purpose of Project	# of Permits Issued	% of Permits Per Project Type
Access Crossings (non infrastructure): Private driveway, parking, etc.	2	1%
Buildings: Accessory Structures (e.g. pools, decks, docks, gazebos, detached garage)	39	11%
Buildings: New Construction, reconstruction, redevelopment, additions, etc.	55	16%
Dams and Retaining Walls: New/Replacement and Maintenance	0	0%
Fill - placement or removal of fill	6	2%
Great Lake Dredging	0	0%
Other	18	5%
Ponds	1	0%
Provincial, Regional or Municipal Works	51	15%
Septic System	15	4%
Shoreline: New/Replacement Shoreline Protection Works and Maintenance (e.g. walls, stone barriers)	120	35%
Slope Stabiity: Works on/or near a valley slope and/or erosion prone area	4	1%
Storm Water Outfall	5	1%
Utilities within a Regulated Feature (incl: Integrity Digs, Water & Sewer, etc.)	14	4%
Watercourse Alteration: Channel works (incl. Realignment, invert cleanout, erosion protection, etc)	9	3%
Work within a Wetland or Buffer: Trails or other items not categorized	8	2%
Total Issued	347	100%



Report To: Board of Directors

Subject: Compliance and Enforcement 2020 Year End Summary

Report No: FA-03-21

Date: January 21, 2021

Recommendation:

THAT Report No. FA-03-21 RE: Compliance and Enforcement 2020 Year End Summary **BE RECEIVED.**

Purpose:

The purpose of this report is to provide the Board with an overview summary of the activities related to the Compliance and Enforcement within NPCA Jurisdiction.

Background:

The Compliance and Enforcement Service Area at the Niagara Peninsula Conservation Authority (NPCA) plays a pivotal role in the protection and conservation of wetlands, shorelines and escarpment areas in the NPCA jurisdiction. The overall goal is to protect life and property from natural hazards such as flooding and erosion.

The NPCA Regulations team currently consists of 4 staff: the Watershed Forester, two Regulations Officers and a Supervisor. Regulations staff for the NPCA must pass an approved training course to execute their authority from the Conservation Authorities Act and Ontario Regulation 155/06 "Regulation of Development, Interference with Wetlands, and Alteration to Shorelines and Watercourses" as well as the Provincial Offences Act. NPCA Officers are also designated Provincial Offences Officers and are appointed as officers of the Conservation Authority by the NPCA Board of Directors.

Discussion:

2020 Year in Review

As with many aspects of the NPCA's operations, compliance and enforcement activities were and continue to be adversely impacted by the COVID-19 pandemic. Health and safety concerns with conducting site inspections, remote work requirements, and the temporary closure and limited

capacity of the Provincial Courts have all impacted staff's capabilities to coordinate compliance and enforcement processes. This has increased the number of files which are still under review due to an initial backlog of files from earlier in 2020. Discussions with regulations staff from other Conservation Authorities indicates that this is not a problem unique to the NPCA.

A significant challenge for Regulations staff throughout 2020 continued to be the amount of time dedicated to managing public complaints which ultimately are not within the legislative jurisdiction of the Conservation Authority or are entirely illegitimate.

The Regulations team will be looking at opportunities to address these challenges in 2021 through a number of avenues including enhanced collaboration with other NPCA departments, external partner agencies and local municipalities to deliver effective compliance and enforcement under Section 28 of the Conservation Authorities Act.

Continuous Improvements

A range of continuous improvements related to process, procedure and documentation are also planned in 2021, including but not limited to: a renewed focus on abatement activities and issued Section 28 permits with non-compliance risks or concerns, implementation of the CityView Enforcement Module and CityView Mobile application and the completion and implementation of complaint, compliance and enforcement response procedures.

Additionally, the Regulations and Compliance Committee of Conservation Ontario is currently working on the development of Standard Operating Procedures for all Conservation Authorities in relation to Section 28 and Section 29 enforcement activities. NPCA staff participate on this committee. These activity specific SOPs will form part of the revised Conservation Authority Enforcement Manual (and new NPCA Procedural Manual) which was last updated in 2011. Both the SOPs and the revised manual are expected to be completed in 2021. However, any continued delays by the Provincial government in proclaiming existing sections of the Conservation Authorities Act or developing a regulation(s) resulting from recent changes to the act, will likely impact the completion of both the SOPs and the revised manual due to legislative uncertainty.

Compliance and Enforcement Statistics

The Regulations team tracks a significant amount of data in relation to each complaint and potential violation reported to and investigated by staff. This is done both to support progressive compliance or enforcement actions if required, provide all Regulations staff with access to pertinent file data, and to identify and assess on-going or continuing concerns, trends, and resourcing requirements. These statistics are only for Section 28 complaints and violations and do not include concerns in relation to Section 29 of the Conservation Authorities Act (Conservation Authority properties) or the Niagara Region Tree and Forest Conservation Bylaw which the NPCA administered in 2020.

Quarterly updates on abatement, compliance and enforcement statistics will also be provided to the Board in April, July and October in 2021.

The statistics below are from January 1, 2020 to December 31, 2020.

General File Statistics

Total number of complaints/violations received by Regulations staff = 225

Number of open regulations files = 120

Number of closed regulations files = 105

Complaint Validity

Total number of complaints investigated and determined to be within NPCA jurisdiction = 87

Total number of complaints under review = 97

Total number of complaints not within NPCA jurisdiction or frivolous = 41

Of the 225 total complaints, those specifically related to NPCA permit non-compliance = 11

Complaint/Violation Avenues

Voicemail / phone = 51

Email to staff or TIPS email online = 80

Personal / Professional Communication = 22

Officer Found (no complaint received) = 16

Other/NA = 56

Notices of Violation

Issued = 28

Resolved = 11

Complaints/Violations by Municipality in 2020

Fort Erie = 37

Grimsby = 7

Haldimand = 11

Hamilton = 18

Lincoln = 20

Pelham = 9

Niagara Falls = 17

Niagara-On-The-Lake = 8

Port Colborne = 16

St. Catharines = 19

Thorold = 15

Wainfleet = 25

Welland = 11

West Lincoln = 7

Unknown = 5 (due to anonymous complaints with no location information)

Compliance and Enforcement concerns and complaints increased significantly in 2020. For comparison, in 2019 the Regulations team received 110 complaints/violations and issued 14 Notices of Violation.

Financial Implications:

There are no additional financial implications for the day-to-day operations of the Regulations Officers as their work is accounted for in the 2021 budget. However, should any complaint or violation proceed to the issuance of a summons and court proceedings, there will be costs associated with these activities. As development pressures increase throughout NPCA's jurisdiction, there will be need for increased abatement, compliance and enforcement presence including follow-up on issued Section 28 permits. This may lead to a requirement for additional compliance and enforcement staff which would be a future financial impact. Staff's commitment to enhanced statistical reporting, recording and analysis of compliance and enforcement related data will assist in quantifying resource and staffing requirements moving forward.

Links to Policy/Strategic Plan:

The duties carried out by the Compliance and Enforcement business unit are part of the Niagara Peninsula Conservation Authority's mandate and are essential to our watershed.

Authored by:

Original Signed by:

Jason Culp, C.Tech., EP
Supervisor, Compliance & Enforcement

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

Report To: Board of Directors

Subject: 2021 Restoration Project Approvals - First 2021 Application Intake

Report No: FA-04-21

Date: January 21, 2021

Recommendation:

1. **THAT** Report No. FA-04-21 RE: 2021 Restoration Project Approvals- First 2021 Application Intake **BE RECEIVED**.
2. **AND THAT** restoration projects selected from the First 2021 Application intake (as per Appendix 1) **BE APPROVED**.

Purpose:

The purpose of this report is to seek the Board of Directors approval of restoration projects selected from the first 2021 application intake for the NPCA Restoration Grant Program. All restoration projects have been reviewed and recommended for approval by the standing Staff Restoration Program Review Committee.

Background:

In the fall of 2020, the NPCA initiated a first call for applications for the Restoration Grant Program for projects to be completed in 2021. On November 9, 2020, seventy-three (73) applications were received from landowners and partner agencies. The applications were reviewed, evaluated and brought forward to the standing Staff Restoration Program Review Committee in January 2021.

A second and final intake date is scheduled for February 1st, 2021. Applications will still be received throughout the year in the event funding becomes available or for consideration in 2022.

Discussion:

At the January 5th, 2021 NPCA Restoration Program Review Committee meeting, staff selected six (6) projects that required infilling or replanting and forty (40) of the 73 applications received to submit for Board approval. (See Appendix 1.) Partnerships from this round of applications include Trout Unlimited Canada - Niagara Chapter, Land Care Niagara, Forests Ontario, and Ducks Unlimited Canada.

In total the projects selected will result in 18.86 ha of reforestation, 3 ha of existing forest restoration, 2.16 ha of wetlands creation, 3.1km of new or improved hedgerows, 1.36 ha of riparian restoration and 3 agricultural best management practices projects.

Additionally, due to extenuating circumstances twenty-two (22) projects and related funding from the 2020 year have been carried over to 2021.

Finally, in keeping with the Guiding Principles of the Restoration Program, staff continue to engage with several significant traditional and new partner organizations. These partnerships allow the NPCA and our partners to leverage funds and organizational capacities to efficiently and effectively deliver on current priorities and build capacity for future partnerships. Staff continue to work on negotiating Memorandums of Understanding with relevant partners.

Financial Implications:

The NPCA provides a portion of the costs for approved projects. Contributions are required from landowners and/or other partners.

Total NPCA projected contributions to the selected 46 projects total \$203,481.65 funded from the NPCA 2021 Restoration Program budget. This projected number may decrease with the confirmation of potential partner funding to be finalized in the coming months. A significant leveraging of NPCA investment is demonstrated in these projects. (Appendix 1).

The 2021 Budget allocated for restoration projects is \$255,000. Projections to year end indicate that approximately \$51,518.35 remains to be allocated to approved projects after the second 2021 intake in February.

The funds for the twenty-two 2020 projects totaling \$63,746.75 have been carried over from the 2020 budget and have no financial implications for the 2021 budget.

Related Reports and Appendices:

Appendix 1- Management Approved Restoration Projects for January 2021

Authored by:

Original Signed by:

Stuart McPherson
Restoration Specialist

Reviewed by:

Original Signed by:

Geoff Verkade
Senior Manager, Integrated Watershed Planning/
Information Management

Reviewed by:

Original Signed by:

Lise Gagnon, CPA, CGA
Director, Corporate Services

Submitted by:

Original Signed by:

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

Appendix 1- Management Approved Resotration Projects for January 2021

Project Number	Project Type	Project Description	Watershed	Municipality	Potential Partner	Partner Projected Funds	Landowner Projected Cost	NPCA Projected Cost	Total Estimated Cost	NPCA %
RP202103001	Tree Planting	6 ac tree planting	40 Mile Creek	Grimsby	LCN	\$2,856.00	\$1,320.00	\$3,960.00	\$8,136.00	48.67%
RP202104001	Instream/Riparian Habitat Restoration	1500m2 riparian restoration	12 Mile Creek	Thorold	TUC	TBD	\$3,334.00	\$10,000.00	\$13,334.00	75.00%
RP202103002	Tree Planting	2.4 ac tree planting	12 Mile Creek	Pelham	LCN	\$2,284.80	\$1,056.00	\$3,168.00	\$6,580.08	48.15%
RP202104002	Instream/Riparian Habitat Restoration	1000m2 Riparian buffer	Richardson's Creek	St. Catharines			\$522.63	\$1,567.88	\$2,090.50	75.00%
RP202101001	Livestock Restriction	Buffer planting	Six Mile Creek	Fort Erie			\$1,906.88	\$5,720.63	\$7,627.50	75.00%
RP202104003	Instream/Riparian Habitat Restoration	1.6 ac riparian buffer	Sixteen Mile Creek	Lincoln	FO	\$1,500.00	\$750.00	\$2,250.00	\$4,500.00	50.00%
RP202102005	Conservation Farm Practices	500m Hedgerow planting	Beaver Creek	Fort Erie			\$250.00	\$750.00	\$1,000.00	75.00%
RP202105003	Wetland Restoration	Wetland expansion 0.5ac	Coyle Creek	Pelham	DUC	\$3,500.00	\$3,362.50	\$10,087.50	\$16,950.00	59.51%
RP202105004	Wetland Enhancement	Planting along expanded wetland	Coyle Creek	Pelham	LCN/FO		\$1,614.50	\$4,843.50	\$8,362.00	57.92%
RP202107001	Nutrient Management	Clean Water Diversion	Twenty Mile Creek	Grimsby			\$565.00	\$1,695.00	\$2,260.00	57.92%
RP202108001	Water Conservation	Converting from overhead to trickle irrigation	Twenty Mile Creek	Lincoln			\$61,670.00	\$5,000.00	\$66,670.00	7.50%
RP202105005	Wetland Restoration	0.34ac Wetland excavation	Lyon's Creek	Welland			\$3,672.50	\$11,017.50	\$14,690.00	75.00%
RP202105006	Wetland Enhancement	Planting around created wetland	Lyon's Creek	Welland			\$1,017.00	\$3,051.00	\$4,068.00	75.00%
RP202105001	Wetland Restoration	1.2 ac Wetland creation	Forty Mile Creek	West Lincoln	DUC	\$5,000.00	\$2,500.00	\$7,500.00	\$15,000.00	50.00%
RP202105002	Wetland Enhancement	Wetland planting	Forty Mile Creek	West Lincoln			\$375.00	\$1,125.00	\$1,500.00	75.00%
RP202104006	Instream/Riparian Habitat Restoration	Grassed waterway creation	Wolf Creek	West Lincoln			\$3,334.00	\$10,000.00	\$13,334.00	75.00%
RP202105007	Wetland Restoration	0.5 ac Wetland creation	Wolf Creek	West Lincoln	DUC	\$5,000.00	\$4,965.00	\$14,895.00	\$24,860.00	59.92%
RP202105008	Wetland Enhancement	Planting around created wetland	Wolf Creek	West Lincoln			\$565.00	\$1,696.00	\$2,260.00	75.04%
RP202104004	Instream/Riparian Habitat Restoration	0.85 ac riparian planting	Twenty Mile Creek	West Lincoln	FO	\$1,000.00	\$2,250.00	\$6,750.00	\$10,000.00	67.50%
RP202103013	Tree Planting	2.25 ha forest restoration	Lake Ontario 32	Grimsby			\$600.00	\$1,800.00	\$2,400.00	75.00%
RP202103011	Tree Planting	Planting trees in Malcolmsen Eco Park	North Canal	St. Catharines	NCF	\$1,000.00	\$375.00	\$1,125.00	\$2,500.00	45.00%
RP202103003	Tree Planting	1 ac tree planting	Black Creek	Fort Erie	LCN	\$1,856.00	\$644.00	\$1,932.00	\$4,432.00	43.59%
RP202103004	Tree Planting	6.5 ac tree planting	40 Mile Creek	West Lincoln	LCN	\$6,032.00	\$2,025.50	\$6,076.50	\$14,134.00	42.99%
RP202103005	Tree Planting	10 ac tree planting	20 Mile Creek	Lincoln	LCN	\$9,280.00	\$3,100.00	\$9,300.00	\$21,680.00	42.90%
RP202102001	Conservation Farm Practices	Hedgerow Planting 550m	Campden Creek	Lincoln	LCN	\$1,102.00	\$394.56	\$1,183.69	\$2,680.25	44.16%
RP202102002	Conservation Farm Practices	Hedgerow Planting 1100m	Vineland Drain	Lincoln	LCN	\$1,856.00	\$644.00	\$1,932.00	\$4,432.00	43.59%
RP202102003	Conservation Farm Practices	Hedgerow Planting 450m	Big Forks Creek	Wainfleet	LCN	\$1,392.00	\$490.50	\$1,471.50	\$3,354.00	43.87%
RP202102004	Conservation Farm Practices	Hedgerow Planting 500m+	12 Mile Creek	Pelham	LCN	\$2,320.00	\$797.50	\$2,392.50	\$5,510.00	43.42%
RP202103007	Tree Planting	2.1 ac tree planting	CWR	Wainfleet	LCN	\$1,856.00	\$644.00	\$1,932.00	\$4,432.00	43.59%
RP202103008	Tree Planting	7.5 ac tree planting	20 Mile Creek	West Lincoln	LCN	\$2,332.50	\$6,960.00	\$6,997.50	\$16,290.00	42.96%
RP202103009	Tree Planting	4 ac tree planting	4 Mile Creek	Niagara-on-the-lake	LCN	\$3,712.00	\$1,258.00	\$3,774.00	\$8,744.00	43.16%
RP202104007	Tree Planting	0.9 ac tree planting	Twelve Mile Creek	Thorold	TUC/FO	\$930.00	\$775.00	\$2,325.00	\$4,000.00	58.13%
RP202103006	Tree Planting	4.2 ac tree planting	Twelve Mile Creek	Pelham	TUC/FO	\$5,392.00	\$1,348.00	\$4,044.00	\$11,390.00	35.50%
RP202105009	Wetland Restoration	1.3 ac wetland	Beaver Dam Drain	Port Colborne	DUC	\$10,000.00	\$16,968.20	\$15,000.00	\$41,968.00	35.74%
RP202105010	Wetland Enhancement	1.3 ac wetland enhancement	Beaver Dam Drain	Port Colborne			\$1,017.00	\$3,051.00	\$4,068.00	75.00%
RP202104005	Tree Planting	2 ac tree planting	Black Creek	Fort Erie	FO	\$580.00	\$561.25	\$1,683.75	\$2,825.00	59.60%
RP202105011	Wetland Restoration	1.5 ac wetland creation	Beaver Creek	Fort Erie	DUC	\$5,000.00	\$2,500.00	\$7,500.00	\$15,000.00	50.00%
RP202105012	Wetland Enhancement	Wetland enhancement	Beaver Creek	Fort Erie			\$500.00	\$1,500.00	\$2,000.00	75.00%
RP202104008	Instream/Riparian Habitat Restoration	0.3ac riparian planting	20 Mile - Spring Creek	Lincoln			\$375.00	\$1,125.00	\$1,500.00	75.00%
RP202103014	Tree Planting	2ac tree planting	16 Mile Creek	West Lincoln			\$500.00	\$1,500.00	\$2,000.00	75.00%
						\$75,781.30	\$137,507.52	\$182,722.45	\$398,561.33	

REPLANTING											
RP201904002	Instream/Riparian Habitat Restoration	Replanting						\$0.00	\$960.50	\$960.50	100.00%
RP201904003	Instream/Riparian Habitat Restoration	Replanting				FO	\$1,428.00	\$0.00	\$5,465.00	\$6,893.00	79.28%
RP202003003	Tree Planting	Infill	Coyle Creek	Pelham		FO	\$1,276.00	\$0.00	\$2,493.71	\$3,769.71	66.15%
RP202004007	Instream/Riparian Habitat Restoration	Replanting	12 Mile Creek	Pelham		FO	\$1,160.00	\$0.00	\$2,687.50	\$3,847.50	69.85%
RP202004009	Instream/Riparian Habitat Restoration	Replanting	12 Mile Creek	Thorold		FO	\$1,740.00	\$0.00	\$4,180.49	\$5,920.49	70.61%
RP202006001	Upland Habitat Restoration	Replanting	Coyle Creek	Pelham				\$0.00	\$4,972.00	\$4,972.00	100.00%
							\$5,604.00	\$0.00	\$20,759.20	\$26,363.20	
							Total	\$81,385.30	\$137,507.52	\$203,481.65	\$424,924.53

Report To: Board of Directors

Subject: Postponement of the February 2021 Annual General Meeting to June 2021

Report No: FA-05-21

Date: January 21, 2021

Recommendation:

1. **THAT** Report No. FA-05-21 RE: Postponement of the February 2021 Annual General Meeting to June 2021 **BE RECEIVED**.
2. **THAT** the provisions of the Administrative By-law with respect to convening the Annual General Meeting **BE WAIVED**.
3. **THAT** the NPCA Annual General Meeting **BE RESCHEDULED** for June of 2021.
4. **THAT** elections for the position of Board Chair and Vice Chair of the Board normally conducted at the Annual General Meeting **BE DEFERRED** until said Annual General Meeting of the Board to be held in June of 2021 with the current Board Chair and Vice Chair remaining in place until that time.
5. **THAT** the current term of Board Members appointed to Committees, along with the term of each respective NPCA Committee Chair and Vice Chair **BE EXTENDED** until the end of 2021 and formally reconfirmed at the June 2021 AGM.
6. **THAT** the appointments to Niagara Peninsula Conservation Foundation and Conservation Ontario Council **BE EXTENDED** until the end of 2021 and formally reconfirmed at the June 2021 Annual General Meeting.

Purpose:

The purpose of this report is to:

- Obtain direction to reschedule the Niagara Peninsula Conservation Authority Board of Directors' Annual General Meeting (AGM) to June of 2021;
- To extend the current term of the Board Chair and Vice Chair until the June 2021 Annual General Meeting;
- To keep the current composition and structure of the NPCA Committees and appointments unchanged until the end of 2021.
- To keep the appointments to Niagara Peninsula Conservation Foundation and Conservation Ontario unchanged until the end of 2021.

Background and Discussion:

Rules regarding Conservation Authority Meetings and Election of Chair are provided in S.15 (1) and S.17 (1) respectively of the Conservation Authority Act as below:

Meetings of authority 15 (1) *The first meeting of an authority shall be held at such time and place as may be determined by the Minister and, in each year thereafter, the authority shall hold at least one meeting before the 1st day of March and at least one meeting after the 1st day of July and such other meetings as it considers necessary to effectively conduct the affairs of the authority. R.S.O. 1990, c. C.27, s. 15 (1).*

Chair, vice-chair 17 (1) *At the first meeting held in each year or at such other meeting as may be specified by the authority's by-laws, the authority shall appoint a chair and one or more vice-chairs from among the members of the authority. 1996, c. 1, Sched. M, s. 43; 2017, c. 23, Sched. 4, s. 14.*

Further guidance on the Annual General Meeting and procedures for Election of Chair and Vice Chair is provided in the Board approved Administrative By-Law dated October 22, 2020 Section 2.

Annual Meeting

- 2.1** *The annual meeting of the NPCA Board will occur on the third Wednesday of February.*
- 2.2** *Appointed members will continue to serve on the NPCA Board until the CAO / Secretary – Treasurer receives written notice that the respective members have been re-appointed or the respective members have been replaced by another appointment.*
- 2.3** *At this meeting, the election of the Chair and Vice-Chair shall occur in accordance to Appendix 2 – Procedure for Election of Officers.*
- 2.4** *Other matters considered at the Annual General Meeting include appointments to Conservation Ontario, Standing and Ad Hoc Committees, Borrowing Resolution, NPCA Signing Authorities, appointment of auditor, and approval of the schedule of meetings for the upcoming year.*

In the fall of 2020, NPCA staff began making preparations to host electronic Board meetings at the Ball's Falls Centre for Conservation with the option to allow select staff and a predetermined number of Members to attend proceedings in person. The intention was to have this structure implemented for the January 2021 Board meeting. It was also previously anticipated that a more conventional in-person meeting might ultimately be feasible in time for the Annual General Meeting in February.

With the latest provincial lockdown and an uncertain future for public gatherings however, it has become necessary to keep the existing practice for electronic meetings in effect and to revisit the processes and viability for conducting the AGM in February. In evaluating the current circumstances, staff considered technology and connectivity limitations with geographically dispersed participants

and other challenges (i.e. secret ballot voting) related to holding elections electronically with 21 Board Members. Staff continues to investigate appropriate technology to be deployed to a future AGM. With this in mind, staff is therefore recommending that the AGM including the Board Chair and Vice Chair election be postponed until June of 2021.

In addition to the election of the Board Chair and Vice-Chair, other matters specifically addressed at the Annual General Meeting include:

- Appointments to Conservation Ontario, Niagara Peninsula Conservation Foundation and Member appointments to internal Committees of the Board;
- Adoption of a borrowing resolution;
- Designation of NPCA signing authorities,
- Appointment of auditors; and
- Approval of the calendar of meetings for the upcoming year.

Staff is proposing that the existing composition and leadership structure of NPCA Board Committees remain unchanged for the 2021 calendar year with formal confirmation of continued membership at the June 2021 AGM. There are a number of advantages to keeping the Committee membership consistent for the duration of 2021.

Most notably, NPCA Committees typically meet quarterly. With this model, a Committee only meets four times before re-appointments occur and its structure and composition changes. This poses obvious challenges from the perspective of workflow and consistency. By allowing Committees to proceed in 2021 with their existing leadership structure and composition as established in 2020, this provides for an unabated continuation of their respective workplans. It is also important to note that under the Terms of Reference for each Committee, it remains permissible for additional member appointments to occur throughout the year if the Board so deems it to be beneficial. Regardless, under the Administrative By-law, Board Members are also allowed to attend any Committee meeting even if they are not formally appointed to its membership. (For additional clarification, the recommendations as contained in this report apply to Board Member appointments and do not interfere with appointment of members of the public to NPCA Committees and Subcommittees such as would be applicable with the Public Advisory Committee for example.)

Finally, the AGM usually sees adoption of a borrowing resolution, designation of NPCA signing authorities and the appointment of auditors (in this case for the 2022 examination of the 2021 financial statements). With respect to these items, staff recommends that it would also be beneficial to delay the Annual General Meeting for a number of reasons.

Foremost, the NPCA will need to go out to the public and seek financial auditing services in 2021 through the Requests for Proposal process. It will be difficult for the NPCA to be in a position to accomplish this in time for the appointment of auditor to occur at the AGM should the meeting proceed in February.

Staff also prefers to have a borrowing policy developed and in place before bringing a borrowing resolution forward to the Board for approval at the AGM. If the AGM were held in February, timing would therefore also be an issue.

Finally, in 2020 when signing authorities were designated, they were established in such a way as to preclude a specified time limitation and as such, there would be no need to update signing authority documentation as long as the Board Chair and Vice Chair remain unchanged. Therefore, if the terms of the Chair and Vice Chair are extended until June, the existing signing authority documentation remains valid and in effect.

Finally, the annual calendar of meetings can be approved at any Board meeting and need not coincide with the AGM should it be postponed until June. A staff report to approve a calendar of meetings is currently scheduled to be presented to the Board for approval in February of 2021.

Financial Implications:

There are no financial impacts to extending the length of the term for the Chair and Vice Chair of the Board, for delaying the AGM or for maintaining the current Committee structure and composition.

Related Reports and Appendices:

None.

Authored by:

Original Signed by:

Grant Bivol
Executive Co-ordinator to the CAO/Board

Submitted by:

Original Signed by:

Chandra Sharma, MCIP RPP
CAO/Secretary-Treasurer



**STRATEGIC PLANNING COMMITTEE MEETING
ON-LINE TELECONFERENCE
MEETING MINUTES
Thursday, December 17, 2020
12:20 p.m.**

MEMBERS PRESENT:	K. Kawall (Chair) R. Brady D. Bylsma J. Hellinga D. Huson B. Johnson B. Mackenzie W. Rapley M. Woodhouse B. Wright E. Smith
MEMBERS ABSENT:	S. Beattie
OTHERS PRESENT:	D. Cridland
STAFF PRESENT:	C. Sharma, C.A.O. / Secretary – Treasurer G. Bivol, Executive Co-ordinator to the C.A.O. / Board N. Green, Project Manager R. Bisson, Manager Communications and Public Relations

The Chair called the meeting to order at 12:20 p.m.

1. APPROVAL OF AGENDA

Recommendation No. SPC-18-2020

Moved by Member Bylsma

Seconded by Member Woodhouse

THAT the Strategic Planning Committee Meeting agenda dated Thursday December 17, 2020 **BE APPROVED** as presented.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

3. APPROVAL OF MINUTES

- a) Minutes of the NPCA Strategic Planning Committee meeting dated November 3, 2020

Recommendation No. SPC-19-2020

Moved by Member Smith

Seconded by Member Wright

THAT the Minutes of the NPCA Strategic Planning Committee meeting dated November 3, 2020 **BE APPROVED**.

CARRIED

4. CORRESPONDENCE

None.

5. DELEGATIONS

None.

6. PRESENTATIONS

None.

7. CONSENT ITEMS

None.

8. DISCUSSION ITEMS

- a) Verbal Update on the Strategic Plan - C. Sharma, C.A.O. / Secretary – Treasurer presented to the Board and sought direction from the Committee on proceeding with the Strategic Plan in light of the newly enacted Bill 229. By consensus, the Committee directed that the process proceed with a high level workplan and overview to be presented in January and a report on items that could be advanced. It was noted that public consultation would not occur before March, 2021.

9. NEW BUSINESS

None.

10. ADJOURNMENT

Recommendation No. SPC-20-2020

Moved by Member Huson

Seconded by Member Woodhouse

THAT the Strategic Planning Committee meeting of December 17, 2020 **BE** hereby **ADJOURNED** at 12:54 p.m..

CARRIED

K. Kawall
Committee Chair

C. Sharma, MCIP, RPP
Chief Administrative Officer / Secretary
- Treasurer



DATE: January 21, 2021

MOTION:

Moved By: Member Mackenzie

Seconded By: Member _____

WHEREAS the NPCA has passive, non revenue generating, conservation areas located across the entire watershed;

WHEREAS the increase in attendance at all conservation areas has been significant in 2020;

WHEREAS the visiting public has shown a strong need to visit our areas for recreational use for their mental and physical health;

WHEREAS the passive conservation areas are in need of visitor services improvements, including signage, trails, visitor facilities and parking;

NOW THEREFORE, BE IT RESOLVED:

THAT staff **BE DIRECTED** to bring forward a report with a 5-year plan illustrating the needs, on a priority basis, for proposed improvements to the passive conservation areas in the NPCA watershed.

Chair: _____

CARRIED: ____ - ____

DEFEATED: ____ - ____

No. ____